Chapter One

Morality and Foreign Policy

The "necessities" in international politics, and for that matter in all spheres of life, do not push decision and action beyond the realm of moral judgment; they rest on moral choice themselves.[1]

—ARNOLD WOLFERS

Man's moral sense is not a strong beacon light, radiating outward to illuminate in sharp outline all that it touches. It is, rather, a small candle flame, casting vague and multiple shadows, flickering and sputtering in the strong winds of power and passion, greed and ideology. But brought close to the heart and cupped in one's hands, it dispels the darkness and warms the soul.[2]

—JAMES Q. WILSON

There does not exist such a thing as international morality.[3]

—SIR HAROLD NICOLSON

What passes for ethical standards for governmental policies in foreign affairs is a collection of moralisms, maxims, and slogans, which neither help nor guide, but only confuse, decision.[4]

—DEAN ACHESON

T HIS CHAPTER examines the nature and role of moral values and ethical reasoning in international relations. It begins by identifying distinctive features of the terms *morality* and *ethics* and then explores the nature and bases of international political morality, addressing the challenge posed by cultural pluralism to the conceptualization and application of such morality in global society. It then examines the role of moral norms in foreign policy, giving special emphasis to the goals, methods, and problems of applying international morality. The chapter illustrates the role of international political morality with a case study on the 1999 NATO intervention in Kosovo.

MORALITY AND ETHICS

The word *morality* derives from the Latin *mores*, meaning custom, habit, and way of life. It typically describes what is good, right, or proper. These concepts, in turn, are often associated with such notions as virtue, integrity, goodness, righteousness, and justice. The term *ethics* is rooted in the Greek *ethos*, meaning custom or common practice. Because its root meaning is similar to that of *morality*, the two concepts are often used interchangeably. Strictly speaking, however, the two terms represent distinct elements of normative analysis: *morality* referring to values and beliefs about what is right and wrong, good and bad, just and unjust and *ethics* referring to the examination, justification, and critical analysis of morality. Because of the significance of these elements in international ethics, I explore each of them more fully below.

The Nature of Morality

Moral values have at least three important distinguishing features: they command universal allegiance, they demand impartiality, and they are largely self-enforcing. The claims of universality mean that moral norms are binding on all peoples. Immanuel Kant articulated this requirement in his famous *categorical imperative*, which calls on persons to treat others as having intrinsic value and to act in accordance with principles that are valid for others.[5] As one scholar has explained, universalization means that if "I ought to do X, then I am committed to maintaining that morally anyone else ought to do X unless there are relevant differences between the other person and myself and/or between his situation and mine."[6]

The second dimension of morality—the impartiality of norms—helps to ensure that morality is not simply a means to clothe and advance self-interest. Because of the propensity for human selfishness, philosophers have emphasized the need for dispassion and disinterest. As a result, they have argued that morality must be defined and applied in terms of the perspectives and interests other than those of the actor. For example, in his classic work *A Theory of Justice*, John Rawls argues that moral principles should be based on impartiality by requiring that they be selected through a "veil of ignorance," that is, defining and selecting norms without knowledge of who will benefit from them.[7]

A third important feature of morality is its self-enforcing quality. Unlike law, which is enforced by government, morality is applied mainly through the voluntary actions of persons. The decision to abide by moral obligations is rooted in the beliefs and values that people hold. In a short article titled "Law and Manners," which was published in 1924 in *The Atlantic Monthly*, English jurist John Fletcher Moulton defined the moral domain as "obedience to the unenforceable." According to Moulton, human affairs involve actions in three different realms: legal, moral, and voluntary. In the domain of the law, persons fulfill the legal norms because of government's capacity to enforce its norms. In the third domain, the realm of free choice, persons are free to do as they wish. Between these two realms is the area of morality, or what Moulton termed "manners," by which people behave in accord with "consciousness of duty" rather than the coercive rules of public authority. Moulton describes this domain as follows: "It is the domain of obedience to the unenforceable. That obedience

is the obedience of a man to that which he cannot be forced to obey. He is the enforcer of the law himself."[8] Morality, whether private or public, individual or collective, involves a duty to obey moral precepts that are accepted as inherently binding because of their claims to rightness or justice.

Although morality is pervasive in human life, it is concerned mainly with a particular dimension of human affairs, namely, individual and collective judgments involving moral values. It is not concerned with choices and actions in the nonmoral realm.[9] Because government policies have a society-wide impact, most political affairs, whether domestic or international, involve some level of moral judgment. For some decisions, such as military intervention to halt genocide or the development of a weapon of mass destruction, moral considerations are primary; for others, such as selecting the UN secretary-general or determining the level of foreign economic assistance to a particular country, the role of moral norms will be limited. However, regardless of the issues, foreign policy will generally involve moral values.

The Nature of Ethics

Fundamentally, ethics involves choosing or doing what is right and good and refraining from choosing or doing what is bad or evil. From an ethical perspective, the good is realized by the application of appropriate moral norms to private and public affairs. This is no easy task, especially in domestic and international politics, in which government decisions do not lend themselves to simple moral verdicts. This difficulty is partly due to the complexity of public affairs as well as to overlapping and even competing moral values that are often involved in specific political issues and policy dilemmas. As a result, decision makers must select the most desirable action from a number of available alternatives, each involving moral limitations. Thus, if political decisions are to be developed and implemented on the basis of morality, *ethical reasoning* will be required. At a minimum, this process will entail identifying the moral dimensions of issues (a process sometimes called moral imagination), selecting relevant moral norms, critically assessing the issue or problem in the light of morality, applying morality to the potential alternatives, and then implementing the preferred action. Thus, ethical reasoning in international relations will involve the identification, illumination, and application of relevant moral norms to the conduct of states' foreign relations.

Another important dimension of international ethics involves the assessment of rules, practices, and institutions of global society in light of relevant moral norms. In effect, international ethics is concerned with the moral architecture of the international system, that is, the moral legitimacy of the patterns and structures of global society. For example, international ethics addresses such issues as the fairness of the existing international economic order, the justice of global institutions, and the justice of international regimes (rules and semi-institutionalized patterns of decision making in specific issue areas) in such areas of common concern as refugees, energy, biodiversity, and waste disposal. The aim of such moral reflection is to assess the justice of the existing world system. In addition, international ethics is concerned with the implementation of the rules and structures of global society. Are the rules applied fairly and impartially? For example, are the international rules governing fishing and pollu-

tion applied equitably? Are the judgments of the International Court of Justice fair and consistent?

In this chapter and the next, I examine two dimensions of political morality in world politics. Here I examine the nature and sources of international political morality and then analyze the relationship of moral norms to the development and implementation of foreign policy. In doing so, I specifically assess some of the major aims, methods, and problems involved in explicitly integrating moral norms with the foreign policies of states. In chapter 2, I examine alternative strategies for applying international political ethics. That is, I identify and assess three different methodologies for carrying out ethical decision making.

