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Humanitarian Intervention: great expectations and shattered hopes

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Humanitarian Intervention: Great Expectations and Shattered Hopes

By

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B.A. Old Dominion University

A Thesis

Submitted to the Graduate Faculty

of the University of Richmond

In Candidacy

For the Degree of

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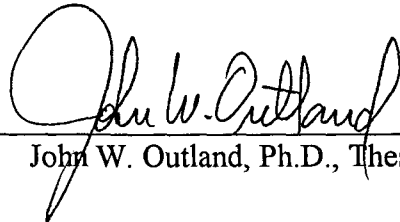
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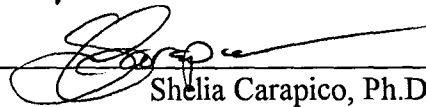
Abstract: Humanitarian Intervention: Great Expectations and Shattered Hopes, By Charles W. Peraino, in Candidacy for the Degree of Masters of Arts at the University of Richmond, 1995; Thesis Director: John W. Outland, Ph.D.

America faces the moral dilemma of whether to intervene militarily, at great risk, in states which commit massive human rights violations against their own citizens. A systematic look at the intellectual ideas guiding international relations reveals such atrocities to be an established part of international behavior. Ending this structural violence is difficult because of the epistemological and ethical limits of social science, the rule of law, political theory, and moral philosophy. The resulting, insolvable problems of international politics--such as the preference for international order over individual justice, the unlimited aspirations of nationalism and self-determination, the conflicts of cultural relativism, and the lack of universal standards for state legitimacy--present obstacles to Americans changing their traditional foreign policy perspectives into a moral and effective policy of military humanitarian intervention. But there is hope, for non-military forms of humanitarian intervention provide the potential for greatly reducing structural violence.

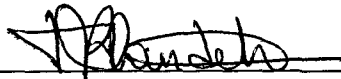
I certify that I have read this thesis and find that, in scope and quality, it satisfies the requirements for the degree of Master of Arts.



John W. Outland, Ph.D., Thesis Advisor



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Chapter I

Humanitarian Intervention: An American Moral Dilemma

The use of military force against the sovereignty and in the internal affairs of other states, such as Bosnia and Rwanda, to stop genocide and other human rights violations is a frustrating moral dilemma for Americans after the Cold War. It is a dilemma of two compelling moral arguments: one, to intervene because of the horrific nature and number of atrocities, and, the other, not to intervene because of the intense violence of ethnic conflict. It is a frustrating situation in which genocide--that unconscionable act of violence striking at America's core values of democracy and human rights--never seems to end and, therefore, always seems to prey on the American conscience. It is also frustrating in that, like most idealism at the end of a major conflict, the idea of military humanitarian intervention--defined here as the use of military force against another state's sovereignty to stop it from committing mass atrocities such as genocide or ethnic-cleansing upon its own civilian population or refusing to respond to the massive starvation and disease of its civilian population for political reasons--has not fared well recently against the realities of local and international politics.¹ As a result, the international community is left with the

¹This definition is essentially the same as Jack Donnelly's of "... [the dictatorial coercive interference in the internal affairs of another state] in order to remedy mass and flagrant violations of the human rights of foreign nationals by their own governments." Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca: Cornell University Press, 1989), 260; Genocide or the massive, systematic killing

option of non-military intervention to stop unconscionable human rights violations. Although non-military intervention is not a focus of this study because of the almost infinite forms it takes and the controversy about its effectiveness, it still remains the best hope to end genocide and other heinous human rights violations.

New Hopes After the Cold War

At the Cold War's end, there were a number of reasons to hope for a new world order of greater peace and security. Changes in international politics were perceived as presenting opportunities for the use of force to stop genocide and suffering, which were tempting to the West. The increase in democracy, the decrease in totalitarianism, the dissipation of the nuclear threat, and the end of the superpower rivalry gave hope for more cooperation among states and a more effective use of collective security not only to stop aggression of one state against another but also to stop a state's internal aggression against its own civilian population by gross, massive human rights violations. Not surprisingly, this optimism was part due to the hope that a renascent United Nations, once freed from its role

and Practice (Ithaca: Cornell University Press, 1989), 260; Genocide or the massive, systematic killing of people for racial or religious reasons is its most obvious target. However, the acts covered in this paper, which I term structural violence, are broader than genocide and include the massive deprivation of both political and economic rights, i.e., the severe denial of political rights or survival necessities resulting in massive loss of life, caused by the state's incompetence and/or oppression. Included are the state's unlawful acts (e.g., the malfeasance of the Serbs ethnic cleansing in Bosnia), the state's lawful acts performed harmfully (e.g., the misfeasance of Russia's preservation of its unity by its war on civilians in Chechnya), and the state's acts of omission (e.g., the nonfeasance of the anarchic fighting of the clans of Somalia while the people starve). The issues covered here go beyond the restricted definition by Adam Roberts and Richard Haass, of short term use of military force, to include the idea of nation-building or reforming the target state's political institutions causing its massive infliction of death and suffering. Richard N. Haass, *Intervention: The Use of Force in the Post-Cold War World* (Washington, D.C.: The Carnegie Endowment for International Peace, 1994), 132; Adam Roberts, "Humanitarian War: Military Intervention and Human Rights," *International Affairs* 60 (July 1993):445.

as an international forum for the superpowers, could play a larger role in eliminating genocide and human rights violations.²

Also emerging was the perennial, idealistic aspiration to replace power politics with a more altruistic foreign policy.³ The opportunity seemed to be there since the United States as the last superpower was in a unique position to be the world leader against oppression and atrocities. The relevance of realism and power politics, which had dominated American foreign policy during the Cold War, was being questioned, and Americans began to consider more seriously the idea of replacing the narrow statist version of the national interest with a new focus on the common interest of humanity. The emphasis was now on the more highly profiled, and perceived worsening, global threats, such as overpopulation, environmental degradation, economic disparity, crime, disease, and hunger.

In addition, the perception that power politics was on the decline was accompanied by a greater focus on the idea that governments have a fiduciary

²A period of idealism after a great conflict is a pattern of 20th century international politics. See Yale H. Ferguson and Richard W. Mansbach, *The Elusive Quest: Theory and International Politics* (Columbia, S.C.: University of South Carolina Press, 1988), 91-7; President Bush's "new world order" during the Gulf War was a reversion to idealism with its belief in collective security, U.N. restraints on the behavior of states and authorization of a U.S. led intervention, emphasis on international law and order, and respect for self-determination hopefully as replacements for the old power politics of the balance of power. Robert W. Tucker and David C. Hendrickson, *The Imperial Temptation: The New World Order and America's Purpose* (New York: Council on Foreign Relations, 1992), 54-5.

³In its basic form, power politics is the reliance of foreign policy on military or economic coercion: Alexander Deconde, ed. *The Encyclopedia of American Foreign Policy: Studies of the Principle Movements and Ideas* (New York: Charles Scribner's Sons, 1978), s.v. "Power Politics," by Thomas H. Etold. Also see Henry Kissinger, *Diplomacy* (New York: Simon & Schuster, 1994), 137. Kissinger defines. power politics in terms of the German conception of *realpolitik*, which is "...based on calculations of power and the national interest." Political power, according to Hans Morgenthau, is the struggle for control among political leaders, as well as between the people and their political leaders; Kenneth W. Thompson, *Traditions and Values In Politics and Diplomacy: Theory and Practice* (Baton Rouge: Louisiana State University Press, 1992), 148, citing Hans J. Morgenthau and Kenneth W. Thompson, *Politics Among Nations: The Struggle for Power and Peace*, 6th ed., (New York: Knopf, 1985), 32.

responsibility to their citizens and could no longer excuse cruelty against their civilian populations in the name of international and domestic order. If they continued to do so, justice would require the international community to intervene against them to alleviate the human suffering and unjust treatment of local populations.

Old Realities

In such a world, it was not surprising that Americans felt confirmed in their sense of exceptionalism that their values and way of life were special and would eventually become the universal foundation of a stable international system of economically viable democracies. The liberal world order of democratic capitalism based on the Enlightenment's ideas of progress, optimism, scientific rationalism, individualism and equality seemed to have proven itself superior to all other ideologies.⁴

But the severity of the global threats and the re-emerging ethnic, religious, and other conflicts of group identity contradicted America's new idealism. The flare-up of ethnic conflict seemed to be a regression into a much more intense, disrupting, and unconscionable form of violence than that of the Cold War. The ferocity of ethnic violence increased doubts for Americans about the international community's ability to preserve peace and order, to stop atrocities, and to encourage democracy. The hoped for cooperation to resolve both the global threats and the conflicts within

⁴Michael Howard, "Cold War, Chill Peace: Prospects for Order and Disorder," 148-53 in Charles W. Kegley, Jr. and Eugene R. Wittkopf, eds., *The Global Agenda: Degrees and Perspectives*, 4th ed., (New York: McGraw-Hill, Inc., 1995), originally published in *World Policy Journal*, Vol. X (Winter 1993-94). Fukuyama, Francis. *The End of History and the Last Man* (New York: Avon Books, 1992), xi-xiii.

states, which was symbolized by the international alliance against Saddam Hussein, seemed to be unraveling.⁵

Power politics, contrary to the hopes for its remission, was taking hold in the political turmoil of the former Soviet Bloc, the Balkans, and Africa. The result was the creation of local conflicts and pockets of power within and between the world's new and old states. Also, the ethnic nationalism and economic failure of Africa elicited a virulent form of regional disorder that threatened to draw the West reluctantly into a neo-colonialist role there. This situation was made worse by the superpowers no longer exercising orderly authority over their former blocs and client states. In particular, the disintegration of the former Soviet Bloc was threatening to draw Russia back into expansionism, which would place pressure on NATO to include former Bloc members in its alliance.⁶

Nationalism and self-determination also made an unexpected and malevolent comeback to challenge the status quo of state sovereignty. The demise of the Soviet Bloc and the superpower influence in Africa left a power vacuum within states whose citizens still felt the unfinished business of self-determination. As old grievances of oppressed groups surfaced, the people of these states became susceptible to

⁵See "Russia Blocks Serbs' Censure," *Richmond Times-Dispatch*, December 12, 1994, Sec. A, p. 4.

⁶One expert estimated in 1992 that "...there are 125 ethnic or minority disputes in the former Soviet Union alone, with about 25 classified as 'armed disputes.'" See Eugene Robinson, "Communal Violence Likely to Endure in Post-Cold War Era," *The Washington Post*, 18 August 1992, sec. A, p. 9; According to the Center for Defense Information, "there are 29 military conflicts in the world today, up from 24 in 1992.... In most of them, the divisions fall along ethnic or religious lines...." Thomas W. Lippman, "Ethnic Strife Succeeds Cold War's Ideological Conflict," *The Washington Post*, 18 December 1994, Sec. A, p. 36; On NATO and Russian expansionism, see "Russia Jangles Nerves of Neighbors," *Richmond Times-Dispatch*, April 22, 1995, Sec. A, p.4; John Hall, "Chill Over NATO Grips U.S. Russian Relations," *Richmond Times-Dispatch*, April 2, 1994, Sec. A, p. 4; Yelsin Denounces U.S. Over NATO Expansion," *Richmond Times-Dispatch*, December 6, 1994, Sec. A, p.4.

exploitation by demagogic leaders preaching nationalism. The resulting mayhem and hatred arising from the explosion of self-determination and nationalism made the world appear more unstable and self-destructive than ever, made the task of nuclear nonproliferation more difficult, and placed less international restraint on potential rogue states. As the authority of state sovereignty declined, any resulting increase in humanitarian aid seemed to be more than offset by the emerging secessionist movements of disintegrating states.⁷

Because of these factors, the status of human rights after the Cold War appeared as precarious as ever, and perhaps even worse, and still subject to the machinations of power. The old threat of totalitarian order was transformed into the new threat of chaotic, political decentralization. Because power appeared to be changing in terms of its allocation rather than diminishing in importance, the form but not the substance of the threat to political and economic human rights appeared to be changing. Instead of the orderly oppression of totalitarianism, there was the disorderly oppression of ethnic nationalism and dissolving states. The demise of state sovereignty and the ascendancy of nationalism ironically threatened political and economic human rights as much, if not more than, the old totalitarian order. Certainly discouraging was the ineffectiveness of the international community and the West to stop the genocide occurring in Bosnia and Rwanda. Such events appeared frightfully anti-modern and regressive, and, therefore, disillusioning and frustrating to Americans.

⁷See Robert D. Kaplan, "Into the Bloody New World Order," *Washington Post*, April 17, 1994, Sec. C, p. 1.

The Legitimacy of the Post-Cold War State and Structural Violence

Despite all the hopes and the attainment of a stronger human rights regime, genocide was happening again, suggesting that it is an inherent element of an international system that emphasizes the power of the state. The state was still the primary, political unit of life, and it still carried with it the problem of where to draw the line on the legitimate use of violence. Even in democracies--as the controversy over the U.S. use of violence against the Branch Davidians in Waco, Texas attests--the people were not certain of its legitimate limits, but in the non-West, where genocide or genocide-like atrocities were taking place, the problem was worse. The situation represented the failure of international politics to end the horrific and unconscionable mass violence which seemed to be a part of the structure and process of the conflict between and within states.

The shame shared by the West and the rest of the world was that international politics still involved a form of structural violence in which states committed genocide, atrocities, and other unconscionable, massive human rights violations against their own civilian populations predicated either upon general principles held by humanity about international politics--e.g., beliefs in non-appeasement, the sanctity of the state, and the preservation of credibility--or inexplicably upon hatred without any rational political purpose--e.g., genocide and ethnic-cleansing. Such acts involved the deprivation of both political and economic rights caused by the state's unlawful acts (e.g., the malfeasance of the Serbs in Bosnia), the state's lawful acts performed harmfully (e.g., the misfeasance of Russia

in Chechnya), and the state's acts of omission (e.g., the nonfeasance of the conflicted tribes of Somalia). And that shame is still there today as genocide and similar atrocities are de jure illegal while de facto tolerated several years after the demise of the Soviet Union.⁸

Not only is the shame of structural violence still prevalent, but the pervasiveness of the media, especially television, reminds Americans daily of the world's atrocities and suffering and, likewise, the cost of stopping it. Hence, whatever the discomforts and pressures on foreign policy practitioners and citizens to make moral and practical decisions about international politics, the emotional ante is raised by television pictures of both starving Africans and dead U.N. personnel. The actual effect of the media on foreign policy after the Cold War is a matter of controversy and a subject beyond the scope of this study, but it nonetheless impinges on the conflicting feelings Americans have about humanitarian intervention.⁹

⁸Johan Galtung also uses the idea of structural violence, though differently than used above, to mean a violence beyond direct physical assault in which exploitative political systems of the rich and powerful employ indirect coercion to take the world's resources for themselves. The term is used above in a more elementary and less ideologically burdened sense to ask why masses of people are killed and terrorized as a result of deprivation of their political and economic human rights by political authority. See Johan Galtung, "Nonterritorial Actors and the Problem of Peace," in *On the Creation of a Just World Order: Preferred Worlds for the 1990s*, ed. Saul H. Mendlovitz (New York: The Free Press, 1975), 151-5.

⁹See James F. Hoge, Jr., "Media Pervasiveness," *Foreign Affairs* 73 (July/August 1994):136-44. Also see Nika Gowing, "Behind the CNN Factor," *The Washington Post*, July 31, 1994, sec. C, p. 1. Gowing's thesis, based on a research project that he did at the Joan Shorenstein Barone Center at Harvard University's John F. Kennedy School of Government, is that the ability of television's shock value to influence foreign policy decision-making is grossly exaggerated. Gowing's thesis is probably correct in that, if anything, the pressure of the media reinforces the sense of dilemma without improving decision-making and aiding resolution of the problem. Certainly in the 1990s, we have ridden the highs and lows of humanitarian intervention on television from the moral outrage of ethnic-cleansing in July of 1992 to the euphoria of intervention in Somalia in December of 1992 to the pictures of dead American Rangers being dragged naked around Mogadishu. More than anything, however, these events show how we, though well intentioned, get caught up in what Geoffrey Stern calls the "fashionable conscience" in which we adopt a cause celebre only to later recognize the horrific consequences of both action and inaction, leading to our disillusionment. Geoffrey Stern, "Morality and International Order," in Alan James (ed.) *The Bases of International Order* (New York: Oxford University Press, 1973), 138, 144.

The Limits of Moral Action: American Foreign Policy Adrift

As a result of a political world transfigured but still morally wanting, Americans began to agonize even more than usual over their traditional preoccupation of matching their ideals to the real world. It was the classic inner tension of American exceptionalism where its greatest strength, its liberal aspirations, confronted its greatest weakness, its unrealistic idealism. Doubts were rising about the place of democracy and social justice in the world and about the eventual universal acceptance of liberal ideas. There was a confluence of hope and disappointment which was taking its toll on the development of ideas by Americans about the future of international politics. The United States was failing to take the moral and diplomatic lead with its allies. The situation eventually manifested itself in a vacillating U.S. foreign policy subject to moral uncertainty and lack of political will.

Certainly the failure to produce realistic policy prescriptions for the use of humanitarian intervention against structural violence and human rights violations has played a significant role in the drift of American foreign policy. This failure is due in part to the genuinely difficult issues involved but more importantly to the tension in international politics between international order and individual justice. It is the thesis of this paper that an ambitious use of military, humanitarian intervention will not end structural violence, which is an established part of international relations and which is seen as a means of preserving international order and the power of the state. The termination of structural violence is greatly inhibited by a number of

fundamental political issues that the best of human knowledge and moral values about politics--as embodied in social science, the rule of law, political theory, and moral philosophy--cannot resolve in the foreseeable future. These issues are the lack of predictive theory in the study of international relations, the unbridgeable divide in understanding between the various socio-political cultures of international politics, the preference among foreign policy practitioners for international order and justice in terms of the state and not the individual, the influence of state-centric thinking and realism on international behavior, the lack of consensus among states on what is the legitimate relationship between a state and its people, and the aspirations of justice without solutions presented by the problems of self-determination and nationalism. With such significant obstacles to ending structural violence, intervenors cannot find the political will, i.e., the national, psychological and moral commitment, for the sustained effort needed for successful humanitarian intervention. For Americans, these obstacles prevent the various U.S. foreign policy perspectives of liberalism, conservatism, neo-isolationism, realism, and internationalism from developing a moral and effective policy of military humanitarian intervention.

To reconcile the U.S. foreign policy perspectives on humanitarian intervention with political reality, a systematic look at the problems of ending structural violence and human rights abuses is presented in the chapters that follow. Chapter II examines the failure of the rule of law and social science to provide either enforceable values or prescriptive and predictive theory in international relations to end human rights violations and genocide. Chapter III examines the reasons why international order and the power of the state eclipse individual justice. Chapter IV

analyzes the problem of basing humanitarian intervention on the state's legitimacy in terms of its actual representation of its people, while chapter V looks at the inability of humanitarian intervention to penetrate the intractable, local problems of self-determination and nationalism. Chapter VI examines the effect of humanity's limited abilities concerning international politics and justice on America's traditional foreign policy perspectives as they relate to humanitarian intervention. And the concluding chapter analyzes the inabilities and obstacles to resolving structural violence and human rights abuses in terms of the possibilities of future moral and epistemic changes in international politics. The conclusion is that humanity's incremental acceptance of ideas advancing human rights is working, but, for the foreseeable future, the end of structural violence and oppression, especially by the use of force, is beyond humanity's abilities.

To set their foreign policy free from intellectual drift, it is important that Americans resolve their moral dilemma over humanitarian intervention and recognize their true limits of moral action. The way to do this is to acknowledge that military, humanitarian intervention, except as a temporary expedient such as safe zones for the dying and suffering, is unworkable and ineffective. Americans need to recognize intellectually what they know intuitively, which is that there are transcendental limits to moral, political action and that the incremental steps toward a better world and against evil are always part of an uphill battle.¹⁰

Recognition of their limits would allow Americans to keep their political values, despite a world of suffering and despair. Otherwise, the continued ad hoc

¹⁰See Michael Howard, "Cold War, Chill Peace: Prospects for Order and Disorder," 153.

toying with the idea of military intervention, which is destined to fail, is likely to result in terrible cynicism and disillusionment for Americans about the future of democracy and human rights.

Historically, states have not exhibited the political will to intervene except under very limited conditions and mostly based on self-interest.¹¹ Despite the idealism of American exceptionalism and the humanitarian impulse of Americans, the United States also has no tradition of humanitarian intervention. This is not to say that America is a moral failure as a nation. Rather, the point is that the U.S. failure to assert influence over structural violence is not an excuse for humanity's moral deficiency but is a reminder that humanitarian intervention is an attempt at policy beyond the limits of those good people who see the end of genocide as a desirable, primary goal of foreign policy.

But that moral political action is limited in today's world does not mean that an effective human rights' policy is impossible. A coherent political philosophy of morality, constituting a vision and strategy for strengthening justice for the individual within the arena of international politics, would provide Americans the psychological and moral foundation, i.e., the political will, for a more assertive foreign policy in favor of human rights while avoiding cynicism and disillusionment. The result would be small but realistic intrusions against suffering that are not possible by the use of force. In this way, Americans can use the only viable option for strengthening the international human rights regime, which is the incremental infusion of individual

¹¹Michael Akehurst, "Humanitarian Intervention," in Hedley Bull (ed.), *Intervention in World Politics* (Oxford: Clarendon Press, 1984), 95-9; Robert Cooper and Mats Berdal, "Outside Intervention in Ethnic Conflict," *Survival* 35 (Spring 1993):134-5.

justice into international politics. For Americans, a stronger, international human rights regime consistent with our political values and the world's realities is necessary, with the hope that one day there will be knowledgeable and moral change which ends structural violence. It must be a regime which allows us to cope with the world as it is but motivates us to pursue the world as it might be.

Chapter II

Social Science and the Rule of Law: Ineffective Sources of Humanitarian Intervention

The transition to a new configuration of international politics is difficult for Americans because two of their most important societal values, the belief in science and the rule of law, provide no immediate answers to genocide and oppression. Consequently, the debate on humanitarian intervention is, by default, based on ideology, intuition, moral reasoning, and emotion. More specifically, there is a problem with the epistemological weakness of international relations. None of the field's major approaches to theory resolve the fundamental issues of international politics to the extent that an intellectually sound basis for the moral and political justifications of military humanitarian intervention exist.

The Failure of the Legalistic-Moralistic Approach

The rule of law's application to international relations is termed the legalist-moralistic approach and is the product of America's great legal tradition and 20th century idealism. Its legal, positivist principles assume that the law can be shaped auspiciously through scientific rationalism to resolve humanity's serious social problems, including those of international politics. Hence, the central idea of the legalistic-moralistic approach is that rules, norms, international altruism, cooperation,

and collective security can replace power politics, expand the international human rights regime, devise a world of states under the rule of law, and infuse international politics with humanistic values.¹

The influence of these principles on international relations can be seen within the academic literature of the American legal community where legal scholars have searched for the appropriate legal and moral norms to achieve these goals. Even before, but especially after the Cold War's end, law review articles have proposed the use of force within the territory or against the sovereignty of another state to protect its population against genocide and mass atrocities. Most recently, these writings proposed legal theories for enlarging the legitimate targets of intervention to include human rights denied by ordinary oppression.²

The legalistic-moralistic approach, however, despite contributing an intellectual history of idealistic thought to the study of international relations, denies the realities of conflict and power, even when viewed from a non-realist perspective. Ignored are all the complex paradoxical problems of international politics, such as the conflicting values of different cultures, the fanaticism of political extremists, the relative power of states, the lack of a centralized restraint on states, the unfinished business of nationalism, the many meanings of self-determination, and the heavy burden of responsibility placed on both states and citizens to protect themselves. It

¹Hans Morgenthau terms the rule of law idealism in international relations as the "legalist-moralist approach." Hans Morgenthau, "Political Power," in John A. Vasquez, *Classics of International Relations*, 2nd ed. (Englewood Cliffs, N.J.: Prentice Hall, Inc., 1990), 34.

²Guenter Lewy, "The Case for Humanitarian Intervention," *Orbis* (Fall 1993): 62-7. For a reasonably comprehensive list of law review and other articles on the doctrine of humanitarian intervention, see David J. Scheffer, "Toward a Modern Doctrine of Humanitarian Intervention," *University of Toledo Law Review* 23 (Winter 1992): 254, n.3.

is an idealistic approach which, if viewed as the primary path to justice in international relations, is a passion for scientific law and ethics without acceptance of the realities of political power. As a result, legal theorists concentrate passionately and idealistically but seldom pragmatically on the problems of genocide and other atrocities, which is evidenced by the words of law professor Arthur Leff concerning aid to those suffering in Biafra:

I don't know much about the relevant law. My colleagues, here, who do, say that it's no insurmountable hindrance, but I don't care much about international law, Biafra or Nigeria. Babies are dying in Biafra...We still have food for export. Let's get it to them any way we can, dropping it from the skies, unloading it from armed ships, blasting it with cannons if that will work. I can't believe there is much political cost in feeding babies, but if there is, let's pay it; if we are going to be hated, that's the loveliest of grounds.³

Whether Leff is naive about the realities of international politics or a moral dissenter against a world of amoral power politics is an open question and one that gets to the heart of the humanitarian intervention debate. It is a conundrum especially for legalist-moralists because they have no reality-based prescriptions for resolution of the complex, paradoxical problems of international politics which precipitate the complex relationship between justice and order and provoke the conflicting visions between realism and idealism. Instead, legal scholars either ignore or poorly refute them, although they must be resolved before the law can become the main pillar of international order and justice. As a result, the legalist-moralist approach, other than in law journals, is conspicuous by its absence from the

³Yale law professor Arthur Leff quoted in Michael J. Bazylar, "Reexamining the Doctrine of Humanitarian Intervention in Light of the Atrocities in Kampuchea and Ethiopia," *Stanford Journal of International Law* 23 (Summer 1987): 570, citing the *New York Times*, 4 Oct. 1986, sec. A, p.46.

humanitarian intervention debate and receives limited attention by international relations scholars and foreign policy practitioners. Its unpopularity reflects the conventional thinking that laws and norms are effective in assisting those already interested in peace but not those on whom peace has to be imposed. But, as will be seen later, the outright rejection of such idealism is the cynical acceptance of power at the expense of achievable moral goals in foreign policy.⁴

The Failure of Social Science

The other field to which scholars and practitioners alike look for answers is social science. Unfortunately, intervention faces the same limits of theory, or "conceptual jails" as Rosenau calls them, that restrict the whole field of international relations. As a result, the field has not developed operational and measurable concepts capable of providing a predictive theory of humanitarian intervention.⁵

Just as happened during the Vietnam War, the issue of intervention has again become a compelling issue, this time on matters of genocide, at a time when social science offers little predictive theory. In fact, social science has been receiving increasing criticism for its failure to discover any intersubjective laws of political behavior. Adding to the doubts about the ability of social science to verify theories

⁴Guenter Lewy, "The Case for Humanitarian Intervention," 628.

⁵James N. Rosenau, *Turbulence in World Politics: A Theory of Change and Continuity* (Princeton, N.J.: Princeton University Press, 1990), 5, 22, 37-44.

and to provide prescriptions was the recent failure of political science to predict the Cold War's end and the Soviet Union's demise.⁶

According to John Lewis Gaddis, the efforts of behaviorists to proceed "from a determinedly inductive 'bottom-up approach,' deferring the construction of theory until they have collected, measured, and compared as much observable evidence as possible..." in order to verify the results, failed. Unfortunately, political science is not past the deductive, intuitive stage of reasoning, with its endless heuristic theorizing as a substitute for valid and reliable empirical studies. Thus, scientific forecasting is not able to assist with the problem of humanitarian intervention. Although the basis of Western thought is scientific rationalism, those suffering today's atrocities cannot afford to wait for behaviorists to collect data for replication and verification through their inductive "'bottom up' approach" with the hope that one day scientific laws of international politics will be discovered to better their lot.⁷

The unfulfilled promise of political science is indicated by the field's inability to find a consensus approach to the systematic study of humanitarian intervention.

⁶The last great intervention issue of Vietnam foreshadowed for Americans the disillusionment of the 1960s about the relevance of political science. In the 1980s, the field's general advancement was questioned. Now the relevance of political science to post-Cold War problems is being raised. Recently, Ferguson and Mansbach concluded that "... the nature of theory in international relations and the manner in which it evolves, along with the subjectivity in the field, make progress in theory construction difficult, at best, and, at worst, improbable." Yale H. Ferguson and Richard W. Mansbach, *The Elusive Quest: Theory and International Politics* (Columbia, S.C.: University of South Carolina Press, 1988), 8-9; Similarly, a recent article by John Lewis Gaddis provided a comprehensive review of international relations theory in light of its failure to forecast the Cold War's end. Gaddis noted that behavioralism and quantification have "... produced neither theory nor forecasts, nor usable policy recommendations." John Lewis Gaddis, "International Relations and the End of the Cold War," *International Security* 17 (Winter 1992/93): 20.

⁷John Lewis Gaddis, *Ibid.*, 13, citing J. David Singer, "The 'Correlates of War' Project: Interim Report and Rationale," *World Politics* 14 (January 1972), 249-51. The many defects of social science do not mean, however, that it should be fully discounted in political studies such as that of humanitarian intervention. Quantitative and behavioral studies can inform the moral questions of politics but not to the extent suggested by Rosenau.

Over two decades ago, James Rosenau decried the absence of scientific explanations as to what conditions make intervention legitimate and maximize its probabilities of success. He argued that an overemphasis on normative, legal and strategic studies and the infusion of a "...vast array of unrelated matters..." confused the study of intervention, which was dominated by "...the common discourse [of] common sense, general understanding, and metaphoric suggestion..." instead of science. Major problems to be overcome in devising a systematic study of intervention were the difficulties in defining the national interest, measuring motivation, i.e., the fundamental goals of the intervenor and the attitudes of the target state's citizens, and influence, i.e., the degree of effect the intervenor's intentions had on the target state.⁸

At the core of the problem, according to Rosenau, is intervention's morally neutral nature, which he hoped to escape by clarifying its meaning within a boundary appropriate for scientific study. Intervention as a concept represents acts that may be either good or bad depending upon one's view of desired ends. The same act of intervention often represents a "double standard," i.e., it could be argued as being both desirable and undesirable by the use of opposing but equally compelling moral reasoning because of the diversity of values among states. Nevertheless, subjective thinking about intervention could be reduced if the individual case studies were analyzed and compared according to a common standard of scientific inquiry using

⁸James N. Rosenau, "Intervention as a Scientific Concept," *Journal of Conflict Resolution* 23 (1969): 150-1; James N. Rosenau, "The Concept of Intervention," *Journal of International Affairs* 22 (1968): 173.

a common basis of communication. He thought that intersubjective rules might be discerned to assist intervention in achieving desirable goals.⁹

Other scientific disciplines, charged Rosenau, had separated values and opinions from the technical meaning of empirical observation. In political science, however, the subjective conceptions of the public and the politicians substituted for concepts specifically designed for operationalization. Because of the numerous definitions of intervention, there was a confusing mix of approaches to its study. Rosenau's response was to propose a definition of intervention which he argued allowed for its operationalization. Rosenau's hope was that subsequent studies would uncover patterns and theories of behavior capable of informing what Rosenau referred to as intervention's moral question, i.e., the determination of intervention's desirable ends. Though science could not define these ends, he claimed that it could assist humanity in this area by providing greater knowledge about "...the sources, processes, and consequences of interventionary behavior..."¹⁰

To Rosenau, intervention constituted certain human activities which could be measured to determine whether they were achieving their intended results. Hence, he proposed a set of operations to identify intervention's existence and suggested two generally accepted universal characteristics of intervention that are manifested by human behavior. First, there must be a flagrant break with conventional behavior lasting until the unconventional acts cease or become conventional over time. Intervention, thus, is finite and transitory in nature. Second, intervention is aimed

⁹James N. Rosenau, "Intervention as a Scientific Concept," 150-2.

