

THE UNIVERSITY OF HULL

**On the Concept of Humanitarian Intervention, with Particular
Reference to New Labour Theorising about an Ethical Dimension to
Foreign Policy**

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by

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Abstract

This dissertation explores the moral and political assumptions contained within the concept of humanitarian intervention in the three areas of political science, political philosophy and politics itself.

It is argued that far from shedding light on the concept, many attempts at definition have been built on assumptions regarding the moral and the political, which cloud the issue rather than clarify it. The political aspect of humanitarian intervention in particular has often been disregarded usually due to a tendency to approach the concept from an almost entirely moral standpoint. In consequence, the tensions between the moral and the political aspects in humanitarian intervention have been overlooked. The thesis explores the problems presented by definitions which ignore this.

The thesis begins with a short history of the concept, which is traced back to the late 19th century. Although ideas pertaining to the concept may certainly be traced back beyond this, the thesis is only concerned with the term itself, which has no linguistic existence in the English language earlier than the 1820s.

The thesis then proceeds to examine definitions of the concept in the literature of political science, political philosophy, and politics. The final part of the thesis applies the discussions from the preceding chapters to New Labour's attempts to situate humanitarian intervention within its broader ideal of an ethical dimension to foreign policy. This results in a further confusion of the moral and the political.

The dissertation concludes by claiming that any discussion of the concept of humanitarian intervention raises questions not only about the part played in it by the political, but also about the academic study of politics from its beginnings as a distinct university discipline until the present day.

Keywords: humanitarian intervention; definition; history of the concept; New Labour; Robin Cook; ethical foreign policy; ethical dimension; political; morality; moralism; tragedy; comedy

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List of Conventions

Quotes formatted as printed in original text.

Italics in quotes are in original unless otherwise stated.

Foreign words and phrases are in italics.

MoD *Strategic Defence Review 'Modern Forces for the Modern World'* is an unnumbered PDF document. Page numbering is according to PDF reader.

Glossary of Acronyms and Abbreviations

BERR	Department for Business Enterprise & Regulatory Reform
DFID	Department for International Development
DTI	Department of Trade and Industry
EU	European Union
FCO	Foreign and Commonwealth Office
HC	House of Commons
ICISS	International Commission on Intervention and State Sovereignty
IR	International Relations
MoD	Ministry of Defence
MSF	<i>Médecins Sans Frontières</i>
NATO	North Atlantic Treaty Organisation
NGO	non-governmental organisation
OED	Oxford English Dictionary
SC	United Nations Security Council
SDR	Strategic Defence Review
UN	United Nations
UNESCO	United Nations Education, Science and Culture Organisation

Preface

The main theme of this thesis is the concept of humanitarian intervention. The emphasis, that is, is on theory rather than on concrete examples. My interest in the concept emerged after the 1990s, and the academic path I have taken, from philosophy at Aberdeen University via jurisprudence at Erfurt University to political philosophy at Hull University, makes it almost inevitable that it is the theory that puzzles me rather than actual cases of humanitarian intervention. However, in looking at the literature I became increasingly aware of a lack of consensus on what the various authors took the term to mean. This led to frustration as many of the arguments appeared not to function on account of these various interpretations of what humanitarian intervention was.

The subject of humanitarian intervention has been claimed as their own by an array of academic and non-academic authors. Politicians and philosophers, jurists and political scientists, the military and NGOs have all defined humanitarian intervention in their own ways. I should emphasise that I do not wish to contest the right of these authors to define the concept according to their own subject area or expertise. Their efforts, however, by no means lessen the confusion surrounding the notion. Indeed, so different were the definitions that it was not always clear to me that the authors were discussing the same topic. This led to further questions: Was there more than one type of humanitarian intervention? And, regardless of whether or not there was, how was it to be justified? Were the reasons moral, legal, political, military, or a combination of some or all of these? It is this confusion about what humanitarian intervention might be which is central to this dissertation. Hence, the question that was the catalyst and remains the touchstone to this dissertation is: What is humanitarian intervention?

It may appear, at first glance, that there is no shortage of literature attempting to answer this question as so many books have appeared on the subject of humanitarian intervention since the end of the Cold War. However, as indicated above these answers are mostly shaped by the authors' particular interests and concerns and, as such, confused the issue for me more than they clarified it.

As I pondered on this situation, something I had not expected occurred. During the examination of the various definitions I was struck by the almost complete absence of any discussion of the political in them. In investigating this, my examination of the concept of humanitarian intervention broadened out into an assessment of the underly-

ing assumptions about the nature of politics made by those authors writing on the subject.

What became apparent is that each area of expertise appears to disregard the political, albeit often tacitly, then assumes that their viewpoint is the most valid one, and it is little wonder the discussion of humanitarian intervention is so confused. The jurist assumes a legal definition, but an argument with an NGO with a moral perspective, or the General with a military stance, or the political scientist with an ideological position is unlikely to generate consensus.

Once aware of the lack of a distinct political discussion on the subject of humanitarian intervention, I became increasingly struck by the lack of consideration of a political viewpoint in general. Once persuaded that humanitarian intervention was intricately connected to notions of the political, and that the displacement of the political by some other value is often reflected in the definitions generated, it became necessary to incorporate a discussion of the political into the dissertation, which led me to the contemporary debate on the nature of the political.

This debate has seemed, in recent times, to congregate around two ideas.

The first can, perhaps, be said to have been triggered by the work of Carl Schmitt, who is concerned with the tendency to reject the political in favour of the moral and his conclusions seem particularly relevant to the notion of humanitarian intervention.

The second is the ancient concept of tragedy being applied to politics in an attempt to explain the disjunction of what may be deemed 'politics as practised' from 'politics as intended'. Furthermore, as rejection of the political happens in several areas of discussion, it was necessary to link these together, and New Labour's 'ethical dimension' to foreign policy, being based on what could be concluded to be a non-political theory, and the starting point for any New Labour humanitarian intervention seemed to be an ideal subject to combine and illustrate the analysis.

Thus, the catalyst question 'what is humanitarian intervention?' goes hand in hand with the question 'what is the political?' and it is these two questions which form the basis of this dissertation, and which link the three problem areas of questioning together.

What conclusions did I reach at the end of my thesis?

Firstly, the discussion regarding what humanitarian intervention actually is and how it should be defined has been around as long as the term itself.

Secondly, a political dimension is inextricably linked to any act which may be called humanitarian intervention.

Thirdly, the rejection or lack of awareness of the political aspect of humanitarian intervention seems to occur in every sphere of debate. However, this dismissal is not always knowingly carried out and can be for a variety of reasons. Moreover, politicians are as guilty of this as political scientists are.

Fourthly, there are several areas of discussion, and there is much argument that overlaps, but there seem to be few instances of thought or conclusions from one problem area of discussion having an effect on any other.

1 Introduction: Humanitarian Intervention as a Concept

The collapse of Communism and the end of the Cold War appeared to herald the beginning of a new era in Western society. A defining characteristic of this new era was a mood of political optimism famously expressed in Francis Fukuyama's *The End of History and the Last Man*. Published in 1992, this book was enthusiastically received and Steven Lukes, writing in the *New Statesman*, claimed that it 'captures the prevailing spirit of our times' (Lukes 1992: 44). Very briefly, Fukuyama's message was that:

despite the powerful reasons for pessimism given us by our experience in the first half of this century, events in the second half have been pointing in a very different and unexpected direction. As we reach the 1990s, the world as a whole has not revealed new evils, but has gotten *better* in certain distinct ways (Fukuyama 1992: 12).

What has happened, according to Fukuyama, is that 'one of the clearest manifestations of our pessimism', which was the 'almost universal belief in the permanence of a vigorous, communist-totalitarian alternative to Western liberal democracy' (Fukuyama 1992: 7–8) has now disappeared. It is not simply that Fukuyama believes that one political system has been replaced by another, but rather that one political system has been replaced by a better one. He claims that 'liberal democracy may constitute the "end point of mankind's ideological evolution" and the "final form of human government"' (Fukuyama 1992: xi). The one political system has not simply lost the ideological battle, but has virtually disappeared and is no longer a legitimate alternative. This state of affairs and its progression is expressed in the idea of the end of history where Fukuyama claims that:

if we are now at a point where we cannot imagine a world substantially different from our own, in which there is no apparent or obvious way in which the future will represent a fundamental improvement over our current order, then we must also take into consideration the possibility that History itself might be at an end (Fukuyama 1992: 51).

The rising tide of optimism concerning international relations expressed itself in the hope that the new, post-Cold War era would not only mean the departure of totalitarian states, but would also mean the emergence of stable, democratic ones, almost as a default position. The precise implications of optimistic talk about the end of history may not at once be clear, but Fukuyama does give a very clear explanation of them:

if war is fundamentally driven by the desire for recognition, it stands to reason that the liberal revolution which abolishes the relationship of lordship and bondage by making former slaves into their own masters should have a similar effect on the relationship between states. Liberal democracy replaces the irrational desire to be recognized as greater than others with a rational desire to be recognized as equal. A world made up of liberal democracies, then, should have much less incentive for war, since all nations would reciprocally recognize one another's legitimacy (Fukuyama 1992: xx).