THE NATURE AND BASES OF POLITICAL MORALITY

Personal morality is frequently identified with political morality. Although the two are related, they are not identical. Individual morality consists of moral values and norms (i.e., principles, rules, prohibitions, and duties) that are applicable to the conduct of persons in their personal or private relations. The Ten Commandments, the admonition to "love your neighbor as yourself," and obligation to truth telling are examples of personal morality. Political morality, by contrast, consists of moral values and norms that are applicable to the political life of communities, including neighborhoods, cities, states, and the international community itself. Examples of political morality include such norms as the equality of persons, freedom of conscience, equal treatment under the law, the right of self-defense, and nonintervention. Although political morality is rooted in personal morality, the former differs from the latter both in the nature of its norms and in the sphere in which moral norms are applied. Whereas individual morality governs the actions of individuals, political morality applies to the public decisions of political or government officials acting on behalf of public institutions.

Fundamentally, a political community is one in which a government exists with the authority to make society-wide decisions. It is a society based on a hierarchical distribution of power, with rulers and subjects having different levels of authority and thus different types of political responsibilities. It is a mistake to assume that the responsibilities of citizens and rulers are identical; individual and political moralities are not symmetrical. Although citizens and government officials share similar moral obligations as human beings, their different roles in political society place different moral obligations on them. As Lea Brilmayer observes, "The prohibitions found in interpersonal morality cannot be mechanically transplanted into a code of conduct for public officials."[10] Political morality may allow some actions that are prohibited by personal morality. For example, a soldier may kill in wartime, or a state may carry out capital punishment, but such actions are not synonymous with murder. Similarly, a state may tax its citizens, but an individual may not steal or extort resources from another person. Political morality thus provides norms for the just and effective use of legitimate power in political society. Although it is beyond the scope of this study to describe the nature and bases of legitimate political authority, it is significant, for our purposes,

that political morality not only helps justify government authority but also provides norms for judging political action.[11]

Domestic and international politics are qualitatively different. Although scholars differ in their explanations of these differences, one widely accepted comparison characterizes domestic politics as a hierarchical system in which sovereign authority exists to make society-wide decisions and international politics as a nonhierarchical system without common authority to make and enforce decisions. Domestic society is the realm of authority, whereas international society is the realm of anarchy (i.e., no authority to impose order). In view of the structural differences in domestic and international politics, some scholars argue that the political moralities of domestic and international communities are also qualitatively different.

Some realists, for example, argue that in domestic society moral judgments are possible because typically cultural and moral values are widely shared, whereas in global politics, in which cultural and moral pluralism is prevalent, few moral judgments are possible. According to this perspective, whereas domestic society provides a rich and substantive political morality, international society provides a limited moral menu. Indeed, for some realists the only morality is that which promotes and protects the territorial security and economic well-being of a state. However, other scholars argue that differences between domestic and international politics have been greatly exaggerated and that moral values are far more significant in global society than realists suggest.

This group is represented by two types of thinkers: communitarians, who believe that states are significant moral actors in global society, and cosmopolitans, who regard the individual, not the state, as the major moral actor. Michael Walzer, a communitarian, gives a prominent place to international political morality by deriving states' international obligations from the "domestic analogy," that is, by arguing that states have rights and duties in global society analogous to the rights and duties of individuals in domestic political society.[12] For Walzer, international political morality entails such norms as the prohibition against aggression, the right of political sovereignty and the corollary right of self-defense, the duty of nonintervention in other states' domestic affairs, the protection of human rights, and the duty to settle disputes peacefully. By contrast, Charles Beitz, a cosmopolitanist, develops a global morality based on the rights and well-being of persons, challenging the morality of the existing Westphalian political order of sovereign states.[13] Because territorial boundaries are not morally significant in his cosmopolitan ethic, the autonomy of states can be qualified by the moral claims of individuals. In effect, since the rights of states ultimately depend on the rights of persons, human rights must take precedence over state sovereignty.

In assessing the role of political morality in foreign policy, scholars have periodically made two errors. First, some have simply denied the relevance of morality to international affairs. For them, although moral norms might be relevant to interpersonal relations or even to domestic political affairs, they have little to do with interstate political affairs. Global politics is the realm of necessity, and there can be no right and wrong when the survival of the state is at stake. However, as Arnold

Wolfers noted at the outset of this chapter, the fundamental choices of statesmen are rooted in moral values. Thus, international politics is not divorced from ethical judgment but rests on morality.

The second error, frequently related to the first, is the tendency to deny the existence of political morality altogether. Here, morality consists solely of norms governing individual private behavior. George Kennan illustrates both of these errors in the following passage:

> Moral principles have their place in the heart of the individual and in the shaping of his own conduct, whether as a citizen or as a government official. . . . But when the individual's behavior passes through the machinery of political organization and merges with that of millions of other individuals to find its expression in the actions of a government, then it undergoes a general transmutation, and the same moral concepts are no longer relevant to it. A government is an agent, not a principal; and no more than any other agent may it attempt to be the conscience of its principal. In particular, it may not subject itself to those supreme laws of renunciation and self-sacrifice that represent the culmination of individual moral growth.[14]

Although Kennan is correct in his claim that personal morality should not govern the behavior of diplomats, his failure to recognize that political morality is an essential element of all normative decision making in global politics is a serious error. To be sure, the political morality applicable to interstate relations is not the same as personal morality. Thus, the challenge in bringing moral norms to bear on global political relations is to first identify and then apply relevant norms of international political morality.

Before exploring the role of morality in foreign affairs, it will be helpful to briefly address the validity of political morality. Because of the growing influence of postmodern subjectivism, there has been a growing skepticism in the contemporary world about the legitimacy of moral claims in public life. This has been the case especially for political morality in global society, in which cultural pluralism is much more pronounced than in domestic society.

Sources of Political Morality

Because philosophers hold a number of theories about the source of moral values, political theorists have offered a variety of justifications for political morality. Three of the most important theories include foundationalism, constructivism, and consensualism. The foundationalist approach assumes that international morality is rooted in universal, unchanging first principles that are apprehended by reason. The constructivist approach, by contrast, derives moral values from general conceptions of justice (or the common good) through deductive arguments based on hypothetical cases. Finally, the consensual approach derives political morality from existing agreements among member states.

The foundationalist perspective assumes that transcendent moral norms exist and that such universal standards can be apprehended by rational reflection. Foundation-

alist thinkers such as Thomas Aquinas, John Locke, and Kant believed that morality was valid and true not because it made the world better or more humane (pragmatism) or because it increased the happiness and well-being of persons (utilitarianism) but because it was divinely ordained by a transcendent Creator. An example of international morality from a foundationalist perspective is the belief that universal human rights exist and that they are rooted in a transcendent moral law (natural law) that is universal and unchanging. Another illustration is the just-war doctrine, which provides moral principles for defining when and how force can be utilized in pursuing just international relations. Foundationalists recognize that the international community is comprised of a large number of nations, each with its own cultural norms and social patterns; and, although such cultural and social diversity results in different value systems, there is nonetheless substantial consensus among moral value systems at a foundational level.