¹⁰Ibid.

at the target state's authority structure, its leaders, bureaucracy, etc., as opposed to its policies or capabilities. This characteristic gives intervention its political component because the authority structure is the source of the target state's political control over its civil population. According to Rosenau, the target state's source of political authority is the political leaders and/or the political processes, e.g., the bureaucracy, through which the decisions binding on society are made.¹¹

Essentially, Rosenau views the process of directing intervention at the target state's authority structure as any convention breaking activity by another state designed to alter in any significant way the former's authority structure. Rosenau cites examples, such as outside influence on elections and pressure for human rights which challenge the target state's authority structure. On the other hand, the bolstering of an oppressive regime or countering its foreign policy is not intervention since the activities involved are conventional. Similarly, colonialism and imperialism involve a continuing control or occupation of the target state which is essentially conventional behavior outside Rosenau's conception.¹²

Rosenau claims that the ambiguity of meaning is greatly resolved by his definition. The study of intervention is made manageable by eliminating many interventionist activities irrelevant to operationalizing the subject. Eliminated as intervention are a lot of foreign policy activities which may break convention but

¹¹Ibid., 161-2, 164. According to Richard Little, Rosenau's definition met an unfavorable response apparently because it did not fit either the traditional thinking or ideological preferences of the attending scholars; Richard Little, "Recent Literature on Intervention and Non-Intervention," in Ian Forbes and Mark Hoffman, eds., *Political Theory, International Relations and the Ethics of Intervention*, (New York: St. Martin's Press, Inc., 1993), 16.

¹²James N. Rosenau, "Intervention as a Scientific Concept," 161-2, 164-5.

seldom are aimed at another state's authority structure. Also eliminated is equating ideology with intervention. The problem of the national interest, though difficult to solve, is reduced by improved empiricism. The unmeasurable factor of motivation can be avoided in determining interventionary phenomena. Neither the intentions of the intervenor nor the attitudes of those within the target state need to be examined to identify behavior composing intervention. As a result, with unmeasurable factors, such as motivation, eliminated and the focus placed more narrowly on the casual connection between sharp changes in behavior, i.e., intervention, and the changes in the target's state's authority structure, measuring influence is made easier.¹³

Because intervention is defined in terms of its operations, Rosenau argues that behavior can be observed systematically. Thus, statements by the intervenor's political leaders hostile to the target state's authority structure could be observed as evidence that intervention is aimed at the target's political system. Dictatorial interference could be measured by the visible protest in the target state against intervention. The change in the target state's authority structure could be observed during the intervention process. In this way, imprecise terms and normative concepts could be avoided while observable criteria could be discovered to measure intervention's success in terms of whether it achieved what it intended. More specifically, an observer could develop operations to determine if a particular military action was serving its intended purpose.¹⁴

¹³Ibid., 155-6.

¹⁴Ibid., 155.

Although Rosenau's writings provided valuable material on intervention, the boundary between science and the moral question has yet to be found. Subsequent studies failed to fulfill his hopes that scientific analysis would one day inform the moral complexity of intervention. Today, normative theory still dominates international relations as well as intervention. Richard Little recently surveyed the literature on intervention and concluded that "The research required to develop a general theoretical understanding of intervention ... is simply limited."¹⁵ Similarly, David A. Welch, in his generally favorable review of one of the more recent and informative anthologies on intervention, wrote about the problem of definition:

...although a number of essays note that the concept of intervention can refer to a wide variety of acts and relationships (and, in its most liberal interpretation, is coextensive with international politics as a whole), no two essays seem to use the word in precisely the same way. It is therefore often difficult to know exactly what problem the book is seeking to explore. This indeterminacy raises particular difficulties for the authors of the case studies, all of which are interesting and informative, but none of which is truly a "hard case" in the absence of a clear definition of the phenomenon.¹⁶

The Moral Issue of Intervention

The problem that Rosenau and other behavioralists could not transcend is the inability of social science to grasp the non-measurable components of intervention, i.e., those related to values, ideology, power and motivation. Rosenau's reasoning is

¹⁵Richard Little, "Recent Literature on Intervention and Non-Intervention," 14; also see Richard Little, "Revisiting Intervention: A Survey of Recent Developments," *Review of International Studies* 13 (1987): 49-50.

¹⁶David A. Welch, Review of *Political Theory, International Relations, and the Ethics of Intervention*, by Ian Forbes and Mark Hoffmann (eds.) in *American Political Science Review* 88 (September 1994): 799-800.

mistaken in the assumption that observable acts constituting intervention can be separated from the motives, i.e., the values, which inform intervention. As a result, social science cannot satisfactorily overcome the problem of measuring influence. Political behavior within the target state, or more specifically the behavior of its authority structure, still cannot be linked causally to intervention by empirical study. That the behavior in the target state may have occurred anyway or was caused by factors other than intervention cannot be disproved by empirical observation.

Rosenau's definition of intervention is also disadvantaged by being limited to conventional behavior. Such conventional acts as bolstering an oppressive regime or exploiting other states politically and economically are generally considered intervention, but even if Rosenau is correct that such acts should not be included in an operational definition, he still has the problem of separating their capacity to precipitate and generate the impulse for intervention from the operational behaviors he designated for study. By defining intervention as unconventional behavior, Rosenau gained some operationalization but dismissed other important interventionary factors which still must be studied as part of the whole picture.

Rosenau is a social scientist who accepts the improvement of the human condition as a primary goal of social science,¹⁷ and he has demonstrated in his own preferences for order and moral imperatives that there cannot be any analysis of intervention without prior assumptions of what are desirable ends. Empirical data, in fact, is of little help in resolving intervention's moral issue concerning which ends

¹⁷James N. Rosenau, *Turbulence in World Politics*, 49; James N. Rosenau, "Intervention as a Scientific Concept," 149, 169.

are desirable because data and any resulting intersubjective laws are of little help in resolving moral conflicts. For example, the increasingly accepted and scientifically validated principle, at least according to Western thinking, that democracies do not go to war with each other does not solve the problems of moral and cultural relativism among states.¹⁸ Rosenau's analysis cannot help but fall into the logical paradox of assuming certain desirable ends of ultimate good that cannot be scientifically demonstrated, e.g., international order and a world devoid of atrocities and racism, as part of his behavioralist goals. Further, he would not likely abandon these desirable ends even if empirical findings were to bring them into question.

Rosenau's analysis of intervention showed him feeling seriously constrained by the moral problem involved. This constraint was reflected in his acceptance of normative studies on moral, legal and strategic issues as important to the study of intervention. Obviously, his inability, and reluctance, to escape intervention's moral significance, despite his desire for an operational definition, was influenced by the controversy of America's involvement in the Vietnam War, which was one of the great political issues of the day and one to which political science was accused of being irrelevant. Thus, Rosenau wrote at the time that intervention is the political community's most pressing moral issue involving "...the human spirit, the liberty of

¹⁸*American Political Science Review*, which presents few articles on foreign affairs, nevertheless, from 1992 through 1994, published the following articles of quantitative research, of course, on the relationship between democracy and war: David A. Lake, "Powerful Pacifist: Democratic States and War," *American Political Science Review* 86 (March 1992): 24-37; Zeev Maoz and Bruce Russett, "Normative and Structural Causes of Democratic Peace, 1946-1986," *American Political Science Review* 87 (Sept. 1993): 624-38; William J. Dixon, "Democracy and the Peaceful Settlement of International Conflict," *American Political Review* 88 (March 1994): 14-32. For the argument that the period of transition prior to reaching a mature and peaceful democracy is often a prolonged period of war, see Edward Mansfield and Jack Snyder, "Democratization and War," *Foreign Affairs* 74 (May/June 1995): 79-97.

individuals, the structure of groups, [and] the existence of order," which affects the dignity of people and the amount of control they have over their destinies.¹⁹

Rosenau attempted to separate science from values with the noble aspiration that the former would inform the latter. In the final analysis, however, he could not resolve the problems of moral and cultural relativism. He could not help but retain certain core values, such as international order and the evil of genocide. Rosenau assumed the necessity to condemn intervention generally for the sake of international order while allowing for appropriate exceptions for the sake of morality. His acceptance of nonintervention as a norm implied order as a desirable end. He based exceptions to the nonintervention norm on the assumption that some acts against it preserved international order and human rights. Rosenau's examples of the U.S. intervening in Latin America as "unwarranted" while intervening against Hitler's Germany as "justified" implied certain moral imperatives for the international community, such as the need to stop and punish genocide even at the expense of state sovereignty and the risk of international disorder.²⁰

Neither could Rosenau escape the ethic of consequences, i.e., the demands of the real world. He assumed the need to avoid the harmful effects of intervention and that there are situations in which the preservation of international order must supersede a generally perceived moral imperative. To Rosenau, sometimes a leader must place prudence above principle. For example, he agreed with the failure of the West to intervene in Hungary's 1956 revolt against the Soviet Union for fear of a

¹⁹James N. Rosenau, "Intervention as a Scientific Concept," 149.

²⁰Ibid.

nuclear holocaust. As a result, he ultimately relied on the same utilitarian reasoning and ethic of consequences that realists adhere to. He returned to thinking in terms of preferred ends and the national interest.²¹

His assumption of desirable ends proved that he could not get past social science's inability to find which ends are the more desirable and which actions are in accord with them. Hence, the inability of human observation to separate political values from political behavior left all politics in the realm of moral and cultural subjectivity. This situation is manifested in the recent return to the forefront of intervention issues involving nationalism, self-determination, and ethnic conflict. During the Cold War, they were considered in decline in the face of cosmopolitan, social progress brought about by science and universal values, such as democracy and Marxism. The only question was whether Western or Marxist universalism would prevail. However, ethnic nationalism and self-determination, even in the West, intensified with a vengeance to the extent that humanitarian intervention was contemplated and found wanting. Exacerbating the problem was the admission by scholars that they could not identify a clear set of factors for making reasonably certain predictions on where ethnic conflict would strike next, on the degree of popular support it would receive, on the intensity it would possess, and on its probable duration.²² Such unexpected changes in international politics served to

²¹Ibid., 152. Hans Morgenthau, in discussing what is the moral significance of political action, argued that it is not the pure ethics of conforming to moral law but rather the political ethics of the demands of the real world, i.e., the ethics of consequences. Joel H. Rosenthal, *Righteous Realists: Political Realism, Responsible Power, and American Culture in the Nuclear Age* (Baton Rouge: Louisiana State University Press, 1991), 5-6.

²²Anthony D. Smith, "The Ethnic Sources of Nationalism," *Survival* 35 (Spring 1993): 59.

illustrate that it was precisely because Western thought had no effective method of comprehending the complexities of societies with different political and cultural values that it substituted theorizing on political and moral philosophy for predictive theory. For Americans today, the lesson is that there is no systematic and reliable method of determining the consequences of humanitarian intervention.

Humanitarian Intervention: Intrusion into the Unknown

Another way to view the problem of intervention not being susceptible to scientific measurement and predictive theory is to recognize that intervention produces local undulations which can never be separated in any clear way from the periodic outcomes of the local political process. For instance, Michael Walzer and his critics during the late 1970s debated the efficacy of possible U.S. intervention in Nicaragua between the time of the Sandinista defeat in 1978 and Somoza's ouster in 1979. To Walzer, the efficacy of nonintervention was shown by what he saw as the internal adjustments of self-determination and local responsibility leading eventually to Somoza's defeat. Luban, on the other hand, saw these factors as being neutralized by oppressive force in 1978, making nonintervention immoral, as the Nicaraguan state made war on its own people who, he alleged, suffered needlessly and irretrievably for another year. As it was, who could have foreseen the defeat by ballot of the Sandinistas? Who could have seen, and even today say, at what point intervention would have worsened or relieved the suffering of the Nicaraguan people? The complexity of the political process and the denouement in Nicaragua since Somoza's

defeat makes the intervention issue of 1978 appear insignificant.²³ Unfortunately, a state's internal, political conflict is difficult to analyze in a systematically empirical manner at the international, state, and individual levels except in studies of limited historical context because, as Walzer argues, self-determination is an open-ended, historical process.

The Delusion of Scientific Prescription and the Hope of Vision

The refusal to recognize the limitations of social science has serious implications for both the study and practice of international relations and humanitarian intervention. The belief in science can be seductive, such that normative theorists might mistake their approach as scientific in nature and behavioralists might see their limited quantitative studies as supportive of their ideological positions. Thus, by self-deception either might mistake their ideology for scientific findings about international relations based on behavioral studies. Those desiring progress might become so convinced of the righteous nature of their cause that they imperceptibly manipulate quantitative studies in the pursuit of normative goals, i.e., the masking of idealism with scientism.

Contemporary evidence that ideology is susceptible to being mistaken as social science and behavioralism is presented in the ideas of the recently defunct World Order Models Project (WOMP). During the 1980s, it was an approach to

²³See Michael Walzer, "The Moral Standing of States: A Response to Four Critics," *Philosophy and Public Affairs* 9 (Spring 1980): 218-9; David Luban, "Just War and Human Rights," *Philosophy and Public Affairs* 9 (Winter 1980): 170-1; David Luban, "The Romance of the Nation-State," *Philosophy and Public Affairs* 9 (Summer 1980): 396.

international relations by a number of highly respected scholars who used statistical and empirical data to compare past, present, and future international systems. The goal was to develop projections and trends that could be analyzed for remedies to approaching world catastrophes. Starting with a worldwide group of scholars and tentative conclusions general enough for consensus, WOMP advocates sought to develop "a framework of world order values," which over time would raise the consciousness of the elite of international society. The idea was that eventually new values of international politics would be accepted by states, international organizations (IOs) and nongovernmental organizations (NGOs), regional, cultural, and ethnic groups. As a result, international politics would progress toward a world order absent the direct violence of killing and the indirect violence of social, environmental and political oppression.²⁴

Richard Falk envisioned WOMP as a world order of minimal collective violence and maximum economic and environmental well-being, social and political justice. The values of the international system of states would in effect be transformed with NGOs acting as interest groups for the people and not their abusive

²⁴See Samuel Kim, *Toward A Just World Order* (Boulder, Colo.: Westview Press, 1984), 95, 294-5; Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia university Press, 1977), 303; Richard Falk, "Contending Approaches to World Order," *Journal of International Affairs* 31 (Fall/Winter 1977) : 172, 175, 187-8; Patrick M. Morgan, *Theories and Approaches to International Politics: What Are We To Think*, 4th ed., (Newbrunswick: Transaction Books, 1988), 293-300. WOMP may be viewed as a hybrid between science and ideology. Claimed to be non-ideological in the sense that world systems are analyzed statistically and empirically to develop a consensus of logical inferences of values needed to avoid world disaster, WOMP, nevertheless, evokes populist tendencies and views elites as suspect. According to Kim, the national security state militarized its political system around a ruling elite who have a vested interest in the status quo. Therefore, the modern state, regardless of ideology, is centered around its military establishment. Hence, the state and its military are ends unto themselves rather than tools to preserve societal and cultural values. Before humanity can be made whole, the values of the status quo that make the state the *raison d'être* of the international system and of the ruling elites must be changed. See Richard A. Falk, *Ibid.*, 188-9; Also see Samuel Kim, *Ibid.*, 98, 133, 334.

governments and elites. WOMP, however, was susceptible to the same criticism placed upon the current trend of multicultural education, i.e., that its goal of consciousness raising was designed "to give an academic gloss to an implied power struggle and to organize...on a political basis without seeming to do so."²⁵ Thus, WOMP advocates could have it both ways. They could become political activists without forsaking social science.

On the other hand, WOMP's ideas helped create a vision of global problems that, as will be seen later, developed a new appeal after the Cold War. In addition, its emphasis on justice is part of the same idealism that is behind the ideas of the post-Cold War interventionists. Yet that military humanitarian intervention other than other than very limited actions appears to be a failure is no reason to become cynical, for it is the very Western idealism of the rule of law and the belief in scientific progress which, while failing to stop structural violence, provides the hope for incremental advances in the protection of human rights.

²⁵Richard A. Falk, "Contending Approaches to World Order," 179; James Davison Hunter, *Culture Wars: The Struggle to Define America*, (np: Basic Books, 1991), 219, citing Thomas Short, "A New Racism on Campus?" *Commentary* 86 (1988): 50.

Chapter III

The Conflict Between International Order and Justice

Three Kinds of International Justice

Justice, as the goal of humanitarian intervention, is clearly described in the scholarly and popular literature in terms of justice for the individual. Yet, in international politics, justice has three conceptual meanings. Initially, Hedley Bull gives its fundamental meaning, which is as applicable in the international arena as it is within states, as "...the class of moral ideas...which treat human actions as right in themselves and not merely as a means to an end." Bull, however, in writing about international justice, further divides it into three categories, interstate justice or the reciprocal recognition by states of each other's rights and duties, human justice or the respect shown for the rights and duties of individual human beings by the state, and cosmopolitan justice or the rights and duties people and their states owe each other for "the world common good" as members of a global community.¹

¹See note 11 below on the issue of individual justice as the core value of humanitarian intervention; For a discussion of the different concepts of international justice, see Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia university Press, 1977), 78-86. It must be remembered, however, that Bull is a realist.

Individual Justice: Obstacle to International Order?

But the traditional view within the field of international relations is that the pursuit of individual justice by states conflicts with international order, because the latter cannot exist without a state-centric international politics based upon interstate justice. As the idea goes, some minimum degree of international order is considered a precondition to all the other desirable goals of international politics, including a reasonable degree of international justice, but the pursuit of individual justice conflicts with international order and interstate justice, and therefore, threatens all forms of justice.² The question then for humanitarian intervention is whether the international community is willing and able to balance individual justice more equitably with international order and interstate justice for the purpose of reducing human suffering and atrocities? The outlook for the foreseeable future is not optimistic.

The role of order in international politics is complex and often vaguely alluded to, but its general acceptance as the framework within which international relations is studied makes it important to the analysis of intervention. It is an important theoretical concept because it is viewed as both the objective behavior of international politics and the ideological aspirations and accomplishments of a state or a concert of states.³

²As will be seen, the literature of international relations and foreign policy, including that of many of the foremost thinkers in both fields, is replete with the assumption that international order and individual justice conflict. See Hedley Bull, *Ibid.*, 86-98.

³As will be seen, R.J. McKinlay and R. Little have a very subjective view of international order in contrast to James N. Rosenau's objective view.

The Definition of International Order

In its normative sense, international order is the world which states view as most closely reflecting the attainment of their desirable goals of foreign policy. It is an ideological interpretation of international order. That is to say, states desire their core values to have as much influence over the world as possible. The closer the world approaches each individual state's ideal world order, the more it feels secure, self-fulfilled, and confirmed in its core values. In this way, a state's view of world order structures its foreign policy choices. The goals and the methods for the achievement of international order are, therefore, a matter of the state's political and cultural values. In this respect, it is difficult to dismiss the ideological aspects of international order. This is why American exceptionalism plays an important role in U.S. efforts for a liberal world order.⁴

In its empirical sense, international order, as aptly described by James Rosenau, is the impersonal, causative forces of world politics whose reoccurring patterns of individual and collective human behavior are molded by cultural, environmental, situational, and historical factors. Rosenau assumes order to be an objective reality. There is a cause for every effect. Nothing happens at random. World order and intervention are empirical phenomena. At present, however,

⁴McKinlay and Little have a subjectivist view of world order as constituting goals, structural arrangements, and belief systems. They analyze these components in three world order models which they term liberalism, socialism, and realism. They also assume that, since these models have different goals, world order is naturally contentious. R.D. McKinlay and R. Little, *Global Problems and World Order* (Frances Pinter: London, 1986), 2, 4, 9, 21-3, 263.

humanity does not have the skills and scientific tools to observe the underlying causes of international political behavior and must take them on faith.⁵

International order is also thought of in a far deeper philosophical sense as a precondition to all the other desirable goals of international politics. Just as domestic order is a societal arrangement which minimizes violence and lawlessness and assures the basic goals of organized social life within the state, the same is true for international order except that states which are in a contentious decentralized world must limit their competition to protect those goals.⁶ As a result, international politics utilizes different mechanisms than domestic politics to keep order. Accordingly, Hedley Bull defines international order "...as patterns or dispositions of human activity that sustain the elementary or primary goals of social life among mankind as a whole." These "common goals of all social life," in Martin Griffith's words, are security of human life, sanctity of contract and stable possession of property. As John Vincent notes in discussing Bull's definition, states attempt to secure these goals in order to assure human existence, cooperation and economic development.⁷ Obviously, international order is a valued entity not to be put at risk except for the most compelling reasons.

⁵James N. Rosenau, "Intervention as a Scientific Concept," *Journal of Conflict Resolution* 13 (June 1969): 23; James N. Rosenau, *Turbulence in World Politics: A Theory of Change and Continuity* (Princeton, N.J.: Princeton University Press, 1990), 50.

⁶James Q. Wilson, *The Moral Sense* (New York: The Free Press, 1993), 13-15; Patrick M. Morgan, *Theories and Approaches to International Politics: What Are We To Think*, 4th ed., (New Brunswick: Transaction Books, 1988), 261.

⁷R.J. Vincent, *Nonintervention and International Order* (Princeton, N.J.: Princeton University Press, 1974), 329; Hedley Bull, *The Anarchical Society*, 4-5, 20; Martin Griffith's, "Order and International Society: The Real Realism," *Review of international Studies* 18 (July 1992): 237.

The Status Quo of International Order Over Individual Justice

Because it is so highly valued, there is no mystery as to how states currently act, both individually and as an international community, in balancing international order with individual justice. That genocide is a byproduct of the state's protection of order is evidenced by the strength of the nonintervention norm even when its violation could stop atrocities by other states and political groups. Not even unconscionable atrocities stop individual justice from receiving mostly formal recognition while the threats, if not the acts, of power politics still control the pursuit of world order. This priority is evidenced from the general condemnation by the society of states of the interventions in Kampuchea, Uganda and Bangladesh, despite their humanitarian results and by the lack of collective sanctions against most of the acts of genocide subsequent to the Second World War. Clearly, a certain sacrificial level of structural violence by states against each other and their civilian populations is perceived as necessary to the maintenance of international order.⁸

In addition, the nature of justice itself prevents it from becoming a highly desirable goal of foreign policy. To begin with, justice means many things to many

⁸Hedley Bull, *The Anarchical Society*, 96-7; R.J. Vincent, *Nonintervention and International Order*, 310; also see Samuel Kim, *Toward A Just World Order* (Boulder, Colorado: Westview Press, 1984), 239; Tom J. Farer, "An Inquiry into the legitimacy of Humanitarian Intervention," in Lori Fisler Damrosch and David J. Scheffer (editors) *Law and Force in the New International Order* (Boulder, Colorado: Westview Press, 1991), 193-4; The noxious but difficult to refute idea of structural violence, as an explanation of the base cruelty of international politics, holds that the existence of genocide and/or other forms of violence are a necessary part of the development of the state system and the maintenance of world order. R.J. Vincent, *Nonintervention and International Order*, 332; Barbara Harff, *Genocide and Human Rights: Inaction and Political Issues*, Monograph Series in World Affairs, ed., Karen A. Feste, Vol. 20 (Denver: University of Denver Graduate School of International Studies, 1984), 12-13.

people and is often subject to double standards, which presents an insurmountable problem in its enforcement for world leaders.⁹ As a result, justice is generally accepted not as a universal truth but either as the aggrieved wrong or the preferred set of values held by a people within a particular political subgroup. That it is "universal" only within the political subgroup is expressed in the hackneyed Cold War expression that one man's terrorist is another's freedom fighter. Put another way, people tend to be realists concerning their own interests and moralists concerning the interests of others. Consequently, social scientists devalue its usefulness in the study of political behavior just as practitioners do in the formulation and implementation of foreign policy.¹⁰

But humanitarian intervention is usually discussed in terms of human or individual justice and, to a lesser extent, in terms of cosmopolitan justice or the common good. It is usually defined in terms of remedying mass and flagrant violations of human rights, stopping and preventing outrageous, mass atrocities, acts of oppression, and unnecessary suffering, and, more recently, in terms of protecting basic political, cultural, and economic human rights. The goals of humanitarian intervention are based on the idea that the inherent value of the individual human being is not negated by the exigencies of international politics. The meaning of

⁹Compare the double standards of justice with those of intervention, the latter which James Rosenau attempted unsuccessfully to ameliorate by developing an operational definition for intervention. Both justice and intervention are burdened by their subjective natures which necessitate disagreement by people and political communities over the choices of desirable ends. See above, p. 12.

¹⁰Stanley Hoffmann, *Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics* (Syracuse: Syracuse University Press, 1981), 31, 196; Geoffrey Stern, *Morality and International Order*, in Alan James (ed.) *The Bases of International Order* (New York: Oxford University Press, 1973), 144.

humanitarianism is the sole concern for the welfare of the human race, which is primarily based on cosmopolitan morality or the common good, derived from that is the idea of individual justice.¹¹

The Desire for Justice and the Values Distribution Among States

The various meanings of justice and the difficulties of applying them to ideas such as humanitarian intervention do not, however, negate the omnipresence of the desire for justice in international politics. As Bull points out, the actors in international politics hold specific values and beliefs on justice which affect the course of events. According to Oran Young, the structure of the international political system is characterized by motivational, systemic factors or variables such as ideological and conceptual norms of order. There is in effect a "values distribution" within the international system which influences political behavior including intervention.¹²

For examples of the "values distribution" among states, Young points to the historical tension between radical and status quo states and competing visions of world order including the interventionary propensities of the "crusading or

¹¹See Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca: Cornell University Press, 1989), 260; Thomas Weiss and Thomas J. Watson, "Tangled Up in Blue: Intervention and Alternatives," *Harvard international Review* 26 (Fall 1993): 31; Adam Roberts, "Humanitarian War: Military Intervention and Human Rights," *International Affairs* 60 (July 1993): 445; Charles A. Beitz, *Political Theory and International Relations* (Princeton, N.J.: Princeton University Press, 1970), 181-2; See the definition of humanitarianism in *The Random House College Dictionary*.

¹²Hedley Bull, *The Anarchical Society*, 78; Oran R. Young, "Intervention and International Systems," *Journal of International Affairs* 22 (1968): 182-85.

proselytizing syndrome" of states. Such norms may relate to a state's internal factors such as its form of government and ideology or to international factors such as the values of the international community, e.g., toward conservative or revolutionary intervention.¹³

Cultural Relativism and the Lack of Consensus on Justice

The distribution of values within the international system of states, however, is a function of cultural relativism. States, consequently, are in conflict over interstate, individual, and cosmopolitan justice. Each of the culturally distinct political communities constituting the subcomponents of states possesses a collective sense of justice based on its own referential experiences. Hence, the community's cultural history determines its political values, including its collective sense of justice which may exist at the state or substate level depending upon the state's degree of political homogeneity. Yet, paradoxically most states are part of larger socio-political cultures, while domestically they are often not culturally homogeneous. Consequently, socio-political conflict of varying degrees between and within states, which is justice based and culturally induced, is not uncommon.¹⁴

This collective sense of justice, is a source of both unity and conflict. It draws the culturally distinct political community together against outsiders but also incites ethnic and other group identity conflicts, especially within states, because the

¹³Oran R. Young, *Ibid.*

¹⁴These observations are supported by arguably strong theories about the issues of state legitimacy, the nature of the state and its subgroups, the conflict of cultures within and among states, and how the ideas of justice relate to these questions, which are dealt with in subsequent chapters.

differing perceptions of collective justice among groups result in an enduring feeling of deprivation and the desire for retribution of an aggrieved wrong. Hence, the festering of ethnic groups' resentments is explosive and is a fomenter of violence.

The implication for those attempting to balance justice and order is that the analysis of other political communities is made difficult by the fact that the bonding of values of the civil populations within states both promotes and disrupts order. The sense of collective justice held by communities encourages a form of nationalism in the West based on the rule of law and individual and cosmopolitan justice that discourages local conflict and disunity within states, but the sense of collective justice also provokes an ethnic variety of nationalism which is a cause of unusually malevolent civil war making the moral discrimination between victim and culprit difficult for outsiders.¹⁵ In addition, the desire for justice encourages moralism or the group's belief that it possesses the sole truth on its particular issue or issues of grievance. As Hedley Bull argues, it is the uncompromising pursuit of justice which provokes arbitrary interventions and displaces those devices necessary to the preservation of order, and hence leads to disorder and paradoxically to greater injustice.

With its lack of consensus on meaning, valuing justice equally with order is seen as a threat to stability by state and world leaders, whether in terms of ideology, self-determination or human rights. Bull points out that the lack of consensus by states concerning the desirable ends of foreign policy makes international politics

¹⁵Hedley Bull, *The Anarchical Society*, 87-90.

"inhospitable" to the idea of the world common good or cosmopolitan justice.¹⁶ For the same reason, international politics is inhospitable to the idea of human justice as well. With the incongruity of justice, it is order, Bull states, that is the precondition for the existence of the "selective and partial" justice, which is the maximum that humanity can achieve in the world of politics as it is today.¹⁷ Indeed, a main argument against humanitarian intervention is that states cannot give individual justice priority over international politics without producing disorder from the many resulting conflicts and interventions.

Another reason for the preference of order over justice in international politics is the traditional, philosophical presuppositions about the nature of international politics held by political leaders and scholars derived from how they see human nature and behavior. Scholars and practitioners, arguably through no fault of their own, view international relations in a way which makes them justice agnostics. World leaders assume that nonintervention protects state sovereignty which protects world order. The pursuit of universal individual justice, on the other hand, is seen as an impossible task, which would violate state sovereignty and the nonintervention norm to the detriment of international order. International order is associated with security and stability for the state both at home and abroad. To scholars in particular, order must exist as an "initial premise" to the scientific study of international relations. Scholars see international order as a behavioral entity

¹⁶R.J. Vincent, *Nonintervention and International Order*, 387; R.D. McKinlay and R. Little, *Global Problems and World Order*, 8-9; Rosenau, "Intervention as a Scientific Concept," 151; Hedley Bull, *The Anarchical Society*, 87-90.