Broadly, then, what Fukuyama is putting forward is the idea that human history has what might be called a direction, or a goal, or a *telos*, which consists of increasing, stable democratisation, leading finally to an end to international conflict.

A similar mood of optimism permeates the thought of John Rawls, who believes that liberal societies are moving towards an era of democratic peace, in which all are:

less likely to engage in war with nonliberal outlaw states, except on grounds of legitimate self-defense (or in the defense of their legitimate allies), or in intervention in severe cases to protect human rights (Rawls 1999: 49).

The idea of democratic peace, Rawls explains:

implies that, when liberal peoples do go to war, it is only with unsatisfied societies, or outlaw states (as I have called them).

This they do when such a state's policies threaten their security and safety, since they must defend the freedom and independence of their liberal culture and oppose states that strive to subject and dominate them (Rawls 1999: 48).

What, therefore, becomes possible in the new era of democratic peace is an ethically based foreign policy which aims at the promotion of human rights. This aim should in fact 'be a fixed concern of the foreign policy of all just and decent regimes' (Rawls 1999: 48).

It could be argued at this point that this initial optimism lasted only until the events of 11th September 2001. However, in order to dispel any impression that the optimism which inspired the rhetoric of humanitarian intervention was abandoned after this point, it is worth mentioning a speech by Hillary Rodham Clinton in 2006. Given at Princeton University's Woodrow Wilson School of Public and International Affairs Clinton said that history:

can be like a yoke around a people's neck. History can blind you to the possibilities that lie ahead if you're just able to break free and take that step. [...] It can get better, just get over it. Make a decision for hope, make a decision for peace. Create a new reality (Clinton 2006).

Clinton went on to speak of the 'dream of democracy' as something which 'should belong to all people in the Middle East and across the world' (Clinton 2006). Clinton's speech indicates, then, that the moralistic approach to politics is alive and well in the United States. In fact, both these examples indicate that this optimism was not confined to party lines, as Clinton is a Democrat and at this point in time Fukuyama was a declared neo-conservative, more closely aligned to the Republican Party. Although, that said, it remains a matter of contention to what extent the foreign policy of the Bush administration was actually based on neo-conservatism (for a discussion of neo-conservative thought see Stelzer 2004). It is not my concern, however, to decide how much influence political moralism, that is, putting the moral prior to the political regardless of circumstance, has had either on the Bush administration at large or on American neo-conservative attitudes towards Iraq and Afghanistan – issues with which the USA is still grappling. In the present context, it is sufficient merely to note that what Bernard Williams has termed 'political moralism' (Williams 2005: 2) persists, and it is not necessarily aligned with one party or another in the USA.

This persisting political moralism still exists in Western European governments. In the French case, for example, the contemporary relevance of the issue is evident from the appointment of Bernard Kouchner to the post of Foreign Minister in President Sarkozy's government in 2007. Much of the discussion of humanitarian intervention in France in the past has involved Kouchner's views, and he has been referred to by Boutros Boutros-Ghali as 'an unguided missile' (Sciolino 2007a). *The Economist* refers to Kouchner as '[t]his free-wheeling, plain-talking humanitarian campaigner' who has 'little time for diplomatic niceties, stiff formality or professional caution', but admit that 'his frank, sleeves-rolled-up approach is helping to define a new French diplomacy' (*The Economist* 2007: 45). This new diplomacy is, nevertheless, a shift:

to a values-based diplomacy. First marked by his experience as a volunteer doctor in the Biafran war, Mr Kouchner went on to develop the theory of a humanitarian 'right to intervene' in other states' affairs. French foreign policy, he argues now, is not only about defending France's interests and guaranteeing its security, but also about 'the image we have of ourselves', and the promo-

tion of human rights. [...] This is not a foreign minister who is happy at banquets. Like other idealistic foreign ministers before him (eg [*sic*], Robin Cook in Britain), he sees himself as a healer to the world: no conflicts, no oppressed people, leave him indifferent (*The Economist* 2007: 45).

In the German case, the topic of humanitarian intervention remains important on account of the continuing desire of Germans to balance their foreign policy with the lessons from Germany's militaristic history. Speaking of Germany's foreign policy role, Hans Maull describes it as being:

shaped by Germany's traumatic past: the lessons of history led to aversion, or at least profound scepticism, *vis-à-vis* any use of military force; a fierce determination never again to allow German militarism and nationalism to threaten European stability; a desire never again to break ranks with Western democracies; and, later on, also to a strong commitment to projecting universal democratic values in foreign policy (Maull 2000: 56)

The former German Foreign Minister, Joseph (Joschka) Fischer has explained this situation thus:

my generation was brought up with two experiences. The first is 'Never Again War.' And the second is 'Never Again Auschwitz.' It means standing up against genocide. It's a contradiction, but we have to live with it (Weymouth 1999).

In a speech to the German Bundestag on the decision to send troops to the Balkans, Fischer explains his party's predicament in more detail:

[t]he question which is to be decided upon today [...] has threatened to rip my party and my faction apart. Why? We derive from the peace movement. [...] Now we are in a genuine conflict of basic values: on the one hand a vision of the world which rejects violence, in which conflicts are solved by reason, law, majority votes, by constitutional state and not once more by crude violence, [...] on the other hand, the doomed dilemma of only being able to help people to survive by sending the military. Between the solidarity owed to survival and the duty to pacifism – that is our contradiction (Fischer 1995. Own translation).

For present purposes, those aspects of this new mood of optimism which are particularly relevant to the conduct of foreign policy will be focussed upon. The first point to note is the adoption of an intensely moralistic rhetoric within both academia and practical politics. Rawls in particular does not assume that the need for violence will

disappear from the international stage; indeed, Rawls makes clear that violence may legitimately be used to further the spread of stable democracies and protect human rights. Moreover, this use of violence can be taken further, as Rawls indicates in the following discussion on outlaw states in a footnote in his *The Law of Peoples*:

Some states are not well-ordered and violate human rights, but are not aggressive and do not harbor plans to attack their neighbors. They do not suffer from unfavorable conditions, but simply have a state policy that violates the human rights of certain minorities among them. They are therefore outlaw states because they violate what are recognized as rights by the Society of reasonably just and decent Peoples, and they may be subject to some kind of intervention in severe cases (Rawls 1999: 90).

Paradoxically, then, although, according to Rawls, interstate war will become redundant, violence may remain necessary to achieve and sustain this programme. A second point, stemming from the moralistic rhetoric, and relevant for foreign policy, is that the foreign policy generated by this growth of international optimism has a tendency to envisage the possibility of an ethically based foreign policy in general, as the work of Fukuyama makes clear. Thirdly, leading directly from this, there is an increase in the importance attached to humanitarian intervention as a means to achieve the human rights necessary for the spread of democracy throughout the world.

The growing commitment to humanitarian intervention will be illustrated later in this thesis, in Section III: Practical Politics, by considering four notable international organisations which have taken a stance on the issue, and this tendency will be examined in more depth in the chapters devoted to New Labour's foreign policy.

Since this thesis will focus in particular upon the concept of humanitarian intervention, it should be stated again that there is no intention of taking issue with specific instances of political action which claim to be humanitarian intervention. Nor is there any intention of examining every kind of moral argument that may be used to defend the concept of humanitarian intervention. Rather, the thesis examines defences of the concept of humanitarian intervention, or foreign policies that promote it, which are vulnerable to the charge of being no more than political moralism.

The first step must be to give the concept of political moralism more precision.

For Williams, political moralism is defined as a way of thinking about politics which makes the 'moral prior to the political' and 'political theory [...] something like applied morality' (Williams 2005: 2). Williams' principal target is contemporary liberal

thinkers such as Ronald Dworkin, Thomas Nagel, and Rawls. Rawls' attempt to avoid the charge of political moralism by attempting to distinguish between a moral and a political concept of justice in *Political Liberalism* is rejected by Williams as unsuccessful. For Williams the political account Rawls provides still collapses into a moral conception (Williams 2005: 77n); his critique of Rawls, however, is less relevant to this study than his reasons for objecting to political moralism.

One of Williams' objections to political moralism is that it implies that political conflict is evidence of moral deficiency. As Williams remarks, however:

a political decision – the conclusion of a political deliberation which brings all sorts of considerations, considerations of principle along with others, to one focus of decision – is that such a decision does not in itself announce that the other party was morally wrong or, indeed, wrong at all (Williams 2005: 13).

As Williams quite rightly notes, to characterise a political decision in moralistic terms, that is, identifying what is essentially a political decision as being morally right and those who oppose it as morally wrong, makes it very difficult to pursue a politics of compromise. Putting this on the international level, political moralism is a tendency to make negotiation difficult by applying moral criticism to regimes and thereby denying their legitimacy. In its extreme form, this manifests itself in the demonisation of the opponent. An example of this danger can be seen in Rawls' division of the world into decent and, by implication, non-decent peoples; democracies and rogue or outlaw states in his *The Law of Peoples*. This propensity to demonise has been identified by Reinhart Koselleck, who realised that morality will regard politics as:

not only incomplete, limited, or unstable but also immoral, unnatural and foolish. The abstract and unpolitical starting point allows a forceful, total attack on a reality in need of reform (Koselleck 1988: 152).