The constructivist thesis assumes that moral values are derived from hypothetical arguments. Whereas foundationalists assert that the basis of morality consists of transcendent norms whose truth and validity are inherent in the created order, constructivists ground morality in instrumental, deductive reasoning. For example, constructivists might deduce moral values from political and normative premises (e.g., political liberalism, justice as fairness, or some related normative proposition) through hypothetical arguments guided by logic and impartiality. Rawls illustrates this moral theory in an important essay titled "The Law of Peoples," in which he seeks to extend his domestic theory of justice to international society.[15] Rawls imagines an "original position," in which representatives from different societies gather to impartially develop norms of international justice. He argues that a just "law of peoples" can be developed only if the societies themselves have achieved a minimal level of justice. Rawls specifies three minimal conditions for well-ordered societies, whether liberal or not: They must be peaceful, they must be perceived as legitimate by their own people, and they must honor basic human rights. Rawls assumes that when representatives from liberal and nonliberal societies meet to develop a just "law of peoples," they will be able to define minimal norms that will advance justice within international society. Some of these rights and duties of "peoples" include a right to freedom and independence, the equality of peoples, the right of self-defense, the duty of nonintervention, the obligation to fulfill treaties, and the responsibility to honor human rights.[16]

A third view of political morality is consensual theory, sometimes called ethical positivism.[17] According to this approach, political morality is rooted in binding norms expressed by the formal and informal rules of domestic society, whereas international political morality is rooted in the shared norms embodied in the conventions, informal agreements, and declarations that states accept as obligatory in their international relations. These shared norms are obligatory because they are part of international law and morally obligatory because they specify norms conducive to order, justice, or the perceived common good. Some thinkers have argued that, because it is impossible to derive "ought" from "is," it is similarly impossible to derive international ethical obligations from existing interstate legal conventions. However, scholars such as Terry Nardin have convincingly demonstrated that to the extent that law estab-

lishes binding obligations on individuals, groups, and states, it fulfills the criteria of an ethical framework.[18] In her seminal study on twentieth-century international legal and political ethics, Dorothy Jones has illuminated how international law has produced an authoritative and widely accepted framework, or "code," of international peace. This framework, she argues, is a normative system because it prescribes behavior that is conducive to global order and international harmony. Jones's study thus reinforces the claim that international morality can be based on consensual norms and multilateral declarations.[19]

It is significant that international law has established a category of law that is binding apart from the consent of states, thereby recognizing the limitations of consent as a basis of political morality. This type of international law—known as the *jus cogens*—refers to peremptory norms that are authoritative because the norms are inherently valid. Such norms, rooted in the values and practices of civilized society, include prohibitions against piracy, slavery, terrorism, and genocide. To some extent, the Tokyo and Nurem-burg tribunals that prosecuted Japanese and German military officials for crimes against peace and humanity were based in part on this tradition of international law.

Although moral intuition, rational construction, and consent can each contribute to the development and articulation of international political morality, political morality must ultimately be grounded in norms that transcend human experience. Thus, this study proceeds from the belief that political morality, however it is justified, is based on normative principles of right and wrong, justice and injustice.

The Challenge of Cultural Pluralism

One of the significant challenges in defending international political morality is the absence of a shared, universal morality. Because the international system is comprised of many different nation-states, each with its own social patterns and values, cultural pluralism is a prevalent feature of the international community. Moreover, not only do peoples from different cultures hold different political moralities, but their moral systems have also evolved over time. Because of the evident variability and pluralism of global morality, some thinkers have concluded that there is no universal morality applicable to the international community. In their view, the only morals in international society are the subjective, relativistic values associated with each society. This perspective, known as the doctrine of *cultural relativism*, holds that because notions of right and wrong, justice and injustice, are rooted in each society's cultural mores, there is no universal moral code.

Although competing and conflicting moralities can inhibit the development of moral consensus and call into question the role of moral values in international politics, they do not necessarily substantiate the cynic's conviction that morality is nothing more than the subjective preferences of the powerful. To begin with, morality is concerned with what "ought" to be, not with what "is." Because the diversity of cultural norms and social practices is a manifestation of what "is," the existence of cultural pluralism does not threaten the notion of moral obligation. Moreover, it is important to emphasize that cultural and social pluralism is generally concerned with secondary norms, not basic principles. Although peoples from different cultures do not normally share particular beliefs about women's rights, government structures,

and policies of distributive justice, there is generally widespread commitment to such notions as truth and justice as well as agreement about such fundamental norms as the dignity of human persons, freedom from torture, impartial application of the law, and freedom of conscience. Walzer calls this shared morality "minimal" to differentiate it from the particular, more developed "maximal" moralities found in each society.[20] Moral minimalism is a "thin" morality not because it is unimportant or makes few claims on human beings but because its claims are general and diffuse. Because of this shared minimal morality, Walzer claims that human beings from different societies "can acknowledge each other's different ways, respond to each other's cries for help, learn from each other and march (sometimes) in each other's parades."[21]

In light of the distinction between minimal and maximal moralities, the claim that all morality is subjective and relative is not empirically sustainable. Although maximal norms vary significantly from culture to culture, there is also a high level of global consensus about thin morality, namely, those norms that are essential to social and political life. Thus, although humans often disagree about many issues and social and economic values, there is also significant agreement about the necessity of such foundational principles as truth telling, beneficence, promise keeping, courage, self-control, and justice.[22] A. J. M. Milne has argued that moral diversity in global society cannot be total because some moral values are necessary to sustain social life. According to him, the international community's common morality includes such norms as: respect for human life, pursuit of justice, fellowship, social responsibility, freedom from arbitrary interference, honorable treatment, and civility.[23]

One way of illustrating the existence of common morality is to imagine the likely response to the arbitrary denial of property in different cultures. For example, if a number of persons were to visit various remote regions of the world and, on arriving in these distant, isolated areas, were to walk up to strangers and take some of their possessions, how would these strangers respond? What would mothers do if the visitors were to take their children from their arms? In all likelihood, they would oppose the arbitrary deprivation of their property and, most assuredly, resist the removal of their children. In addition, they would do so because of the universality of social values regarding friendship, family bonding, self-control, and property.