¹⁷Hedley Bull, *The Anarchical Society*, 86, 93.

existing in a different domain than international justice. Since values and science supposedly are separate entities, scholars think in terms of theories about structure and order. They see international politics in terms of the big picture and see the pursuit of individual justice at best irrelevant to and at worst conflicting with the maintenance of order because of the structure and nature of the world of states. Because practitioners and scholars alike work from theory, whether it is working theories like appeasement and deterrence or structural theories such as neo-realism, they tend to see the preservation of international order in dispassionate and utilitarian terms.¹⁸

The Dispassionate Mindset on International Politics

With this dispassionate macro view, disorder within and among states is quite logically susceptible to being viewed as an observable, impersonal political event demanding analysis rather than as acts of cruelty against large numbers of people deserving of a humanitarian response. According to Rosenau, disorder, which he terms turbulence, results from the impersonal forces of the human interaction of many actors in a complex process, which has an emerging behavioral pattern. Some of the reoccurring patterns and responses of individual and collective human behavior, when isolated and viewed at any particular point in time, involve conflicts

¹⁸As to order as an initial premise to make the systematic study of international politics possible, see James N. Rosenau, *Turbulence*, 50; This observation of the distraction by international relations' theorists and policy makers away from the principles of individual and cosmopolitan justice is similar to the argument that the principles of group morality, i.e., the morality of political communities and states, sanitizes the standard morality generally accepted by individuals. It is the idea that the conscience of the individual dissolves into the amoral, opportunistic political goals of the group. See Mary Maxwell, *Morality Among Nations: An Evolutionary View*, 10, 23-5, citing Reinhold Niebuhr, *Moral Man and Immoral Society* (New York: Scribners, 1932), 84-5, and 123-6.

and fluctuations, which are normally perceived as disorder. However, Rosenau argues that they are actually adjustments in the international system in transition from an old to a new order.¹⁹

Rosenau's dispassionate response to today's turbulence of premising order out of disorder does not lend itself to ideas about humanitarian intervention. This is not to criticize Rosenau's level of compassion in any way but rather to demonstrate the mindset of those attentive to international relations, which, regardless of whether a justifiable view or not, is a barrier to the political will needed for effective humanitarian intervention.

Realism and Justice

Another barrier to thinking in humanitarian terms is the mindset and influence of realism. Few practitioners and scholars deny that relative power, cultural and ideological diversity, and the national interest are indispensable factors of international politics. The problem with realism, however, is not that it has been a predominant part of American foreign policy since the Second World War but rather that, no matter how strong idealism penetrates its theories, the realities of power and self-interest, at least through perception, remain with us. That realism cannot be fully excised from international relations implies serious limits on the ability of states to end structural violence.

¹⁹James N. Rosenau, "Intervention as a Scientific Concept," 23; James N. Rosenau, *Turbulence in World Politics*, 50.

According to realists, based on the presupposition that human nature is self-aggrandizing in a world unconstrained by any central authority, states are egoistic entities of varying degrees of power trapped together in a "security dilemma" of mutual fear of aggression. A current example of this dangerous game is the thousands of nuclear warheads still available even after the Cold War to the U.S. and Russia which, though not currently targeted at each other, can be retargeted in about thirty minutes. The only effective response by states to the "security dilemma," according to realist theory, is the rational and measured use of force on issues either of survival or of vital interests and, otherwise, the mutual restraint of force through the international structuring of certain stability devices, which are the balance of power, diplomacy, world leadership by powerful states, international law, negotiation, interstate justice, and at times, when necessary, war.²⁰

Structuring this equilibrium of relative peace against the vicissitudes of international politics, realists believe, is a matter of skill. Since power and interest are objective realities self-evident from the nature of international politics, they can be discerned in the real world, albeit imperfectly and too often unskillfully, but, nonetheless, the opportunity is there for pursuit of an effective foreign policy. By skillful and objective threat perception, the focus and expenditure of state power can

²⁰Kenneth Thompson, *Traditions and Values In Politics and Diplomacy: Theory and Practice* (Baton Rouge: Louisiana State University Press, 1992), 89; Hedley Bull, *The Anarchical Society*, 91-3, 101, 127, 162, 184, 200; R.D. McKinlay and R. Little, *Global Problems*, 74-7, 78-80; The balance of power is an alliance of states with similar interests counterbalancing a threatening state. The natural response in a decentralized world of relative power, according to realists, is for states to align themselves in blocks so that no one state becomes predominate enough to threaten others and world order; Philip Wiener, *Dictionary of the History of Ideas: Studies of Selected Pivotal Ideas* (New York: Charles Scribner's Sons, 1973), s.v. "Balance of Power," by Herbert Butterfield; J. Hare and Carey Joynt, *Ethics and International Affairs* (New York: St. Martin's Press, 1982), 48-9; see George F. Kennan, "Morality and Foreign Policy," *Foreign Affairs* 64 (Winter 1985/86): 206, 207.

effectively protect the state's national interest. The inescapable implication of this theory, however, is that, between fortuity and blunder, the world, imperfect as it is, allows for structural violence.²¹

Realist theory favors interstate justice over individual and cosmopolitan justice because the state is assumed to be the only political entity capable of structuring an equilibrium of relative peace by a moderate pursuit of the national interest. It is considered the most capable instrument to use the stability devices needed to maintain international order. The state, therefore, is seen as having a special fiduciary relationship with its citizens, like that between agency and principle, to pursue the national interest.²²

Although the national interest is criticized for being almost infinite in meaning, realists view it as an elastic concept similar to the general concepts of American constitutional law, which grows and changes with the demands of international politics. For realists, the indefinite nature of the concept does not negate its reality. Elasticity of concepts is part of the nature of politics. For example, survival, like free speech, remains a core value, though how it is defended changes with history. Therefore, an effective foreign policy adapts its threat perceptions realistically and skillfully as time and circumstances change. State

²¹Michael Joseph Smith, *Realist Thought from Weber to Kissinger* (Baton Rouge: Louisiana State University Press, 1986), 154-5; Hans J. Morgenthau, "Another Great Debate: The National Interest of the United States," *The American Political Science Review* 46 (December 1952): 972.

²²George F. Kennan, "Morality and Foreign policy." *Foreign Affairs* 64 (Winter 1985/86): 206; Michael Joseph Smith, *Realist Thought*, 155-6.

leaders are accountable for pursuing the national interest skillfully.²³ Realists admit that concepts like the national interest and power may be ambiguous but nonetheless represent the reality of political behavior.

At the core of the national interest are the state's survival interests around which its citizens coalesce in support and for which they are willing to die. Survival interests are the "irreducible minimum" of the state's physical and moral integrity in contrast to the state's historically variable wish list of non-survival interests advanced by the conflicting desires of its special interest factions, political elites, and publics. In addition to domestic pressures, there is also the influence of supranational organizations. Supporters of particular variable interests, claiming economic benefits or affective sympathy abroad, often attempt to elevate their agendas to survival interest status. Variable interests, argue realists, are highly susceptible to negative factors such as moralism, arrogance of power and egoism. An obvious variable interest, according to realists, is human rights. Under these circumstances, the state's moderate pursuit of its survival interests maximizes interstate justice which also obtains the greatest possible justice for its citizens. Since survival interests include the state's moral integrity, the national interest relates to more than physical survival. It is also a matter of protecting a state's core values, which includes the state's political institutions and cultural values. It is these core values that give the state's political community its sense of meaning, self-identity and self-fulfillment, and feeling of virtue along with its sense of physical well-being. Thus, within that "irreducible

²³See Hans J. Morgenthau, "Another Great Debate," 972; George F. Kennan, "The National Interest of the United States," *Illinois Law Review* 45 (January-February 1951): 730, 736, 738; Kenneth Thompson, *Traditions and Values*, 81.

minimum" of survival interests are those core values which give moral self-fulfillment to the state's political community and which are worth the costs in lives and money to defend, even overseas in intervention, as exemplified by the willingness of the American people to defend their democratic institutions by interventionist policies during and after the Second World War.²⁴ Clearly, under this reasoning, the state's protection of its moral integrity by realist principles provides its citizens the optimum satisfaction of their collective sense of justice.

Realism also serves justice, claim its advocates, because the moderation it requires for a rational determination of the national interest also protects the diversity among states. According to Morgenthau, the citizens and leaders of the world's states prefer their policies to be consistent with a reciprocal respect of each others cultural and political values. Thus, they recognize that the respect of diversity is pragmatic and a matter of enlightened self-interest. Although realists do not see the protection of diversity a desirable end unto itself, its protection, nonetheless, is an important ingredient of international order because it is consistent with moderation and compromise among states.²⁵

When, however, the collective perception of justice, whether in a state as a whole, e.g., Nazi Germany, or within the subgroups of a state, e.g., the former Yugoslavia, takes precedence over the pursuit of interstate justice, rational thinking

²⁴Hans J. Morgenthau, "Another Great Debate," 972, 973, 977; Sissela Bok who is anything but a realist nonetheless refers to survival in terms of preserving "...as much as possible of all that one values..." See Sissela Bok, *A Strategy for Peace: Human Values and the Threat of War* (Pantheon Books: New York, 1989), 64.

²⁵Kenneth Thompson, *Traditions and Values*, 136, 137; Michael Joseph Smith, *Ibid.*, 45-8; See Hans J. Morgenthau, "Another Great Debate," 977.

on the use of power and the pursuit of the national interest is disrupted. Realists claim that the tenets of realism encourage the mutual trust and respect among states needed for peace and discourage the state's corrupt, unbridled pursuit of its self-interest through either moralism or moral skepticism. Realists like Hans Morgenthau reject the criticism that their theory of international politics is amoral and a form of moral skepticism. To the contrary, they claim that realism, by avoiding the irrational zeal of moralism, prescribes an effective, moderate structure of equilibrium for peace which maximizes the influence of morality and justice in international politics.²⁶

The danger of moralism and moral skepticism is that either can easily erupt in many states and their political subgroups. The earnest pursuit of justice can change with political conditions into either deceptive moralizing to rationalize egoistic policies or delusional thinking to affirm fanatical beliefs. The result is a radicalized, and often violent, policy toward those with different interests and values which works against the trust required between states for peace and international order. As either moral hypocrisy or fanaticism displaces the national interest, the survival of the state and, consequently, the maintenance of world order are put at unnecessary risk.²⁷

²⁶See Charles R. Beitz, *Political Theory and International Relations*, (Princeton, N.J.: Princeton University Press, 1979), 15-17; also see Marshall Cohen, "Moral Skepticism and International Relations," in Charles R. Beitz, et. al. (editors) *International Ethics: A Philosophy and Public Affairs Reader* (Princeton, N.J.: Princeton University Press, 1985), 4.

²⁷Hans J. Morgenthau, "To Intervene or Not to Intervene," 434; Moralism is the belief in a morally superior truth so deserving of universal acceptance that its dissemination is justified by any means. Moral skepticism is the belief in the amorality of international relations. See Kenneth Thompson, *Traditions and Values*, 135-7, 136, 174-5.

Because of the state's importance, strong international norms in its favor, including one of nonintervention, are seen as necessary to international order. Because realism is a state-centric theory, some violence is morally defensible as a tool for structuring stability devices, and a high degree of noninterference in favor of the state is necessary to keep it viable enough to play a positive role in the structuring. As bluntly put by Hedley Bull, violence is traditionally used in power politics as a stabilizing device for the maintenance of world order.²⁸

Yet it is the nonintervention norm that allows the state to abuse its citizens with impunity. As a result, realism's assumption that the state is the rightful and most efficient political unit to protect the world's civilian populations presents a serious obstacle to the development of human justice in today's world. The price that humanity pays for an orderly world of states is a reluctance of the international community and its most powerful states to interfere in a serious way, and especially militarily, not only against ordinary oppression but also against atrocities and severe human rights violations.²⁹

²⁸Hedley Bull, *The Anarchical Society*, 91-3, 188.

²⁹R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), 83; R.J. Vincent, *Nonintervention and International Order*, 329, 330-32; R.J. Vincent, *Nonintervention and International Order*, 307, citing Julius Stone, "Approaches to the Notion of International Justice," in Richard A. Falk and Cyril E. Black (editors) *The Future of the Legal International Order*, Vol. 1, *Trends and Patterns* (Princeton, N.J.: Princeton University Press, 1969), 425-6; James N. Rosenau, "Intervention as a Scientific Concept," *Journal of Conflict Resolution* 13 (June 1969): 152; Thomas G. Weiss, "Triage: Humanitarian Intervention in a New Era," *World Policy Journal* 11 (Spring 1994): 59; Kishore Mabbubani, "The Dangers of Decadence: What the Rest Can Teach the West," *Foreign Affairs* 72 (Sept./Oct. 1993): 10. The international community is the society of the world's states formed voluntarily with common rules and institutions to reflect their areas of common interests and values. Their purpose is to put limits on those qualities of international politics such as power that are only efficacious to humanity when exercised in moderation. See Hedley Bull, *The Anarchical Society*, 13.

Bull admits that this state-centric conception of justice does not conform to the popular individual and cosmopolitan connotations of justice. He accepts that the stability devices violate the ordinary sense of justice held by many people, groups, and even states, because they depend upon the use of violence, power, and the pursuit of the national interest, but sometimes violence must be used to save a viable state and hence to maintain order. Accordingly, Bull writes that "...war... plays a central role in the maintenance of international order, the enforcement of international law, the preservation of the balance of power, and the effecting of changes which a consensus maintains are just."³⁰

This tradeoff of some violence for order, which supposedly maximizes peace in an imperfect world, is the core of realist morality, although Marshall Cohen argues that it is no morality at all. Paradoxically like the strategy of setting a fire to fight one, a controlled disorder of violence is thought to be sometimes useful to prevent a disorder of much greater magnitude. Because the success of the stabilizing devices requires some war or what Bull describes as "...organized violence carried on by political units against each other," it is generally accepted that the greater good of social order among states allows for some unjust, in the popular sense, and violent behavior within and between states. This use of violence to defend the "islands of order" that constitute international order maximizes world justice by, as Vincent describes it, the "...the laying down of life to protect life." Because of the importance of the stability devices in maintaining order, it is paradoxically their displacement by

³⁰R.J. Vincent, *Nonintervention and International Order*, 330, 341; Hedley Bull, *The Anarchical Society*, 91-2, 184.

the foreign policy goals of individual or human justice, which, because of the its inherent divisiveness, would cause greater disorder and, consequently, greater injustice.³¹

Violence as a Stability Device in a State-Centric System

This morality is a utilitarian perception of the moral dimensions of world order, which assumes that the maintenance of the appropriate general rules, i.e., the nonintervention norm and the stability devices of realism, despite the cost of some structural violence maximizes world order because there are no alternative, effective restraints on violence and power. The moral thinking is that the nonintervention norm cannot prevent individual acts of violence and injustice, but, instead, it can keep the lid on the greater, potential injustice of widespread chaos and war. This view of the relationship between international order and individual justice prevails, though unspoken, within the American foreign policy establishment.³² However, once violence is accepted as a stability device, the distinction by states between just and unjust war, although intellectually and philosophically established, is in practice blurred because of the subjective nature of justice.

The state-centric nature of realism causes a mindset among state leaders and their loyal citizenry that encourages international resistance to fighting genocide. Historically, states assumed the power to take lives for their own purposes just as

³¹Marshall Cohen, "Moral Skepticism and International Relations," in Charles R. Beitz, et. al. (editors) *International Ethics: A Philosophy and Public Affairs Reader* (Princeton, N.J.: Princeton University Press, 1985), 5; Hedley Bull, *The Anarchical Society*, 86, 91-3.

³²Jerome Slater and Terry Nardin, "Nonintervention and Human Rights," *Journal of Politics* 48 (February 1986): 86.

today the civilian populations who identify with and want the survival of their states fear losing their monopoly over violence, which they see as necessary to meet the exigencies of power politics, to preserve international order, and to satisfy the appeal of nationalism. The effect is, to some degree either surreptitiously or subconsciously, the acceptability by most states of genocide. The inaction of states to stop genocide within some of their peers indicates the importance to them of their sovereignty. Hence, the fear of states that intervention, even in countries committing the most offensive atrocities, is a precedent against the authority and sovereignty of the state in general. Under such circumstances, a reasonable argument can be made that states view genocide as one of the more extreme forms of their authority to take lives in the defense of the state and to use systematic and deliberate violations of human rights as an integral part of the governing process under the veil of realism. In this regard, the evidence is strong that states fear an international norm of humanitarian intervention as a threat to their authority to use violence in their behalf, even to an extent as extreme as genocide.³³

³³This argument is presented by Irving Louis Horowitz in *Taking Lives: Genocide and State Power* (New Brunswick, N.J.: Transaction Books, 1989), xiii, 10-13; Horowitz defines genocide as the state sanctioned and legalized political assassination of large numbers of political opponents. Realism makes it convenient for leaders to accept what he describes as the criminal transformed into the political. The classical definition of genocide, which was coined during the Second World War, is less broad than the definition by Horowitz. It is the intentional destruction of all or part of "...a national, ethnic, racial, or religious group" by the state or another group. Gerhard von Glahn, *Law Among Nations: An Introduction to Public International Law*, 6th ed. (New York: Macmillan Publishing Company, 1992), 354; for a discussion of the theory that states accept genocide as necessary to their development and to the maintenance of world order, see Barbara Hariff, *Genocide and Human Rights: Inaction and Political Issues*, Monograph Series in World Affairs, ed., Karen A. Feste, Vol. 20 (Denver: University of Denver Graduate School of International Studies, 1984), 7-8, 12-13, 65. Hariff argues, however, that life is of such value that it should not be a negotiable entity which can be traded for order and development of the state. The problem here is bridging the gap between her abstract argument and the reality of the world; also see Barbara Hariff, *Ibid.*, 7; for an overview of the weak international and regional human rights regimes among states, see Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca: Cornell University Press, 1989), 205-28; Richard Falk, *Human Rights and State Sovereignty* (New York: Homes and Meier Publishers, Inc., 1981), 53, 154.

State-centric thinking that the state possesses the special abilities and holds the unique position to protect and represent its citizens' political interests and values in international politics clearly ignores the irresponsible behavior of the ruling factions of many states toward their citizens.³⁴ The idea that the state is the main provider of justice to its citizens is a theory giving the state inherent moral value, but implicit in the actual behavior of states is that the majority of them are oppressive and many commit atrocities because both their leaders and citizens are conditioned to the realist view of international relations. At the same time, factions and elites in control of the government use the state's fiduciary responsibility to its citizens as a justification for pursuing their own interests. It follows then, as WOMP advocate Samuel Kim argues, that the political and economic exploitation of people results from state-centric assumptions about international relations. Separate moralities exist for states, subgroups, and individuals which are constantly in international and domestic conflict through socio-political grievances and the struggle for rights. Essentially, the cost of assuming that the state is the most realistic protector of its civilian population and the most moral, because it supposedly protects the greatest number of individuals from the violence and chaos of international disorder, is the high level of human suffering and oppression.³⁵

³⁴Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 53-5, 60; Gerard Elfstrom, "On Dilemmas of Intervention," *Ethics* 93 (July 1983): 714-15; George F. Kennan, "Morality and Foreign Policy," 205-6.

³⁵Samuel Kim, *Quest for a Just World Order* (Boulder, Colo.: Westview Press, 1984), 242.

Walzer's Legalist Paradigm and State-Centric Violence

The Right to Moral Autonomy

In addition to the realist arguments in favor of the state, there is the rights based argument of Michael Walzer whose legalist paradigm holds that the rights of state sovereignty and political association are derived from the citizens' right, more in a collective than individual sense, to moral autonomy. These rights are best protected in a stable world order upheld by the states' structuring of the appropriate stability devices, despite some sacrificial events of injustice. Walzer's "legalist paradigm" presents the most widely discussed theoretical basis for the traditional post-World War II relationship between order and justice and the international community's prohibition of aggression. In so doing, he presents a strong theoretical argument in support of a state-centric nonintervention norm based on a preference for world order as the optimum assurance of international justice. Accordingly, the one essential exception to the nonintervention norm is the state's right to self-defense against aggression, but because the legalist paradigm accepts the necessity of the state to assure international order, it also accepts tradeoffs of individual justice and the use of violence to maintain realist stability devices. As a result, the legalist paradigm generally prohibits intervention and protects state sovereignty. Its purpose is to preserve international order and the citizens' right to moral autonomy. The objective is to balance order and justice at the optimum point of the least sacrifice

of human rights under the imperfect conditions of international politics by providing an accommodating definition of legitimate interventions.³⁶

The Theory of Aggression

The primary exception to the legalist paradigm's strong intervention norm is Walzer's theory of aggression that the state has the right of self-defense against an assault on its territorial and political sovereignty. The prohibition of aggression is based on the right of the state to protect the communal and individual rights of its citizens. Walzer's legalist paradigm and theory of aggression present the moral basis for the protection of the "sovereign equality" and "domestic jurisdiction" of states by the United Nations Charter and its accompanying international legal precedents. Consistent with Walzer's ideas, aggression is outlawed by the United Nations Charter's prohibition on the use of force by states except for self-defense. The Charter's bias against intervention except in self-defense reflects the international community's view that state sovereignty and international order have priority human rights and individual justice. The state's right of self-defense in the U.N. Charter is described by Fernando Teson as a "quasi-absolute prohibition" on the use of force, which proscribes its use in support of human rights.³⁷

³⁶According to Walzer, "Though states are founded for the sake of life and liberty, they cannot be challenged in the name of life and liberty by any other states. Hence the principle of non-intervention. [Other than aggression] Nothing...warrants...force in international society...Domestic heresy and injustice are never actionable in the world of states: hence, again, the principle of non-intervention." Walzer, Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 58-9, 61, 62, 89.

³⁷R.J. Vincent, *Nonintervention and International Order*, 331; Fernando Teson, *Humanitarian Intervention: An Inquiry Into Law and Morality* (New York: Transnational Publishers, Inc., 1988), pp. 24-5.

The Morality of States

The legalist paradigm balances order and justice by presenting philosophical arguments for a proposed threshold of intervention claimed to maximize both, but in doing so, it of necessity presents a state-centric position. Like realists, Walzer assumes that the state is currently the best instrument to achieve the goals of world order, security, self-determination, and the wishes of its citizens. The state is assumed to provide the best environment within which the struggle for liberty and self-determination can take place and to be the only instrument of international politics powerful enough to pursue effectively the goals of its political community. These assumptions provide a tilt toward the state and against international justice known as the "morality of states." According to Charles Beitz, the morality of states is the product of the "modern natural law tradition" that accepts "...moral judgment [as] appropriate in the global state of nature, but that the standards to which moral judgment should appeal are relatively weak...[in particular, that justice holds an inferior position to international order]." Because the power and expertise to make foreign policy is seen as naturally gravitating to the state, the individual has limited empowerment in the conduct of foreign affairs. States, acutely aware of the lesser role of the individual in international politics, regard each other as the primary sources of power in their relations.³⁸

³⁸Charles Beitz, *Political Theory*, p. 181; Michael Walzer, *Just and Unjust Wars*, 59; Michael Walzer, *Just and Unjust Wars* 61, 89; Michael Walzer, "The Moral Standing of States: A Response to Four Critics," *Philosophy and Public Affairs* 9 (Spring 1980): 210; Gerald Doppelt, "Walzer's Theory of Morality in International relations," *Philosophy and Public Affairs* 8 (Fall 1978): 9; R.D. McKinlay and R. Little, *Global Problems*, 71. Walzer's ideas on intervention are supposedly different from those of realists because he views the nonintervention norm as a principle of justice ultimately protecting the rights of individuals while realists view intervention in terms of the national interest and the uses of power. See Leo McCarthy, "International Anarchy, Realism and Non-Intervention," in Ian Forbes and

The Conflict Between the Goals of the State and Ending Structural Violence

That the moral reasoning of the legalist paradigm is dependent upon the sanctity of the state makes Walzer look like a closet realist. The state's special abilities and unique position in international politics is a fiduciary position of moral and legal responsibility to its citizens. The state, therefore, has the right of sovereignty, to protect the rights of its citizens to their autonomous, culturally distinct political communities. In addition, the existence of the citizens' right to a state reflecting their political, cultural and economic interests requires universal respect for interstate justice. This "formal sovereign equality between[sic] all states," called the equality of states, is deemed necessary to protect interstate justice, although Walzer's critics see its purpose as more to validate statim.³⁹

Mark Hoffman (editors) *Political Theory, International Relations and the Ethics of Intervention* (New York: St. Martin's Press, Inc., 1993), 82. Concerning the idea of the state as the best representative of its culturally distinct political community, Gerald Elfstrom argues that states traditionally treat each other as individual entities and that the international community views the relationship between the state and its citizens like a guardian relationship between parent and child. The position of Elfstrom that the elements of this relationship include a "genetic bond" between citizen and state appear to equate with Walzer's ideas of the culturally and politically cohesive community, of the natural dependence of the citizen on the state, and of the citizen's inability to pursue his international interests as effectively as the state. Elfstrom claims that this paternal idea of the state is in accord with the international community's assumptions that the rights of the state are derived from either the actual or passive consent of its citizens and that the state is in the best position to pursue the interests of its citizens. Only the state possesses the power, the unity, and the machinery to pursue its citizens' interests in international relations. This representative superiority of the state is in part due to the failure of its citizens to recognize that some of their most important international interests are of greater than indirect concern to them. The state also is in a superior position to play the role of final arbiter on issues of foreign policy which greatly divide its citizenry. Gerald Elfstrom, "On Dilemmas of Intervention," *Ethics* 93 (July 1983): 714-16.

³⁹Charles Beitz, *Political Theory*, 75, 134; Michael Walzer, *Just and Unjust Wars*, 53-5; R.J. Vincent, *Nonintervention and International Order*, 41-4, 345-46; Gerard Elfstrom, "Dilemmas," 713; Caroline Thomas, "The Pragmatic Case Against Intervention," in Ian Forbes and Mark Hoffman (editors) *Political Theory, International Relations and the Ethics of Intervention* (New York: St. Martin's Press, Inc., 1993), 91; Michael Walzer, *Just and Unjust Wars*, 53-5, 60; Gerard Elfstrom, "Dilemmas," 714-15; George F. Kennan, "Morality and Foreign Policy," *Foreign Affairs* 63 (1985): 205-6; Walzer's original idea of the legalist paradigm implies that interstate justice, i.e., the fair treatment that states owe

It is because realism and the legalist paradigm emphasize interstate justice and view the pursuit of individual justice as deleterious to international order that no strategy and set of institutions capable of ending structural violence can be devised. Humanitarian intervention essentially is limited by the paradox of international morality that cultural relativism cannot be resolved by international politics. Humanity can generally make the rightful condemnation of genocide, but it cannot convince large numbers of its species not to take such depraved action in conflicts perceived as matters of collective grievance and survival.

George F. Kennan, "Morality and Foreign Policy," *Foreign Affairs* 63 (1985): 205-6; Walzer's original idea of the legalist paradigm implies that interstate justice, i.e., the fair treatment that states owe each other, is derived from human justice, i.e., from the rights of the individual, because the state's right of sovereignty is derived from the individual right to moral autonomy, but later his derivative basis of state sovereignty, as a result of coming under attack for logical inconsistencies, evolves toward a collective right of moral autonomy. Walzer's writings subsequent to *Just and Unjust Wars* abandon the individual's right of moral autonomy as the basis of the state's right to sovereignty and simply makes it a collective right of people to form their own political community in preservation of a common way of life; Michael Walzer, "The Moral Standing of States," 212, 225; See Michael Walzer, *Just and Unjust Wars*, 98-9; For a short, concise discussion of the equality of states, see Gerhard von Glahn, *Law Among Nations*, 127-9.

Chapter IV

Humanitarian Intervention and the People's Right To Their Own State

A significant part of the tension between order and justice which influences the intervention threshold of states, both individually and communally, involves the nature of the relationship between the state and its people. Most states claim to represent the will of their people and to be democratic in some fashion. Many claim representative status, with the apparent approval of their civilian populations, without democracy, but, in any event, the official acceptance by states of republican principles seems to be nearly universal. Hence, those debating humanitarian intervention generally assume that a state's legitimacy is most accurately determined by its high degree of responsiveness, though not necessarily in democratic terms, to the socio-political aspirations of its people. In this regard, intervention is generally considered legitimate when directed against a state whose government no longer represents the desires and aspirations of its people. Questions then arise, however, as to who are the people, what are their desires and aspirations, and what are the rights of dissenters against the majority? In most cases of internal conflicts over justice grievances, these questions cannot be answered adequately enough to justify humanitarian intervention.

Walzer's Representative Fit and the Debate Over State Legitimacy

Even describing the relationship between a state and its people is problematic. Michael Walzer thinks that the legitimacy of the state in a world of diverse, non-democratic political communities is too complex to explain other than in terms of a metaphor for consent, which he calls "representative fit" between a state and its civil population. Accordingly, he defines representative fit as the "...degree to which the government represents the political life of its people" who claim through their state a right of sovereignty against all other states and " ... govern in accordance with their own traditions."¹ Walzer's definition, however, presents a "black box" model which never makes clear just what type of political community is legitimately derived from either individual or communal rights, but neither do his critics. This impasse is not surprising since it involves the traditional conundrum of whether self-determination equates with democracy and human rights or other forms of national and civic self-fulfillment for political communities.

Walzer's legalist paradigm, on the one hand, is based on the culturally distinct political community's rights of self-determination and moral autonomy which do not necessarily include democracy. Walzer's critics, on the other hand, contend that a state cannot be legitimate without protecting the political and economic rights of its citizens. Walzer's assumption that the state's right of sovereignty is derived from

¹Michael Walzer, "The Moral Standing of States," A Response to Four Critics," *Philosophy and Public Affairs* 9 (Spring 1980): 212; also see Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 54.

either the individual's or the citizens' rights of self-determination and moral autonomy is challenged on the basis that most state leaders, in fact, fail to protect their citizens' human rights. Instead, they value sovereignty's rights based rationale in international relations to hold power against other states but devalue it at home to hold power against their citizens. Thus, states ignore their domestic responsibilities towards human rights which accompany sovereignty. As a result, critics charge that the individual right of moral autonomy is a contrivance to protect the state for realist more than moral reasons. Charles Beitz argues that many states currently deny their citizens the rights of association that rational citizens free to do so would demand, which he claims is proof of the lack internationally of the individual's rights of moral autonomy and self-determination.²

The Culturally Distinct Political Community

The culturally distinct political community, according to Walzer, is the social bond citizens form over several generations because of their peculiar historical and cultural conditions which becomes a "common life" for them and their government. Past, present and future generations are connected by the social, economic and cultural history of their political process. The reification of the people's historical political process is their contemporary political community. As a result, the right to

²Charles Beitz, the idealist who advocates reform intervention interprets Walzer to say that "...war cannot be justified as a means to destroy, conquer or reform a regime..." but only to restore it to the status quo ante; Charles Beitz, "Bounded Morality: Justice and the State in World Politics." *International Organization* 33 (Summer 1979): 412, 414; Charles Beitz, *Political Theory and International Relations* (Princeton, N.J.: Princeton University Press, 1979), 80-1, 82; Gerald Doppelt, "Walzer's Theory of Morality in International Relations," *Philosophy and Public Affairs* 8 (Fall 1978): 8.

sovereignty is based on the right to self-determination which does not necessarily include democracy.³

Walzer's critics, however, see his idea of representative fit as legitimizing oppressive states. For instance, Beitz argues that people in the real world are not bound to their states by choice. Rather, the organization of the state's "common life" and the citizens' participation in the national defense are often involuntary, and Walzer's horizontal contract of a people bonding into a political community over time is in contrast to reality.⁴ Indeed, Beitz has a strong argument in that the history of a state's origin and growth is a complicated process. Often, the development of a state involves much greater oppression than the building of communal integrity. Instead of people developing a common bond, states often develop through conquest and inadvertent political events that throw people together.⁵

The Horizontal Contract

Walzer and his critics have different conclusions about what is representative fit based on their differing views of the nature of the consent of the people. Walzer's idea of state legitimacy is based on a horizontal social contract among the people which emphasizes a set of values not always consistent with democracy. Hence, Walzer marks the boundary between sovereignty and intervention such that citizens

³Michael Walzer, *Just and Unjust Wars*, 53-5; Michael Walzer, "The Moral Standing of States," 224-5; Also see Michael Walzer, *Just and Unjust Wars*, 94, where he states that "...it is not our purpose in international society...to establish liberal or democratic communities, but only independent ones."