Demonisation of this kind leads, Koselleck continues, to a situation in which the:

[m]oral totality deprives all who do not subject themselves to it of their right to exist (Koselleck 1988: 152).

The danger of a purely moralistic view of humanitarian intervention, it may be noted, had already been implicitly commented on by Carl Schmitt in 1932 in his discussion of the term 'humanity', in the course of which he wrote that:

to invoke and monopolize such a term [viz. humanity] probably has certain incalculable effects, such as denying the enemy the

quality of being human and declaring him to be an outlaw of humanity; and a war can thereby be driven to the most extreme inhumanity (Schmitt 1976: 54).

Schmitt's conclusion is that any political consideration at a foreign policy level, regardless of whether it relates to state borders, the balance of power, or implementation of international law, is rendered superfluous on this view.

The conclusion we can draw from Koselleck and Schmitt, of great consequence to any discussion of humanitarian intervention, is that placing the moral above the political does not guarantee either moral means (the end justifying any extreme means) or moral ends (as long as another morality is possible, it invariably runs the risk of not being deemed moral by all). All that is certain is that a political solution is less likely while the moral is first.

A second, closely related, objection of Williams' is that political moralism tends to favour a view of politics which ignores the historically specific context in which every concrete political issue is necessarily located. Focussing on moralistic liberalism in particular, Williams notes that it has no answer:

to the question why what it takes to be the true moral solution to the questions of politics, liberalism, should for the first time (roughly) become evident in European culture from the late seventeenth century onward, and why these truths have been concealed from other people. [...]. The explanations of the various historical steps that have led to the liberal state do not show very persuasively why or how they involved an increase in moral knowledge (Williams 2005: 9).

The nature of this criticism is taken up again by Williams in the essay *Human Rights and Relativism* where he discusses what he terms the "first" political question', and the relevance of his above criticism becomes clear. Williams explains that he identifies the:

'first' political question (in the manner of Thomas Hobbes) as the securing of order, protection, safety, trust, and the conditions of co-operation. It is the 'first' political question because solving it is the condition of solving, indeed posing, any other political question. It is not (unhappily) first in the sense that once solved it never has to be solved again. Because a solution to the first political question is required *all the time*, the character of the solution is affected by historical circumstances: it is not a matter of arriving at a solution to the first question at the level of state-of-nature theory and then going on to the rest of the agenda. It is easy to think of the political in those terms, especially in coun-

tries which have been long settled and whose history is has not been disrupted by revolution or civil war [...].

But it is important to remember the elementary truth that even in settled circumstances the political order does rest on the legitimated direction of violence; and also that even in settled states, the nature of the legitimating, and what exactly it will legitimate, is constantly, if not violently, contested (Williams 2005: 62-3).

Hence, for Williams, the approach of political moralism is too abstract. The context is not simply ignored, but underlying, Hobbesian, state-of-nature issues are believed to have been solved for all time, and can have little bearing on specifics, ensuring that theoretical fallacies work their way into concrete issues.

A third characteristic of political moralism implicit in Williams' characterisation is the underlying instrumentalist perspective that it involves. The difficulties posed by instrumentalism are explicitly theorised by Anthony de Jasay *The State* (1985). The dominant tendency of modern western political thought from the contract theories of the seventeenth century onwards, to assume that the state is no more than a neutral and potentially benign instrument for serving the moral ends of individuals and communities comes in for particular criticism from de Jasay. De Jasay rejects this viewpoint on the ground that it takes the state to be 'an inanimate tool, a machine' that 'has no ends and no will; only persons have ends' (de Jasay 1995: 266). He castigates Rawls in particular for instrumentalising politics and rejects Rawls':

bland view of the redistributive process as painless and costless, and of the state as an automatic machine which dispenses 'social decisions' when we feed out wishes into it (de Jasay 1995: 10).

For de Jasay, the instrumentalist mode of thought naïvely ignores the fact that political power tends to have a logic of its own which can only be arrested by checks and balances upon those who exercise it, quite regardless of their personal integrity and claims on behalf of the good intentions behind the policies they pursue. The danger of ignoring the fact that the state cannot simply be reduced to an instrument for those intentions is that we cease to be aware that politics of this kind has 'a latent propensity for totalitarian transformation' (de Jasay 1995: 273).

Although de Jasay does not mention Hume in this connection, his critique of political moralism recalls David Hume's cautionary remark that:

[p]olitical writers have establish'd it as a maxim, that, in contriving any system of government, as fixing the several checks and controuls of the constitution, every man ought to be suppos'd a *knave*, and to have no other end, in all his actions, but private interest. By this interest we must govern him, and by means of it, make him co-operate to public good, notwithstanding his insatiable avarice and ambitions. Without this, say they, we shall in vain boast of the advantages of any constitution, and shall find, in the end, that we have no security for our liberties or possessions, except the good-will of our rulers; that is, we shall have no security at all (Hume 1742: Essay VIII, 84-85).

Although Hume was thinking in the first instance of municipal politics, the perspective behind his sentiments is not limited to that context: it can be readily extended to the international one. Hume himself perhaps took this idea from Niccolò Machiavelli, who states in blunt terms in the *Discourses* that:

he who frames a Commonwealth, and ordains Laws in it, should presuppose that all men are bent to mischief, and that they have a will to put in practice the wickedness of their minds, so oft as occasion shall serve (Machiavelli 1674: 16-17).

The final characteristic of political moralism to be considered in this dissertation is a systematic depoliticisation of politics. This aspect has already been alluded to in the discussion of de Jasay above. Glen Newey has claimed that in liberal political philosophy:

few words of modern liberal political philosophy attempt to address the real world of politics, often applying inappropriate theoretical models to it when they do and liberal political philosophers aim at the supersession of the ostensible subject-matter of their discipline – that is, politics, they aim at a post-political world (Newey 2001: 2).

The strategy which Newey regards as the most common mode of depoliticisation, similar to de Jasay, seeks to establish the neutrality of the state. According to this strategy, neutrality rests on belief in the state as ‘a referee, holding the ring between vying particularisms, systems of belief, and so on, while itself remaining uncommitted to any substantive moral outlook’ (Newey 2001: 137). For Newey, the quest for such a perspective is a wild goose chase.

An excellent example of the depoliticising tendency Newey has in mind is provided by the methodological standpoint adopted by Rawls in *A Theory of Justice*. The essence of his methodology is the adoption of a homogeneous conception of individuality

whereby all particularity is stripped away from those placed behind the veil of ignorance. Rawls writes that:

it is clear that since the differences among the parties are unknown to them, and everyone is equally rational and similarly situated, each is convinced by the same arguments. Therefore, we can view the choice in the original position from the standpoint of one person selected at random (Rawls 1999: 139).

He goes on to remark that '[w]hatever his temporal position, each is forced to choose for everyone' (Rawls 1999: 140) and footnotes Jean-Jacques Rousseau's remark contained in *The Social Contract* book II, chapter 4 under the heading 'The Limits of the Sovereign Power' that:

in fulfilling them [engagements] we cannot labour for others without labouring at the same time for ourselves (Rousseau 1848: 28),

which does not, however, seem to add up to the same point as Rawls. While Rousseau appears to be claiming that no man is an island, Rawls appears to be claiming that behind the veil of ignorance any person is, to all intents and purposes, identical with any other person.

As Noël O'Sullivan remarks:

[t]he result of this procedure is that the precondition for the political – difference – is automatically eliminated at the very outset of Rawls' thought (O'Sullivan 1997: 741).

These are some principal characteristics of political moralism. For the purposes of this thesis, it is not necessary to pursue in greater depth any of the criticisms of it mentioned above: all that is necessary is to take seriously the criticism that political moralism fails to acknowledge adequately the difference between moral and political perspectives and this will have implications when it is used to defend humanitarian intervention.

So far, the meaning of political moralism has only been characterised in general terms, without any attempt to do justice to the complexity of the phenomenon. In order to remedy this shortcoming it is convenient to distinguish three problem areas which approach the issue. The first problem area, which may be termed political science, is a reflective field, but still fails to make a decisive advance beyond the political moralism which has shaped much of the thinking surrounding humanitarian intervention. In this field, explicit attempts are certainly made to define humanitarian intervention, to clarify

the principles on which it is based and specify the circumstances under which it may properly be undertaken. However, no sustained attempt is made to move beyond the moralist perspective by clarifying the relationship between morality and politics. While I call this problem area ‘political science’ for convenience, it should be noted that it concerns itself with the academic study of politics and is therefore not limited to departments of political science in universities. Insofar as academics in law, philosophy and sociology, amongst others, research humanitarian intervention they fall into the ‘political science’ grouping. Indeed, the comparative newness of the study of politics at UK universities resulted in professors of the subject writing inaugural lectures asking what the study of politics actually is. This question of politics and its relationship to morality lies at the root of humanitarian intervention yet is often sidestepped in political science accounts. Hence, these lectures will be examined on account of the questions they ask and the issues they raise being fundamental to the issue of humanitarian intervention.