The pervasiveness of political morality has been convincingly demonstrated by Walzer's study of the ethics of war, *Just and Unjust Wars*, in which he argues that throughout history human judgments and arguments in wartime demonstrate a consistency and continuity in moral reasoning. According to Walzer, the structure of moral reasoning is revealed not by the fact that soldiers and statesmen come to the same conclusions but by the fact that they acknowledge common difficulties, face similar problems, and talk the same language. "The clearest evidence for the stability of our values over time," writes Walzer, "is the unchanging character of the lies soldiers and statesmen tell. They lie in order to justify themselves, and so they describe for us the lineaments of justice."[24]

In the final analysis, cultural relativism is a wholly unacceptable ethical theory because it is impossible to live with the doctrine's severe consequences. If there are no standards, everything is possible, and if everything is possible, torture, forced expulsion, systematic violation of human rights, denial of freedom, and religious persecu-

tion are not wrong. Although moral values and cultural patterns vary across societies, there is significant agreement among primary norms. For example, most human beings have a basic moral intuition that gross violations against other human beings are wrong. Thus, it does not follow, as cultural relativists assert, that there are no universal norms. Despite the existence of moral and cultural pluralism among secondary and tertiary norms, most thinkers reject cultural relativism. They do so, as Thomas Donaldson has noted, not because of compelling evidence for moral absolutism (i.e., the notion that eternal, universal ethical norms exist and are applicable to human actions) but because relativism is itself intellectually indefensible.[25]

THE DEVELOPMENT OF A MORAL FOREIGN POLICY

What role do moral principles play in the conduct of foreign relations? First, morality helps define the goals and purposes of states and other actors. Moral norms do not provide policy directives, but they can offer a general vision and broad direction and provide the moral norms by which to illuminate and define a country's vital interests. As the late theologian John C. Bennett noted, moral values contribute to public policy debates on foreign policy goals by providing "ultimate perspectives, broad criteria, motives, inspirations, sensitivities, warnings, moral limits."[26] In effect, moral norms can establish the boundaries for policy deliberation and execution.

Moral norms also provide a basis for judgment. Without standards, evaluation is impossible. Moral norms thus provide an ethical foundation for assessing the foreign policies of states as well as for judging the rules and structures of international society. For example, the widely accepted norms of international human rights provided the basis for the widespread condemnation of Serb "ethnic cleansing" carried out against Muslims during the 1992–1995 Bosnian War. Moreover, the growing recognition of ecological interdependence has resulted in an increasing international acceptance of principles and practices that seek to protect the earth's environment. Thus, when Saddam Hussein deliberately sought to destroy Kuwait's environment during the Persian Gulf War (by dumping oil into the sea and setting hundreds of oil wells on fire), his destructive actions were condemned worldwide.

Finally, moral norms provide the inspiration and motivation for policy development and implementation. Morality, in effect, provides the "fuel" for the government "engine." For example, the U.S. government's decision to intervene in Somalia in December 1992 to permit humanitarian relief was inspired in great measure by the humane concerns of leaders to alleviate starvation and keep hundreds of thousands of people from dying. And the NATO decision to intervene in Kosovo in 1999, a case examined below, was similarly inspired by humanitarian norms. In his important study of foreign aid, David Lumsdaine shows that the principal motivation for Western countries' substantial postwar foreign economic assistance to poor nations was morality. Although many factors and motivations influenced the giving of economic aid, the major inspiration and motivation was donor countries' "sense of justice and compassion."[27] Lumsdaine argues that international political morality, or what he terms "moral vision," shapes international relations. Contrary to realist claims that global politics is simply a realm of necessity, he claims that international relations involve

freedom of action based on moral choice. As a result, international politics is an environment in which "conceptions of fairness and compassion, human dignity and human sympathy, justice and mercy" can be applied to the reform of global society.[28]

As will be made clear in chapter 2, there is no simple, easy method of applying political morality to foreign policy. One reason that international political action is generally morally ambiguous is that foreign policy issues and problems typically involve multiple and frequently conflicting moral norms. Thus, the process of moral reasoning must identify and apply the relevant moral criteria and, where moral conflict occurs, make the necessary trade-offs among the relevant criteria. Moreover, developing a moral foreign policy is a challenging task because an ethical decision-making strategy requires that morality be applied to the goals, means, and results of political action. However, because moral norms rarely result in ethical action at all three levels, trade-offs among the goals, means, and potential outcomes are generally inevitable.

Methods

How are moral norms applied in global politics? Among the different ways that moral norms influence international relations, three instruments are especially noteworthy: 1) the conscience of decision makers, 2) the influence of domestic public opinion, and 3) the influence of international reputation.[29] William Wilberforce, the early-nineteenth-century British parliamentarian, illustrates the first approach. After becoming a Christian, Wilberforce concluded that slavery was immoral and contrary to the will of God. For nearly four decades he led the fight in the House of Commons against this inhuman practice, first seeking to abolish the slave trade and then attempting to abolish slavery altogether.[30] President Jimmy Carter also demonstrates the significant influence of a leader's moral values. As a result of his strong convictions about human rights, his administration pursued an activist human rights policy, leading U.S. officials to publicly condemn repression and the abuse of basic rights and to halt foreign assistance to repressive military regimes.

The role of domestic public opinion in foreign relations—the second method by which morality is applied to foreign policy—is applicable only in democratic societies, in which a government's continuing authority and influence depend on its perceived legitimacy. To be sure, public opinion is not an automatic by-product of the thinking and analysis of the masses. Rather, public opinion is developed, organized, and mobilized by elites, including the media, interest groups, professional associations, and political parties. The important role of public opinion in foreign affairs in democratic societies is illustrated by the inability of the government of the Netherlands to accept deployment of NATO nuclear missiles in the early 1980s. Although the Dutch government was committed to such a deployment, the mass opposition to such action delayed the Netherlands' acceptance of cruise missiles for several years. In the United States, the role of mobilized public opinion was especially influential in the imposition of economic sanctions against South Africa. As a result of mass mobilization against South Africa's apartheid policies, many corporations halted their operations in South Africa, and universities and local and state governments adopted policies requiring divestment of stock for companies continuing their South African operations. The growing public opposition to apartheid also resulted in government action. In

1985, Congressional debate forced the Reagan administration to adopt modest sanctions, and a year later Congress imposed, over presidential objections, much more substantial sanctions.

Finally, the application of international political morality is influenced by global public opinion. Because public opinion is comparatively weak in the international community, its impact on government decision making is limited. Still, dominant international perceptions of power and morality do affect the foreign policy behavior of states. Just as an individual's reputation is based on other people's perceptions, so too the reputation of states is derived largely from people's perception of international actions. For example, the growing perception in the United States and other industrial powers in 1997 and 1998 that the Swiss government failed to return financial assets to Jewish people at the end of World War II has significantly tarnished Switzerland's financial reputation.

Foreign policy behavior can contribute to a state's reputation as a reliable, credible, and moral actor, or it can damage such a reputation. Because a state's influence is rooted to a great extent in public perceptions, governments continuously assess the impact of their decisions on global public opinion. For example, during the Cuban missile crisis of 1962, U.S. officials considered numerous options in responding to the Soviet Union's installation of medium-range ballistic missiles. According to Robert Kennedy, the main reason that direct military intervention was deemed unacceptable is that it would have harmed the international reputation of the United States.[31] Moreover, although some military officials advocated the limited use of nuclear arms in the Vietnam War, this action was never seriously contemplated by government leaders, in part because of the loss of prestige and influence that the United States would have suffered from such action.