⁴Charles Beitz, "Bounded Morality," 413.

⁵Any doubt on this point can be resolved by reading any reliable history on Russia, India, and Africa.

have a right to possess a loyalty to an "inherited culture" of values inconsistent with Western democracy.⁶ Walzer's critics respond by charging that he is confusing the horizontal contract among the people of a state with the vertical contract between a state's citizens and their government. The horizontal contract is a multi-generational process in which the people are voluntarily brought together into a political community. The vertical contract is a process of consent by the people to their rulers' authority. Walzer confuses the mutual consent of the people among themselves to form a political community with their consent to be governed, which ignores the possibility that the people who formed their political community may, nevertheless, be oppressed by their state. By Walzer's reasoning, the state derives its right of sovereignty from the very people it oppresses. Walzer's theory is accused of accepting the mere existence of a sovereign state as proof of a vertical contract while denying the proof of a state's abusive behavior against its citizens as proof of its absence. A broken vertical contract, say his critics, makes the state illegitimate. Hence, Charles Beitz and others mark the boundary between sovereignty and intervention, including the legitimate use of force, such that the status quo of oppressive states can be rightfully changed by reform and human rights intervention.⁷

⁶Michael Walzer, "The Moral Standing of States," 211-12, 214; Michael Walzer, *Just and Unjust Wars*, 54; The social contract is termed a "procedure of collective choice," which has become one political theory legitimizing the idea of social justice. The theory is that the people in creating their state agree to the political and social values to be transferred to their institutions and political process. These values thereafter remain the foundation of the state's legitimacy. David R. Mapel, "The Contractarian Tradition and International Ethics," in Terry Nardin and David R. Mapel (Editors) *Traditions of International Ethics*, (Cambridge: Cambridge University Press, 1992), 181. According to David Luban, under social contract theory, a horizontal contract voluntarily binds the people into a community prior to the state, and a vertical contract gives the consent of the people to a government over them. Luban, David. "Just War and Human Rights." *Philosophy and Public Affairs* 9 (1980): 167.

⁷David Luban, "Just and Unjust Wars," 167, 169-70.

Walzer's Indicators of Representative Fit

Much of the debate between Walzer and his critics involves his three indicators of representative fit presented as proof of its existence. They are, first, a citizenry's mental preparedness to defend its state, i.e., its desire to resist invasion; secondly, the state's very ability to remain stable and to control its own citizens, i.e., its ability to survive; and, thirdly, the state's maintenance of enough political consensus such that there is an absence of rebellion, civil war, and atrocities. Essentially, Walzer argues that a legitimate state is managing a stable society, satisfying coexisting groups of citizens, and reflecting its citizens political desires and aspirations, not-withstanding any lack of democracy and human rights.⁸

Those prepared to defend their state, Walzer believes, by standing in readiness to protect their consensual relationship with their government and their common way of life, are exercising their right of moral autonomy. They see their government as the protector of their rights. They are prepared to risk their lives because they value the right to their own culturally distinctive political community within the context of their state. In fact, the readiness of citizens to risk their lives to keep what they rightfully possess and value is implicitly recognized as an indicator of representative

⁸Michael Walzer, "The Moral Standing of States," 212, 213, 215, 216-218; Also see Gerald Doppelt, "Statism Without Foundations," *Philosophy and Public Affairs* 9 (Summer 1980): 399; Lawrence Mayer writes that " Legitimacy does not refer to dissatisfaction to specific performance...Rather, it connotes a feeling of being part of and perceiving that one has a stake in the well-being of the system itself, irrespective of one's satisfaction or lack thereof with specific output or performance. The idea is that legitimacy enables a system to withstand the inevitable performance failures and citizen dissatisfactions faced sooner or later by all systems without losing the level of support necessary for the maintenance of public order." Lawrence C. Mayer, *Redefining Comparative Politics: Promise Versus Performance*, Sage Library of Social research, Vol. 173 (Newbury Park, Calif.: Sage Publications, Inc., 1989), 135. While Mayer is writing about democracy in "demand overload" from its citizens, his definition of legitimacy appears relevant to issues of survival within non-democratic states.

fit by the international community when it legally confirms the state's right of self-defense against aggression.⁹

In addition, for states to respect equally each others rights, they must presume that citizens are prepared for whatever reason to defend their state whether or not this is actually true. Of course, citizens may not desire to defend their state, but outsiders cannot make this judgment for them and act on it without demeaning the right of moral autonomy of the target state's citizens. Citizens may choose to defend their state's oppressive government for a varied and complex number of reasons, but only the citizens of that state have the right to determine the legitimacy of their representative fit. It is this "expectation of resistance" from the right to defend that Walzer claims makes aggression immoral and illegal.¹⁰

Walzer is challenged here, however, on the basis that the citizens' preparedness to defend their state should not be assumed to reflect their desire to protect their right of moral autonomy. That the preparedness to defend implies choice is often in conflict with reality. Instead, the real test is the deeper question of whether or not citizens are free to choose to defend their state, i.e., the citizens actual motivation for resistance. Participation in war by oppressed citizens is argued to be so common as to make it a meaningless test of moral autonomy. Further, for there to be real choice, there must be some form of democratic process within the

⁹Michael Walzer, *Just and Unjust Wars*, 54-5; "The Moral Standing of States," 212-13. Charles Beitz, "Nonintervention and Communal Integrity," *Philosophy and Public Affairs* 9 (1980): 388.

¹⁰Michael Walzer, "The Moral Standing of States," 212-3.

citizens' state. Citizens of authoritarian states cannot defend individual and communal rights which are denied them in the first place.¹¹

Even if the preparedness to defend has the element of choice, however, the citizens actual decision to defend may be related to matters other than consent. They may be protecting their families, local communities, homes, property, independence, and economic well-being. Citizens may reject their own government's legitimacy but clearly see that defending their state is necessary to their physical and cultural survival. Often, oppressed citizens may have to choose the lesser of two evils.¹²

The Soviet resistance to German aggression during the Second World War shows the complexity of consent. The Soviet people were caught between two oppressors raising doubts about the legitimacy of Stalin's government, although large numbers of citizens eventually rallied to its defense. Both nationalism and Hitler's cruelty probably rallied the Soviet people, but the facts make the determination of motivation difficult. The Soviet people reacted to the German invasion by what can be termed political schizophrenia. The large number of Soviet prisoners taken, especially at the beginning, was, in part, the result of a lack of will to defend a harshly dictatorial government. Soviet citizens in many areas, including some Great Russian populations, welcomed the German invaders until the full force of their

¹¹Charles Beitz, "Nonintervention and Communal Integrity," 388-89; also see Michael Walzer, "The Moral Standing of States," 223, n.26; Gerald Doppelt, "Statism Without Foundations," *Philosophy and Public Affairs* 9 (Fall 1980): 400. Gerald Doppelt, "Walzer's Theory of Morality in International Relations," *Philosophy and Public Affairs* 8 (Fall 1978): 8; David Luban, "Just Wars and Human Rights," 179-80.

¹²Gerald Doppelt, "Walzer's Theory of Morality in International Relations," 14-15, 17-18; see also David Luban, "Just Wars and Human Rights," 172.

cruelty was felt. And the Russian Liberation Army, aided by the Germans to fight the Soviets, did not find a shortage of recruits and could have been of more use to the Germans if they had provided earlier support. Some Russian guerrillas fought both the Nazis and the Soviets, but Nazi atrocities eventually mobilized most of the Soviet people around Stalin. In fact the heroic resistance, great suffering and disloyalty in the same citizenry led one historian to write that "Seldom did a country and a regime do both so poorly and so well in the same conflict."¹³

Walzer's other two indicators are also criticized on the basis that a stable society whose citizens are under state control is as likely to be the result of the state's ability to master its population through intimidation than through representation and that the lack of rebellion within a state is just as likely to reflect the citizens' lack of power to change their political system as their satisfaction with the status quo. Many states today rule by power and intimidation rather than by consent and loyalty. Certainly, actual consent and participatory democracy exist only in a small number of states. In the Third World, many states are governed by indigenous elites who represent industrial interests instead of their citizens and who are propped up by foreign capital, technology and weapons.¹⁴

¹³Nicholas V. Riasanovsky, *A History of Russia*, 4th ed., (New York: Oxford University Press, 1984), 524-6; Richard Wasserstrom, "Just and Unjust Wars: A Moral Argument," 542, 544.

¹⁴Richard Wasserstrom, Review of *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, by Michael Walzer, in *Harvard Law Review* 92 (December 1978); 542, 544; Gerald Doppelt, "Walzer's Theory of Morality," 16, 20-1, 22-3; Gerald Doppelt, "Statism Without Foundation," 399; Charles Beitz, "Nonintervention and Communal Integrity," 385-6.

The Value of Diversity

Walzer's representative fit is also founded upon the value of diversity. Walzer, in effect, believes that to direct those of an alien political culture toward any universal political truth is often another form of authoritarianism.¹⁵ Intervention is an assault upon the right of moral autonomy, according to Walzer, because the contrast in cultures is sharp enough to prohibit serious transcultural understanding. Outsiders, therefore, have neither the right nor the intellectual understanding to judge the peculiar "loyalties and resentments" of another state's culture and political process. The scholarly and popular literature of politics, which is replete with examples of the gulf of understanding between cultures, provides much support for this argument. According to Edward Said, outsiders often have simplistic views of other cultures.¹⁶ The American media and academia, he writes, paint a false impression of the Middle East, especially concerning the divisions of fundamentalism, modernism and the authoritarian state. He notes that most of the Moslem world is a secular and multi-layered culture of worldliness, ordinary life and adaptation to Western technology. He also describes the Egyptian government as oppressive, corrupt and overburdened economically and, consequently, very unpopular. However, the Islamic terrorists who kill indiscriminately are more unpopular than the government and are finding little support among the Egyptian people. In addition,

¹⁵Michael Walzer, *Just and Unjust Wars*, 89; Michael Walzer, "The Moral Standing of States," 211, 217-19; It must be pointed out, however, that his denial that representative fit exist in those states committing "...massacre or enslavement of its own citizens... and the expulsion of very large numbers of people" implies that he sees genocide and genocide-like acts as universally abhorrent to states, at least officially if not in practice.

¹⁶David Luban, "The Romance of the State," *Philosophy and Public Affairs* 9 (Summer 1980): 395; Edward Said, "The Phony Islamic Threat," *New York Times Magazine*, 21.

Said charges that the U.S. interpretation of Egyptian political conflict is ruled by a sense of self-interest which results in aid to the corrupt ruling elite who in response make an ostensible show of democracy.

The Western fear that Islam is a monolithic contender for power misses the crucial point, claims Said, that societies, including the U.S., involve a competition of ideas on the meaning of national identity. In the contemporary climate of the Arab world, the contention of ideas and factions represents a form of self-determination, which is the process of the people coming to terms with what they are, though certainly not in the Western democratic sense. Therefore, in the Middle East as elsewhere, there is a gray area in politics concerning representative fit between the extremes of unconscionably harsh dictatorial rule and liberty in which people learn to balance the imperfections of their government with their loyalties to their culture. The idea that oppressive states have some form of legitimacy is indicated by the common observation that a dictatorial or totalitarian state's government fell because it lost the support of its people. For example Pearson, in analyzing the reasons for the Soviet Union's demise, alluded to the eventual "...universal belief in the moral bankruptcy of the supranational state authority" in the Soviet Union because of official corruption and incompetence which gave the moral high ground to the liberals and the nationalities.¹⁷

Strong advocates of diversity see representative fit as a morally necessary presumption to prevent uninformed, moralistic interventions against the sovereignty

¹⁷Raymond Pearson, "The Geopolitics of People Power: The Pursuit of the Nation State in East Central Europe," *Journal of International Affairs* 45 (Winter 1992): 509.

of the state and to protect the right of the people to make judgment on when and if to rebel for their own practical and moral reasons.¹⁸ Otherwise, outsiders would presumptuously think they know enough about the "loyalties and resentments" of other socio-political communities to judge the righteousness of their values and politics and to think themselves capable of effectively intervening in their complex, political processes.

Walzer's gulf of understanding between cultures, however, is taken by his critics to mean that only those having a deep and enduring experience with another culture can provide the knowledge needed for determining which states are legitimate. The implication is that, for outsiders, perhaps only a T.E. Lawrence can truly understand other cultures, but Walzer's critics argue that there are many traditional ways of studying other cultures, such as scholarly research, intelligence gathering, and travel, which are adequate for judging the moral legitimacy of other states.¹⁹

Democracy and Representative Fit

The crux of this debate, however, is the disagreement between Walzer and his critics concerning whether self-determination and representative fit equate with political freedom or include non-democratic political arrangements. The existence of an "unfree" state in and of itself, Walzer argues, is not a reason to deny the existence of representative fit. The initiative of citizens to change their political system rightfully remains with them and not foreigners. While Walzer's critics claim

¹⁸Michael Walzer, "The Moral Standing of States," 212.

¹⁹Michael Walzer, *Ibid.* David Luban, "The Romance of the Nation-State," 394-5.

his argument to be one of might makes right, Walzer contends that there are a number of legitimate reasons for not rebelling against an oppressive state, including too high a cost in lives and domestic order, special social and political loyalties by the majority to the state, and the biding of time by citizens for the right moment to rebel. Other ideas such as ethnic nationalism may be valued by citizens over democracy and human rights.²⁰ In accord with Walzer, and despite the suffering of the Arab people, Said implies, that most Arabs would reject intervention for social justice. Arab nationalism is a powerful force, and Islam, including for non-Muslims, is at the center of Arab identity. Instead of a desire for rebellion, there is an Islamic way of life, i.e., another reality of life if you will, of tradition and conformity which acts for the people as a retreat from oppression and economic deprivation. Essentially, religious observance acts as an alternative life to the reality of oppression and as a realistic alternative to the costly struggle for the alien concept of democracy.

Interstate and Individual Justice

Walzer's critics see his representative fit as displacing individual justice with interstate justice and as valuing the nonintervention norm and the right of self-determination "above all else," including freedom. Therefore, Walzer's conception of consent is criticized as unrealistic and thus as a false foundation of state sovereignty. His alleged preference for self-determination over democracy is seen as giving the state the twin rights to abuse its citizens and to be left alone. In addition, if, contrary to Walzer's position, representative fit cannot exist in

²⁰Michael Walzer, *Just and Unjust Wars*, 89; Michael Walzer, "The Moral Standing of States," 214.

combination with oppression, Walzer's theory of aggression fails to differentiate external from internal aggression. His critics argue that there is no moral difference between assisting those being abused by their own state, which they term internal aggression, and those being abused by another state, which is the traditional definition of external aggression. Both types of defenders are forced by the aggressor to defend their individual and communal rights. If, as Walzer's critics argue, his theory of representative fit confuses the horizontal contract with the vertical contract, then his theory of aggression only deals with half the problem. Not only is there external aggression justifying a state's self-defense and the aid of others against the aggressor but also internal aggression against a state's oppressed groups deserving of humanitarian intervention when the citizens' vertical contract is broken by human rights violations.²¹

Minority Rights

One of the most serious weaknesses of Walzer's representative fit is his failure to appreciate minority rights. In Walzer's words, "...individuals are sometimes sacrificed..." to protect the independence of political communities. The problem of minority rights is an egregious divergence of values between Western and non-Western values, for democracy and human rights cannot exist without rights both for minorities and the powerless, and even actual consent by the majority, according to Western values, confers no legitimacy upon the state unjust to its minorities. In

²¹Gerald Doppelt, "Walzer's Theory of Morality," 10; Richard Wasserstrom, Review of *Just and Unjust Wars*, 540; Internal aggression, writes Doppelt, is the government's oppressive assault on its own citizens in contrast to the traditional definition of external aggression which involves one state assaulting another. Gerald Doppelt, "Walzer's Theory of Morality," 8; Also see David Luban, "Just War and Human Rights." *Philosophy and Public Affairs* 9 (1980): 167, 169-70.

addition, state's often commit gross, human rights violations against minorities in accord with the popular will of their civilian populations. Most glaring were the policies of Nazi Germany, more specifically the Holocaust, which were representative of its citizens' anti-Semitism and repressed nationalism. In other cases, a state's minority, ruling subgroup may be legitimate among its members while committing atrocities and other human rights violations against a powerless majority, as in the South Africa case of apartheid. According to Walzer's critics, state sovereignty cannot be based on either individual or communal rights which the state is suppressing.²²

The Right of Moral Autonomy and Actual Freedom

The overall failure of representative fit is seen by Beitz as mistakenly equating a state's mere autonomy from foreign interference with the rights of its citizens to articulate their interests and to approve their government. Walzer's metaphor of a contract for consent, he argues, fails to dispel the obscure description of the "...process of association and mutuality...[which the state protects]...against external encroachment." The problem is that few civil populations are free to form or to terminate their states. Walzer's test of legitimacy, Beitz argues, is suspect because of the state's coercive nature. Legitimizing the state by such an abstract test as representative fit is really an attempt to transform the reality of state coercion into the sham of voluntary association. The authoritarian state suppresses actual consent

²²Michael Walzer, *Just and Unjust Wars*, 54; Charles Beitz, *Political Theory*, 78; Charles Beitz, "Bounded Morality," 414; Gerald Doppelt, "Walzer's Theory of Morality," 8; David R. Mapel, "The Contractarian Tradition and International Ethics," 192; Jerome Slater and Terry Nardin, "Nonintervention and Human Rights," *Journal of Politics* (February 1986): 89-90.

but is excused by the artifice of tacit consent. Consent, argues Beitz, to be valid must come from people really free to give it.²³

The Doctrine of Self-Help

Also part of Walzer's idea of representative fit is his adoption of John Stuart Mill's doctrine of self-help that citizens are wholly responsible for their political destiny. Self-determination is a corollary to the citizens' right of moral autonomy and consent. According to Walzer, respecting the right of others to determine their own political system is a way of treating them as equals and of honoring their reasons, whatever they are, for how they relate to their state. As Walzer states, "...intervention is not justified whenever revolution is." Representative fit then is mostly an internal affair. This citizens' right to moral autonomy leaves people with the responsibility to earn their own preferred, political arrangement, which Walzer terms "freedom," although he actually is referring to self-determination that may not include political freedom. That is to say, Walzer interprets Mill to mean that people essentially get the government that they deserve. Mill and Walzer view self-determination as the right and the necessity of a political community to earn its freedom.²⁴

But self-determination is more than the group's final, political arrangement of national self-fulfillment but is also an open-ended and historical political process

²³Charles Beitz, "Nonintervention and Communal Integrity," 387; Charles Beitz, "Bounded Morality," 413, 415; Charles Beitz, *Political Theory and International Relations*, 77-9.

²⁴Michael Walzer, "The Moral Standing of States," 214; John Stuart Mill, "A Few Words on Nonintervention," in Richard Falk (ed.) *The Vietnam War and International Law* (Princeton, N.J.: Princeton University Press, 1968-76), 36.

whose structure, stability and degree of freedom are endogenous in nature. As already mentioned, a people reject or endure their government for their own reasons. A dictatorial government may be popular or unpopular and also tolerated, but achieving a free government takes a special commitment during the process of striving, usually over a long period of time, and keeping it takes special qualities. Therefore, freedom, like virtue, according to Mill, must be cultivated from within. The test of a political community's commitment to freedom is its ability to throw off its oppressors, and the likelihood of its having enduring, popular, and hopefully democratic, institutions is based on its commitment to freedom.²⁵

The self-help doctrine's implication for intervention, according to Walzer, is that those ready to undertake the arduous task of earning their freedom should not be impeded by outsiders. Accordingly, outsiders must not alter the state's balances of forces. As to those not willing and able to earn their freedom, they cannot be helped by intervention because outsiders cannot replace the commitment needed to earn and sustain their freedom, and although not every self-determined state is free in terms of democracy, self-help is the only arena within which to reach that point.²⁶

Walzer's critics, however, see his adaptation of Mill's self-help doctrine as logic carried too far. Mill's assumption that the balance of domestic forces when left alone results in an autonomous representative fit between a government and its people is questioned when applied to contemporary international politics. It is

²⁵John Stuart Mill, "A Few Words on Nonintervention," 36; Walzer, *Just and Unjust Wars*, 87-8; Michael Walzer, "The Moral Standing of States," 214, 220, 221-2; Charles Beitz, "Bounded Morality," 414, 415.

²⁶Michael Walzer, *Just and Unjust Wars*, 87-9.

admitted that Mill is correct in the sense that members of a popular rebellion must develop the "political capacities" for the establishment of popular, stable, and hopefully democratic institutions after achieving freedom, but it is not true that intervention is a natural inhibitor of the will to self-determination and democracy. For instance, those who would otherwise win their freedom on a level playing field but who are oppressed by governments of powerful minorities and elites assisted or propped up by foreign states are rightfully due outside assistance. Yes, Mill and Walzer allow for intervention to counter such assistance, but intervention is so prevalent and circuitous in international politics that legitimate counterintervention loses its meaning, but even without outside help to the oppressor, Walzer's critics charge that the culmination of domestic, political struggle, which is based more often on the skillful and advantaged use of force rather than the strength of the people's will, makes indigenous freedom fighters deserving of outside help.²⁷

To Beitz, self-help is not the protector of those fighting for freedom, but rather of those fighting against social justice. Beitz takes the view that self-help lacks relevance to those state populations today suffering life threatening poverty and

²⁷Walzer's two additional exceptions to the nonintervention norm, which he calls his revised legalist paradigm, are, first, intervention on behalf of a secessionist movement which through struggle has formed its own internal representative fit in place of the one it had with the old regime and developed a viable set of governmental institutions, and, second, counterintervention to restore the internal balance of forces disrupted within a conflicted state by another's intervention. Walzer, like Mill, also favors counterintervention as an exception to restore the target state's disrupted balance of forces to their pre-intervention position. Maintaining the domestic balance of forces in a civil war, however, is essentially an extension of Walzer's moral theory of aggression and a reflection of Mill's assumption that such conflicts form the only arena for the struggle for democracy. However, counter-intervention's general acceptance and abuse makes it mostly irrelevant to the issue of humanitarian intervention. The secessionist standard, as will be seen later in reference to the struggle between secession and the preservation of states of the Third World and the former Soviet Bloc, is obviously highly susceptible to moralism. See Michael Walzer, *Just and Unjust Wars*, 90; Michael Walzer, "The Moral Standing of States," 216-17; Gerald Doppelt, "Walzer's Theory of Morality," 11-13.

systematic racial discrimination. Unfortunately under the self-help doctrine, those so disadvantaged that democracy is incomprehensible would, nevertheless, be required to earn their freedom. The contemporary application of Mill's doctrine is also seen as a blame the victim mentality. Here, Walzer's critics have a strong argument against the self-help doctrine's circular reasoning, which holds that those who fail to earn their freedom do so because they do not have the desire or will to throw off their oppressors, contrary to those who are successful. Also, the question arises as to why those who make repeated, valiant but unsuccessful attempts at freedom must continue to suffer oppression without intervention? The self-help doctrine's harshness, say its critics, means that even those severely disadvantaged by oppression must look to their own efforts.²⁸ Certainly, the doctrine of self-help has discomfoting implications, which support the idea of injustice as a by-product of world order.

Representative Fit and the Intervention Threshold

The nature of representative fit is important to the issue of humanitarian intervention because the assumptions of the two applicable political philosophies suggest different intervention thresholds or standards for infringement of the nonintervention norm. If representative fit is indeed a matter of the collective consent of culturally distinct political communities, regardless of the degree, other than genocide, to which they are oppressive, then states abusive of their citizens'

²⁸Charles Beitz, "Bounded Morality," 415 ; Charles Beitz, *Political Theory*, 82, 86. David Luban, "Just Wars and Human Rights," 179-80; Gerald Doppelt, "Walzer's Theory of Morality," 10; Richard Wasserstrom, Review of *Just and Unjust Wars*, 540.

human rights are protected by the nonintervention norm. But if representative fit is valid only in Western style democracies, then most states, and especially those of non-Western cultures, are subject to legitimate intervention.

Walzer's Unconscionable Acts Standard Versus the Ordinary Oppression Standard

According to the legalist paradigm, in a world of little moral and political clarity, intervention in the complex problems of other states even to enforce human rights and social justice, other than when representative fit is clearly broken by genocide, is immoral because it undermines the struggle for self-determination and freedom. Thus, the intervention threshold is set high. For Walzer, without a clearer understanding of the reality of representative fit by humanity, intervention is susceptible to arbitrary use, which threatens state sovereignty and, consequently, international order. This situation can be avoided only by the presumption that there is a legitimate representative fit between a state and its citizens justifying most acts of the state, even those generally considered oppressive, as consistent with the traditions of its people until the fit is radically broken by the state's massacre or expulsion en masse of its people. Hence, Walzer's intervention threshold is an unconscionable acts standard, i.e., one that, in his own words, "shocks the conscience," allowing intervention against genocide and genocide-like acts, such as ethnic cleansing. Here, Walzer believes himself more attune than his critics to political reality since he sees his standard as both pragmatic and moral, for he argues that an international moral consensus for humanitarian intervention against unconscionable acts is easier to obtain than one against ordinary oppression. His message to Americans today is

that the complexity of representative fit requires them not to be so judgmental and not to view it unrealistically in terms of democracy but instead to concentrate on its violation by mass slaughter and expulsions.²⁹

Walzer's critics, on the other hand, accuse him of setting the intervention threshold too high, allowing self-determination and diversity to outrank liberty. They also reject the idea that a broad nonintervention norm allowing some oppression and atrocities is necessary to minimize disorder, especially when based on the rationale that doing so maximizes the achievement of individual justice in an imperfect world. Instead, they argue that reform and human rights intervention can be used to change the status quo of oppressive states. This argument is strengthened by the world's traditionally weak response to genocide.³⁰

Reform Intervention

With genocide still taking place, it is no surprise that, shortly after the Cold War, the idea of reform intervention or nation-building, including the use of force if need be, came into vogue among a number of foreign policy intellectuals. According to these new interventionists, because of internal conflict, refugee flows, natural disasters, environmental degradation, and other causes of political instability and anarchy, which cross borders and are inclined to expand, the many emerging failed and failing states, once propped up by the superpowers but now unable to take care of themselves, are becoming a threat to international order and the West. The

²⁹Michael Walzer, "The Moral Standing of States," 212, 214-18; Michael Walzer, *Just and Unjust Wars*, 90.

³⁰Gerald Doppelt, "Walzer's Theory of Morality," 10; Charles Beitz, "Nonintervention and Communal Integrity," 387.

result is that traditional approaches and conventional remedies such as bilateral and international aid no longer work. Instead, there is a need for the West and the U.N. to go further, such as voluntary conservatorship of failed or failing states, or in the case of major human rights violations, genocide, and impending regional conflict, forced conservatorship. In addition, there is the need to globalize democracy since democratic states are believed to stay at peace with one another.³¹

Reform intervention has important implications concerning the validity of the legalist paradigm. Representative fit equates with democracy and human rights and is hindered by the oppression of people worthy of freedom. The political philosophy of reform intervention directly contradicts the self-help doctrine by assuming that the civilian populations of states, despite their intense desire to be free, are too burdened and intimidated to earn their freedom. Clearly, reform intervention is a political vision of cosmopolitan morality which equates individual justice with international order as well as the individual national interests of the world's states.

The fundamental political philosophy of reform intervention, even as it is suggested today, is presented by the earlier writings of Charles Beitz. He bases reform intervention on the core value of cosmopolitan morality that all humanity is

³¹Nation-building is intrusive intervention requiring defeat of the status quo government to rebuild a state's political process and institutions. Richard N. Haass, *Intervention: The Use of American Military Force in the Post-Cold War World* (Washington, D.C.: Carnegie Endowment for International Peace, 1994), 61, 134; See generally Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy* No. 89 (Winter 1992-93): 3-20; Barbara Harff, "Bosnia and Somalia: Strategic, Legal, and Moral Dimensions of Humanitarian Intervention," *Philosophy and Public Policy* 12 (Summer/Fall 1992): 6; Larry Diamond, "The Global Imperative: Building a Democratic World Order," *Current History* 93 (January 1994): 2, 6; also see Stephen John Stedman's criticism of reform intervention; Stephen John Stedman, "The New Interventionists," *Foreign Affairs* 72 (America and the World 1992/93): 1-2.

of equal worth and dignity.³² Beitz turns realist assumptions about human nature on their head to present an ideology of social justice in international politics. He rejects Walzer's representative fit as statist and argues that the state's right to moral autonomy is secondary to individual justice. Faith in interstate justice based on the state's duty to its own citizens and the idea that the welfare of the people equates with the welfare of the state Beitz sees as misplaced. Instead, justice is a duty that all people owe each other. Thus, the purpose of reform intervention is to achieve social justice.³³ The assumption is that international politics can be transformed by incremental changes in humanity's social consciousness and conscience from a preference for power to one for socially just political and economic structures.

³²According to Mary Maxwell, Beitz "...holds that the social contract approach to distributive justice, as now practiced in domestic societies, should be extended globally, since the actual economic interchanges of the contemporary world are international." Mary Maxwell, *Morality Among Nations: An Evolutionary View* (Albany: State University of New York Press, 1990), 36-7; According to Beitz, *the lack of distributive justice worldwide is the result of social injustice based on the inherent moral value of the state as opposed to the individual human being. One way to correct the injustice is by reform intervention.* Charles Beitz, *Political Theory*, 181-2; Charles Beitz, *Political Theory*, 128, 134-5; Mary Maxwell, *Morality Among Nations*, pp. 36-7.

³³Charles Beitz, *Political Theory*, 181-2; Stanley Hoffmann, *Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics* (Syracuse: Syracuse University Press, 1981), 57, 74, 76; David R. Mapel, "The Contractarian Tradition," 192; Beitz bases his idea of "reform intervention" on John Rawls' hypothetical contract. When applied to international politics, Rawls' philosophy and his concept of the hypothetical contract, which some intellectuals might call recondite but most people would call incomprehensible, basically involve an elaborate rationale for global distributive justice. According to Mapel, Rawls essentially makes certain assumptions about how people determine what is fair. Contrary to Hobbes, he presents a state of nature in the first position in which individuals in a veil of ignorance about their social position come together to make rational collective decisions about social justice, i.e., their social rules. As a result, members of the group, being aware of their own individual vulnerability, choose principles of justice that assure the least advantaged member of the group a minimum share of its goals Rawls rather esoteric political theory expresses one of the more recent versions of the enduring desire from antiquity for an ideology of social justice; David Mapel, "The Contractarian Tradition," 192-3; James Q. Wilson, *The Moral Sense* (New York: The Free Press, 1993), 73, 78.

Eventually, this progression toward individual justice is seen as having longrun, positive consequences for humanity.