In the second problem area, which may be termed that of political philosophy, as above, this is a convenient shorthand and those investigated need not be in academic departments of philosophy nor known as philosophers. In this area the wider assumptions about politics and morality implicit in humanitarian intervention and in the related idea of an ethical foreign policy, are made fully explicit and explored. However, in doing so the notion of humanitarian intervention seems to disappear as a problem in this area, as the discussion occurs on a rather abstract plane. The relationship between the moral and the political is examined and its implications for the other areas of debate analysed, but seldom with a specific example of the convergence of these terms in the concept of humanitarian intervention. As in problem area one, it is those authors focussed on the questions which lie at the root of humanitarian intervention who are examined. Carl Schmitt’s tenacious grasp on the question of the political along with a resurgence and rehabilitation of his thought mark him out as the obvious candidate for this, if not for humanitarian intervention. Less obvious, perhaps, is the discussion of tragedy which has resurfaced in political philosophy circles. However, once again, it is the questions which are asked in this area which are of interest and use, with humanitarian intervention simply one of several possible applications.

The third problem area, which may be termed that of practical politics, is one at which the rhetoric of political moralism is deployed with relatively little critical reflection. In this area, in fact, theoretical reflection may be deliberately avoided since the concern is primarily with rhetorical attempts to convince others and implement an agen-

da. This area three debate on humanitarian intervention will subsequently be illustrated in Section III: Practical Politics, and more specifically in chapters six to eight by a detailed examination of the rhetoric used by publicists and politicians to defend New Labour's foreign policy. This example has been chosen for a number of reasons. The New Labour government was so long out of power that there was little experience left amongst its ranks, and its foreign policy was based more on theory than praxis. Moreover, this theoretical basis is more likely to be an optimistic ideology of applying ethics to foreign relations, and it is this basis which provides the justification for humanitarian interventions to be carried out.

However, before these fields of analysis are to be applied, and the literature within these areas reviewed, a short history of the concept of humanitarian intervention will be carried out.

2 A Short Political & Intellectual History of the Concept

As it is the concept of humanitarian intervention which is being examined in this thesis, and as political moralism tends to ignore the historically specific context in which every concrete political issue is necessarily located, we will be well advised to look at the history of the term ‘humanitarian intervention’ itself. Humanitarian intervention is not a tangible object: it is a concept created by humans. As such, it is a contingent, unstable, and historical phenomenon. Friedrich Nietzsche puts this well in the *Genealogy of Morals* when he writes that we are ‘unknown to ourselves’ (Nietzsche 2000: 451[1]), and goes on to say that:

we have no right to isolated acts of any kind: we may not make isolated errors or hit upon isolated truths. Rather do our ideas, our values, our yeas and nays, our ifs and buts, grow out of us with the necessity with which a tree bears fruit (Nietzsche 2000: 452[2]).

This acknowledgement of the historicity of concepts, however, does not seem to characterise many of the authors who have recently written on the subject of humanitarian intervention. Yet it will obviously affect our knowledge and treatment of the concept of humanitarian intervention if we discover that it is a post-Cold War phenomenon inspired by the collapse of Soviet communism. It is also relevant to know whether there have been previous manifestations of the concept prior to the Cold War, and if the post-1989 version is simply its most recent incarnation. As Wendy Brown remarks, in order to:

question the value of certain values, one must know the conditions under which they emerged, changed, and took hold, how they converged with or displaced other values, what their emergence fought off, valorized, and served. This is the history that is buried by the naturalization of values as universal and transhistorical. This is also the history that conviction operates *within* and hence cannot articulate, let alone challenge (Brown 2001: 97).

As a first step towards implementing Brown’s call for a historical approach to avoid the ‘naturalization of values as universal and transhistorical’ (Brown 2001: 97), it will be useful to note briefly the lexical history of the two terms, the noun ‘intervention’ and the adjective ‘humanitarian’. This will be followed by tracing the term ‘humanitarian intervention’ backwards through the literature, with a starting point of as late a claim to invention as possible; this is for a number of reasons. Firstly one of investigative

ease: later usages can always refer back to older usages, but, obviously, not vice versa. Secondly, to avoid confusion, any discussion analysed will have to be using the term ‘humanitarian intervention’, that is, the term must be present in the debate. This is not to assume that the concept did not appear earlier, however, the discussion will be limited to discussions where the term is contemporaneously applied. A linguistic analysis will provide a cut-off date before which the term cannot occur, and the literature will aid in getting as close to this date as is relevant and possible.

Thirdly, working backwards through the definitions and usage should illustrate the problems of the term itself. Disinformation, misuse, change, and, indeed, political moralism itself will all have contrived to, if not warp, then, confuse the history of the term even more.

2.1 A LEXICAL HISTORY OF THE TERMS

The origins of the word ‘intervention’ are of considerable interest for several reasons. Firstly, according to the Oxford English Dictionary (OED) its earliest practice was religious and denoted God’s intervention in the affairs of man – this is first recorded in circa 1425 and carries this meaning for some considerable time. It can be claimed that it has since lost any vestige of religious connotation; however, its early link to notions of good and evil is at least worthy of note. The first non-religious based usage appears to be in 1831 where a reference is made to a Whig policy of ‘non-intervention’, so the first occasion of its being used is also the first occasion of it being used in its negative form (OED).

Secondly, a word which appears to be a derivative of intervention appears before the supposed primary word: ‘interventional’ appears to be in use in 1829 (OED). Either way, according to the Oxford English Dictionary we are unlikely to meet with a case of humanitarian intervention called as such prior to 1829 simply on the basis of the word intervention.

Thirdly, the person who uses this term is someone who introduced several Latin based words into the English language, but is better known for his philosophising: Jeremy Bentham, it seems, was the first to use interventional in his 1829 pamphlet *Justice and Codification* in the sentence below:

[u]nder every system, *appeal* is for *cause assigned*, namely, on the part of the judge of the originating judiciary, either *misdecision*, or *non-decision* productive of the same effect as misdecision: misdecision, either ultimate or *interlocutory*, or say *inter-*

ventional: in any case *misconduct* (Bentham 1843: 526 [202. – VII]).

Thus, even at its introduction as a political term in the English language, intervention is not appearing as a neutral term. It is already courting controversy merely by appearing in a pamphlet by Bentham with the term justice in the title – it seems there is little about the term which is, if not notorious then at least, somehow, blemish free.

According to the Oxford English Dictionary the term ‘humanitarian’ was first noted in the English language in 1855 contained within the phrase ‘open to criticism upon broad humanitarian grounds’ (OED). However, this term was not necessarily positive, with the word often being used contemptuously.

This would place it slightly later than the OED’s notion of when intervention entered the language. But, interestingly, and as above with *interventional*, the word humanitarianism, which one would assume was a later invention, actually occurred in 1833, twenty-two years earlier.

Put bluntly, the chances of finding an English reference to a ‘humanitarian intervention’, where it is called a ‘humanitarian intervention’ are, simply in terms of language, not going to occur before 1833. Indeed, most helpfully, references to a political usage of the word intervention alone are not going to appear before 1829: not a huge separation in time from one another.

The linguistic history of the terms is obviously not the full extent of the history of humanitarian intervention. However, any attempt to apply the terms before they are in use in the English language risks anachronisms or accusations of, if not propaganda, then misrepresentation. I do not wish to label actions humanitarian intervention if no contemporaneous source could have done so; nor do I wish to argue whether specific actions in the past were humanitarian intervention or not. Thus, the linguistic or etymological approach provides a convenient point beyond which it is meaningless, for this dissertation, to use the terms. The following sections will follow definitions and usage as far back as possible, and, strangely, which is perhaps to be expected with the term, many references to humanitarian intervention allude to the Peace of Westphalia, an event approximately 200 years prior to the first possible usage of the term ‘humanitarian intervention’. Nevertheless, this is the starting point for much of the discussion, humanitarian intervention is almost invariably set within the bigger picture, and, it is often argued that the Westphaian Peace is what set in place the very possibility of humanitarian intervention.

2.2 THE PEACE OF WESTPHALIA AND HUMANITARIAN INTERVENTION

The Thirty Years War was brought to an end by the Peace of Westphalia in 1648. This is of note as it ‘was the peace treaty that formalised what is called the international system or nation-state system’ (Dower 1998: 49), which is to say it is better known as a beginning than an end. Nigel Dower also points out that the:

central principle in the new system was that Europe should be divided up into discrete geographical areas over which secular powers should exercise absolute control and authority (Dower 1998: 49).