Problems

Scholars and statesmen have called attention to a number of important challenges to the effective integration of morality into the fabric of foreign relations. One of the most common criticisms of international ethics is the belief that the decentralized structure of global society allows little room for moral judgment. Although the decentralized, anarchic structure of global society places a premium on national security and the promotion of national well-being, the priority of national interest does not obliterate the moral claims of other actors in the international community. Politics, after all, is the means by which actors pursue the common good in light of competing and conflicting individual and group interests. If actors pursued only self-interest in domestic or international politics, there would be no place for moral action. However, international politics, like domestic politics, involves the quest for order and justice based on the cooperative actions of actors.

Scholars and statesmen have also questioned the role of morality in foreign affairs because moral norms have been repeatedly misused in global politics. Rather than guiding and judging policies, morality has been used to clothe and justify national interests, resulting in rigid, moralistic foreign policies. In addition, rather than contributing to the process of moral reflection, morality has been used as an ideological and moralistic instrument, fashioning a self-righteous and hypocritical policy that has

contributed to cynicism rather than public justice. In effect, morality has not contributed to justice because of the absence of impartiality.

The dangers of moralism are clearly illustrated in American history, especially during the late nineteenth and early twentieth centuries, when political leaders sought to define and justify U.S. foreign policy through morality. For example, President William McKinley supposedly relied on divine guidance in using military force to end Spanish colonial rule in Cuba and the Philippines, and when President Woodrow Wilson intervened in Veracruz, Mexico, he did so on the basis of the moral conviction that such action would foster greater democracy in Mexico. More recently, the Carter administration used foreign aid to reward states that improved human rights and to punish those that violated basic human rights. Because the use of moral language in foreign policy has often led to moralism, fanaticism, inflexibility, and utopianism— qualities that are inimical to orderly international relations—some scholars, including historian Arthur Schlesinger, Jr., and diplomatic historian George F. Kennan, argue that foreign policy should be based on national interests, not morality. Schlesinger writes, "Saints can be pure, but statesmen must be responsible. As trustees for others, they must defend interests and compromise principles. In politics, practical and prudential judgment must have priority over moral verdicts."[32] Both Schlesinger and Kennan note that when moral values dictate foreign policy, foreign policy becomes inflexible, simplistic, utopian, and fanatical, perverting, if not eliminating, the process of prudential reasoning.

Although the misuse of morality can lead to cynicism and the denial of moral values, moral duplicity and hypocrisy do not justify the removal of moral values from international politics. Indeed, because human choices involve morality, domestic and international politics are inescapably moral enterprises. At the same time, it is essential to recognize that the integration of morality into the fabric of decision making and judgment poses dangers. For example, because political action is partly an exercise in self-interest, public officials frequently apply moral norms to the conduct of foreign relations with partiality, thereby encouraging an arrogant and moralistic foreign policy. Moreover, because most political conduct typically involves multiple moral norms, moral action will inevitably involve trade-offs among relevant competing norms. Because no public actions are ever completely right and just, the application of political morality should always be undertaken with humility and self-criticism. This is why Stanley Hoffmann has observed that an essential norm of the international system is the virtue of moderation, or what he calls "the morality of self-restraint."[33]

In the following section, I illustrate the important, though ambiguous, role of moral values in one case study—the 1999 NATO war against Serbia. This case is important because it shows the complex and at times contradictory role of political morality in the design and execution of foreign policy. As I argue below, while the use of force brought to an end the Serb abuse of human rights in Kosovo, the resort to war dramatically increased the immediate suffering of the victims for whom the war was being waged.

BACKGROUND

Kosovo, a poor, small province of Serbia, is a multiethnic community of two peoples. Of its two million citizens, the vast majority (about 80 percent) are Albanian Muslims, or Kosovars; the dominant minority (about 10 percent) are Orthodox Christian Serbs. Ever since the medieval era, political and religious animosity has existed among major ethnic groups throughout the Balkans, and especially within this small territory, where Kosovars and Serbs have historically competed for power. In 1912, as Turkey's influence in the Balkans was waning, Serbs conquered Kosovo. Since a majority of the province's population at that time was Albanian, the imposition of Serb control effectively imposed a colonial order on the territory.[34] Despite the cultural and political cleavages between these two ethnic groups, Joseph Tito, Yugoslavia's postwar dictator, managed to impose and sustain political order within Kosovo. He did so in part through a federal governmental structure that permitted ethnic and cultural diversity not only within the province but also throughout Yugoslavia. To recognize the significant Albanian presence in Kosovo, the ruling Communist regime granted the territory governmental autonomy within the Serb Republic. This action, which was formalized in the 1974 Federal Constitution of Yugoslavia, allowed the majority Albanians to develop and celebrate their distinctive cultural and national interests.

The unraveling of the multiethnic status quo can be attributed to several political events in the latter phase of the Cold War. First, the death of Tito, Yugloslavia's charismatic communist leader, marked the beginning of the end of the modern state of Yugoslavia. With his death in 1980, the authority of the federal government declined, leading to increased ethnic and political fragmentation among Yugoslavia's distinct republics.

Second, in 1988 the government of Serbia suspended Kosovo's political autonomy and imposed direct rule from Belgrade. This action by Serbian president Slobodan Milosevic was undertaken to foment Serb nationalism and to consolidate Serb power within Kosovo, presaging future Serb actions in other parts of Yugoslavia. While the lifting of Kosovo's autonomous status pleased the minority Serbs in Kosovo and fueled the nationalistic ambitions of Serbs elsewhere, Albanians responded with rage. Ethnic animosity toward Serbs greatly intensified in the early 1990s when they began replacing institutions and policies, such as the public financing of Albanian schools, that had been accorded Kosovar cultural legitimacy. Warren Zimmerman, the last U.S. ambassador to Yugoslavia before the country fell apart in the early 1990s, wrote that "under Milosevic, Kosovo took on all the attributes of a colony."[35] And Misha Glenny, one of the most astute observers of Balkan politics, noted that the reimposition of Serb rule "transformed Kosovo into a squalid outpost of putrefying colonialism."[36]

Finally, the collapse of Communist rule in the Soviet Union and Eastern Europe in 1989–1991 undermined the authority of the Yugoslavian government. With the loss of Communist Party authority, ethnopolitical tensions began to rise throughout Yugoslavia, eventually leading to the collapse of the federal state as various republics (Slovenia, Croatia, Bosnia & Hercegovina, and Macedonia) demanded political independence from the central government in Belgrade. As different republics pressed for political self-rule, the ethnic animosities within and among these political communities greatly intensified, fueling the tensions in autonomous provinces like Kosovo.