Criticism of Reform Intervention

Yet, the U.N.'s tentative and unsuccessful efforts in Somalia and failure to act in Rwanda show the world not ready for such an ambitious form of humanitarian intervention. This moral failure exists because achieving social justice faces tremendous barriers, is time consuming, and requires worldwide cooperation. Reform intervention, as proposed by Beitz, is based on theories of change similar to those of WOMP. The intellectual argument in favor of such major changes in the intellectual and popular thinking on international politics would have to erode the traditional, realist intellectualism, still dominate after the Cold War, which holds that cosmopolitan morality and justice are, for the most part, unrealistic, utopian aspirations for the conversion of states from egoism to cosmopolitanism with its deleterious impact on international order.³⁴

Beitz in discussing distributive justice admits that there is at this time no global community capable of confirming a worldwide sense of justice, but he argues that what is impossible today is still possible tomorrow as long as the impediments to individual justice are alterable over time. With this argument, Beitz is back to the ultimate plea of idealism that change is possible. He is dependent upon the same vague idea held by WOMP of consciousness raising incrementally transforming the

³⁴For a discussion of theories of change in international politics, see Thomas G. Weiss, David P. Forsyth and Roger A. Coate, *The United Nations and Changing World Politics* (Lincoln, Neb.: University of Nebraska Press, 1994), 164-8. Especially appropriate is the discussion concerning the distinction between "moral knowledge" and "scientific knowledge."

international system into a new international politics of justice. Like the architects of WOMP, who see no other way to change the world's violence and oppression, he is left to believing in and to actively pursuing an evolution of values over time that theoretically will result in global justice.³⁵ But the slow evolution of an idea is not a basis for reform intervention, and, based upon the current mass loss of life and suffering because of international and domestic politics, is of little relevance to the problem of structural violence, at least for the foreseeable future. In this context, the ideas of Beitz and WOMP are arguably extreme forms of idealism based on a problematic theory of change.

Beitz betrays his utopianism by setting difficult conditions on the use of reform intervention. To make social justice its sole goal, the curse of power politics must be excluded from the motivations of interventionists. Therefore, despite the natural inclination of states to pursue their own interests, he requires the target state's protection from selfish intervention and does not allow for mixed motives on the intervenor's part, although the few of true humanitarian results during the Cold War, e.g., Vietnam in Cambodia, India in Bangladesh, and Tanzania in Uganda, involved primarily selfish political motives. Beitz misses the point that the survivalist nature of the state obviates the political will needed, either individually or collectively, to designate and to reform socially unjust states. In addition, Beitz responds unrealistically to the conflict between individual justice and order by placing restrictive preconditions on the use of reform intervention which would make

³⁵Stanley Hoffmann, *Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics* (Syracuse: Syracuse University Press, 1981), 57; Charles Beitz, *Political Theory*, 155-7.

intervention rare. Despite the low degree of predictability in international politics, he requires the probability of achieving social justice. Although, in almost every case, the costs and risks of intervention are high and moral behavior degenerates quickly in combat, he requires the costs in lives and immoral behavior to be low.³⁶

Beitz's arguments also fall into some of the traditional traps of contemporary liberal idealism. His belief in purely altruistic motives is dependent on his faith in collective intervention by international organizations, despite the proven inadequacy of the U.N. in this area, and the lack of a coalition of states having the moral consensus and political will to commit to humanitarian intervention. Successful reform intervention and nation-building requires an international standard of substantive justice which states both individually and communally do not have. The cooperation and consensus among states needed to build such a standard is nonexistent today. This set of affairs is evidenced by the weak international human rights regime and the inept response of states to acts of genocide.³⁷

Beitz also cannot produce another political entity to replace the state's role in providing justice. The lack of will and consensus among states needed to reform unjust states points out their importance in providing justice-- the reality which

³⁶David Mapel, "The Contractarian Tradition," 192; Stanley Hoffmann, *Ibid.*, 57, 74, 76; Charles Beitz, "Bounded Morality," 415; Charles Beitz, *Political Theory*, 89-90, 181-2; See Stanley Hoffmann, "Out of the Cold: Humanitarian Intervention in the 1990s," *Harvard International Review* 26 (Fall 1993): 8-9, 62-3; Charles Beitz, *Political Theory*, 90, 92; On a discussion of multilateral human rights regimes, see Jack Donnelly, *International Human Rights: Dilemmas in World Politics* (Boulder, Colorado: Westview Press, Inc., 1993), 57-79, 141-45; On the international human rights regime, see Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca, New York: Cornell University Press, 1989), 201-13.

³⁷David Mapel, "The Contractarian Tradition," 192; Stanley Hoffmann, *Duties Beyond Borders*, 57, 74, 76; Charles Beitz, "Bounded Morality," 415; Charles Beitz, *Political Theory*, 89-90, 181-2; See Stanley Hoffmann, "Out of the Cold: Humanitarian Intervention in the 1990s," 8-9, 62-3.

Beitz's critics claim he too easily dismisses in his insistence on cosmopolitan morality. Because international politics and justice grievances are contentious, states still constitute the main instruments of what little individual justice there is internationally. Humanity's sense of justice, although arguably subject to distorted values, is often invoked through the state, especially when it involves the desire of people for their own culturally distinct political community. There is in effect today little capacity for individual justice and cosmopolitan morality in international politics. For these reasons, the state is still the principal, political entity capable of achieving a modicum of social justice.³⁸

It is questionable that citizens any time soon are going to abandon the state as the vehicle for their interest and sense of justice. In fact, the trend seems to the contrary. As the recent upheaval of ethnic nationalism indicates, today's citizens in areas of unresolved ethnic conflict equate their destiny with that of either preserving the old or finding a new state in disregard of any concept of universal justice or desire to end structural violence, and those particularly obsessed with achieving their own ethnic state perceive themselves as seeking social justice no matter the atrocities which accompany it.³⁹

³⁸Stanley Hoffmann, *Duties Beyond Borders*, 57.

³⁹For a discussion that nationalism may be the dark side of idealism which works against a progressive view of history and in favor of criminal behavior, see William Pfaff, *The Wrath of Nations: Civilization and the Furies of Nationalism* (New York: Simon and Schuster, 1993), 232-8.

Intervention for the Enforcement of Human Rights

Other scholars, however, attempt to avoid the pitfalls of utopian idealism while fashioning a supposedly more realistic form of humanitarian intervention. In this regard, Terry Nardin and Jerome Slater propose the less ambitious and idealistic exception to the nonintervention norm of intervention to enforce human rights as prudence may allow, which they claim is more in tune with the reality of international politics than both the reform intervention of Beitz and the unconscionable acts standard of Walzer. First, they argue that mass atrocities may mean something other than Walzer's assumption of a radically apparent violation of representative fit. In fact, they argue to the contrary that atrocities can be an indication of a totalitarian representative fit in which it is the people's collective will to commit genocide and mass expulsions against a minority. They cite as an example the support and acquiescence of the German people to the Holocaust. To Nardin and Slater, intervention against all human rights violations is legitimate, regardless of the idea of representative fit, because the emphasis should be on the acts themselves and because any substantive distinction between unconscionable acts and lesser abuses is arbitrary.⁴⁰

Nardin and Slater argue that separating those human rights violations that shock the conscience from those that merely offend the intuitive sense of justice negates the credibility of the whole human rights regime since there is no way to rank a moral hierarchy of human rights transgressions. Their response to Walzer is

⁴⁰Jerome Slater and Terry Nardin, "Nonintervention and Human Rights," *Journal of Politics* 48 (February 1986): 89-91.

that "substantial and systematic" violations of human rights, which they define as "massive" but less than genocide, must share equal moral condemnation with unconscionable acts from the international community and, like genocide, cannot be excluded from intervention where practical. Nardin and Slater recognize, however, that the worse the violations, the less claim the offender has to sovereignty and legitimacy, and, therefore, it follows that force, but not moral censure, is more justified the greater the severity of the human rights violations. This allows for a proportional response which increases the justification for military intervention as the severity of human rights violations increases. Thus, military intervention would in most cases still be limited to those rare occasions of genocide but also would be at least theoretically legitimate against significant but less than genocidal violations. In essence, they place the average authoritarian state on notice that it risks the possibility of intervention and loss of legitimacy and sovereignty, where practical, as a result of its human rights violations.⁴¹

A lower intervention threshold means that all human rights violators are at risk to lose the nonintervention norm's protection. The goal is greater opprobrium for them from the international community, despite military, humanitarian intervention to enforce human rights remaining rare. The goal of a general human rights exception to the nonintervention norm is the strengthening of the international human rights regime by the avoidance of wasteful, harmful interventions, the incremental increase in non-violent pressure on violators, the selective use of force

⁴¹Ibid., 92-94.

when plausible, and a more liberal interpretation of Article 2, Section 7 of the United Nations Charter.⁴²

International order is protected by subjecting intervention to the pragmatic, as well as moral, restraints of the just war doctrine. Force is not used until less drastic remedies are tried without success. The purpose of the intervention must be to protect human rights, although the sometimes positive results of mixed motives are acceptable as a reality. There must be a high probability of obtaining the moral goals of military intervention and a low probability of force harming the peace, security, and stability of all the states involved, the practical effect of which would be the rare use of force only in those cases where armed resistance is minimal.⁴³

Slater and Nardin's reasoning is that their exception by not recognizing a hierarchy of moral accountability for human rights violators and by putting them on equal moral footing gives greater credibility to diplomatic and nonmilitary interventions by states and the international community against such acts. This argument is in accord with the idea that small, incremental changes in the international human rights regime will gradually erode realism's amorality and will eventually lead to a seachange in international politics in favor of justice for the individual. The will of those enforcing human rights by aggressive military intervention may still be weak, but the will of those pursuing the meaningful, little victories, like Helsinki, may increase, leading to eventual, drastic changes like the fall of the Soviet Union.

⁴²Ibid.

⁴³Ibid.

In attempting to equalize the moral culpability of all human rights violators, however, Slater and Nardin place a premium on practicality and the ethic of consequences. They acknowledge intervention's harmful potential by recognizing a gap in its use between practice and principle, which they say increases with the intervenor's increased use of violence. In other words, the dangers of acting both immorally and unproductively increase as intervention becomes more a matter of violence. They also assume that international order is less threatened if oppressive states are pressured nonviolently to liberalize, which is the reason that they combine the moral imperative of stopping human rights abuses with the ethic of consequences or the practical limitations of intervention. Thus, arbitrary interventions would still be rare, thereby safeguarding order, but also lesser forms of intervention against the more prevalent, less severe human rights violators would be more acceptable and effective. With a reduced fear of humanitarian intervention's negative repercussions, states and international organizations supposedly would focus on violators over whom they have influence. Raising the moral ante against oppression in general, and not just atrocities, is argued to encourage diplomatic and other nonviolent pressures against human rights violators, while military humanitarian intervention would be as rare as under Walzer's unconscionable acts exception.⁴⁴

Criticism of Intervention for Human Rights Enforcement

Nardin and Slater's rules on the interventionary use of force, however, may be a distinction without a difference. Determining what conditions actually meet

⁴⁴Ibid., 92-3, 95.

Slater and Nardin's "massive" human rights violations required for military, humanitarian intervention against ordinary oppression seems almost as obscure as Walzer's unconscionable acts standard. The use of military force against structural violence will still be rare because of their highly restrictive pragmatic limitations on military intervention while their idealistic theory of incremental change, though certainly a reasonable longrun aspiration, will be of little help to the suffering for the foreseeable future. Although they envision their lower intervention threshold as providing a greater opportunity than Walzer's to intervene against ordinary human rights violations, they fail to resolve what Walzer has indicated is the major obstacle to intervention against ordinary human rights violations, namely the substantive weakness of the international consensus on human rights.⁴⁵ Also, the argument that nonmilitary intervention against ordinary oppression is less risky than military intervention against atrocities is suspect. The dangers of using force have a more visible and immediate appearance of danger, but the complex value tradeoffs relating to matters of ordinary oppression are as difficult, and may be as costly in the longrun, as those concerning force, e.g., a U.S. denial of China's most favored nation status in response to its human rights violations may be riskier than the ill-fated intervention in Somalia.

⁴⁵Michale Walzer, *Just and Unjust Wars*, 107; also see Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca: Cornell University Press, 1989) 210-13. He pretty much sums up the generally accepted view of the international human rights regime as a strong declaratory one which is weak on enforcement.

Representative Fit and the Limits of Understanding

The problem, however, in determining an appropriate intervention threshold is that neither Walzer nor his critics provide clear criteria for determining representative fit. The best that can be said is that the evidence presented by both sides is circumstantial and inconclusive. The idea of the social contract, which is an important part of the theory of democracy and the debate on representative fit, appears to be more myth than reality even in the West let alone the Third World. Nor is democracy a concrete reality. Few governments today are consensual in nature, and historically, states by Western, democratic standards have been illegitimate and oppressive. In addition, democracy is an important but not universal value in international politics. The civilian populations holding political and cultural values different than the West have focused on demands having nothing to do with democracy. Instead, nationalism and self-determination are currently the powerful ideas of local politics. Both produce contentious grievances for justice, which have come to the surface with the breakdown of the old international order and which are beyond the understanding of states with a tradition of civic nationalism.⁴⁶

The idea of representative fit also evokes the insoluble problem of self-help. During the Vietnam War, liberals used the idea first to support intervention as aiding a people struggling for freedom and later opposed intervention as aiding a corrupt, authoritarian regime's opposition to the people's nationalistic desires. In the late

⁴⁶See Michael Walzer, "The Moral Standing of States," 211-12, 218; Richard Wasserstrom, Review of *Just and Unjust Wars*, 539; Anthony Smith, "The Ethnic Sources of Nationalism," *Survival* 35 (Spring 1993): 56-9.

1970s, Walzer's critics presaged the reasoning of Post-Cold War liberal interventionists by rejecting self-help as blame the victim and might makes right social Darwinian excuses not to intervene on behalf of the oppressed. Now, self-help is largely ignored as a test for humanitarian intervention while suffering and practicality are important considerations. The Bosnians, who have proven their political endurance, have received no help while the Somalis, who have proven little politically, have. Self-help is an ideological dispute rather than a concept of systematic study.⁴⁷

Finally, those on all sides of the humanitarian intervention debate merge the moral and the practical arguments such that force to stop structural violence is seldom used. All see military interventions as risky behavior and a threat to international order. Despite their fundamental disagreements, because of the practical limitations of prudence by Walzer, of the ethic of consequences by realists, and of pragmatic constraints by Beitz, Nardin and Slater, all of which could easily support national interest reasons for not intervening, the intervention threshold is drawn at a point that makes intervention seldom useful for humanitarian purposes, including the cessation of structural violence.

In a sense, representative fit is the right of a state's citizens to participate free of outside interference in the pursuit of self-determination. Walzer views

⁴⁷Concerning the change on support of the Vietnam War by liberals, see David Halberstam, *The Best and the Brightest* (New York; Penquin Books, 1983), 9-15, 776-8; Now many liberals seem to see the Bosnian conflict similarly to how they first viewed intervention in Vietnam as the need to help an abused people desiring freedom. Nonetheless, the principle of democracy and the opposition to genocide have not received priority in such decisions by the West. Certainly, the Bosnians through three years of resistance and atrocities have met Walzer's secessionist and unconscionable acts standards of broken representative fit with the former Yugoslavia. On the other hand, the clans of Somalia have not. Yet, humanitarian intervention was tried in Somalia only.

representative fit as a long-term, open-ended process as well as a final, political arrangement. When his view is joined with Rosenau's recent theorizing that world politics involves an unexplained and spontaneous, political turbulence, there are compelling arguments both that protecting the moral autonomy of a state's citizens maximizes individual justice internationally and that states, which are not really representative of their people, unnecessarily accept structural violence as a buffer against international disorder. The problem is that the political philosophy which makes a state's civil society most nationally complete and representative of its citizens has never been agreed upon by the world's political philosophers, national leaders, and people. As a result, the idea of representative fit, its attendant issues, and the arguments of its critics do not provide enough systematic knowledge about the nature of the relationship between states and their civilian populations to support the moral and political will needed for successful humanitarian intervention.

Chapter V

Humanitarian Intervention, Self-Determination, and Nationalism in a World of Failed States: Aspirations without Solutions

The issue of representative fit is embodied today in the problems of self-determination and nationalism taking place in the world's many nonviable, multi-ethnic states. The dissolution of these "dysfunctional" or "failed" states is more than demographics influenced by the legacies of colonialism and the Cold War. Also involved are the ramifications of the introduction in Eastern Europe and Africa of the Western ideas of self-determination and nationalism, which unfortunately are aspirations for justice without solutions. As a result, the West perceives that providing justice by humanitarian intervention in states with the demographic problems of ethnically intermixed populations separated by intense hatred and with non-democratic cultures is too costly in lives and money and not likely to be successful. The result is the lack of political will on the part of the West and the international community to stop genocide and relieve suffering and a distrust of Western purpose on the part of Third World leaders. That the West resolved its moral dilemma by not intervening militarily leaves it wondering whether its inaction is the rightfully prudent avoidance of quagmire or the wrongful acceptance of genocide.

The Meaning of Self-Determination

To begin with, it is not unreasonable to see intervention in another state's conflict over self-determination as promising little success because the grievances involved are aspirations for justice with their many meanings. Self-determination, therefore, is one of the great problems of international justice. Among its many meanings, its most generic is the group's desire for cultural, social, political and economic self-fulfillment. In its more specific, political meaning, it merges with the idea of nationalism and approximates the desire of a people to achieve a sense of group identity and self-worth, which is most often actualized by either the desire or the development of preferred political institutions and statehood. Consequently self-determination can be viewed in one of two ways; one, as the process of achieving these institutions, and the other as the arrangement of the institutions itself. While Mill and Walzer see it as the group's right to pursue whatever arrangement it desires and to achieve whatever arrangement it deserves, others see it as the end result of the achieved institutions. Thus, to liberal internationalists, it is a capitalistic democracy. To Marxists, it is a classless, socialist society. To Wilsonian idealists, it is a state with a democratically chosen civil society which is composed of harmonious groups satisfied by their participation within the state's political process. To ethnic groups holding grievances, it is the achievement of retribution and freedom in regard to other groups, out of which they hope to find their own social, cultural, political, and economic arrangement, but it is not necessarily freedom of the individual in the Western sense. In parts of the non-West, or what is the traditionally perceived as the Third World, it is the right of the group to be left alone even if political necessity

requires violence abhorrent to the West. Therefore, for many, contrary to the ideas of Wilsonian idealism, self-determination equates democracy with the communal rights of the ethnic group to the exclusion of minority rights.¹ The danger of self-determination then is that it is an idea of feeling with little intellectual consistency and no guarantee of democracy. Yet that feeling is also a real sense of justice held

¹Wilson's idea of self-determination naturally divided into two conceptions. One was external self-determination from foreign control and the other was internal self-determination to provide citizens the right to choose their civil society. Unfortunately, self-determination came to mean equating ethnicity with statehood and democracy. Today, the prevalence of ethnic nationalism in the Third World directly contradicts Wilson's original idea that the self-determined state would be a democratically chosen civil society of harmonious groups satisfied by their participation within the state's political process. Morton H. Halpin and David J. Scheffer, *Self-Determination in the New World Order* (Washington, D.C.: Carnegie Endowment for International Peace, 1992), 16-8. For other perspectives on self-determination, see the following: John Stuart Mill, "A Few Words on Nonintervention," in Richard Falk (editor) *The Vietnam War and International Law* (Princeton, N.J.: Princeton University Press, 1968-76) 36; Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 87-8; Hedley Bull, "The State's Positive Role in World Affairs," in Stephen R. Graubard (ed.) *The State* (New York: W.S. Norton & Company, Inc., 1990), 113-14; *Ibid.*, n.6; For more specific definitions of self-determination, see the following: Alexander Deconde ed. *The Encyclopedia of American Foreign Policy: Studies of the Principle Movements and Ideas* (New York: Charles Scribner's Sons, 1978), s.v. "National Self-Determination," by Betty Miller Unterberger; Kevin Ryan, "Rights, Intervention, and Self-Determination." *Denver Journal of International Law and Policy* 20 (1991): 60-6; The most violence over self-determination is found in the former Soviet bloc and the Third World. However, the Cold War definition of the Third World of economically and politically backwards states not aligned with either Cold War superpower is obviously obsolete. The Third World is no longer unrealistically considered a monolithic entity playing the superpowers against each other for advantage. Many states of the former Soviet Bloc have Third World problems. They now join the formerly non-aligned states to be described as "failed" or "dysfunctional." It is more accurate to see the Third World as those states threatened with disorder and dissolution as a result of a multitude of overwhelming social problems, including the newly profiled global emergencies, such as poverty, overpopulation, environmental degradation, political instability, ethnic nationalism, and social injustice. The Second World can be accurately described as those states in reconstruction after loss of the Cold War and former Third World states which have accomplished some measure of the prosperity and security of the West. See Kenneth C. Davis, *Don't Know Much About Geography: Everything You Need to Know About the World but Never Learned* (New York: William Morrow and Company, Inc., 1992) 248-50; for other perspectives on self-determination, see the following: John Stuart. Mill, "A Few Words on Nonintervention," in Richard Falk (editor) *The Vietnam War and International Law* (Princeton, N.J.: Princeton University Press, 1968-76) 36; Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 87-8; Hedley Bull, "The State's Positive Role in World Affairs," in Stephen Rher perspectives on self-determination, see the following: John Stuart. Mill, "A Few Words on Nonintervention," in Richard Falk (editor) *The Vietnam War and International Law* (Princeton, N.J.: Princeton University Press, 1968-76) 36; Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 87-8; Hedley Bull, "The State's Positive Role in World Affairs," in Stephen R. *Denver Journal of International Law and Policy* 20 (1991): 60-6.

by members of groups which cannot be ignored by the international community. Unfortunately, it is a sense of justice based on localism instead of universalism. In sum, the intractable complexity of local conflict is derived from the fact that self-determination is the justice the group feels it is due.

State Versus Secession Oriented Self-Determination

Self-determination presents one of the great paradoxes of international politics. Because states are made of subgroups often with conflicting senses of justice, states are paradoxically both based on and threatened by the idea of self-determination. Further, the desire for self-determination becomes explosive when merged with the desire for national self-fulfillment. Because of self-determination, ethnic and religious secessionist movements are still seeking their own states. The result is conflicting groups clashing over how to define the self in terms of the state. States desiring the status quo accept the self as a state-oriented self-determination based on the civilian population's loyalty to a unified state in lieu of loyalty to any particular group. On the other hand, those against the status quo of the state see the self in terms of a subgroup, which is often in terms of ethnic nationalism, with self-determination based on an unqualified right of statehood for nationalities. This secession-oriented self-determination is based on group loyalty superseding loyalty to the state. Internal conflicts within the state, many of which divide along ethnic lines, result.²

²Alex Heraclides, "Secession, Self-Determination, and Non-intervention: In Quest of a Normative Symbiosis." *Journal of International Affairs* 45 (Winter 1992): 399-420. 404-6; Stephen Ryan, *Ethnic Conflict and International Relations* (Brookfield, Vt.: Dartmouth Publishing Company, 1990), 28-9; Robin Wright and Doyle McManus, *Flashpoints: Promises and Peril in a New World*. New York: Alfred A. Knopf, 1991), 221.

Nationalism

Nationalism is another great problem of international justice which exacerbates the divisions of self-determination and ethnic identity. As an important part of international politics since its inception in its modern sense in Europe in the early 1800s, it also is a Western idea of unfinished business in much of the world. Essentially, it is the idea that nations have both the right and the duty to become states. Consequently, it naturally appeals to those holding ethnic grievances. Nationalism is especially a serious problem today because of its strong potential to fill the power vacuum within those post-Cold War, fragmenting and moribund states engulfed in ethnic battles over self-determination.³

Nationalism also represents one of those gaps in understanding between the West and other political cultures, emphasized by Walzer, which calls into question the morality and practicality of intervening in another state's political issues. In the West, civic nationalism--which is based on a community of a shared civic culture, the rule of law, and the idea of territorial citizenship--developed. Western states have been reasonably successful at transcending internal ethnic divisions by substituting a less obsessive form of nationalism. Essentially, conflict is constrained in a relatively successful manner in societies built on pluralism, consociationalism,

Conflict and International Relations (Brookfield, Vt.: Dartmouth Publishing Company, 1990), 28-9; Robin Wright and Doyle McManus, *Flashpoints: Promises and Peril in a New World*. New York: Alfred A. Knopf, 1991), 221.

³Sills, David L. ed. *The Encyclopedia of the Social Sciences*. np: The MacMillan Company, 1968. S.v. "Nationalism," by Hans Kohn; Deconde, Alexander. ed. *The Encyclopedia of American Foreign Policy: Studies of the Principle Movements and Ideas*. New York: Charles Scribner's Sons, 1978. S.v. "National Self-Determination," by Betty Miller Unterverger; William Pfaff, *The Wrath of Nations: Civilization and the Furies of Nationalism* (New York: Simon and Schuster, 1993), 14, 21-3.

multiculturalism, human rights, and the acceptance of dissent. As a result, the priorities of Western states are a liberal world order of economic interests, democracy, and regional and cultural identity as the desire for national self-fulfillment has taken hold in a civic form. Unfortunately, many non-Western multinational states have failed to develop the unifying values of a civil society. As a result, nationalism in such states has developed along ethnic lines based more on a common language, genealogy, and group loyalty in lieu of loyalty to the state's civic culture. Festering grievances and ethnic resentments result. Often, a conquered or expelled nation has feelings of unfinished business and a deep sense of grievance. People see themselves as morally deserving of a denied national self-fulfillment, which can only be satisfied by national independence. The result today is an surprisingly malevolent ethnic nationalism of secession.⁴ Therefore, it is not surprising that foreign policy practitioners and scholars reject humanitarian intervention as a solution to one of history's most difficult and enduring political problems.

In fact, post-World War II foreign policy practitioners and scholars have already been disillusioned on the issue. The legacy of the European state system and

⁴Smith, Anthony D, "The Ethnic Sources of Nationalism," *Survival* 35 (Spring 1993): 55. Consociationalism... refers to regimes in which internal accommodation is negotiated by party leaders [such as in] the Netherlands, Belgium, Switzerland, Austria, and Lebanon..." Gabriel A. Almond, *A Discipline Divided: Schools and Sects in Political Science* (Newbury Park, Calif.: Sage publications, Inc., 1990), 281-3; George Schopflin, "Nationalism and National Minorities in East and Central Europe," *Journal of International Affairs* 45 (Summer 1991): 54, 58; Donald M. Snow, *Distant Thunder: Third World Conflict and the New International Order* (New York: St. Martin's Press, 1993), 46; Raymond Pearson, "The Geopolitics of People Power: The Pursuit of the Nation State in East Central Europe," *Journal of International Affairs* 45 (Winter 1992): 505-6, 514; Astri .S. Suhrke and Lela Garner Noble, *Ethnic Conflict in International Relations* (New York: Praeger, 1977), 6; Anthony D. Smith, "The Ethnic Sources of Nationalism," 57, 60; Stephen Ryan, *Ethnic Conflict and International Relations*, 59; George Schopflin, "National and National Minorities," 62-5.

Communism's consolidation policies were expected to resolve the conflicts of ethnic nationalism and grievances within emerging, troubled states, but, once the Cold War was over, such conflicts reemerged, proving that they were dormant rather than dead. This phenomenon has led to a certain disenchantment in the West with ethnic conflict and has reduced the will of outsiders to become involved.⁵

Ethnic Conflict

Ethnic conflict is a merging of the struggle for power, the drive for survival, the search for justice, and the quest for national self-fulfillment, i.e., self-determination and nationalism. Therefore, it involves a history of violence, festering grievances for justice, feelings of group survivalism, and the fundamental collision of nationalistic secession against preservation of the state. It, therefore, gives the impression of being solvable only from within but draws outside, affective sympathy for a number of reasons. In addition, ethnic nationalism, because it is historically resilient, is ready to erupt when the configuration of international politics can no longer constrain the search for justice, as happened in the Balkans and the former Soviet Union after the Cold War.⁶

⁵See Stephen Ryan, *Ethnic Conflict and International Relations*, 56-7, 59, 64-5; according to Anthony D. Smith, the ethnic community is composed of "...a named human population with a myth of common ancestry, shared memories and cultural elements, a link with a historic territory or homeland and a measure of solidarity. Anthony D. Smith, "The Ethnic Sources of Nationalism," 49; James Q. Wilson suggest that the human tendency to limit ones moral sense to the group illustrates separatism of the ethnic community. James Q. Wilson, *The Moral Sense* (New York: The Free Press, 1993), 192, 194, 197. Hans J. Morgenthau, "To Intervene or Not To Intervene." *Foreign Affairs* 45 (April 1967): 435.

⁶Adam Kuper and Jessica Kuper, eds. *The Social Science Encyclopedia* (Henley on James: Routledge and Kegan Paul, 1985) s.v. "Nationalism," by Kenneth Minogue; Also see David L. Sills, ed. *The Encyclopedia of the Social Sciences* (np: The MacMillan Company, 1968) s.v. "Nationalism," by Hans Kohn; Raymond Pearson, "The Geopolitics of People Power," 510.

Survival Nationalism

The conflict between status quo and secession is a quintessential struggle for justice in its most subjective sense. To supporters of the status quo, state unity is viewed as both necessary and convenient for the government under the authority of the traditional dominant group to maintain continued subjugation over the state's other groups. The dominant group desires its unity to save its advantages and itself while the seceding nation, which feels oppressed and alienated from its culture, desires its own nationally inclusive state. The subgroups and nationalities of the state see themselves as victims of tyranny and want the same justice and right of self-determination as the dominant group. As a result, the dominant group adopts whatever means necessary to survive and maintain control of the state. The secessionist group also sees its independence as a matter of survival and acts in the same manner. Both unity and independence become core values for which people are willing to die. Consequently, ethnic conflict is often a violence of unsurpassed, savagery.⁷

Survival nationalism, as it is termed by Anthony Smith, with its high stakes, develops its own malevolent kind of political morality. One aspect of its special savagery is that groups which see themselves as conquered or expelled nations seek retribution for perceived past wrongs. Members of the group holding this sense of grievance then justify in their own minds their atrocities. Such conflicts are resistant

⁷David L. Sills, ed. *The Encyclopedia of the Social Sciences* (np: The MacMillan Company, 1968) s.v. "Nationalism," by Hans Kohn; Stephen Ryan, *Ethnic Conflict and International Relations*, 34; Raymond Pearson, "The Geopolitics of People Power," 514; Astri .S. Suhrke and Lela Garner Noble, *Ethnic Conflict in International Relations*, 38-9; Donald now, *Distant Thunder: Third World Conflict and the New International Order* (New York: St. Martin's Press, 1993), 46.

to compromise, the rule of law, and constitutionalism. The respect for the rule of law is already weak in such states, which seldom have a democratic tradition to begin with, and only worsens as the conflict intensifies. Any sense of fair play is lost to the exigencies of the moment. Compromise among the warring parties is a necessary component to an orderly and just peace but is disparaged by the group's militarization for survival. Essentially, survival nationalism takes priority over the target state's progress and the suffering of its civilian population. The idea of reciprocity, i.e., the belief in the give and take needed for an orderly society, fades before the dogmas of nationalism and self-determination.⁸

Of course, the sense of grievance leads to a cycle of unconscionable violence and exploitation of the people's fears by local leaders. Because the conflict is over core values and physical survival, victory becomes a moral imperative resulting in the group's defense mobilization. The warring parties become militarized into garrison communities of zealously and fanatically loyal populations seeking revenge for past blood invested, which leads them down a spiraling path of hatred and revenge of unrestrained destructiveness. The violence is both random and controlled but takes on a life of its own in a seemingly meaningless, reciprocal spiral of atrocities, although it is seldom without political purpose.⁹ It is the perceived intensity and

⁸Anthony Smith, "The Ethnic Sources of Nationalism," 57, 59-60.