This story is continued with Robert Jackson and Patricia Owens claiming that the Peace of Westphalia:

formally recognized the existence of separate sovereignties in one international society. [...] The settlement thus created a new international covenant based on state sovereignty [...]. The seeds of state sovereignty and non-intervention that those seventeenth-century statespeople planted would eventually evolve into the Charter of the United Nations, the Geneva Conventions, and other contemporary bodies of international law (Jackson & Owens 2005: 54).

This explains its importance in the history of international relations and international law, but as Dower goes on to say, this:

way of understanding the division of control has broadly remained until the present day (though various forces such as globalisation are now challenging it in the late twentieth century) (Dower 1998: 49).

The Peace of Westphalia, therefore, is not simply a historical incident or document – it has ramifications for today insofar as it can be argued that it has stayed in place until if not now, then recently. Authors such as Anthony McGrew agree with Dower that the Peace of Westphalia ‘established the legal basis of modern statehood and by implication the fundamental rules or constitution of modern world politics’ which had as its heart ‘agreement amongst Europe’s rulers to recognize each other’s right to rule their own territory free from outside interference’ (McGrew 2005: 29). McGrew does not think the Peace of Westphalia has remained completely unchanged, albeit his possible reformers are relatively recent, namely, the UN and globalisation. For although:

the UN Charter and the Universal Declaration on Human Rights modified aspects of the Westphalian Constitution, in qualifying aspects of state sovereignty, it remains the founding covenant of world politics. However many argue that contemporary globalization presents a fundamental challenge to the Westphalian ideal of sovereign statehood and in so doing is transforming world order (McGrew 2005: 30).

Fukuyama seems to agree that the Westphalian System stayed in place, but believes it remained in place until the humanitarian interventions of the 1990s eroded it. Thus, it was the end of the Cold War and the discussions over humanitarian intervention which has made the Westphalian System no longer relevant (Fukuyama 2004: 130-131). If this is the case, then this would go a long way to explaining the great upsurge of interest in and the importance of humanitarian intervention.

The argument thus far might seem rather clear-cut: the Peace of Westphalia was established in 1648, laid down the notion of non-intervention and sovereignty and only recent developments have challenged this. But Chris Brown suggests otherwise:

far from being a major feature of the Westphalia System as such, a strong general norm forbidding intervention on humanitarian grounds was actually only established in the mid-twentieth century. In the nineteenth century and earlier such interventions had been commonplace, but always in the context of a world in which a sharp division was made between the core Westphalia System with its European members, and the rest of the world, where humanitarian concerns were certainly present, but tied up with ethnocentric, racist assumptions about non-Europeans and the justifications for empire (Brown 2002b: 135).

This view is supported by Fernando R. Tesón who states that there is 'authority for the proposition that the doctrine of humanitarian intervention was accepted before 1945' (Tesón 1988: 157). Hence, we have a problem. On the one hand, there is a view which says that humanitarian intervention and the Westphalian System were incompatible and only recent challenges to the system have allowed such actions to occur. On the other hand, an opposing view suggests that this interpretation of the Peace of Westphalia is a modern invention and that there have always been interventions. Little wonder there is such confusion in knowing what humanitarian intervention is.

Thus, as already intimated, the most recent claims of when humanitarian intervention first surfaced will be looked at and, almost invariably, prior claims highlighted and examined. One of the most erroneous claims points to humanitarian intervention being of very recent origin.

In the July/August 1999 issue of the UNESCO Courier, Olivier Corten, lecturer at the Centre for International Law and for Sociology applied to International Law, at the Free University of Brussels, claims that:

the term “right” or “duty” of “intervention” – to which the word “humanitarian” was soon added – was coined in the late 1980s by Mario Bettati, Professor of International Public Law at the University of Paris II, and by the French politician Bernard Kouchner, one of the founders of the aid organization Médecins sans frontières [*sic*] (Corten 1999).

This assertion seems to have been accepted without question in some circles and quoted, unchanged, in a number of articles, at least in the English language, indeed, *The Economist* quote above mirrors a version of this, although it seems to be more prolific in the French language (*cf.* Richemond 2003; Teodosijević 2003; Pellet 2000 [right or duty to intervene]; Kioko 2003; Abbott 2005; Liu, Fu-Kuo and Wu, Linjun 2000). The claim of Corten’s will be examined and followed up, as he is one of the few to attempt an exact date of the term, although there is another level of confusion as this is an English language translation of a paper quoting French origins. Nonetheless, Bettati, Kouchner, and *Médecins Sans Frontières* are well-known enough for Corten’s claim to be feasible if one has never considered the history of the term.

The work which Corten is referring to in the above paragraph is *Le devoir d’ingérence: peut-on les laisser mourir? (The duty of interference: can we leave them to die? own translation.)*, which appeared in 1987, a year before Tesón’s *Humanitarian Intervention: an Inquiry into Law and Morality*.

This was certainly no bad time to be discussing the issue, for within a few years the events of 1989 caused a re-think of the international status quo, and by 1990 the Economic Organisation of West African States had intervened in Liberia following the complete breakdown of the government, while an international action which attracted more attention, at the very least in the UK, was the 1991 military action in Iraq. In fact, in the ten years following the events of 1989 there was only one year, namely 1998, where there was no military intervention of any kind claiming status as a humanitarian intervention (Weiss et al 2001: I.B.4).

From the end of the Second World War until 1989 there were a small number of international actions which could, perhaps, and not without disagreement, be argued to be termed humanitarian interventions, namely, in 1971, India’s intervention in East Pakistan/Bangladesh; Vietnam’s intervention in Cambodia in 1978 to topple Pol Pot;

France's intervention in Central Africa in 1979, and Tanzania's intervention in Uganda in the same year to overthrow Idi Amin (see Tesón and Michael Walzer for some discussion of these interventions). All these actions were successful, and all would seem to be rather clear examples of the phenomenon normally referred to as humanitarian intervention, although it is not proven that all protagonists were claiming this label at the time, yet we have a mere four, fairly clear-cut, examples compared to the 1990s.

It might be expected that more such actions would or could have taken place: it certainly cannot be argued that there were not enough corrupt or brutal states during the time of the Cold War to justify similar actions. As just one example, South Africa with a government which to most other states was, at the very least, highly distasteful, and which oppressed the majority of its citizens, was not the object of such actions. Further examples can be found easily and might include Tibet and East Timor. Yet once the Cold War was over, we see a veritable stampede of, if not humanitarian interventions, then actions which are at any rate wishing to be regarded as such: Liberia in 1990, Iraq in 1991, Operation Restore Hope in Somalia in 1992; Operation Turquoise in Rwanda in 1994; Bosnia and Herzegovina 1994; Albania in 1997; in Kosovo and East Timor in 1999, Sierra Leone in 2000, to name only some of the most well-known before the turn of the century. It would be quite a feat for this discussion and subsequent international actions to be down to, according to Corten, an academic paper published in French.

The claims of Corten generate a plethora of questions: was this 1987 paper the source of the idiom 'the right to intervene'? Was humanitarian merely added en passant by others? Where does the term come from – did Kouchner and Bettati simply pluck it from the air? Was this paper the catalyst which generated the first mention of humanitarian intervention, which is what Corten seems to be implying?

The question of where the phrases humanitarian intervention and duty to intervene originally come from is not merely of historical interest; the notion of humanitarian intervention seems to be so tied up in abstract notions of sovereignty, ideology, and international public law, that placing the notions within the time which generated them might allow us to strip away some of the more recent additions to their hyperbole.

If Corten were correct, and he is certainly not, then the talk of humanitarian intervention and the right, or duty, to intervene appeared at the tail end of the Cold War in the time of glasnost. Earlier than this and we are in the midst of the Cold War, perhaps even an only just post-war period. Prior to the Cold War and the roots of these actions could lie in such things as empire or the First World War: such situations could make

the world of difference and possibly explain something of the idea without the ideology, or with the ideology at a far enough distance in time to be able to separate it from the words it uses. Moreover, an event which can only happen after the Berlin Wall came down, could be fundamentally different to an event which can happen post Second World War. At what stage in the United Nations are we at when a humanitarian intervention can first take place? The 1990s differ from the 1980s, which bear little resemblance to the 1950s, and what about the League of Nations?

Thus, the temporal location of a, or indeed the, first humanitarian intervention might prevent some lazy generalisations. However, and here is the danger, we risk falling into the situation of retrospectively naming events as such if we merely look at the situation itself – the reinterpretation of history is not quite what is to be sought. Hence, the humanitarian intervention which is to be located must be called such by contemporary sources.

At least we can be sure that post 1989 actions can be argued to be justified or unjustified, legal or illegal, but at the very least it cannot be claimed that the term humanitarian intervention is being applied retrospectively: Tesón, Bettati, Kouchner, and Corten allow us that.

However, Corten is not implying that the sudden increase in humanitarian intervention is due to Kouchner and Bettati's giving it a name. The concept and theory of humanitarian intervention has been of increasing interest since 1989 with the increase in actual humanitarian interventions taking place. The end of the Cold War resulted in a rethink of norms, theories, and actions on the international stage, no mere naming of a phenomenon could have generated this result. Nonetheless, with actions during the 1970s, mentioned above, which could be deemed as falling under the umbrella of humanitarian intervention, it would seem odd if the notion of the right or duty to intervene should only come into being at the tail end of the Cold War. Are these cases simply those of new terminology being applied retrospectively?