However important these events may have been in the growing ethnic tensions within the Balkans, by themselves they would have been insufficient to cause the Kosovo war. What ignited the conflict was the simultaneous demand by Serbs and Kosovars to press for political autonomy and sole political control of the same

land. By imposing Serbian control over Kosovo, Serbs fueled Albanian nationalism and the quest for Kosovar self-rule. Given the overwhelming power of the Serbs, the original Albanian response was framed by the Democratic League of Kosovo (LDK), the major political party of Kosovars. The party, led by Ibrahim Rugova, a pacifist intellectual who was committed to nonviolent resistance, called on Albanians to meet Serbian oppression with noncooperation, withdrawal, and peaceful nonparticipation. Rugova's philosophy was guided by the hope that, as Tim Judah has noted, Kosovo would at some future time "simply drop into Albanian hands like ripe fruit."[37] Since Serbia monopolized all political decision-making and refused to let "elected" Kosovar legislators meet, Rugova's "shadow" government existed in theory only. Indeed, because all Kosovar political and governmental activities were considered illegal, Kosovars were forced to hold their "governmental" meetings in foreign countries.[38] While the strategy of noncooperation helped to maintain order temporarily, it did not lead to greater stability. Indeed, it ironically resulted in increased Kosovar nationalism as living conditions declined and human rights abuses increased.

One expression of this radicalization was the emergence of the Kosovo Liberation Army (KLA), a military group committed to the political independence of Kosovo. Whereas the LDK's "phantom" government was guided by principles of nonviolence and passive resistance, the KLA's major goals were to undermine Serb rule through violence and to press for political self-determination. Although the KLA was established in Western Europe in the early 1990s, it did not begin carrying out military operations until 1995. In the beginning the covert operations were small and limited in scope—in part because of the difficulty in training and equipping its guerrillas. But when Albania imploded in 1997,[39] the disintegration of the Albanian police and army created a ready supply of weapons for the KLA. In turn, this development resulted in more guerrilla operations within Kosovo. As KLA violence became more pervasive and lethal, Serb leader Slobodan Milosevic responded by increasing the Serb military and police forces

and imposing greater political repression, including widespread deportation and ethnic cleansing.[40] As Stanley Hoffmann has noted, however, Milosevic's goal was not to carry out police actions but to eliminate the KLA threat altogether: "What the Serbs are doing is not a police operation against political dissenters or ordinary criminals. It is the destruction of a movement of national liberation from extremely repressive rule, the crushing of a drive for self-determination."[41]

As a result of Serb repression, tens of thousands of Kosovars were forced from their homes and villages and many began fleeing the country. It is estimated that by late 1998 some 250,000 Kosovars had been displaced and were facing inhumane living conditions. To seek to ease the humanitarian crisis, the United States dispatched Richard Holbrooke, the U.S. negotiator who had brokered the Dayton Accords that ended the Bosnian war, to help restore peace. In his October 1998 negotiations, Holbrooke succeeded in arranging a Serb cease-fire and a promise from Milosevic to reduce Serb military forces in Kosovo to prewar levels. To ensure compliance with the negotiated settlement, a monitoring force (the Kosovo Verification Mission) of some 1,500 international observers was established to report on human rights violations. Once the cease-fire was in place, however, the KLA, which had not been a part of the October negotiations, used the peace to resupply their fighters and to prepare for the resumption of guerrilla operations and terror attacks. As a result, sporadic fighting resumed in early 1999, bringing to an end the Holbrooke cease-fire. And when Serbs carried out a massacre of 44 civilians in the village of Racak in January, Western authorities concluded that collective action needed to be undertaken if widespread human rights abuses were to be prevented.

Led by the United States, a consortium of leading powers (known as the Contact Group)[42] agreed to impose a settlement on the Serbs and Albanians in Kosovo. Meeting in a chateau in Rambouillet, France, in February, Western leaders presented the terms of a cease-fire to both Serbian and Kosovar delegates. Fundamentally, the Rambouillet accord promised to maintain Serb

sovereignty over Kosovo, to restore the autonomous status of Kosovo, and to demand a cease-fire between KLA and Serb forces.[43] To facilitate compliance with the cease-fire, Serbs had to withdraw their army and reduce their police force to prewar levels (about 2,500 police), the KLA had to accept demilitarization, and Serbia had to allow a large (30,000) NATO peacekeeping force to ensure domestic order. As expected, Serb leaders refused the Rambouillet settlement, believing that the introduction of NATO troops in Kosovo was inconsistent with their claim of sovereignty. But to the surprise and chagrin of Western leaders, the Kosovar delegates, led by the KLA's Hashim Thaci, also refused to accept the Rambouillet accord. Since Albanians were fighting not only to end Serb repression but, more important, to assert the right of political independence, Rambouillet was regarded as a second best alternative. Only after repeated negotiations with other Kosovar leaders, coupled with the growing awareness that NATO would not protect Kosovars from further ethnic cleansing if they refused the Rambouillet settlement, did the Kosovars finally accept the terms of accord.

THE ETHICS OF SELF-DETERMINATION

In confronting group demands for political self-determination, one of the difficult ethical challenges of post–Cold War international politics is to determine which peoples have the right to claim political autonomy in the international community. For example, do the Kosovars have the right to secede from Serbia and establish their own political community? What about the Kurds in Iran, Iraq, and Turkey? If the Palestinians are entitled to statehood, can the Chechens demand this right as well? Fundamentally, the collective right of self-determination, as I will argue in chapter 7, depends largely upon political power—on the ability to make and sustain a claim to self-rule in the face of political actors who oppose such a development. Since no ethical framework exists by which a people's right to self-rule can be defined, the claim of self-determination depends less on morality than on the ability to defend the claim. As a result, the collective right of self-determination has been considered legitimate historically if a people can demonstrate the collective will and military capacity to claim and sustain political independence by exerting sole and ultimate control over a specified territory. In effect, the moral legitimacy of self-determination has depended in great measure on fulfilling two conditions: internal sovereignty, where ruling authorities demonstrate control over political life within a territory, and external sovereignty, where other states publicly acknowledge this fact.