⁹Astri .S. Suhrke and Lela Garner Noble, *Ethnic Conflict in International Relations*, 6; Hedley Bull, "The State's Positive Role in World Affairs," 113-14; Stephen Ryan, *Ethnic Conflict and International Relations*, 38-9, 54-5, 56-7, 59; Donald M. Snow, *Distant Thunder*, 46. According to Anthony Smith, it is doubtful that Western social scientists, who are products of scientific rationalism, can grasp in any helpful way the strength of feeling of ethnic nationalism. Scholars accordingly have not been able to identify a clear set of factors to make reasonably certain predictions about where ethnic conflict will erupt, to what degree it will be popularly supported, at what level of intensity it will be pursued, and for what duration it will continue, but research into the biology of the brain may provide answers, although perhaps not solutions. Neuroresearch is finding that emotions are an integral part

irrationally of it that discourages the West from intervention. It is this intensity of ethnic conflict and its accompanying fears which are susceptible to elite manipulation. The discontent, the zealousness, and the strong group loyalty of the alienated masses create fertile ground for manipulation by nationalistic demagogues like Serbia's Slobodan Milosevic and Bosnia's Serb leader, Radovan Karadzic, who exploit ethnic hatred to consolidate power. Leaders such as Somalia's Mohammed Farah Aideed command significant support because of the deep domestic grievances within their own societies.¹⁰

The Threat to International Order and the Fear of Infinite State Dissolution

In addition to the negative characteristics of ethnic conflict perceived as barriers to humanitarian intervention by the West, there is also the view by states that self-determination, nationalism, and ethnic divisions are serious threats to

of human reasoning and that emotions such as fear are deeply ingrained in brain circuits through evolution. This leads to the hypothesis that the group's desire for justice manifested in the lingering grievances, the historical resilience, and the malevolent proclivities of ethnic conflict is an emotion like fear, hate, love, and jealousy, which would account for the illogical, self-destructive behavior and protracted nature of ethnic and other emotionally charged political conflicts. Of course, even if brain biology is verified as the culprit, there would seem to be no cures for ethnic hatred other than placing the latest version of prozac in the drinking water of the warring parties. Anthony Smith, "The Ethnic Sources of Nationalism," 59; Sandra Blakeslee, "The Biology of Emotions," *Richmond Times-Dispatch*, 19 January 1995, sec. E, p. 2; Stephen Ryan, *Ethnic Conflict and International Relations*, 38-9, 54-5, 56-7, 59; George Schopflin, "Nationalism and National Minorities," 54, 58; Donald M. Snow, *Distant Thunder*, 46; Raymond Pearson, "The Geopolitics of People Power," 505-6, 514; Astri S. Suhrke and Lela Garner Noble, *Ethnic Conflict in International Relations*, 6; Anthony D. Smith, "The Ethnic Sources of Nationalism," 57, 60; Stephen Ryan, *Ethnic Conflict and International Relations*, 59.

¹⁰The historical record on this matter is replete with examples of dictators capable of organizing the masses to ferment atrocities in the name of group identity and loyalty; A contemporary example is Slobodan Milosevic in the former Yugoslavia; See Alexia Djilas, "A Profile of Slobodan Milosevic," *72 Foreign Affairs* (Summer 1993); 81-96; Misha Glenny, *The Fall of Yugoslavia: The Third Balkan War* (Penguin Books: New York, New York, 1993), 36; Robert D. Kaplan, *Balkan Ghost: A Journey Through History* (New York: St. Martin's Press, 1993), 39-40; Tom Farer, "From Warlord to Peacelord?" *The Washington Post* 12 Sept. 1993, sec. C, p. 2.

international order, which favors the status quo. The logic is that an unqualified right of political communities to statehood presents the danger of infinite state dissolution. This view was recently made concrete by the Russian attack on Chechnya. Also, a world of many small states is seen as incapable of political or economic viability and appears destabilizing internationally. An increase in the number of nonviable states would make the resolution of the worsening, newly profiled global threats more difficult, and the worsening of these threats would further aggravate the nonviability of states. Because of the difficulty of obtaining interstate cooperation from a larger number of weak states, the nonviability problems of inadequately apportioned resources, environmental degradation, overpopulation, disease, crime-causing urbanization, transmigration and refugee flows, the short supply of water, and even the ethnic intermixture of populations would be exacerbated, leading to increased suffering and opportunities for conflict. Because the nonintervention norm is seen as conducive to state unity and a state-oriented interpretation of the right of self-determination, the international community and most states are not inclined to weaken it, even to go much beyond officially condemning the genocide and oppression within such areas as the former Yugoslavia and sub-Saharan Africa.¹¹

¹¹Alexis Heraclides, "Secession, Self-Determination and Nonintervention," 407-8; Amtai Etzioni, "The Evils of Self-Determination," *Foreign Policy* 89 (Winter 1992- 93): 26, 27-8; Raymond Pearson, "The Geopolitics of People Power," 512; James Mayall, "Nonintervention, Self-Determination and the 'New World Order,'" *International Affairs* 67 (July 1991): 424; Stephen Ryan, *Ibid.*, 28-9; Robert D. Kaplan, "The Coming Anarchy," *The Atlantic Monthly*, February 1994, 52-8, 70-2.

Similarly, because of all the perceived negative consequences of ethnic and survival nationalism and secession-oriented self-determination, the potential for infinite state dissolution and disorder, the legacy of colonialism, and the strong hold of realism on international politics worldwide, most of the Third World states favor a strong nonintervention norm which is not very receptive of humanitarian intervention and human rights. Third World leaders see the nonintervention norm as protecting their authority to defend the multinational state's unity by dictatorial rule if need be, which appears to be most of the time, in light of the potential for it to self-destruct from the problems of nationalism and self-determination. Their antagonism to intervention and their inclination toward authoritarian rule are not only for the selfish reasons of maintaining an elite's power and privileges or a predominate group's control over other groups but also because of their states' demographic frailties requiring special measures. They are, therefore, especially aware that power is necessary to the preservation of the status quo and to meeting the exigencies of international as well as domestic concerns. The perception is that of realism that the state's unity is equated with the possession of the power necessary not only for its survival domestically but also internationally. Therefore, secession-oriented self-determination is seen generally as a threat to the realist stability devices.¹²

¹²Because the historical basis of state sovereignty in the Third World is so precarious and the threat of dissolution so great, the Organization for African Unity and the Group of 77, which are the international organizations representing Third World sentiments in the international community, strongly support a qualified right of self-determination compatible with the preservation of state unity; James Mayall, "Nonintervention, Self-Determination and the New World Order," 525.

The Realist View of Intervention in the Third World

According to Caroline Thomas, the Third World is still working on problems for the most part already resolved in the West and still is just as influenced by realism as are state leaders worldwide. She argues that the Third World is in an earlier stage of development involving ethnic conflict, authoritarianism, disorder, and great suffering already passed by the Western democracies. These are problems that can only be solved through the moral autonomy of the Third World states. In the Third World, according to Thomas, "politics must be played out." Therefore, quite logically, Third World leaders see the nonintervention norm as assuring the equality of states. It helps to assuage their fears that their former colonial masters might continue an undue influence in their societies on economic, military, and cultural matters. Hence, concentrating power may be a necessary step toward the obtaining of domestic stability and legitimacy by dysfunctional states whereas intervention even for humanitarian purposes might aggravate indefinite state dissolution. Hence, the West needs to accept that failing states may have to go through authoritarianism as part of the process of sorting things out.¹³

¹³R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), 83; Gerald Doppelt, "Statism Without Foundation," *Philosophy and Public Affairs* 9 (1980): 400; Caroline Thomas, "The Pragmatic Case Against Intervention," in Ian Forbes and Mark Hoffmann (editors) *Political Theory, International Relations and the Ethics of Intervention* (New York: St. Martin's Press, Inc., 1993), 91-3, 100; Stephen Ryan, *Ethnic Conflict and International Relations*, 28; During the U.N. General Assembly debate concerning a safe zone for Iraqis and Kurds in Northern Iraq, many Third World states and the Group of 77, along with some developed states, expressed reservations about the humanitarian action setting a precedent against the state's right of sovereignty. See Larry Minear, "Humanitarian Intervention in a New World Order," Paper of the Overseas Development Council (Washington, D.C.: Overseas Development Council, 1992), 3; Marguerite Michaels, "Retreat From Africa: Continent's Momentum for Changing Stalls." 72 (*America and the World 1992/93*): 97; Michael Lind, "In Defense of Liberal Nationalism," *Foreign Affairs* 73 (May/June 1994): 88.

As realists, leaders in the Third World and of fragmenting states are also skeptical of any professed altruism in foreign policy, especially from the West with its colonial and Cold War past. They probably also see it this way from an intuitive feeling of the validity of realist thinking. Consequently, the leaders of both the status quo states and the secessionist nationalities see intervention as selfishly motivated and as an activity ripe for exploitation. For instance, the various factions in Somalia attempted to exploit politically the U.S. efforts to find and punish Aideed as a war criminal. In Bosnia, the government, which was always at the disadvantage against the Serbs, continually called for Western intervention.¹⁴

Humanitarian Intervention and Realism

Third World leaders also recognize that the problems of realism will arise in humanitarian intervention because the intervenor cannot use force without influencing or appearing to influence the warring parties' political conflict. Thus, leaders of target states will probably act and perceive others as acting in their national interests, which translates into their distrust of Western intervention. The argument is that the immense power of the West, its high valuation of capitalism, and its realist tendencies make it inevitable that humanitarian intervention will eventually become a matter of self-interest. Because of the nature of international politics, even the sincere desire of the West for altruistic policies cannot escape the pursuit of its

¹⁴See Tom Farer, "From Warlord to Peacelord: Like it or Not, the West Needs to Enlist Aideed---or Face Disaster," *Washington Post*, 12 September 1993, sec. C, p. 2; For articles clearly showing the partisan views on intervention of the warring sides in Bosnia, see the following: John F. Burns, "Bosnian Calls Bush's Plan a Welcome 'First Step,'" *New York Times*, 12 August 1992, p. A8; Laura Silber, "Serb Leader Speaks of Peace, Warns on Intervention," *Washington Post*, August 12 1992, p. A24; John F. Burns, "Power and Water Lost in Sarajevo as Attacks Mount," *New York Times*, 14 July 1992, p. A8; Andrew Rosenthal, "Bush Vows to Get Aid to Bosnia," *New York Times*, 10 July 1992, p. A6.

own interests. The Western conception of world order is seen as developed by the most powerful states to preserve their interests. Even the supposedly benign economic assistance of the International Monetary Fund and the World Bank appears heavy-handed to Third World leaders.¹⁵

Hans Morgenthau, the preeminent realist, warned that unavoidable circumstances arise in international politics forcing the state to attend to its national interest. The good intentions of the intervenor have a propensity to turn unconsciously toward matters of self-interest as its peacemaking breaks down among the complexities of the political conflict. This situation is no less true for intervention today. Regardless of the intervenor's quality of leadership, humanitarian intervention is at risk of being rerouted from altruistic intentions to matters of self-interest and power politics. For instance, as the U.N. search in Somalia for Mohammed Farah Aideed progressed, U.S. efforts to criminalize and to punish him changed the mission from one of humanitarian relief to one of upholding U.S. and U.N. credibility in the handling of international problems. At that point of international involvement in the local political process, U.S. power and security interests became unintentionally, and perhaps unconsciously, entangled in the humanitarian mission. Another example is the fall of Bihac, in which NATO's credibility, rather than help for the suffering, became the problem.¹⁶

¹⁵Caroline Thomas, "The Pragmatic Case Against Intervention," 91-2, 94-5, 98 100; Marguerite Michaels, "Retreat from Africa," 98; Cynthia Weber, "Reconsidering Statehood: Examining the Sovereignty/Intervention Boundary." *Review of International Studies* (1992): 202-4.

¹⁶See Hans J. Morgenthau, "To Intervene or Not To Intervene," *Foreign Affairs* 45 (April 1967): 43; See Patrick J. Sloyan, "A Look at...The Somalia Endgame: How the Warlord Outwitted Clinton's Spooks," *Washington Post*, 2 April 1994, sec. C, p. 3; Robert H. Reid, "U.N. Peace Effort's Future on the Line," *Richmond Times-Dispatch*, 27 November 1994, p. A4; David Rieff, "The Peacekeepers Who

Thomas argues that states always act in their national interests, that the powerful will always exploit the weak, and that intervention will always be "predatory." Another scholar has noted the "hypocritical heritage of European nations" to proclaim democracy at home while "systematically destroying others." That the West is democratic does not negate its susceptibility to power politics. Therefore, even in a world of failed, dysfunctional states, state sovereignty and the nonintervention norm cannot be relaxed without great caution by the international community and the fragmenting states in need themselves. As Thomas sees it, altruistic intervention will always be "self-seeking humanitarianism."¹⁷

Intervention in Ethnic Conflict: A Hobson's Choice for the International Community

The greatest indicator that humanitarian intervention is a nonviable option for ending structural violence and finding justice for conflicted, ethnically intermixed groups is the hobson's choice that self-determination and nationalism present to the international community. Preserving the status quo is not likely to resolve the serious grievances of injustice held by those separatist groups which have not achieved their national self-fulfillment, but remedying these grievances by an unqualified right of

Couldn't: The Real Reasons for the U.N.'s Retreat in Bosnia," *Washington Post*, 11 December 1994, sec. c, p. 1. Even the possibility of the U.N.'s withdrawal from Bosnia has become a credibility problem for the U.S. concerning its use of airpower and troops for protection of the retreating peacekeepers. See Jim Hoagland, "Out With a Bang," *Washington Post*, 11 December 1994, sec. C, p. 7.

¹⁷Irving Louis Horowitz, *Taking Lives: Genocide and State Power*, 3rd ed. (New Brunswick, N.J.: Transaction Books, 1989), 18-9; Caroline Thomas, "The Pragmatic Case Against Intervention," 92, 100; Robert W. Tucker and David C. Hendrickson, *The Imperial Temptation: The New World Order and America's Purpose* (New York: Council on Foreign Relations, 1992), 62-3; Elfstrom, Gerald. "On Dilemmas of Intervention." *Ethics* 93 (July 1983): 724.

self-determination is not likely to end the creation of new grievances by those status quo groups who lose power. Under such circumstances, the few options available to local and world leaders are either ineffective or morally reprehensible for resolving these problems. Three of these options--forced expulsion of populations, dictatorial annexation of land, and the systematic killing of target groups--are currently being applied in Bosnia.¹⁸

Limited Choices: Expulsion of Populations, Dictatorial Annexation of Land, and Systematic Killing Versus Trusteeship

The morally reprehensible options have worked because of the lack of political will on the part of the West and the international community to stop genocide. In Bosnia and Rwanda, the lesson has not been lost by ruling elites and secessionists alike that ethnic cleansing is an effective tool for uniting the conflicted, multi-national state. As a consequence, the genocidal, ethnic cleansing in Bosnia is less a random violence of hatred and more a tactical genocide of purpose. Its a purposeful, controlled hatred which achieves its goal of exterminating and expelling political opponents by exploiting the natural tendency of people, when convinced that their national survival is at stake, to devalue others. It is a policy which also effectively exploits the goodwill of the West as the Serbs continue to make and then break promises of peace while incrementally removing their enemies.¹⁹

¹⁸Charles William Maynes, "Containing Ethnic Conflict," *Foreign Policy* 90 (Spring 1993): 11; Charles William Maynes, "Learning the Hard Way in Bosnia," *New York Times*, 5 May 1993, p. A1.

¹⁹Charles William Maynes, "Containing Ethnic Conflict," 11; Alison DeForges, "The Method in Rwanda's Madness: Politics, Not Tribalism, Is the Root of the Bloodletting," *The Washington Post*, April 17, 1994, sec. C, p. 2; The situation in Bosnia shows that, with centuries of practice, local forces know well the uses of power politics to exploit the involvement of outsiders. The Bosnian Serbs in

Because ethnic conflict involves survival nationalism in societies without democratic traditions, the prospects for two other options of a moral and peaceful character, partition and power sharing, are not promising. They involve either a new balance of power between the warring parties or a total victory of one of the parties. They are also costly and acquiesce in structural violence since both options usually involve intended or collateral atrocities until victory or a new balance of forces takes place. A new balance of forces also leaves much unfinished business waiting to erupt again into violence, as in Cyprus.²⁰

Trusteeship

The remaining option is trusteeship which amounts to nation-building and reform intervention by the international community. It involves the establishment of Western, political and economic values and institutions reflecting constitutionalism and the rule of law, which are anathema to today's typical dysfunctional state of survival and ethnic nationalism, authoritarianism, and xenophobia. The obstacles here are considerable since infusing Western values into the political complexity and the

particular have used U.N humanitarian purposes to their advantage. They have by their "policy of accomplished fact" alternatively accepted and broken cease-fires as they gradually increased their control of territory. Their "fighting and talking, talking and fighting" has worked well against the U.S. and Western Europe. Their twin strategy of taking territory while at the same time allowing U.N. shipments of food and medicine to besieged Muslim areas has been an effective use of the carrot and the stick against U.N. considerations of increased intervention. As of July 21, 1992, there had been 39 cease-fires. See Peter Maass, "Shelling Halts Sarajevo Airlift; Yugoslavia Could Lose U.N. Seat," *Washington Post*, 21 July 1992, p. A10; John F. Burns, "Newest Bosnia Truce Is a Non-Starter," *New York Times*, 20 July 1992, p. A6; Stephen Engleberg, "Serbs Following a Twin Strategy," 16 August 1992, p. A15; Dan Stets, "Serbia Apparent Winner in War," *Richmond Times-Dispatch*, 21 August 1992, p. A5.

²⁰Ibid.

stiff military resistance of the target state's survival nationalism requires a strong, political will on the part of a reasonably united international community.²¹

Choosing Victims and Culprits

Also a problem in attempting to provide social justice to another political process is the inability to separate the victims from the culprits. Some outrageous acts of cruelty, as in Bosnia, when viewed in their longrun, historical context and not in their particular point in time, are part of a political process of savagery, mutual mayhem, and recriminations in which all are culpable, making a just punishment of the guilty difficult. Often, the actions of warring parties are both a matter of just grievances and unjust violence. In particular, such judgments are made difficult by the effectiveness of propaganda and disinformation, the affective nature of the conflict, and the complexity of the reciprocal violence. It is difficult, therefore, to judge the fairness of an aggrieved group's proportionality of response to social injustice.²² This view is not intended to negate the vile cruelty which takes place in structural violence, but rather to point out that the world of states, both as an international community and as separate political units, will judge the criminality of those committing structural violence like the judges at the Olympics did during the Cold War. Regardless of the level of cruelty involved, those to whom the judges feel favorably disposed will score a 9.9 moral rating and others will score much lower.

²¹Ibid. According to Amtai Etioni, the ethnic based state tends to be more culturally cohesive and, therefore, prone to authoritarianism and xenophobia. Amtai Etioni, "The Evils of Self-Determination," *Foreign Policy* 89 (Winter 1992/ 93): 33; George Schopflin, "Nationalism and National Minorities," 58.

²²See Robert Cooper and Mats Berdal, "Outside Intervention in Ethnic Conflicts," *Survival* 35 (Spring 1993); 133, 137; Donald Snow, *Distant Thunder*, 92.

The difficulty of resolving these issues and judging moral accountability returns the analyst of intervention to the same, fundamental questions. Of these, the most important are what crimes based on what moral standards justify humanitarian intervention? The discussion of the difficulties in resolving these issues, however, is not an argument to excuse the failure of states to stop genocide and other atrocities but rather is a reminder of the difficulty that outsiders have in playing moral referee, adjudicating self-determination, gaining trust within troubled states, and overcoming their own selfish natures. As a result, the world's states, either in the aggregate or individually, seldom have the political will or the legitimacy to use military humanitarian intervention against structural violence.

Chapter VI

American Perspectives on Intervention

Without resolution of the issues of cultural and moral relativism, order and justice, the legitimacy and the power of the state, self-determination, and nationalism, the American foreign policy perspectives of conservatism, neo-isolationism, liberalism, realism, and internationalism offer little intellectual and moral vision on the issue of military humanitarian intervention. Moreover, two of America's most important approaches to studying and analyzing international politics--namely social science and the legalistic-moralistic approach to international relations--do not provide adequate prescriptive advice on the issue. As a result, with few answers and many questions on military humanitarian intervention, Americans cannot reconcile their idealism and belief in the rule of law with the ethic of consequences and cannot find the political will to use military intervention against structural violence and human rights abuses. As a result, its use is likely to be restricted to the most limited cases of temporarily relieving atrocities and suffering where little sacrifice is involved.

But this conclusion is difficult for Americans to accept since, for them, international politics has historically been connected to their principles of democracy and constitutionalism. Thus, Americans feel a sense of moral obligation beyond the responsibilities states normally associate with international politics. In the words of Michael Novak:

No European nation that I know of feels that its national mission is to protect human beings elsewhere, to intervene (like St. George) to save innocents from evil dragons. They do not regard other peoples in distress as part of their national obligation....Since World War II, we Americans have grown up knowing that we are powerful. We are confident (sometimes too much so) that America is good. For Americans, it is as obvious as 2 plus 2 equals 4 that power plus goodness equals national obligation.¹

American Exceptionalism and the Traditional Inner Conflicts of American Foreign Policy

Novak's words echo the unique way that Americans define the moral basis of their political association. Known popularly as American exceptionalism, it is, according to Kenneth Thompson, "the foreign policy corollary of the American dream" and the rejection of "power as reality."² It rejects European power politics with its corrupt alliances and balance of power manipulations and is the legacy of America's beginning revolutionary commitment to building a liberal world order of peaceful republics in the place of war prone monarchies. Its fundamental values are commerce, free markets, and limited constitutional government. The resulting self-perception of Americans is one of moral superiority to European politics and a belief that freedom everywhere depends on them.³ But such a burden makes it difficult for Americans to reconcile their rejection of power politics with the realities of

¹Michael Novak, "Liberals and Conservatives Share Revulsion at Raw Human Evil," *Richmond Times-Dispatch*, 14 August 1992, p. A15.

²Kenneth Thompson, *Traditions and Values In Politics and Diplomacy: Theory and Practice* (Baton Rouge: Louisiana State University Press, 1992), 143-4.

³Robert W. Tucker and David C. Hendrickson, "Thomas Jefferson and Foreign Policy," *Foreign Affairs* 69 (Spring 1990): 138.

power, and this inner conflict of U.S. foreign policy still haunts Americans on the issues of human rights and humanitarian intervention.

Historically, while Americans were idealists abroad, they were nationalist and expansionist at home. What came to be called "manifest destiny" brought forth a policy of realism and power politics against Indians, Hispanics, and those European powers still involved in North America after independence. According to Morgenthau, American expansionism on the continent was unbridled realism whose history was later suppressed with the illusion that the U.S. was the product of idealistic isolationism rather than power politics. Yet Americans remained isolationist in regard to Europe for much of the 19th century thanks to Great Britain's enforcement of the Monroe Doctrine and America's remoteness from a relatively stable European political order. America's degree of isolationism has been exaggerated, however, as indicated by Paul Johnson's recent argument that America has always been internationalist, at least in specific acts if not by general policy.⁴ But few would argue that the U.S. view of intervention was historically a narrow one directed at keeping markets open and looking out for America's national interest by temporary alliances of convenience. Thomas Jefferson summed it up by the phrase, "Commerce with all nations, alliance [of permanence] with none." Isolationism and American exceptionalism allowed Americans to have it both ways by harsh expansion at home, which eventually came to include American imperialism in Central

⁴Paul Johnson, "The Myth of American Isolationism," *Foreign Affairs* 74 (May/June 1995): 159-64.

America, and idealistic detachment from power politics abroad, when it suited them.⁵

It was near the end of the 19th century when American realism expanded into Central America and the Pacific with imperialistic interventions as the U.S. looked to expand its markets, recognized the decline of British power, and felt threatened by European imperialism and industrialization. As the American desire for a sphere of influence in the Western Hemisphere increased and Capt. Alfred T. Mahan's geopolitical ideas on naval superiority became popular, economic and then political imperialism became more reconcilable with American exceptionalism. Although there was considerable domestic controversy evoked over the policies of territorial expansion and coercive interference in other countries, most rationalized America's new overseas involvement as a continuation of manifest destiny and the frontier ethic rather than as a move toward European power politics and imperialism. Except for the First World War, when Neo-Hamiltonian realists feared a threat to the national interest and neo-Jeffersonian idealists feared that a German defeat of Britain and France would lead to a U.S. national security state, America, especially with the failure of Wilsonian idealism, remained essentially isolationist until the impending

⁵Robert W. Tucker and David C. Hendrickson, "Thomas Jefferson and Foreign Policy," 140,142, 145-6, 150, 155; *The Encyclopedia of American Foreign Policy: Studies of the Principle Movements and Ideas* (New York: Charles Scribner's Sons, 1978), s.v. "Power Politics," by Thomas H. Etold; Hans J. Morgenthau, "Another Great Debate: The National Interest of the United States." *The American Political Science Review* 46 (December 1952): 964-5, quoting Woodrow Wilson, "Democracy and Efficiency," *Atlantic Monthly*, 87 (March 1901): 293-4; Hugh Brogan, *The Pelican History of the United States of America* (Middlesex, England: Penguin Books, Ltd., 1985), 450; Robert W. Tucker and David C. Hendrickson, *The Imperial Temptation: The New World Order and America's Purpose* (New York: Council on Foreign Relations, 1992), 174, 177.

threat of fascism, beginning in the 1930s, gradually forced the U.S. towards a new internationalism.⁶

The Second World War and the Cold War, of course, changed America into an interventionist power for reasons of both idealism and realism. The dramatic political changes resulting from the Second World War and its aftermath drew the United States by necessity away from any thoughts of isolationism and toward the national security state and the realism of European politics, which Jefferson so greatly feared. After the Second World War, the idealistic hopes of the end of power politics and the beginning of a cooperative and peaceful liberal world order became central issues of American foreign policy only to be displaced by the exigencies of the Cold War. At the Cold War's end, the same hopes emerged again. One issue that struck a cord with most Americans initially was the horrendous suffering worldwide, which raised the issue of whether the U.S., as the remaining superpower, should intervene for humanitarian reasons.

While tempting, it is too simplistic to write off American idealism and exceptionalism as hypocrisy and utopianism because of America's realist past. Even Morgenthau inadvertently provides a defense against the charge of American hypocrisy when he argues that idealism is often sincere but delusional and that the

⁶Hugh Brogan, *Pelican History of the United States*, 451-2; Robert W. Tucker and David C. Hendrickson, "Thomas Jefferson and Foreign Policy," 177-8; Henry Kissinger, *Diplomacy* (New York: Simon & Schuster, 1994), 39. George Brown Tindall, *America: A Narrative History* (New York: W.W. Norton Company, Inc., 1984), vol. II, 867-70; See Robert W. Tucker and David C. Hendrickson, *The Imperial Temptation*, 179, 182; Alexander Deconde, ed. *The Encyclopedia of American Foreign Policy: Studies of the Principle Movements and Ideas* (New York: Charles Scribner's Sons, 1978) s.v.; "Realism and Idealism," by Paul Seabury.

ethic of consequences excuses acts which are popularly seen as immoral.⁷ Whether delusional or not, Americans have earnestly felt the desire to promote their version of a liberal world order.

In regard to European power politics, Americans historically dealt with two inner conflicts in their foreign policy. One concerned the desires, on the one hand, to reform the world and, on the other, to remain separate from it. The second conflict concerned the dilemma of whether to intervene, even to the extent of military force to enlarge democratic capitalism--the expansion of which has always been seen as a matter of the national interest--or to remain aloof and provide a noninterventionary example of America's freedom and prosperity. Indeed, many Americans still believe that republicanism will spread throughout the world as the fruits of the American experience became apparent.⁸

These conflicts represented the early American battle between the use of power and internationalism, on the one hand, and isolationism and the withdrawal from power, on the other. Both viewpoints had their advantages and disadvantages. An activist foreign policy, though supposedly enlarging democracy, would require the very power politics, national security state, large peacetime army, and interventionism that republicans like Thomas Jefferson condemned as threatening to democracy at home. The other vision of an isolationist and noninterventionist America would avoid the European state system's power politics and its corruption of republicanism

⁷According to Morgenthau, the Cold War involved ideology as well as interests and was a conflict of religion as well as power. Hans J. Morgenthau, "To Intervene or Not To Intervene," *Foreign Affairs* 45 (April 1967): 428-9. Also see Hans J. Morgenthau, "Another Great Debate: The National Interest of the United States," *American Political Science Review* 46 (December 1952): 982.

⁸Robert W. Tucker and David C. Hendrickson, "Thomas Jefferson and Foreign Policy," 149.

at home but would also mean a dangerously limited American influence abroad that was condemned by realists like Alexander Hamilton as a threat to national security. To this day, the debate between reformists-interventionists who advocate the use of power abroad to enlarge democracy and isolationists-noninterventionists who see the use of power as a matter of narrow focus to protect democratic-capitalism at home has not been resolved. The reformists-interventionists carried the day against the challenges of totalitarianism, but once Soviet Communism was defeated, Americans were back to square one on how to promote a liberal world order.⁹

With the American national security state a fact since the beginning of the Cold War, one would think that interventionism as a threat to democracy at home would be a long dead issue. However, with the return of a conservative Republican attack on the size of the federal government has come a neo-isolationist fear of the U.N. and internationalism as threatening the new shift in American federalism towards the states and away from a large central government. Although conservatives have certainly gotten past their fear of the national security state by their modern acceptance of a large, standing peacetime army, they have been and still are skeptical of a large central government unduly influenced by the United Nations.¹⁰ This resurgence of isolationism indicates that Americans are back to square one on the problem of promoting a liberal world order.

⁹See Alexander Deconde, ed. *The Encyclopedia of American Foreign Policy* s.v "Power Politics," by Thomas H. Etold; Alexander Deconde, ed. *The Encyclopedia of American Foreign Policy* s.v. "Realism and Idealism," by Paul Seabury; Robert W. Tucker and David C. Hendrickson, *The Imperial Temptation*, 169-70.

¹⁰Robert W. Tucker and David C. Hendrickson, *The Imperial Temptation*, 54; James Lee Ray, *Global Politics*, 4th ed. (Boston: Houghton Mifflin Company, 1990), 457-62.