It might be argued from the quote above that Corten is speaking of the notion of duty or right to intervene and not of humanitarian intervention at all, and that the humanitarian is added to the phrase to make the right or duty to intervention clearer. It is painless enough to afford him the benefit of the doubt, and, while it may be supposed that the discussion of intervention will be logically prior to the discussion of humanitarian intervention, should either be proven to have been discussed before the publication of the Bettati and Kouchner text, Corten's argument will falter.

That said, the use of words such as duty or right in relation to intervene where this intervention is of a humanitarian nature is already suggesting a moral dilemma, indicating that a conflict between two sets of practises or beliefs has arisen. The use of the adjective humanitarian in this idiom is a form of positing the plea for a right or duty or requirement to intervene: it is not a value neutral term. However, if one finds an early usage of the term humanitarian intervention then one is also apt to meet with arguments for it being a right or a duty, the ‘humanitarian’ aspect belonging to the justification as much as any notion of ‘right’ or ‘duty’.

It is quite easy to assume that Corten is correctly fixing the term in history, and proceed with the discussion, and it is entirely possible that authors who quote his article might, in fact, be holding two contradictory thoughts at the same time. For any discussion beyond the bare facts on humanitarian intervention involves referring to some of the classics of the genre, and it should be clear that the discussion does predate Tesón, Kouchner, and Bettati, regardless of Corten’s claims to the contrary.

If we choose to ignore the logical point, namely, that in speaking of humanitarian intervention we will, *ergo*, be positing questions of rights and duties, and remain simply with his conjecture that 1987 was the year that Bettati and Kouchner coined the phrase ‘right to intervene’, then the mere title of Lloyd N. Cutler’s essay in a 1985 issue of *Foreign Affairs*, viz. ‘The Right to Intervene’ does seem to disprove his claim.

In fact it seems odd that this claim can be so often quoted when classics of the genre including Stanley Hoffmann’s ‘The Problem of Intervention’, and Michael Akehurst’s ‘Humanitarian Intervention’ appeared in *Intervention in World Politics* edited by Hedley Bull, a collection which appeared in 1984. The mainstream philosophy journal *Ethics* published an essay ‘On Dilemmas of Intervention’ by Gerard Elfstrom a year previous to this, so even on rather quick perusal Corten is at least three years out. Indeed, Elfstrom speaks on the very first page of his article of ‘the duty to take action to combat these serious abuses’ (Elfstrom 1983: 709). Furthermore, prior even to all of these is the Walzer classic *Just and Unjust Wars*, published in 1977, with a sub-chapter all of its own entitled ‘Humanitarian Intervention’.

While we have proven that Corten is wrong, not by any great academic feat, but by the mere location of other academic texts, we are still not any nearer recognising a relevant start date for the term. Twelve years is significant but maybe not damning – Bettati, Kouchner, and Tesón were perhaps just lucky that events took place when they did, otherwise they might be suffering the relative obscurity of Cutler and Elfstrom.

Walzer is the big name, most obviously linked to the notion of just war but just as applicable to humanitarian intervention, who has written on the subject and did not suffer obscurity, and, indeed, remains an authority on the subject. Again, the date is important, 1977 – during the 1970s when the four interventions mentioned above, Bangladesh, Cambodia, Central Africa, and Uganda took place. The latter three took place following the publication of the book, hence they could not be included, but the text remained applicable. Walzer uses the Bangladesh intervention as his ‘better example of humanitarian intervention’ (Walzer 1992: 105) when compared to the Cuba intervention of 1898, which he deems ‘an example of benevolent imperialism, given the “piratical times”, but it is not an example of humanitarian intervention’ (Walzer, 1991: 104).

This is interesting as it places not simply the theoretical discussion, but also the possibility of actual actions being deemed such, firmly in the 1970s. Tesón’s discussions of Bangladesh, Uganda, and Central Africa, while perhaps putting them on the map, are not contemporary discussions of the issues, but Walzer has been using the term previous to Tesón so the possibility that they were called such at the time certainly exists, it is of no consequence to this thesis whether they were or not. The importance of this discussion lies in the fact that this point in time cannot be said to be taking place towards the end of the Cold War, glasnost did not exist, and none of these international actions took place under a UN mandate.

Walzer can perhaps be excused for his few examples of humanitarian intervention, as they are contained in a small sub-chapter within the chapter entitled ‘Interventions’ (Walzer, 1991: 86), and of the two he brings forth it is fascinating to see a 19th century example. In the first part of his general intervention discussion he mentions John Stuart Mill’s 1859 text *A Few Words on Non-Intervention* and discusses this in the context of self-determination (Walzer, 1991: 87). Tesón also mentions Mill, but argues with him based on Walzer’s interpretation, and remains fixed on the subject on self-determination (Tesón, 1988: 26ff).

It is strange that Walzer and Tesón concentrate on the notion of self-determination within the Mill text when Mill’s discussion of intervention itself would be, one would assume, of interest or use. Mill discusses the issues of a protracted civil war where:

there is no probability of a speedy issue; or, if there is, the victorious side cannot hope to keep down the vanquished but by severities repugnant to humanity, and injurious to the permanent welfare of the country. In this exceptional case it seems not to be an admitted doctrine, that the neighbouring nations, or one pow-

erful neighbour with the acquiescence of the rest, are warranted in demanding that the contest shall cease, and a reconciliation take place on equitable terms of compromise. Intervention of this description has been repeatedly practised during the present generation, with such general approval, that its legitimacy may be considered to have passed into a maxim of what is called international law (Mill, 1867: 172).

This is not, of course, Mill condoning intervention, he is simply stating the fact that post-Westphalia, pre-League of Nations, it was legitimate to engage in intervention to redress situations where there were 'severities repugnant to humanity' (Mill, 1867: 172). Again of interest is a statement a few pages on where he expressed his opinion that:

[i]ntervention to enforce non-intervention is always rightful, always moral, if not always prudent. Though it be a mistake to give freedom to a people who do not value the boon, it cannot be but right to insist, that, if they do value it, they shall not be hindered from the pursuit of it by foreign coercion (Mill, 1867: 176-177).

This is important on a number of points. It is a nineteenth century discussion of the issues of intervention, and although humanitarian is missing, intervention is alive and well. The claim that certain forms of intervention can be called norms of international law certainly undermines those arguing for the Westphalian Peace to have been in force up until recently.

In a paragraph which is somewhat controversial Tesón states:

[t]he survey of state practise in this chapter will be limited to the post-1945 period. There are two reasons for focusing on the post-United Nations era. The first is that there is considerable authority for the proposition that the right of humanitarian intervention was a rule of customary law prior to the adoption of the United Nations Charter. At the same time, it is commonly acknowledged that the prohibition of the use of force enshrined in article 2(4) of the Charter had a dramatic impact upon classic international law (Tesón, 1988: 155).

There are two points to note here, firstly, that the UN Charter had a dramatic effect on international law and thus the period from 1945 onwards is of the most interest to those researching this area. This is unproblematic: in any contemporary discussion of humanitarian intervention, the UN is likely to appear. Moreover, as the Charter is the starting point of the UN era and post-1945 we see the beginnings of the Cold War this explains the significance of this date in many analyses. The second point, however, is of

far more interest and is worthy of more notice than it seems to have garnered. Namely, that prior to the UN Charter humanitarian intervention was the norm and the establishment of the UN appears to have prohibited this norm. The entire discussion of the notion of sovereignty, which some authors deem so important for the discussion of humanitarian intervention and non-intervention, which some authors claim has always been the case in international relations since the Treaty of Westphalia, are not, according to this, the problem at all. On the contrary, Tesón is suggesting that the real problem with modern discussion of humanitarian intervention is the effect of the UN Charter.

Tesón's arguments are, and Mill's discussion might well support this, that prior to the United Nations there was a rule of customary law regarding the right to humanitarian intervention. This customary law was not a norm against humanitarian intervention. Furthermore, the prohibition of the rule of force in the Charter had a dramatic effect on this norm by reversing it. Finally, prior to 1945 one could not talk of a law of human rights that had any meaning (Tesón 1988: 155). This is to say that a state can only hang a humanitarian intervention on human rights post-1945; prior to this one might have allowed for a humanitarian intervention, but post-1945 it appears that a human rights based intervention may be the only option.

It would be a bitter irony if the United Nations Charter was the grounds for suffering which might have been prevented by a humanitarian intervention that the Charter itself has prevented. Yet, this would seem to make sense. If it is the case that the Westphalian Peace put the international system in place and nothing has yet appeared to annul it, then it must be assumed to be still in place. Hence, the League of Nations and yet older legislation on international affairs are only of interest to historians: such systems were in place but have been superseded by newer legislation or organisations. Therefore, it is international law as it stands which will get the attention: hence the much discussion on the Charter, and hence the focus on the Cold War that directly followed, the repercussions of which are still being analysed.