Typically, when a people demand political autonomy and press this claim with violence, the result is often war. Rarely have states peacefully accepted the demands for self-rule by minority groups. And when groups have sought to secede from an existing state, the ruling regime has generally opposed such action with force. For example, when Confederate states sought to secede from the United States, Abraham Lincoln resorted to war to maintain the union. And when Chechens sought to secede from Russia in the early 1990s, the Russian government used brutal force to keep Chechnya within the Russian state. Even President Clinton expressed sympathy toward the Russian government as it faced increasing terrorist threats from Chechens, comparing Yeltsin's policies toward the Chechen war to those of President Lincoln during the Civil War.[44] Thus, when Albanian Muslims began demanding the right of political self-determination in the mid-1990s, Serbian authorities responded with violence. Like other governments that have faced similar demands for political autonomy from ethnic groups, the Serbs were so committed to keeping control of Kosovo that they were prepared to use political oppression, human rights violations, and war itself to counter the violence from the KLA. As Zimmerman notes, Milosevic saw the KLA as a "mortal threat. He could live with Rugova's noncooperation but not with the KLA's armed confrontation."[45]

Historically, Serbs have regarded Kosovo as the symbolic center of the Serb nation. Because this small territory holds many of Serbia's holiest Orthodox monasteries and churches and is the site of an epic medieval battle with Muslims, Serb nationalism is deeply associated with the region. Indeed, Serb political leaders view the

territory as their nation's Jerusalem. Although the borders of Balkan political communities have historically been deeply contested, since the end of World War I and especially since the end of World War II the Serb claim to Kosovo has been internationally accepted. Since the 1974 Federal Constitution of Yugoslavia made Kosovo an autonomous province of Serbia, the dispute over the sovereignty and self-determination of the region is not constitutional but sociological, since Serbs have been a minority of the territory ever since they conquered it in 1912. The decline in the proportion of ethnic Serbs within Kosovo during the Cold War was the results of two trends—the continued population growth rate of Albanians and, second, the ongoing emigration of Serbs to other parts of Yugoslavia.[46] Julie Mertus defines the sociological reality as follows: "The fact remains that Kosovo has become increasingly populated by ethnic Albanians who refuse to give up their language and culture and that, despite Serbian hegemonic control over the region, Serbs keep leaving."[47]

To counter the rising Kosovar claim of self-rule and to satisfy the increasing Serb desire for direct control over the economic, cultural, and political life of Kosovo, Slobodan Milosevic revoked Kosovo's political autonomy in 1988. But rather than reducing ethnic tensions, the reimposition of Serb rule from Belgrade greatly intensified ethnic animosity between Serbs and Kosovars. More significantly, the imposition of Serb repression had the ironic effect of further increasing Albanian nationalism, which, in turn, further intensified the demands of political independence. To be sure, the "civilizational" animosity between Albanian Muslims and Serb Orthodox Christians fueled the growing conflict between these two peoples. But the dispute was not over religion or ethnicity per se but over political power and more particularly the quest for culturally homogenous communities. Serbs, no less than Kosovars, sought to create political regimes that were conducive to the cultural, religious, economic, and political interests of their own people.

It is important to stress that the humanitarian crisis in Kosovo was fundamentally a by-product of a political conflict between two peo-

ples. Although ethnic conflict had been simmering for many years in the region, the increasing aggressive action of the KLA had greatly exacerbated human rights abuses. To help avert ethnic violence in Kosovo, the Bush administration sent an early warning to Milosevic during the Christmas holidays in 1992, shortly before President Clinton took power. Thus, long before the rise of the KLA, the United States had regarded Kosovo as a territory vulnerable to ethnic violence and had threatened military action if Serbia used force against Kosovars.[48] Once Clinton took office, however, the U.S. government focused virtually all efforts on the containment of the Bosnian war. Not until after the Bosnian war had been brought to a halt through a negotiated peace settlement in Dayton, Ohio, in November 1995 did attention begin to shift toward other potential conflicts in the Balkans.

Fundamentally, the conflict between Albanians and Serbs in Kosovo was over political control of land, not over human rights abuses, political repression, or unjust, discriminatory policies. To be sure, the conflict had aggravated human rights violations. But the fundamental tensions derived from a quest by two peoples to govern the region of Kosovo. Kosovars, to their credit, had managed to define the conflict largely in humanitarian terms. But while the KLA-Serb conflict had resulted in gross violations of human rights, secret killings, and ethnic cleansing, Serb violence was the result of a political contest, not simply the by-product of ethnic hatred of Albanians. As Judah notes, the Kosovo conflict was fundamentally a "struggle between two people for control of the same piece of land."[49] Thus, while the Rambouillet initiative was designed to halt the military conflict, the accord failed to address the future status of Kosovo. Thus, the Western initiative was not designed to resolve the political dispute but only to halt the humanitarian suffering that had resulted from the political conflict.

THE ETHICS OF WAR

In March 1999, Secretary of State Madeleine Albright sent U.S. emissary Richard Holbrooke to Belgrade to warn President Milosevic that if he

did not accept the Rambouillet accord NATO would initiate war. Since China and Russia, veto-wielding members of the Security Council, were staunchly opposed to using force against Serbia, the Western Alliance had resolved to threaten military action outside of the normal United Nations peacekeeping framework. For China and Russia, foreign intervention was inappropriate because the conflict in Kosovo was fundamentally a domestic political issue. While foreign states might assist in resolving the conflict, the fundamental challenge was for the Serbs and Kosovars to resolve the dispute. Western states, however, regarded the widespread abuse of human rights in Kosovo as a threat to the peace and security of the Balkans. For them, the time had come to defend the primacy of human rights in the face of political oppression and ethnic cleansing by Serb military and paramilitary forces.

There can be little doubt that NATO's goal of halting gross human rights abuses, including ethnic cleansing, was morally legitimate. For President Clinton, ending the humanitarian crisis in Kosovo was "a moral imperative,"[50] while for Secretary of State Madeleine Albright, "Kosovo was not going to be this administration's Munich"[51]—that is, it was not going to accept appeasement as the British government had done in 1939 toward Germany. Czech president Vaclav Havel claimed that the Kosovo war was probably the first one ever waged for moral values rather than the pursuit of national interests. "If one can say of any war that it is ethical, or that it is being waged for ethical reasons," he wrote, "then it is true of this war."[52] For Havel, as for other Western leaders, the decision to use force against Milosevic was morally correct because "no decent person can stand by and watch the systematic, state-directed murder of other people."[53]

But if NATO's goals in Kosovo were morally legitimate, the means—an intense air war against Serbia and Kosovo—raised serious ethical concerns. Since foreign policy must be concerned not only with goals but also with the means and anticipated results, the challenge in devising an effective yet moral foreign policy

must necessarily reconcile means and ends. The fact that widespread ethnic cleansing was morally repugnant did not obviate the need to devise a morally prudent strategy that achieved the desired goals. But for many foreign policy observers, including former secretary of state Henry Kissinger the decision to rely solely on bombing to halt Serb oppression and ethnic cleansing was not the most appropriate means.[54]

In particular, NATO's war strategy was challenged morally for a number of reasons. First, since NATO was seeking to halt ethnic cleansing in Kosovo, a credible military strategy should have involved the use, or at a minimum the threat of use, of both ground and air operations. Not only did the bombing campaign prove ineffective in achieving the desired humanitarian objectives but it had the paradoxical effect of compounding human suffering for the Serb victims. As soon as NATO bombers began attacking Kosovo and Serbia, Serbian military and paramilitary soldiers in Kosovo embarked on a systematic campaign of ethnic cleansing (known as Operation Horseshoe), forcing tens of thousands of Kosovars to flee west toward Montenegro and Albania and south toward Macedonia.[55] Indeed, within a week the ethnic cleansing campaign had forced more than 300,000 Kosovars to leave the country. And by the end of the war, the United Nations High Commissioner for Refugees (UNHCR) estimated that 848,100 Kosovars had fled Kosovo—444,600 to Albania, 244,500 to Macedonia, 69,900 to Montenegro, while 91,057 had been airlifted to other countries.[56] Rather than alleviating human suffering, the immediate effect of the war was to greatly aggravate the humanitarian crisis. This is why Leon Wieseltier argues that the Kosovo war was "a good fight badly fought."[57]