The Five Conflicting Ideological Components of the American Liberal World Order

Americans have a vision that their fundamental values of peace, commerce, free markets, and limited constitutional government are destined to expand worldwide into an American liberal world order.¹¹ Today, there are five conflict ideological components of the American liberal world order-- namely conservatism, neo-isolationism, liberalism, realism, and internationalism--which have evolved from American exceptionalism and whose fundamental values currently define the philosophical foundations and boundaries of the humanitarian intervention debate. Each has implications for the application of morality and justice to international politics. While each shares the core value of democratic capitalism, each has its own interpretation of the most appropriate American version of liberal world order. Each also has been attended by the traditional tension between individual justice and international order, i.e., between international morality and realism, and the traditional inner conflicts of American foreign policy between isolationist exemplar and internationalist crusader.

The most traditional American foreign policy perspective is conservatism, which is a liberal world order view whose core value is individual freedom and initiative. It most closely follows the traditional American liberal world order values

¹¹Alexander Deconde, ed. *The Encyclopedia of American Foreign Policy*, "Realism and Idealism," by Paul Seabury, s.v.; see Robert W. Tucker and David C. Hendrickson, "Thomas Jefferson and Foreign Policy," 136-7, 138, 155, 167-8, 172-3; Paul Seabury, "Realism and Idealism," s.v.; Alexander Deconde, ed. *The Encyclopedia of American Foreign Policy* s.v.; "Power Politics," by Thomas H. Etold; R.D. McKinlay and R. Little, *Global Problems and World Order* (London: Frances Pinter, 1986), 29, 33, 176.

of free markets, limited constitutional government, and the individual's right to physical safety and property. At the international level, conservative values translate into free trade, open world markets, the realization of comparative advantage, and, of course, isolationism.¹² However, starting in the late 1930s and continuing past the Cold War, the threat, first of Fascism and then Communism, led conservatives to accept a state-centric view of international relations and to reject their isolationist past. As one historian noted, the imperatives of the time changed the conflict from "...between isolationism and internationalism..." to "...between weak internationalism and strong internationalism."¹³ One wing of conservatism, however, returned, after the Cold War, to the isolationist view of the traditional conservative 19th century liberal world order. Their current thinking represents a reversion to a narrow, but still statist, view of America's security interest which gives priority to America's internal economic and social restoration. It is an America first view whose national interest focus is on direct security threats, making it a somewhat more narrow view of the national interest than that of realists.¹⁴

Liberalism, on the other hand, places priority on social justice instead of individual initiative. It gradually began to take form during the 1930s from the American ideals of social justice and democracy, which liberals saw as the primary goals of international politics and as achievable through public policy and

¹²R.D. McKinlay and R. Little, *Global Problems*, 29-33.

¹³Thomas A. Bailey, *A Diplomatic History of the American People*, Tenth Ed. (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1980), 772.

¹⁴See Henry Kissinger, *Diplomacy*, 388-9; Thomas A. Bailey, *A Diplomatic History of the American People*, 2, 761-2, 810.

internationalism. New Deal liberals responded to what they viewed as the need and the equity of providing a productive slot for every person in the modern, democratic mass society. They became the first American internationalists in defiance of the aggression of the Axis powers. They came to view the welfare and security of the United States as connected to that of the Western democracies. As a result, the Roosevelt Administration gradually led the U.S. into the Second World War, world leadership, and toward internationalism. Liberals modified conservative political theory by making government a partner with the private economy to balance individual initiative and the collective welfare. Hence, today, unlike conservatives, they approve of government regulation in order to control capitalism's tendencies toward market concentration and social indifference. Liberal principles translate at the international level into global economic management and foreign assistance through international organizations. Most importantly, because of both foreign and domestic economic deprivation, as well as the prevalence of oppression abroad, liberals see the state as an important tool for freedom and social justice. This view translates internationally into a state-centrist view of international relations.¹⁵

American realism stays true to its progenitor of European power politics by giving priority to the appropriate focus and expenditure of state power in the pursuit of the national interest, but develops its own Americanized, intellectual foundation. Yet it is not America's historical brand of realism, e.g., its Indian Wars and ruthless cultural expansion. America's 20th century realism, unlike its versions of liberalism and conservatism, is not a product of American exceptionalism. It is not an originally

¹⁵R.D. McKinlay and R. Little, *Global Problems*, 36-48.

American perspective on foreign policy, is not based on traditional liberal world order values, and is not representative of the values of democratic capitalism. Rather it is primarily an idea of international politics which concentrates on the state's security and emphasizes power politics more in the European sense of the balance of power. It is also a significant part of the American worldview developed as a response to idealism's failure to secure peace in the 1930s and to prevent the rise of totalitarianism and harsh power politics during and after the Second World War.¹⁶

Like liberal internationalism, realism was a response to the age of totalitarianism and the need to defend against the threats of Fascism and Communism. Brought to America by German refugees such as Hans Morgenthau and Henry Kissinger, the alien ideas of realism were formed from the German culture and the horrors of the Holocaust. They contradicted American exceptionalism's rejection of European power politics and came to reject both liberal and conservative idealism as utopian and isolationism as unrealistic. This form realism began to significantly influence American foreign policy at the beginning of the Second World War and continued to do so throughout the Cold War. Despite its foreign origin, its negative view of human nature, and its emphasis on the state's national interest, it was eventually appropriated by the principles of democratic capitalism. In this regard, it played a significant role in protecting Western

¹⁶William C. Wohlforth, "Realism and the End of the Cold War," *International Security* 19 (Winter 94/95): 91.

democracy and extricating the U.S. from Vietnam by restraining the unbridled and moralistic use of power in the U.S. containment of the Soviet Union.¹⁷

American internationalism like America itself, is a melting pot, in this case, of the various American schools of thought on foreign policy. It is a 20th century creation of American foreign policy leaders and thinkers. It resulted from its appropriation of the other American perspectives on foreign policy, except isolationism. It is a centrist view of these perspectives and presents a consensus on the desirable goals of American foreign policy. It fuses the moderate wings of contemporary liberalism and conservatism as well as the more moderate views of realism and idealism to form a centrist American foreign policy establishment. The Trilateral Commission and the Council on Foreign Relations are organizations of the U.S. foreign policy and business elite that provide, along with their allies, internationalism's intellectual and political leadership.¹⁸

Internationalism may at times waver slightly left or right, but it essentially protects against international threats to its two primary interests of Western economic well-being and social democracy. Its leaders may talk more left or right to please the electorate but, for the most part, come back to the center when making policy. Essentially, both American realists and idealists have come to see less

¹⁷Michael Joseph Smith, *Realist Thought from Weber to Kissinger* (Baton Rouge: Louisiana State University Press, 1986), 1-6; Mary Maxwell, *Morality Among Nations: An Evolutionary View* (Albany: State University of New York Press, 1990), 13; Walter Isaacson, *Kissinger: A Biography* (New York: Simon & Schuster, 1992), 25-32, 107-8, 653-7.

¹⁸Richard A. Falk, "Contending Approaches to World Order," *Journal of International Affairs* 31 (Fall/Winter 1977): 184-6; Liberal internationalism, according to Stanley Hoffmann, emphasizes harmony and consensus among like governments but, most importantly, is adept in the use of limited war. Stanley Hoffmann, "The Crisis of Liberal Internationalism," *Foreign Policy* 98 (Spring 1995): 165.

conflict between the real world demands of power politics and the core values of democratic capitalism. It restrains the intensity of both left and right as well as the tension between realism and idealism.

Internationalism, within certain limits, place priority on a healthy, capitalist world economy of social democracies and on their relationship with adjunct, orderly non-democratic states. They see a healthy capitalist world economy through international trade rather than through internal restoration as the most important precondition to international order. Today, American internationalism, according to Richard Falk, is the Western foreign policy establishment's world order model based on the values of "trade, money, international financial institutions and energy policy." As Charles S. Maier remarks of internationalism, "For now a minimal consensus has been reached on the primacy of markets with a continuing regulatory role for government." Essentially, its primary goals of the survival and growth of democratic capitalism, preferably by the expansion and enlargement of capitalist economies, is a centrist version of the traditional liberal world order and may be viewed as the liberal world order's minimal consensus of values designed for an international economy.¹⁹

Internationalism, however, did not develop as part of some grand design of world order but rather as a reaction to certain critical points and urgent needs of international politics after the Second World War and from the necessities of

¹⁹Richard Falk, *Ibid.*; James N. Rosenau, *Turbulence in World Politics: A Theory of Change and Continuity* (Princeton, N.J.: Princeton University Press, 1990), .378; See also Walter Isaacson, *Kissinger: A Biography*, 82-6; Walter Isaacson and Evan Thomas, *The Wise Men: Six Friends and the World They Made, Acheson, Bohlen, Harriman, Kennan, Lovett, McCloy* (New York: Touchstone, 1986), 726; Charles S. Maier, "Democracy and Its Discontents," *Foreign Affairs* 73 (July/August 1994): 58-9.

America's new found power and responsibilities. It adopted realism while maintaining the basic values of American exceptionalism. Because of its realist component, it willingly accepts political and economic interaction with authoritarian capitalist states as well as Communist states to the extent necessary to secure world markets and strategic security. While it has made moderate efforts to secure freedom abroad, it also recognizes the necessity of protecting the national interest and using and focusing power appropriately. One might say that it is the adaptation of the ideals and pragmatism of the Founding Fathers to the modern world.

The Five Components During the Cold War

America's internationalist foreign policy practitioners and intellectuals, whose liberal world order values were mature adaptations and admixtures of conservatism, liberalism, and realism, adjusted their principles during the Cold War in favor of interventionism to meet the threat of Communism. The Cold War, at least in the beginning, was a period of anomalous ideological alignments in American foreign policy. Even most conservative isolationists put aside their beliefs for fear of Communism. Liberals and conservatives alike were frightened into a unique merger of ideologies and a new interventionism, which became the Truman Doctrine. The ideas of realism began to influence, perhaps even to dominate, American idealism. Until America's involvement in Vietnam, politics did stop at the water's edge, although the parameters of containment increasingly became a source of disagreement within U.S. foreign policy circles.

Conservatives viewed the Cold War as an ideological battle between good and evil. They, therefore, not only advocated aggressive interventionism against Soviet power, which culminated in the Reagan Doctrine's policy of enlarging freedom against communism rather than simply containing it, but also alliances with oppressive, right-wing anti-Communist governments, which they later claimed were less oppressive and more conducive to democratic reform than totalitarian ones. They also came to accept, contrary to traditional American values, a large peacetime military and a national security state on the theory that both were preferable to defeat by totalitarianism. Paradoxically, people whose core values were individual freedom and initiative developed state-centric ideas on foreign policy favoring interstate justice over individual justice.²⁰

Liberals also embraced American interventionism at the beginning of the Cold War, in part, from lessons they felt they learned from the Second World War. Because of their dislike of isolationism, their fear of appeasement, and their desire to prove their anti-Communist credentials, they easily transferred their internationalism from Nazi to Soviet aggression but not without eventually some controversy within their own ranks. They at first accepted aggressive containment, despite their belief in the social roots of revolution. But, because of the Viet Nam War, liberals changed significantly to support a less aggressive form of containment

²⁰R.D. McKinlay and R. Little, *Global Problems*, 192-4, 195-6; Although more a paper tiger, early on, conservative, anti-Communist Secretary of State John Foster Dulles preached liberation of Eastern Europe, attacked containment as too passive, and negotiated many anti-Soviet defense treaties. Conservative interventionists wanted, in Kissinger's words, "a strategy of liberation" to roll back communism. Conservative interventionism became a new form of American exceptionalism and a harbinger of the more toned-down Reagan Doctrine; Henry Kissinger, *Diplomacy*, 470; Seabury, "Realism and Idealism," s.v.; Michael Joseph Smith, *Realist Thought*, 124; see Samuel P. Huntington, "American Ideals versus American Institutions," *Political Science Quarterly* 97 (1982): 29.

and interventionism. After Vietnam, liberals became more conciliatory toward the Soviet Union and returned to their roots of social injustice as the cause of revolution, especially in regard to the non-aligned states of the Third World. The improvement of the economic and social conditions of the underdeveloped states through global distributive justice came to be seen as the cure for revolution and Soviet influence in the Third World. As a result, liberals broadened their definition of the national interest beyond realism's security dilemma to include traditional non-security "global threats" such as poverty, famine and disease. Security, distributive justice, and global prosperity came to be viewed as interdependent. They also grew to dislike alliances with right-wing governments and saw military confrontation and intervention as tending to uphold corrupt, anti-democratic governments and to divert resources away from the real breeding grounds of communism. Gradually, liberals placed their hopes on global, economic management and foreign assistance through international organizations. Superpower confrontation was rejected as inflaming East-West tensions, exacerbating those social conditions encouraging revolution, and increasing the possibility of a nuclear holocaust. Instead, they advocated compromise and detente as pragmatic and morally compelling alternatives to confrontational policies. As their Cold War reasoning matured, they placed their faith in foreign aid, disarmament, collective security, international organizations, cooperative treaties, and a little more world leadership by example than by force.²¹

²¹R.D. McKinlay and R. Little, *Global Problems*, 48, 198-9; Contemporary liberals, e.g., Arthur Schlesinger, originally supported the American involvement in Vietnam as a commitment to freedom and for authoritarian states the future possibility for reform into democracy. Michael Joseph Smith, "Liberalism and International Reform," in Terry Nardin and David R. Mapel (Editors) *Traditions of International Ethics* (Cambridge: Cambridge University Press, 1992), 214-5. Also see Yale H. Ferguson and Richard W. Mansbach, *The Elusive Quest: Theory and International Politics* (Columbia, S.C.:

Realism also became influential in American foreign policy as a response to totalitarianism. Despite efforts at fidelity to their idealistic roots, Americans could not ignore the uses of power and the importance of the national interest in an increasingly dangerous world. For the first time, Americans felt that their survival and democratic values were threatened, despite the limited, Soviet nuclear arsenal in the beginning. Americans felt compelled by these events not only to abandon isolationism but also to act in international politics according to the realities of power. The result was an American version of realism which began to dominate American foreign policy. But realists had complex views about the uses of power. They rejected as irrational the aggressive, globalist view of containment accepted at first by both conservatives and liberals, which considered Communism a monolithic threat to be fought by intervention worldwide. They argued that the U.S. emphasis on ideology was a form of moralism which gave America an exaggerated sense of power and a self assurance of righteousness that was likely to interfere with the realistic assessment of the consequences of U.S. foreign policy and the effective focus and expenditure of U.S. power. Morgenthau warned that the superpowers' ideologically motivated moralism blinded them to the limits of power. He argued that the U.S., by mistakenly acting as if all revolutions were Communist inspired threats to its security, was misdirecting its power to areas unrelated to the national interest. Hence, his vocal opposition to America's involvement in Vietnam as the

moralistic misdirection of U.S. power from areas and issues important to its national interest.²²

Internationalism's role during the Cold War was as important as it was subtle in defeating Soviet Communism or, perhaps more accurately stated, in protecting the West while Soviet Communism defeated itself. It accepted the national security state as a necessity for U.S. and Western security during the Cold War, but it also did not devour capitalism and civil liberties, contrary to Jeffersonian assumptions, despite the growth of the powers of the federal government and the increasing social problems of the Western democracies. Containment was a delicate and painful issue for the U.S. and its allies, but, despite the folly of Vietnam, somehow, internationalism managed to restrain isolationism, liberal and conservative moralism, and the significant but not absolute influence of realism in order to successfully navigate, in the longrun, a middle course of reasonable parameters for containment and interventionism. Internationalism guided the U.S. successfully between the Reagan and Johnson Doctrines and achieved reciprocal restraint between the superpowers in the nuclear age. But while internationalism also made important, if limited, strides in promoting human rights, it also showed few reservations about using power and intervention, regardless of whether or not human rights were advanced, to protect its core values of democratic capitalism, world economic growth, security ties with Western Europe, and international order. It was successful at making an uneasy accord within American foreign policy between realism and idealism to save the

²²Mary Maxwell, *Morality Among Nations*, 13; Yale H. Ferguson and Richard W. Mansbach, *The Elusive Quest*, 97, 150; Hans Morgenthau, "To Intervene or Not To Intervene," *Foreign Affairs* 45 (April 1967): 434-36.

West, but, as will be seen in regard to the issues of human rights after the Cold War, the message of internationalism does not bode well for the future of stopping structure violence and other massive, human rights violations.²³

The Five Components After the Cold War

Once the Cold War ended, Americans and the American foreign policy establishment again faced the problems of forming the appropriate inter-relationships among liberal world order values, intervention, international order, interstate, cosmopolitan, and individual justice, especially in light of the atrocities of ethnic and religious nationalism and self-determination. To debate the resolution of these problems, Americans went back to their traditional core liberal world order values, their particular views on intervention formed from these values, and the particular views held by each American foreign policy perspective on the relationship in international politics between justice and order. However, these fundamental values and assumptions of the various American perspectives on foreign policy could not resolve the humanitarian intervention debate--at least intellectually and morally in terms of stopping atrocities and mass, human rights violations--and the passivity of internationalism in the face of structural violence seems to have decided the issue.

As representatives of each perspective returned to their roots, the ideological alignments on Cold War intervention broke down, leaving a confusing multitude of possible options, none of which appeared too promising. Many conservatives and

²³See Henry Kissinger, "Reflections on Containment," *Foreign Affairs* 73 (May/June 1994): 113-30, for a discussion on the maturing of the policy of containment as the Cold War progressed.

liberals preferred interventionism because of their idealism. Other conservatives preferred an updated form of isolationism because they felt that American economic and political security could be protected most effectively, despite such a policy's inevitable assault on international cooperation, by America's 19th century foreign policy traditions, including that of being the world's exemplar instead of crusader. Realists, however, rejected conservative and liberal interventionism as utopian idealism and neo-isolationism as a modern day head-in-the-sand know-nothingism. Instead, they preached moderation and preferred a more traditional view of national security, although they began to accept some of the newly profiled global threats as possible security issues. But internationalism, as the source of equilibrium among America's various foreign policy perspectives during the Cold war, pursued moderation in all areas of post-Cold War international politics, including the use of military intervention, although it flirted with liberal interventionism in Somalia. And, today, internationalism still dominates American foreign policy, represents its center, and is the strongest American influence on the evolution of contemporary international relations and the future of humanitarian intervention, which, as internationalist values indicate, is not too promising.

Liberalism

Liberalism today rejects the pursuit of individual justice as conflicting with international order and, based on its roots of social justice and Wilsonian idealism, advocates reform humanitarian intervention or nation-building. Since social justice presupposes all desirable ends in international politics, liberals assume that international conflict is minimized by democracy plus Wilsonian self-determination

and the end of global, economic deprivation and political oppression. Hence, international order is best served in the longrun by a distribution of the world's economic resources such that the most disadvantaged of the world's people receive the minimum level of assistance needed to assure them a meaningful quality of life.

In particular, liberals see dysfunctional or failed states debilitated by ethnic conflict and nationalism as increasing disorder and global threats and civil war as a siren to other states to cause trouble. Liberals argue that U.S. Cold War moralism exacerbated the problems of failed states and that such problems as refugee flows and violence move beyond their borders to exacerbate the forces of social disorder lurking in other troubled states. And now with the Cold War over, they see no reason that states cannot cooperate more fully and use their collective power, especially through diplomacy and economic assistance and sanctions, to solve the problems of failed states, to stop human rights abuses, and to end structural violence. As part of this worldview, liberals also elevate the newly profiled global threats to the level of security issues and argue that collective action against these threats is in the national interest of states, both collectively and individually. These arguments, not surprisingly, are consistent with the position of liberals during the Cold War that a society of socially just states presented the best defense against Communist revolution, whether domestically grown or imported.²⁴

²⁴The idea of the dysfunctional or failed state and the controversy over whether dysfunctional states are a threat to the social order of other states and the international community are not new. The idea of dysfunctional states in international politics became evident in the aftermath of the French Revolution. Under Metternich's diplomacy, the Concert of Europe pursued intervention against nationalism to protect monarchy. Britain's foreign secretary, Robert Castlereagh, on the other hand, was strictly interested in the use of intervention to preserve the balance of power for a nonthreatening equilibrium in Europe. To the states of continental Europe, order depended upon intervening against revolutionary instability within states. To Britain, with a body of water between it and the other states of Europe, order depended much more upon the balance of power than upon abstract ideological ideas; Henry Kissinger, *Diplomacy*, 86-9.

Liberal interventionists, however, make a radical departure from their mature, Cold War non-confrontational view of international politics, reminiscent of their early support for intervention in Vietnam, when they support military intervention on behalf of nation-building to achieve institutional reform of the target state. But in another sense, their support of military intervention is a logical extension of their belief in collective security on behalf of the world's peace and security, which they charge is threatened by structural violence and other forms of human rights violations. Accordingly, they advocate enlarging liberal world order values by a policy of military humanitarian intervention through the authority of the United Nations and regional organizations, which they claim to be a morally compelling and concrete step toward defying structural violence, both as genocide and economic deprivation, as well as protecting U.S. national interests. The American foreign policy establishment rejects such views as utopian, at least to the extent that they support the use of force.²⁵

Conservatism

Conservative interventionists, on the other hand, base their position on the more traditional values of American exceptionalism instead of those of social justice as advocated by liberal interventionists. Accordingly, conservatives want to intervene militarily in non-democratic and socially dysfunctional or failed states to assure civilian populations of

²⁵Stephen John Stedman, 'The New Interventionists,' *Foreign Affairs* 72 (American and the World 1992/93): 2-10.

their rights to individual initiative, free markets, and democracy. They see oppressive states as destroying the freedoms needed for worldwide individual initiative and democratic capitalism. They argue that the change in the nature of the threat to freedom does not change American and Western responsibility to preserve freedom in a still hostile world of such evils as ethnic cleansing, whose immorality and destructiveness equates with that of Communism and, therefore, threatens freedom everywhere. They see ethnic nationalists, such as the Bosnian Serbs, as simply modern versions of historical aggressors, such as the Nazis and the Communists, against the individual and economic rights of the people. In doing so, they view intervention in its more traditional sense of aid to help the victims of aggression and dictatorship earn their freedom. This view translates into a preference for the compellent use of force, i.e.,, the use of force against carefully chosen targets to stop the aggression. Two of the most prominent and eloquent advocates of this position are former President Reagan and Prime Minister Thatcher who have called for the international community to arm the Bosnian Government and to punish and stop Bosnian Serb aggression by carefully selected air strikes.²⁶

Conservative interventionists reject their 19th century view of isolationism for the same reason today that they did during the Cold War, namely the threat of totalitarianism. During the Cold War, they came to see the international community and the United Nations as useful, if not trusted, instruments against Communism,

²⁶See Ronald Reagan, "Why We Should Remember," *Washington Post*, 5 June 1994, sec. C, p. 1; Ronald Reagan, "West's Battle Against Evil Has Not Yet Been Finished." *Richmond Times-Dispatch*, 27 December 1992, sec. F, p.1; Margaret Thatcher, "Stop Excuses: Help Bosnia Now," *New York Times*, 6 August 1992, p. A23; For a definition and discussion of compellence, see Richard N. Haass, *Intervention: The Use of Military Force in the Post-Cold War World*, (Washington, D.C.: Carnegie Endowment for International Peace, 1994), 53-6.

and today they also wish to use the U.N. for collective action against aggressors. Unlike liberals, who see the U.N. as an instrument to achieve social justice through a respect for the diversity of states, they see it as an organization to be dominated by American values and power in the crusade against aggression and to be discarded if it fails to abide by them. Hence, conservative Republicans showed their disdain for the international community by advocating a unilateral lifting of the arms embargo against Bosnia regardless of whether the U.N. agreed.²⁷

However, like their fellow liberal idealists, the ideas of conservative interventionists are also rejected by the American foreign policy establishment, not so much on the basis that they are utopian, but rather because they conflict with the "national interest." The disorder in the Balkans, the former Soviet Union, and Africa is claimed by realists and internationalists not to affect the values, security and prosperity of the United States, at least not to the degree claimed by conservative interventionists. It is true that the accompanying structural violence and human rights abuses are an affront to American values, but, according to internationalists, the refusal to act against them can be reconciled with American values by recognizing that the costs of intervention in lives and money would be too high, that the use of force, including compellence, would likely not resolve the abuses, that an overextended U.S. would needlessly be exposed to new dangers, and that the

²⁷Senator Dole has a bill before the Senate to lift the arms embargo against the Bosnians, unilaterally if need be, which President Clinton has threatened to veto. The Republicans were reported to possibly have the party discipline to override his veto; "Behind the Truce," *The Economist*, January 14, 1995, p. 48.

unrealistic pursuit of individual justice would harm the maximization of overall justice in the longrun.²⁸

Neo-Isolationism

Neo-isolationists, unlike conservative interventionists, have returned to 19th century traditional, liberal world order values. The current thinking of neo-isolationists is a reversion to a narrow view of the national interest, a belief in America first, especially in economics, a minimalist acceptance of free trade, sanctions short of force against remaining Communist states, a rejection of the usefulness of the United Nations, and the idea of the U.S. as an example of liberty and prosperity to the world. Accordingly, they believe strongly in democracy's universal appeal and the doctrine of self-help. They view democratic capitalism as attractive enough to the world that many will be willing and able to earn their freedom. They assume that the global consumer eventually will demand a liberal world order. As a result, they do not see global threats as emergencies in need of immediate and drastic action, but rather as problems, which are overstated by liberals and internationalists and that the technology and individual initiative of democratic capitalism can eventually solve. Consequently, they see reform intervention as a wasteful diversion of resources from internal economic and social restoration. In fact, they see intervention limited to resolving only direct threats to the physical security of the U.S. homeland. Thus, exceptions to the nonintervention norm are even

²⁸Charles William Maynes, "Relearning Intervention," *Foreign Policy* 98 (Spring 1995): 108-13. According to Maynes, compellence may not work in ethnic conflict where leaders may have little control over or accountability to their followers. They may also have too high a stake in their own demagoguery.

more narrow for realists. Their exceptions are so narrow that even threats to oil kingdoms in the Middle East may not be a matter of the national interest. U.S. involvement in power politics without a major enemy and an overwhelming threat is seen as a wasteful form of interventionism. Certainly, according to this view, individual justice is a low priority in the liberal world order of neo-isolationists. The implication is that the pursuit of individual justice is harmful to international order and overall justice. As to structural violence and human rights abuses, the victims of these, like the poor, will always be with us. Essentially, neo-isolationism is a modern faith in American exceptionalism's ability to bring other deserving states into line with democratic capitalism, which cannot be bothered with the world's imperfections.²⁹

Neo-isolationists also reject the idea of the dysfunctional state as a threat to international order and the U.S. national interest. Instead, they see international order and democracy as dependent upon the economic and political stability of the U.S., which is threatened by competition from Europe and Asia and social disintegration at home. Therefore, the U.S. needs to severely limit its role as world policeman in order to concentrate on building up its social and economic strength. While to neo-isolationists the suffering of dysfunctional states is regrettable, the hard reality is that the oppressed and suffering who cannot earn their freedom will always be with us and will most of the time be only on the periphery of U.S. interest. In any

²⁹Doug Bandow, "Avoiding War," *Foreign Policy* 89 (Winter 1992/93): 172. Also see Thomas W. Lippman, "GOP-Controlled Foreign Policy Panels Would Reverse Several Clinton Stands," *The Washington Post*, May 21, 1995, sec. A, p. 7; Julia Preston, "Blue Hat Blues," *The Washington Post*, February 19, 1995, sec. C, p.1; Thomas L. Friedman, "Dissing the World," *New York Times*, February 19, 1995, sec. IV., p. 13; R.D. McKinlay and R. Little, *Global Problems*, 29-35.

event, their best chance to earn their freedom is in an expanding liberal world order led by the example of a healthy United States.

For a host of reasons, the American foreign policy establishment also rejects neo-isolationism. The desirability of democracy abroad, if earned, and the need for economic improvement at home becomes a rationale for compromising international human rights abuses and tolerating authoritarian states. Liberals do not like the rigid noninterventionism of neo-isolationism because it is consistent with that part of Cold War conservatism which supported right-wing governments, provided they were anti-Communist. Because neo-isolationists are minimally critical of human rights abuses abroad, especially if they are consistent with U.S. military and economic interests, liberals see them as insufficiently protective of American values internationally. They have been called an extremist and a narcissistic moralism which discounts the humanity of others. Their narrow view of the national interest also raises the ire of realists. Though realists today, like neo-isolationists, are basically anti-interventionist, especially where humanitarian purposes are concerned, realists reject the neo-isolationist limitation of vital national interests to direct security threats. Intervention to them is still a matter of the appropriate focus and expenditure of the state's power concerning primary and secondary threats to the national interest, although such intervention may, on occasion, incidentally cause the moral dividend of stopping human rights abuses, as in Cambodia, Uganda, and Bangladesh.³⁰

³⁰See Robert D. Kaplan, review of *Have A Nice Day: From the Balkans to the American Dream*, by Dubravka Ugresic, translated from the Serbo-Croatian by Celia Hawkesworth, in *The Washington Post Book World*, March 5, 1995, p. 7.

Pragmatic Neo-isolationism

Other neo-isolationists, termed here pragmatic neo-isolationist, are not the refugees of Cold War conservatism. Instead, they are pragmatists and reformed realists, rather than ideologues, who argue that U.S. foreign policy should have a domestic focus. They show that they are not ideologues by recommending, in contradiction to conservative ideology, that some economic nationalism and limitations on free trade should be used when beneficial to the U.S. They see themselves as new post-Cold War realists who might aptly be described as believers in realism-lite or even perhaps as internationalists in a weak sense. They deny being isolationist claiming instead that their views allow for a more realistic focus and expenditure of U.S. power. Like realists, they reject as utopian the hope of liberal interventionists that increasing interdependence and transnational problems will lead states into a new cooperation out of enlightened self-interest. They reject as utopian idealism both the belief in the ability of the U.N. and individual states to make peace and to reform failed states and the ability of neo-isolationism to expand democracy by example. While conservative neo-isolationists distrust the U.N, pragmatic neo-isolationists simply see it as incapable of effective collective security in a world still dominated by power politics.³¹

Pragmatic neo-isolationists reject the idea of the dysfunctional state as a threat to international order and the national interest, which leads to their rejection of reform intervention and nation-building. Neither the extinction of disorder nor the

³¹Alan Tonelson, "Clinton's World," *The Atlantic Monthly* (February 1993), 71 -4; see Doug Bandow, "Avoiding War," 169, 172; Jeane Kirkpatrick, "Foreign Policy Team Misreading Threats," *The Post and Courier* (Charleston, S.C.), April 3, 1995, p. 9A.

triumph of democracy, according to neo-isolationists, is needed for U.S. security. Doug Bandow, who presents the classic arguments of pragmatic neo-isolationism, points out that the years of disorder in Africa have had little influence on U.S. security. He also points out that Somalia's woes are of little impact on the U.S. and that even the war in the former Yugoslavia has not spread into the regional contagion interventionists predicted. The reality of disorder, concludes Bandow, is that it "...poses little danger to America and can be contained by other states, met by more modest steps such as sanctions, or simply ignored." As an alternative to U.S. intervention, states can take care of the disorder within their own regions, but if they cannot, the U.S. is still at little risk.³²

Pragmatic neo-isolationists, though still holding that power is at the center of international politics, argue that the new world order requires a nonconventional, restricted interpretation of the national interest, since the U.S. is no longer under threat from another superpower but is facing increasing social disorder at home. Therefore, the national interest of U.S. foreign policy takes on the different meaning of retrenchment, in which the U.S. should concentrate on direct threats to its security in lieu of a continuing global mission. For instance, it is recommended that the U.S. withdraw most of its forces from Europe to avoid contact with the political instability of the former Soviet bloc but intervene to destroy clear security threats such as weapons of mass destruction. Bandow opines that most wars are not related to U.S.