It would seem that the only way forward is to test Tesón's claims regarding post-1945, but also those which claim that there was no norm of humanitarian intervention prior to 1945. Thus, it is necessary to look at the older, outdated legislation and see where it leads to, what it quotes, and how it changes. Only once this is clear will it be possible to say how the situation has changed.

2.3 HUMANITARIAN INTERVENTION IN INTERNATIONAL LAW

Walzer and Tesón both mention L. Oppenheim's *International Law*, although they use different editions and quote different parts. A trawl through the various editions of *International Law: A Treatise Vol. 1 Peace* reveal telling differences at telling times. Of course, international law is open to interpretation, and no one author can be taken to have more authority than the international law documents themselves, however, Oppenheim is an oft quoted resource, and proof not only that certain interpretations are possible, but also not immutable. If we look at the Oppenheim editions either side of the Second World War then any changes (and there should be many) incurred by the war, the founding of the United Nations, and the beginnings of the Cold War should be apparent. It should be made clear that one commentator's interpretation of international law does not mean that that interpretation is indisputable, indeed, at no point will I be arguing that such a position exists. All that we can draw from these commentators is that their position was possible at that time.

Limiting ourselves to volume 1 *Peace* and paragraph 137 we have an interesting development from the fifth edition published in 1937 to the sixth edition from 1947. The most noticeable is the change of this paragraph's title from 'Intervention in the Interest of Humanity' to 'Humanitarian Intervention', once again moving this term back in time and further discrediting Corten's claim. However, it is the content of this paragraph from the fifth to the sixth editions which is most fascinating. In 1937, *i.e.* post-World War One, during the League of Nations, pre-World War Two, and pre-Cold War the first sentence of this paragraph states:

[m]any jurists maintain that intervention is likewise admissible, or even has a basis of right, when exercised in the interest of humanity for the purpose of stopping religious persecution and endless cruelties in time of peace and war. That the Powers have in the past exercised intervention on these grounds, there is no doubt (Oppenheim 1937: §137).

Moving to 1947, post-League of Nations, post-World War Two, founding of the UN but, arguably, not quite recognised as Cold War era, the same paragraph, that is, §137, has changed substantially. The re-worked paragraph is worth quoting extensively:

[t]here is general agreement that, by virtue of its personal and territorial supremacy, a State can treat its own nationals according to discretion. But there is a substantial body of opinion and of practise in support of the view that there are limits to that discretion and that when a State renders itself guilty of cruelties

against and persecution of its nationals, in such a way as to deny their fundamental human rights and to shock the conscience of mankind, intervention in the interest of humanity is legally permissible. [...] The fact that, when resorted to by individual States, it may be – and has been – abused for selfish purposes tended to weaken its standing as a rule of International Law. That objection does not apply to collective intervention. The Charter of the United Nations, in recognising the promotion of respect for fundamental human rights and freedoms as one of the principal objects of the Organisation, marks a further step in the direction of elevating the principle of humanitarian intervention to a basic rule of organised international society (Oppenheim 1947: §137).

Interestingly, this does not back up the assumption made above, that the UN would be the start of the neo-Westphalian rule of non-intervention: on the contrary, this paragraph now deals explicitly with humanitarian intervention, mentions human rights and the Charter, but claims that these elevate the already existing principle of humanitarian intervention to international law. Moreover, this is not a blip, which one might expect with a speedy change to international law legislation which might make it difficult for legal authors to keep step with, this paragraph remains unchanged in the 1955 eighth edition. This might also change the argument that post-Cold War was excessively optimistic: the general optimism might be ongoing and the Cold War was simply a longstanding glitch which suppressed this.

Going further back in time again, William Hall speaks of a ‘right or a duty to intervene’ (Hall 1924: 345) and in a footnote in the page previous to that refers to ‘humanitarian intervention’ and speaks of an author ‘denying the right to intervention’ (Hall 1924: 344n), while Edward Creasy speaks in a footnote of ‘a State’s right to interfere’ (Creasy, 1876: 306n) and of ‘an intervention justifiable on behalf of the interests of humanity’ (Creasy, 1876: 300).

Thus far, we can see that the term humanitarian intervention stretches back to at least the beginning of the twentieth century, the discussion of the subject even longer, certainly into the nineteenth, but so far without that use of humanitarian intervention in the nineteenth century which would be so useful.

2.4 HUMANITARIAN INTERVENTION IN THE 19TH CENTURY

While unable to yet find contemporary accounts of the situation which uses the term, many of the authors cited class the Anglo-Russian-French alliance and intervention in the Greek War against Turkey in 1827 as intervention, and the conferences of

Troppau and Laibach in 1820-1821 as splitting the Concert of Europe on the issue of the 'right to intervene' (c.f. Blanning, 2000: 260-261). This could also be confused on account of French involvement where the word intervention was already in use. As Ellery Stowell points out, the 1827 intervention in support of Greek insurgents:

was mainly upon the ground of humanity. [...] Almost every writer on intervention law or European history discusses this incident (Stowell 1921: 489).

However, Stowell does not mention a contemporary account, and the text to which he refers the reader was written 70 years after the event. Moreover, I do not wish to examine individual examples of humanitarian intervention, being more concerned with the concept itself: for a fuller examination of actual humanitarian interventions in the nineteenth century, see Gary J. Bass *Freedom's Battle: the Origins of Humanitarian Intervention*.

Nonetheless, in the *British Year Book of International Law 1922-23* we find an interesting article that might do the work for us. Entitled *The History of Intervention in International Law* P.H. Winfield's article is well worth reading, and the title alone suggests the problems of intervention are longstanding and unlikely to change anytime soon. The assumption is confirmed with his first paragraph:

[t]he subject of intervention is one of the vaguest branches of international law. We are told that intervention is a right; that it is a crime; that it is the rule; that it is the exception; that it is never permissible at all (Winfield 1923: 130).

It seems that change happens slowly in international law. Of interest is his claim that the very word intervention is of 'comparatively recent origin' (Winfield 1923: 132) pointing out that it is not to be found in Grotius or Vattel and without:

tediously entering into detail, it may be said that 'intervention' did not become a technical phrase till the dozen or so years bounded by 1817-1830 (Winfield 1923: 134).

This timeframe fits onto the OED generated linguistic one, supporting its claims. Interestingly, Winfield looks at other languages and notes it slowly coming into use in German and French during this period. According to Winfield, the German language seems to have used the term first, while the French language used a great many terms ('s'ingérer', 's'immiscer', 'se mêler') which were not entirely replaced by 'intervenir'. Winfield further that claims the usage of intervention becomes common so much earlier

than in the UK that it is a foreign import from these languages during the timeframe indicated (Winfield 1923: 135).

Stowell also consults widely and, alas for Corten, cites as sources an anonymous piece published in Paris in 1823 entitled *Traité sur le droit d'intervention* (Stowell 1921: 466), and should that not be enough, then '*la théorie de l'intervention d'humanité*' in the journal *Revue générale du droit international public* from 1910 by Anton Rougier ought to finally put Corten's claims to rest (Stowell 1921: 526). Whether in French or English, the words, discussion, and problems are older than Bettati, Kouchner, and *Médecins Sans Frontières*.

Also perhaps worthy of note is Winfield's claim that:

[s]tatesmen have naturally lagged far behind publicists, both in adopting any specific word and in attaching any definite meaning thereto. Castlereagh, Canning and Palmerston, whose political experience included a sufficient acquaintance with intervention, almost invariably talk of it as 'interference.' The Spanish 'intervencion' is translated by 'interference' in a despatch of 1822 (Winfield 1923: 135).

This is remarkable simply as an example of political rhetoric – Winfield also mentions that 'meddling', 'intermeddling', and 'interposition' are other favoured terms instead of 'intervention' (Winfield 1923: 135-136). Surprisingly, considering the option in the above quote of 'meddling', there might have been an argument of using a simpler, or more Anglo-Saxon choice of word, but to reject this and not use 'intervention' in favour of the not entirely dissimilar 'interposition' or 'interference' hints at something else. Even in its, relatively speaking, rather short life in political usage in the English language, the word 'intervention' seems to have politicians resorting to rhetoric.

Turning from Winfield to someone writing in the nineteenth century, one of the 'Topics of the Day' in the 3 July 1847 edition of *The Spectator* is 'Nonintervention a Humbug'. This article begins:

of all delusions the supposititious doctrine of nonintervention is the greatest. We say the supposititious doctrine because practically it cannot be said to have existed. It has been talked to (Spectator 1847: 637).

It then goes on to list exclusively inter-European interventions before claiming:

[w]hen politicians have so sweepingly condemned intervention, the idea present to their minds evidently was *improper* intervention. We have seen that the doctrine of nonintervention has no

more than a bare verbal existence. In fact, however, it is not only impossible, but theoretically absurd. Intervention must result between nations, as between individuals, not only from the temptations to mutual aggression, but also from the impulses to mutual aid. The nation which could fulfil the doctrine of nonintervention would not be happy, because it could have neither feeling nor virtuous solicitude for the welfare of others. [...]