A second shortcoming of NATO's strategy was that the pursuit of a risk-free war compromised the moral objectives of the war. Because NATO sought to minimize military casualties, it carried out its air war from an altitude of 15,000 feet or higher—that is, high enough to avoid ground fire and missiles yet too high to carry out precision bombing and thereby minimize civilian ca-

sualties. The problem with such a riskless strategy was that it effectively undermined the norm of human equality, the core humanitarian principle for which the war was being waged. Since a risk-free air war communicated the message that NATO personnel were of greater value than the lives of those for whom the war was being waged, the risk-averse strategy was morally problematic. As Paul Kahn notes, risk-averse humanitarian warfare is contradictory because the morality of ends, which are universal, is incompatible with the morality of means, which privilege a particular group of people.[58] Noting the inconsistency between NATO's goals and means, Kissinger noted that "a strategy that vindicates its moral convictions only from altitudes above 15,000 feet deserves to be questioned on both political and moral grounds."[59]

A third limitation of the war strategy was the failure to devise a plan to force an early Serb capitulation. Western leaders had no doubt assumed that systematic bombing would result in the withdrawal of Serb military and paramilitary forces from Kosovo. But rather than undermining ethnic nationalism, the bombing had the paradoxical effect of reinforcing Serb nationalism and increasing their determination to maintain control over Kosovo. While NATO's ineffectiveness in achieving political objectives was no doubt due to its failure to accurately anticipate Serbian resolve, it was also due to the complex political nature of a multilateral war campaign — war by committee, as some critics termed it. Since the major decisions of the war required the consent of the NATO member states, the collective approach to decision-making led to a cautious and limited air campaign. But the failure to escalate rapidly the scope and intensity of the bombing no doubt contributed to the belief that Serbia could survive an air campaign. Had the scope and lethality of the bombing increased in the early phase of the war, the suffering within Kosovo and civilian casualties with Serbia may have been greatly reduced. Even after dropping more than 20,000 bombs that resulted in greater than $60 billion in economic destruction in Serbia and Kosovo, Milosevic was still unwilling to give up control of Kosovo. In-

deed, only when NATO began targeting the principal communications, electrical, and power infrastructure of Serbia did the air campaign begin to severely undermine Serb resolve. In fact, only when NATO began making preparations for a ground invasion and Russian president Boris Yeltsin signaled his unwillingness to support Serb intransigence did Milosevic finally capitulate to NATO.

In the final analysis, NATO achieved its goal of the withdrawal of all Serb military, paramilitary, and police forces from Kosovo. Even though a large NATO peacekeeping force was immediately introduced after Serbia gave up control of Kosovo, the transfer of authority to a multinational force led to the return of most of the 850,000 Kosovar refugees. But the return of the Kosovars to their destroyed villages was accompanied by widespread acts of revenge against Serbs. Despite the efforts of the 42,500-member NATO peacekeeping force (known as Kosovo Force or KFOR) to maintain political order, the return of Kosovars resulted in widespread ethnic cleansing of Kosovo Serbs. It is estimated that in the aftermath of the Kosovo war, more than 150,000 Serbs fled the province, leaving Pristina, Kosovo's capital, with only about 200 Serbs out of a population of 500,000. But the most daunting challenge that the UN interim governing authority (UNMIK) has had to confront in the absence of Serb authority is the maintenance of law and order in the face of widespread anarchy. Historian Timothy Garton Ash visited Kosovo in early 2000 and observed that while Albanian-Serb hatred continued to inflame political passions, the more daunting challenge was the pervasive lawlessness.[60] Rather than leading to human rights for Kosovars, the "Albanization" of Kosovo had, in his view, resulted in corrupt, anarchic rule by gangs that threatened the well-being of all Kosovars.

In sum, a war designed to promote human rights has itself resulted, at least in the short-term, in morally ambiguous outcomes. It may well be that Kosovo might eventually become a humane, prosperous community. But the immediate effects of the war have done little to eradicate ethnic animosity and have contributed to

widespread criminality that threaten human rights and the renewal of economic development.

MORAL REFLECTIONS

This case study illuminates the complexity and ambiguity of pursuing moral objectives in foreign affairs. Contrary to the widespread realist assumption that foreign policy involves solely the pursuit of national interests, the Kosovo war illuminates the significant role of moral values in defining foreign policy goals as well as the ethical challenge of devising appropriate strategies in the pursuit of moral objectives. The following questions illustrate some of the important moral issues raised by this case:

■ When the quest for self-determination involves violence leading to widespread human rights abuses, how should foreign governments respond? How much human suffering must occur before foreign states should consider military intervention to protect innocent civilians?

■ Humanitarian intervention involves violence in the service of human rights. When confronting competing obligations of state sovereignty and human rights, which norm should take precedence? Vaclav Havel has observed that the Kosovo war gave precedence to human rights over the rights of the state.[61] Did the defense of human rights in Kosovo justify foreign military action?

■ According to widely accepted moral principles of warfare, the use of force should be proportionate to the political ends being pursued—that is, the means should be commensurate with the ends. It has been estimated that around 5,000 Serb military and paramilitary members were killed by its bombardment, while the economic destruction in Yugoslavia has been estimated at $60 to $100 billion. Moreover, the Serb campaign against Albanians is thought to have killed 10,000 civilians. Given the high human and material cost of the NATO war, was the resort to war morally justified? Was the violence justified by the outcomes? In other words, were the material and human losses of the war justified by the goal of ending a humanitarian crisis?

■ The immediate effect of the NATO war was the forced deportation of nearly 900,000 Kosovars to neighboring countries and the internal displacement of nearly 500,000 others. After Serbia capitulated, most Kosovar refugees returned to their destroyed villages and towns. In view of the significant humanitarian crisis in the immediate aftermath of the war, was the short-term suffering justified by the long-term promise of greater stability in Kosovo?

■ Assuming the Kosovo war was justified by the egregious human rights abuses carried out by the Serbs, was NATO's risk-free air strategy morally appropriate? Why or why not?

■ Does the failure to secure United Nations sanctions undermine the moral efficacy of the Kosovo war? Must multilateral peacekeeping missions be approved by the international community in order for them to be morally legitimate?

■ Finally, given NATO's humanitarian goals, did the risk-averse air strategy undermine the morality of the war? Should NATO have been prepared to increase military risk in order to limit civilian casualties?