³²Alan Tonelson, *Ibid.*; Doug Bandow, *Ibid.*, 165-7, 173. See Jeane Kirkpatrick, "Foreign Policy Team Misreading Threats," *Ibid.*, where she writes that, "There are some serious problems in some parts of the world. They endanger some portions of some populations--especially in Africa. But they do not constitute a significant threat to the lives and limbs and the vital interests of Americans or of its allies [sic] or the survival of our civilization... [Nor do] transnational problems...endanger our survival."

national interests, but a globalist attempt to extinguish war would place the U.S. under threats otherwise avoidable. Essentially, their position is that economic and social challenges at home must take priority subject to the realities of international politics.³³

Pragmatic neo-isolationism is rejected by the U.S. foreign policy establishment as providing an insufficient rationale for the pursuit of American national interests on issues where realists say reciprocity is needed for minimum international order and justice. Likewise, their narrow view of security concerns is seen as ignoring indirect but serious dangers to the U.S which must be dealt with now if they are not eventually to become direct threats. Also, internationalists see such a narrow view of the national interest as an insensitivity to human rights abuses which unnecessarily dismisses realism's moral dividend of humanitarian assistance incidental to the use of power.³⁴

Realism

Realists today still see intervention in terms of the appropriate focus and expenditure of U.S. power and the idealism-realism dichotomy in terms of Morgenthau's attack upon the goals of American exceptionalism, which he saw as utopian because they represent "abstract principles" displacing "concrete interests." Realists apply Morgenthau's warning against moralism to today's issues arguing that it produces an exaggerated sense of state power which encourages unsuccessful and

³³Alan Tonelson, *Ibid.*; Doug Bandow, *Ibid.*, 167, 171.

³⁴See Charles Krauthammer, "The Unipolar Moment," *Foreign Affairs* 70 (American and the World 1990/91): 29; Krauthammer criticizes even the pragmatic neo-isolationism of realist Jeane J. Kirkpatrick as oblivious to international politics' permanent state of exigency.

morally unconscionable interventions. While policies such as reform intervention appeal to the ideals of American exceptionalism, they present the risk of American interventionism degenerating into a new form of moralism just as disastrous as any of the past. Realists claim instead that maximizing American goals is best done by the effective, moderate use of power politics. Realists see intervention in a broader context than neo-isolationists but in a narrower one than either conservative or liberal idealists. They see the machinations of international politics as too complex to view only direct threats as matters of vital interest, but they also see intervention for social reform and democracy as another example of moralism's misguided focus and expenditure of power. American realists see human rights and global problems as constrained by the realities of power and the national interest, but they also recognize that a credible, international human rights regime, within realistic limits, is becoming a core U.S. value and a part of reciprocity among states. Their view of the national interest allows for interventions where the subtleties of power present issues of vital interest to the U.S., including human rights, but not solely based on human rights. To them, the reform and crusading views of liberal and conservative interventionists are viewed as moralism likely to resurrect the moral skepticism and disillusionment which followed the Vietnam War's aftermath. Yet, they also agree that human rights should be protected where feasible, low in cost, and beneficial to the national interest.³⁵

³⁵Kenneth W. Thompson, *Traditions and Values in Politics and Diplomacy*, 88, 91-2, 195, 341; Hans J. Morgenthau, "Another Great Debate: The National Interest of the United States," *The American Political Science Review* 46 (December 1952): 972; Joel H. Rosenthal, *Righteous Realists: Political Realism, Responsible Power, and American Culture in the Nuclear Age* (Baton Rouge: Louisiana State University Press, 1991), 5; Leo McCarthy, "International Anarchy, Realism and Non-Intervention," in Ian Forbes and Mark Hoffmann (editors) *Political Theory, International Relations and the Ethics of*

The realist general opposition to humanitarian intervention is consistent with its Cold War opposition to ideological intervention. Consummate realist Henry Kissinger criticizes the interventions in Somalia and Haiti by providing the basic realist arguments against the contemporary use of humanitarian intervention and equating the past abuses of ideological interventions with today's humanitarian ones. He attacks the risk of American casualties in a place where he argues U.S. national security is not involved. As in Vietnam, the political will of the American people, as they become aware that no direct security threat is involved, will not support the level of casualties needed for nation-building. Kissinger also questions reform intervention and nation-building in Haiti. He argues that the local political process is too complex for nation-building. For instance, the restoration of Haiti means the initiation of Haitian democracy which surpasses our military and political capabilities.³⁶

Kissinger also claims that humanitarian intervention is detrimental to a desirable reconfiguration of international politics after the Cold War, especially in the former Soviet bloc. Despite its good intentions, unilateral U.S. humanitarian intervention, according to Kissinger, sets a bad precedent for using moralism and the maintenance of order as justifications for expansionist policies and is one which Russia and rogue or imperialist states could use to excuse their expansionism and aggression. A significant example to Kissinger of using regional order and moralism

Intervention (New York: St. Martin's Press, Inc., 1993), 79.

³⁶See Henry Kissinger, "American Intervention: Somalia Reservations," *Washington Post*, 13 December 1992, Sec. C, p. 7; Henry Kissinger, "What Kind of New World Order," *Washington Post*, 3 December 1991, p. A21; Henry Kissinger, "Out of Haiti--Fast," *Washington Post*, 25 September 1994, Sec. C, p. 7.

as an excuse for aggression is Russia's attitude to its near abroad of those new states of the former Soviet Union targeted by Russia's renewed but traditional imperialism in the region. Russia supported the U.N. resolution authorizing the U.S. intervention in Haiti, Kissinger charges, to help set a convenient precedent legitimizing its own regional imperialism, which the U.S. is exacerbating by its pronouncements supporting the regional responsibility of major powers to maintain peace and international and regional order. Thus, the subsequent conflict in Chechnya is to the international community and the U.S. an "internal affair." For these reasons, the American foreign policy establishment does not reject realism and the ethic of consequences but instead feels that it must restrain and temper realism in order for Americans to maintain a moral vision of their foreign policy and to support a moderate, international human rights regime. One significant criticism of realism, which is now a major U.S. foreign policy debate, is that the Soviet Union's demise resulted from a revolution of ideas, e.g., Gorbachev's reforms, as opposed to changes in the relative power of states, with the implication that democratic values can break states out of the security dilemma. Hence, human rights advocates, including some conservative and liberal interventionists, see internationalism's appropriation of realism as really the reverse of the path which led to the Cold War's end. In such a case, structural violence cannot be stopped because of a cowardly and selfish U.S. foreign policy dominated by realist thinking.³⁷

³⁷Henry Kissinger, "Out of Haiti--Fast," p. C7; William C. Wohlforth, "Realism and the End of the Cold War," 108-9.

Internationalism

Contemporary Internationalism's centrist position, with its emphasis on international order and the power of the state as preconditions to economic well-being and political stability, still appropriates much realist thinking, especially on the effective focus and expenditure of power. Also indicative of realism's strong influence on internationalism is the political and economic interaction of the West with authoritarian, Communist, and other oppressive states in order to enhance the capitalist world economy and international order. In turn, human rights are seen as important but secondary to economic stability and a strong nonintervention norm, meaning that military intervention is going to be rare and primarily to protect the world economy. Edward Luttwak exemplifies internationalism's moral reasoning which defines the national interest in terms of economic well-being. Internationalism's primary foreign policy goal is an environment conducive to conducting business, which is a peaceful and orderly world without the distraction or disruption of either conflict or religious moralism, e.g., the activities of Serbs and Iranians. Activities of these miscreants is not seen in terms of human rights but in terms of preserving an environment protective of business, such as the secure, constant flow of resources among states necessary for the functioning of a sophisticated world economy.³⁸ Human rights abuses become significant only once some economic or other security issue forces action.

Luttwak's argument is that Western access to the oil needed for a viable global economy is a matter of self-preservation justifying military intervention to secure embargoed oil fields. His moral justification of intervention is based on the ethic of consequences in

³⁸See Benjamin R. Barber, "Jihad vs. McWorld," *The Atlantic Monthly* (March 1992): 54-5.

that there would be great loss of life in both industrial and Third World states were the world economy to collapse. While military intervention against embargoed oil fields has yet to arise, Luttwak's ideas were prophetic of the Western counterintervention against Iraq's invasion of Kuwait. His argument essentially is a moral one in that the failure of democracy as a result of economic collapse produces the greatest degree of individual injustice in the world.³⁹

Nonetheless, Internationalism, despite its appropriation of realist principles, is based on protecting democratic values at home and securing them abroad. But at the center of internationalism is the realist-inspired belief that freedom depends upon the prosperity of the Western economic system, which cannot safely dismiss the ethic of consequences and give priority to individual justice. Therefore, internationalists focus and expend U.S. power for the purpose of preserving the global economy and the welfare of Western democracies. Humanitarian intervention, therefore, is seldom an option unless, in the process of protecting the global economy, the West also eases its conscience about masses of starving people shown on television. Hence, George Bush, the quintessential internationalist, could base intervention, in part, on protecting human rights in Kuwait and easing the suffering in Somalia. Yet Bill

³⁹Edward Luttwak, "Intervention and Access to Natural Resources," in Hedley Bull (editor) *Intervention in World Politics* (Oxford: Clarendon Press, 1984), 79-85. On the other hand, Hedley Bull, who accepts the basic tenets of realism, charges that intervention to protect natural resources sets a precedent of flagrant interventionism, for states may then use the excuse of protecting natural resources to pursue a foreign policy of either moralism or egoism instead of the national interests. Bull's criticism, however, does not consider the centrist thinking and self-restraint on the part of the Western democracies which selectively use intervention to protect the global economy and to prevent state hegemony over strategic energy resources. Indeed, internationalism's use of intervention is neither unbridled realism nor moral skepticism. See Hedley Bull, "Conclusion," in Hedley Bull, ed., *Intervention in World Politics* (Oxford: Clarendon Press, 1984), 190.

Clinton, who accepted the mantle of internationalism, could call the Russian assault on the civilians of Chechnya an internal affair. Moderation has its price.⁴⁰

Internationalism upholds democratic capitalism and encourages a centrist political worldview, but it does not guarantee human rights or even minimum human decency in many places. Democracy abroad, though desirable, is not necessary to world stability and economic well-being. While loss of freedom at home would probably be a matter of vital national interest, the lack of democracy in the rest of the world, although discouraging to internationalist principles, is secondary to the necessities of a healthy global economy. In order to rationalize their actions of moral ambiguity on human rights and genocide, internationalists seek a token human rights regime of some use to the oppressed, which, depending upon one's political perspective, can be seen as the glass half-empty or half-full. This calculated ambiguity of international human rights enforcement rationalizes a pragmatic foreign policy for internationalists while mitigating the cognitive dissonance between their ideals and their pragmatism. Internationalism does little, however, to end structural violence and massive human rights violations, and it certainly provides no fundamental values supportive of humanitarian intervention.

⁴⁰See Zbigniew Brzezinski, "Moscow's Accomplice," *The Washington Post*, January 8, 1995, sec. c, p.7; Semyon Reznik, "Chechnya: Why We Will Regret Our Failure To Act," *The Washington Times*, February 20, 1995, p. A21; Paul Johnson, "Genocide Proceeds in Chechnya as West Slumbers," *Richmond Times-Dispatch*, March 6, 1995, p. A9; "Yelsin Warns Chechens to End Civil War or Else," *Richmond Times-Dispatch*, November 11, 1994, p. A10. Senator Mitch McConnell, one of the more authoritative Republicans in the Senate on foreign affairs, calls himself a "firm 'internationalist,'" but reportedly "...believes that 'the Russians have every right to deal with it [Chechnya] as they see fit'--since it lies within the boundaries of the Russian Federation." Lally Weymouth, "Mitch McConnell's Worldview," *The Washington Post*, January 8, 1995, sec. C, p. 7.

Chapter VII

Humanitarian Intervention: Critique and Conclusions

The Limits of Knowledge and America's Perspectives on International Politics

Neither the core values of American internationalism nor the acquired knowledge of humanity about international politics provides the basis for the use of military humanitarian intervention to end structural violence and other severe human rights violations. Still unresolved are those problems of international politics which block the transformation of international morality from interstate justice to individual justice. Without resolution of the problems of unpredictability, subjectivity of judgment, the ethic of consequences, moral and cultural relativism, state legitimacy, nationalism, and self-determination, there can be no shift from the preference by political leaders and the people for international order to a preference for individual justice. And without a strong international commitment to individual justice, states have no basis on which to develop the political will to act militarily against structural violence. That is why the international human rights regime, though greatly strengthened since the 1970s, is still weak in comparison to the state's authority to take life and liberty from its citizens.

For Americans, this impasse is a moral dilemma. Caught between their idealistic impulses and these insoluble problems and without the benefit of prescriptive theory and the universal application of the rule of law, Americans fear that not to intervene is to accept the world's horrific political cruelty but to intervene is to make themselves martyrs for an unknown objective. In addition, the television pictures of the dead and suffering wear on the American conscience. But, in any event, the traditional American perspectives on foreign policy of isolationism, conservatism, liberalism, realism, and internationalism provide no answers to the problem of structural violence.

The more historical form of American isolationism certainly is no option in today's world since it essentially writes off those in the rest of the world who cannot earn their own freedom, but it is a reminder of the depth of American exceptionalism, nationalism, and America's conflict between reform and example to the rest of the world. Pragmatic isolationism also writes off those in the rest of the world, but it also is a reminder that Americans must concentrate on their increasingly severe social problems at home. Liberal and conservative interventionists, on the other hand, want to reform the world, though in different ways. Liberals want to empower victims of human rights violations by an American foreign policy of nation-building in failed states, while conservatives want to assist those worthy of earning their freedom. But nation-building appears utopian in concept and cannot get past the ethic of consequences, and the compellence suggested by conservatives to arm the Bosnians and to bomb the Serbs, though probably the most realistic form of intervention, is a victim of timing and the West's

lack of political will. As to realism, it is always a reminder that international politics cannot escape the ethic of consequences, but it also is now a component of American internationalism and exceptionalism, which means that even realists cannot discount international morality, especially involving moral imperatives, such as the goal of ending genocide.

Internationalism and Intervention

To get the most accurate assessment of the future of humanitarian intervention, one must look at American internationalism, which controls the other American perspectives, dominates U.S. foreign policy, and possesses those economic core values desired worldwide. The priority of American internationalism is on a prosperous, capitalistic world economy and the security of democracy at home. Due to internationalism's deference to the ethic of consequences and the national interest in securing these goals, the commitment to democracy and human rights abroad is stronger in theory than in reality. Thus, American foreign policy is often incompatible with the goals of individual justice and ending structural violence, although reasonable, or feeble, efforts, depending upon one's perspective, are made. These goals also conflict with those of anti-modernist and anti-Western cultures, making Western humanitarian intervention suspect in the Third World. Under such circumstances, it is not surprising that the national interest still has priority with American internationalists and that the thankless task of helping the victims of structural violence, other than on a very limited basis, e.g., safe zones, is not likely to take place. The same is true for the Third World where many states are internally

divided between the desire for Western prosperity and the desires of ethnic and survival nationalism.

Is Economic Prosperity the New Moralism?

It is obvious from the way that internationalism is evolving that the victory of the West over the Soviet Union has not shifted the tension between order and justice in favor of the individual enough to end structural violence. With no Soviet threat and its primary goal being a prosperous, secure, and competitive world economy, the focus of contemporary American internationalism is now more than ever on structuring a liberal world order which has little to do with stopping the suffering and death of the shortrun losers of the changes in international politics, despite the Western desire to enlarge democracy worldwide. Just as internationalist principles accept losers in the structural adjustments of world markets for longrun economic stability, they also accept the starvation and genocide of the losers in the structural adjustments of international politics for the longrun protection of democratic capitalism.¹

Because intervention will be limited to those few situations where the newly profiled global threats, increasing fragmentation, ethnic nationalism, and failed states are seen as threatening the world economy, the question has to be asked if preservation of the world economy will become the new form of moralism? One distinct possibility is that the Western propensity to intervene for non-economic core values, such as democracy and egregious cases of human rights violations, will be

¹Ronald Steel, "The Bosnia Disconnect," *The Washinton Post*, 4 June 1995, sec. C, p. 1.

minimal with the end of the intense ideological rivalry between the U.S. and the Soviet Union.²

The Limits of U.S. Interventionism

The lack of U.S. political will to end structural violence is demonstrated by the imposing preconditions to humanitarian intervention set by American Presidents beginning with Reagan. In 1984, Reagan's Secretary of Defense, Casper W. Weinberger, prescribed the following preconditions: 1.) the intervention must be vital to the national interest. 2.) the U.S. must clearly intend to win the conflict. 3.) the U.S. must have clear political and military objectives. 4.) the objectives and forces used must be capable of doing the job. 5.) the military must have the support of the American people and their representatives. 6.) the use of force must be a last resort. Similarly, President Bush's five requirements of warranted stakes, obvious effectiveness, no effective alternatives, limited commitment in scope and time, and a favorable cost-benefit ratio eliminated U.S. intervention in most humanitarian outrages. With President Clinton, the barriers to U.S. intervention on behalf of U.N. humanitarian efforts have been just as imposing. Most noticeably, U.S. political support would require a clearly definable objective and scope of operation, a connection "to concrete political solutions," an efficient, organized U.N. effort (which

²See Joseph S. Nye, Jr., "What New World Order?" *Foreign Affairs* 71 (Spring 1992): 88. See also James N. Rosenau, *The United Nations in a Turbulent World*, International Peace Academy Occasional Paper Series, Marianne Heilberg (ed.) (Boulder, Colorado: Lynne Rienner Publishers, 1992), 20; *Changing Our Ways: America and the New World* (Washington, D.C.: Carnegie Endowment for International Peace, 1992), 37-54; Leslie H. Gelb, "Redefining National Security," *New York Times*, 2 August 1992, sec. E, p. 17. According to Rosenau, with less ideological motivation, state leaders perceive global events less threatening and deserving of intervention. James N. Rosenau, "Intervention as a Scientific Concept," *Journal of Conflict Resolution* 13 (June 1969): 168.

is a terminal obstacle alone), a significant threat to peace and security (always of ambiguous meaning), and an advancement of U.S. interests. Indicative of realism's influence in American internationalism is the first U.S. precondition set by Clinton for the actual use of U.S. troops in such operations, which is the advancement of U.S. interests. Even amid the cruelty of Bosnia, there have been long-standing limits by the Clinton Administration on the use of U.S. ground forces there to the enforcement of an already existing peace agreement and the protection of departing U.N. peacekeeper. Likewise, recent suggestions by the Administration to expand the possibility of U.S. assistance to a safer redeployment of any besieged UNPROFOR II forces aroused great controversy in the U.S.³

The U.S. official preconditions for intervention set standards which seldom can be met in the real world and which are clearly a series of responses to such U.S. failures of intervention as Vietnam and Lebanon. They reflect the ambiguity felt by Americans concerning the morally perplexing and unpredictable circumstances surrounding the use of intervention in a world that is still subject to the ethic of consequences. But acceptable consequences are defined in terms of interests, and American internationalists, like all people, are not willing to risk casualties and capital for less than protecting their core values.

³David Broder, "Criteria for U.S. Military Intervention," *Richmond Times-Dispatch*, 14 January 1990, p. A13; Richard A. Haass, *Intervention: The Uses of American Military Force in the Post-Cold War World* (Washington, D.C.: The Carnegie Endowment for International Peace, 1994), 14-17; also see appendix H in *Richard A. Haass, Intervention: The Uses of American Military Force in the Post-Cold War World* containing *The Clinton Administration's Policy on Reforming Multilateral Peace Operations* (May 1994); "Clinton Expands Rationale," *Richmond Times-Dispatch*, 31 May 1995, p. A1; Dana Priest and John F. Harris, "Clinton Tries to Reassure Americans While U.S. Troops Train for Bosnia," *The Washington Post*, 4 June 1995, Sec. A, p. 4.

Intervention as a Moral Problem

Rosenau's writings most aptly describe the problems of intervention. First intervention is a moral problem--one which he unsuccessfully attempted to circumscribe by the improvement of social science. Today, normative theory still dominates the study of intervention and the boundary between social science and the moral question is still unclear. Intervention is unceasingly a matter of choosing desirable ends and meeting the demands of the real world. The resolution of intervention's moral question, therefore, will always be problematic. Underlying this impasse is the inability of Western thought to effectively comprehend the complexities of societies with different political and cultural values.

Secondly, Rosenau's recent theories on turbulence in international politics imply certain conclusions about structural violence and humanitarian intervention. By implication, injustice is currently the byproduct of the impersonal forces that regulate world order. Though unintended by Rosenau, his metaphor of the stock market to explain the continuity between order and disorder has pessimistic implications for the pursuit of justice. He compares the continuity and change of world order to the short term wide swings in stock prices which flatten out over the long run. The steep peaks and valleys turn into gentle slopes over the long run. The implications for the actors during this process, according to Rosenau, depends upon their responses. Some "prosper" while others "founder," but order prevails in the longrun. Although the stockmarket maintains longrun order, it cannot remain orderly without many winners and losers among its investors, and too much

concentration on the short run to safeguard investors surely will destroy order in the long run.⁴

The winners and losers of world order, unlike those of the stockmarket, are the winners and losers of the struggle for justice, which is a sideshow in the world's efforts to maintain order among states. The losers are the sacrificial atrocities to world order supposedly to assure a better life for the greatest number of people. The losers include the victims of atrocities in the Balkans, the former Soviet Union, Africa, and wherever people suffer from violent political conflict. If the maintenance of longrun order provides the best political protection for humanity through the reasonably stable relationships of states, then the valleys of losers along the way are the manifestations of the necessary world injustices needed to maintain the world for the winners.

Interestingly, Rosenau, in discussing his metaphor of the stock market, offers no moral accounting for the losers probably because he sees order as patterns and structures and he is still baffled by the moral problems of international politics. One inference that can be drawn from Rosenau's lack of moral explanations for shortrun winners and losers is that there is a traditional ethos of international politics accepting the sacrificial necessity of some killing both within and among states, as suggested by Hedley Bull, to preserve both international and domestic order. Injustice then is a Darwinian byproduct of realist assumptions about the roles of power and the national interest in preserving international order, despite some

⁴See James N. Rosenau, "Intervention as a Scientific Concept," 149; James N. Rosenau, *Turbulence in World Politics*, 66.

advances in favor of human rights. The result is a virulent form of structural violence based on the assumption by humanity--whether because of epistemic, moral, or structural causes--that it is circumscribed in protecting the rights, justice, and life of the individual by the necessities of international politics. This assumption is also strong in the West, which set the precedent during World War II of mass slaughter of noncombatants as an acceptable part of total war--a precedent of a world with few moral restraints on the behavior of states when their survival is at stake. Of this fact, Third World states have taken notice. Under these circumstances, it is not too difficult to see why R.J. Vincent wrote that there is no "justice constituency" in the international community for the needs and demands of the individual.⁵

With international politics still controlled by realist and state-centric principles, interstate justice still has overwhelming priority over saving lives and relieving suffering, as can be seen from recent international efforts at humanitarian intervention. In Somalia, humanitarian intervention transformed a country gripped by famine and tribal conflict, which had killed hundreds of thousands, into a land of relative economic security for the majority of its civilian population. This outcome saved many lives, but it is mainly remembered in the U.S. for its failure in nation-building and the fact that Mogadishu has returned to chaos. Despite saving many lives in Somalia, Americans still think in terms of political failure rather than

⁵R.J. Vincent, *Nonintervention and International Order*, 307, citing Julius Stone, "Approaches to the Notion of International Justice," in Richard A. Falk and Cyril E. Black (editors) *The Future of the Legal International Order*, Vol. 1, *Trends and Patterns* (Princeton, N.J.: Princeton University Press, 1969), 425-6.

humanitarian success there.⁶ In Bosnia, according to Jim Hoagland, "For all the weaknesses, the U.N. force has been feeding and protecting the populations of Sarajevo and other Muslim-controlled towns. The withdrawal [of the U.N. force] will mean death for a large number of Muslims." Yet success in Bosnia is usually discussed in terms of an eventual political arrangement instead of saving lives.⁷

The Limits of Moral Action

Yet the idea of an evolving international justice in favor of the individual cannot be fully discounted, especially in the area of human rights. Nor can foreign policy thinkers and practitioners be dismissed as reprobates for their acquiescence to structural violence. First, post-Cold War peacekeeping has involved attempting to use international military force in the middle of a war of cruelty to save the lives of innocent non-combatants while trying to assuage the fanatical feelings of the combatants--a thankless task requiring almost impossible feats of diplomatic dexterity. Secondly, a strong argument can be made that foreign policy practitioners refuse to act against structural violence because they are forced to negotiate in international politics with gangsters, whom they would incarcerate if they were free to do so. Even assuming that a gangster can be distinguished from a leader of legitimate political authority by some type of international consensus, there is even a bigger problem. Regardless of the cause--evil forces, impersonal, deterministic mechanisms, and so forth--gangsters hold power over the lives of many people

⁶Keith B. Richburn, "Things Back to Chaotic in Somalia, 2 Years After U.S. Landing," *Washington Post*, 4 December 1994, p. A1.

⁷Jim Hoagland, "Out With a Bang," *Washington Post*, 11 December 1994, sec. C, p. 7.

limiting the power of foreign policy practitioners to obtain moral ends, similar to the limits of those dealing with hostage takers whose imprudent decisions could cause even greater loss of life.

In addition, there is the reality that being world policeman and social worker is an overwhelming burden. Though a simple and often repeated argument against intervention, it is also a valid one. In a world containing primarily authoritarian states and a significant number of civil and international wars at any one time, effective reform intervention and nation-building would require almost limitless power and resources of the international community's most powerful members, i.e., of the United States and Western Europe. This problem is exemplified by the U.N.'s current overwhelming responsibilities of peacekeeping without adequate funding from the United States.⁸

Another problem is that overwhelming force is often needed for victory against the complexity of reciprocal violence in ethnically conflicted states, which presents extreme practical and moral dilemmas for the intervenor states, especially in light of their increasingly demanding publics. The threat of quagmire by survival nationalism raises the moral and practical problem of the intervenor's lack of will to sacrifice its young for the welfare of others. The state's national will historically is connected to the purpose of defending the national interest. Citizens

⁸See Charles J. Hanley, "Half-Century Later, Will U.N. 'Seize Moment'?" *Richmond Times Dispatch*, 6 December 1992, sec. A, p. 18; John M. Goshko, "U.N. Chief Stressed Need for Money," *Washington Post*, 22 November 1992, p. A1; Georgie Anne Geyer, "U.N. Chief Seeks to Keep Order in Chaotic World," *Richmond Times-Dispatch*, 23 September 1992, p. A15; John M. Goshko, "U.N. Chief Favors Use of Force in Somalia: Plan Offers Radical Change From Group's History of Passive Peace Keeping," *Washington Post*, 1 December 1992, p. A1; "Peacekeeping Bookkeepers Watched," *Richmond Times-Dispatch*, 6 December 1992, sec. A, p. 20; William Branigin, "United Frustrations," *The Washington Post*, National Weekly Edition, November 30-December 6, 1992, p. 6.

are conditioned to sacrifice against their enemies not to stop the suffering of others but to save their own states. They are conditioned to supporting their own states against foreign aggression and not to supporting foreign populations abused by their own leaders. Therefore, unless there is a change in the traditional attitude of citizens concerning the national interest, war to impose peace overseas for the sake of others is likely to be less sustainable than the more traditional war against external aggression.⁹

Today's more demanding citizens are aware of the potential for military quagmire and unnecessary loss of life and, therefore, carefully scrutinize their governments' interventions. As a result, Western intervenor states must be highly confident of public support before intervening. According to Edward Luttwak, the increasing sensitivity of societies to war casualties is becoming a limiting factor in the government's use of intervention. At the same time, this new sensitivity to casualties may be unexpectedly deleterious to the morality of war and work against the use of force for humanitarian purposes. For instance, in Chechnya, Russians bomb civilians in Grozny to limit their military casualties and, thus, limit the domestic opposition to Yeltsin's war.¹⁰

⁹James N. Rosenau, "Intervention as a Scientific Concept," 166.

¹⁰James N. Rosenau, "Intervention as a Scientific Concept," 166-7; Edward N. Luttwak, "Where Are the Great Powers?" *Foreign Affairs* 73 (July/August 1994): 25-6; See "Russians Selected Civilian Targets to Hit," *Richmond Times-Dispatch*, 5 January 1994, p. A1.

What Is To Be Done?

With all said and done, the important question for Americans is how to avoid cynicism and disillusionment about the future of morality in international politics and, more specifically, about the future of human rights. One answer is the hope that we can see beyond our moral limitations in international politics to the possibility of realistic, incremental intrusions against death and suffering. This can be done by devising a coherent political philosophy of international morality and human rights as the basis of American foreign policy. Here, WOMP's vision of developing over time new world order values--through consciousness-raising in governments, publics, IOs, NGOs, regional, cultural, and ethnic groups--is applicable to the idea of a greater emphasis on individual justice and the extension of the idea of national security to include the newly profiled global threats, for it reinforces the idea that Western idealism, while not stopping structural violence, provides the hope for incremental advances in the protection of human rights and the evolution of values over time that theoretically will result in global justice.

The hope is that small, incremental changes in the international human rights regime will gradually erode international amorality and will eventually lead to a sea change in international politics in favor of justice for the individual. While there may be little political will for military humanitarian intervention, hopefully the will of those pursuing the ostensibly insignificant but eventually meaningful victories like Helsinki may contribute to drastic changes in favor of human rights like the fall of the Soviet Union.

Indeed, Helzinki gives meaning to the idea of consciousness-raising in the longrun. In 1986, George Kennan attacked the Helsinki Accords as a "high-minded" but unrealistic "international code of behavior" which depended upon the naive hope for fundamental, internal reform within the Soviet Union. But now historians, and even some realists, are beginning to accept the important contribution that the Helsinki Accords' human rights provisions made to the Soviet Union's demise. According to Kissinger, "The European Security Conference... accelerated the collapse of the Soviet Empire" and "...heroic reformers in Eastern Europe used [the human rights provisions] as a rallying point in their fights to free their countries from Soviet domination."¹¹ The lesson here is to never underestimate deontological principles holding certain behavior inherently moral or immoral regardless of foreign policy consequences in the making of foreign policy. Such principles were placed in the Helzinki Accords, admittedly by parties who saw some diplomatic gain and few minuses, but which nonetheless incrementally lead to consciousness-raising in favor of a stronger international human rights regime and the enlargement of democracy. The achievements of a foreign policy emphasizing human rights are gradual, faltering, and unpredictable but nevertheless are real.

¹¹George F. Kennan, "Morality and Foreign Policy," *Foreign Affairs* 64 (Winter 1985/86): 207-8; Henry Kissinger, *Diplomacy*, (New York: Simon & Schuster, 1994), 559-61; Walter Isaacson, *Kissinger: A Biography* (New York: Simon and Schuster, 1992), 663; Jack Donnelly, *International Human Rights: Dilemmas in World Politics* (Boulder, Colorado: Westview Press, Inc., 1993), 93-7.

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