Nonintervention is as pure a phantasy [*sic*] as the ‘ocean stream’ that was supposed to encircle the disc of the earth. Intervention is often a duty. [...] Bad intervention, bigoted propagandism, are to be eschewed; but we only keep up a delusion which helps to obscure the truth, if we neglect to put away the fallacy of nonintervention (Spectator 1847: 638).

This is a familiar argument to anyone studying the concept in the 21st century and yet it occurs in the early half of the nineteenth century, a good twelve years prior to John Stuart Mill’s *A Few Words on Non-Intervention* from 1859. Even this far in the past, the word is linked not only to doctrines, nations, aggression, aid, and virtuousness, but also to delusions, humbug, absurdity, fallacy, and fantasy.

One of the earliest texts Stowell is able to look at in English, but which I have been unable to locate, was *Intervention and its fruits; a letter addressed to Her Majesty’s secretary of State for Foreign Affairs* published under the pseudonym ‘Decimus’ in 1841 (Stowell 1921: 483). We are now approaching nearer to the point where Winfield felt the word ‘intervention’ entered the English language in its political form, and this era seems to be confirmed by the Oxford English Dictionary examination at the start of this section as the beginning of the term in English.

This history or genealogy has proved useful – while we cannot know decisively when the concept of humanitarian intervention first appeared, we have seen roughly when it appears. Relative to other political terminology, the first half of the nineteenth century is a fairly recent addition, but this does not make unpacking the concept any easier. We may not have to consider any intervention prior to this date, except in an anachronistic attempt to apply concepts not available at the time, but there is still over 170 years of interpretation to confuse the issue.

During this time it would seem that many of the issues have not been resolved at all. The very term seems to have entered the language fighting: there are still arguments as to whether there is a general Westphalian concept of non-intervention; it has been associated with political rhetoric, its entry into the language perhaps even slowed on this account; its first usage in the English language was as ‘non-intervention’; ‘humanitari-

an' was often used negatively; it is applied retrospectively; it is believed by some to have been created in the 1980s; it is said it was impossible during the Cold War while some of the cases which are regarded as clearest cut took place during this time. In short, there is little that has been said of humanitarian intervention which has not been contradicted at some other point in time.

I have claimed that the notion of the political is to be central to this examination, and from the following quote, it can be seen how this can be useful. In discussing 'essentially contested concepts' William Connolly talks of what he conceives of as 'politics':

[c]entral to politics, as I understand it, is the ambiguous and relatively open-ended interaction of persons and groups who share a range of concepts, but share them imperfectly and incompletely. Politics involves a form of interaction in which agents adjust, extend, resolve, accommodate, and transcend initial differences within a context of partly shared assumptions, concepts and commitments (Connolly 1993: 6).

Humanitarian intervention as a concept from the discussion above might be claimed to be imperfect, incomplete, ambiguous, and open-ended. Politics may be able to deal with humanitarian intervention in a way that others cannot. However, to investigate the concept fully it will be useful at this point to characterise each of the three areas of approach to humanitarian intervention to be distinguished in the thesis in more depth. The following three chapters will examine area one: political science, area two: political philosophy and area three: politics and the literature which appears within them.

Section I: Political Science**3 Approaches to the Concept in Political Science Literature**

This section will be concerned with academic works on humanitarian intervention – works, that is, which are not directly tied to practical political agendas, unlike the proclamations and documents which will be considered later. In many area one (political science) discussions a definition of humanitarian intervention is posited and its implications often explored with impressive intellectual rigour. However, the vast array of definitions given in this field ultimately tends to promote intellectual confusion rather than clarity.

This situation, it will be suggested, results from the fact that the moralistic perspective permeates area one despite this area's sophisticated form, indeed, I argue that this viewpoint is found in all three fields of enquiry. This does not mean that the definitions found displaying this standpoint are worthless, but only that major assumptions about the relationship between morality and politics implicit in the concept of humanitarian intervention are not made fully explicit. It is only when we turn to area two (which I have called the Political Philosophy area) that they become a central topic of concern.

3.1 PROBLEM AREA ONE: POLITICAL SCIENCE

Turning now to the definitions of humanitarian intervention found in area one literature, it will be instructive to begin by considering those shaped primarily by a juridical perspective since this has exerted particular influence on the debate in this area and as seen in the previous chapter, international law has closely tracked the changes, beliefs, and problems in humanitarian intervention. A good example is provided by the work of Ian Brownlie, a leading jurist in international law, who has provided two different definitions: one from 1974 and the other from 2003. Brownlie's 1974 definition reads as follows:

[u]nless the context clearly requires a different interpretation, 'humanitarian intervention' in my usage is the threat or use of armed force by a state, a belligerent community, or an international organisation, with the object of protecting human rights (Brownlie 1974: 217).

Brownlie's more recent definition, by contrast, characterises humanitarian intervention as '[t]he use of force to prevent or curtail humanitarian catastrophes' (Brownlie

2003: 710). An interesting point to note before an analysis of the two meanings is made, is the disclaimer Brownlie attaches to the 1974 definition, which allows for a complete re-working of the given meaning if circumstances require. This makes a great deal of sense when thinking of humanitarian intervention in terms of international public law, grounded as it is on normative state behaviour, while the states themselves are also the subjects of international public law. As a norm changes, so too does the description of it, and the interpretation of it. This means, however, that by its very nature international public law is at a disadvantage in attempting to create a watertight definition, since it is continually playing catch up with changing state behaviour.

Looking at the content of Brownlie's two definitions, there is only one word which remains unchanged, and that is 'force'. Interestingly, this changes from being rather specific in the first definition where it refers to both the threat and the use of armed force, to merely force in the second, with no reference to the threat of force. Although Brownlie limits the use of armed force to states in the first definition, no mention at all is made of the agent entitled to use force in the second. Moreover, the more basic question of where this action is to be carried out is not mentioned in either definition, although the value-laden question of why the action is undertaken is considered in the 1974 definition: its aim is to protect human rights. This aim, which could be expressed in terms of international law, charters, and resolutions alone, is transformed in the 2003 version into the non-judicial aim of 'prevent[ing] or curtailing of humanitarian catastrophes' (Brownlie 2003: 710).

The reason for this major change in definition can be stated in the form of a paradox: although the broadened, less juridical concept of humanitarian intervention in the second definition seems to create more scope for interventionist action, in practice it makes clear-cut policy commitments much easier to avoid since they no longer have legal clarity. Two further conflicting difficulties created by the less juridical concept of humanitarian intervention used in the second definition should be noticed. On the one hand, it inevitably introduces greater intellectual ambiguity; on the other, the use of the word 'prevent' seems to allow for pre-emptive action, especially when used in conjunction with the rather bombastic 'catastrophe'. At the very least pre-emptive force could not be ruled out by the 2003 definition.

Another notable jurist, Antonio Cassese, has approached humanitarian intervention with a less sympathetic point of view than Brownlie's fairly neutral viewpoint. Cassese is more careful, does not provide a definition of the term humanitarian interven-

tion, and appears minded to avoid using the expression. In the quote below, Cassese only uses the term ‘humanitarian intervention’ once, in italics, and prefers to use the phrase ‘humanitarian crises’. ‘Humanitarian crises’ seem to be a direct translation of ‘humanitarian intervention’, and do not seem to be merely natural disasters as Cassese refers to them previously as being under domestic jurisdiction. This quote below is not only as near as Cassese approaches to a definition, but indicates why exactly he is so mistrustful of the idiom. Referring to the United Nations Security Council (SC), Cassese states that:

[t]he SC has also authorized States to use force when faced with a threat to the peace. This has in particular occurred with *humanitarian intervention*. Indeed, the SC has gradually established a direct link between humanitarian crises and threats to the peace, one of the three possible conditions that could trigger SC action under Chapter VII. The SC has thus considerably enlarged the concept of threat to the peace laid down in Article 39 of the UN Charter, so as to include humanitarian crises within one State, which once were deemed to fall primarily within domestic jurisdiction. [...]

However, this practice of elevating humanitarian crises to threats to the peace is not without its dangers. The SC is eager to retain discretionary power in this matter and tends to avoid explaining the nature of the link and the reasons for its action. As a result its practice lacks consistency and turns out to be selective (Cassese 2005: 347).

In a slightly older article in response to Bruno Simma (1999), in arguing against there being a right to unilateral humanitarian intervention Cassese does admit of there being an emerging doctrine which might allow for humanitarian action in very specific circumstances (Cassese 1999). However, in both cases the issue is, rather unsurprisingly, one of law. This statement is neither vacuous nor tautologous, rather it leads us towards a better understanding of the entire discussion of humanitarian intervention, best illustrated by the last sentence in Cassese’s 2005 quote. Cassese complains that the problems with the ‘practice of elevating humanitarian crises to threats to the peace’ are that the Security Council is ‘eager to retain discretionary power’ and ‘tends to avoid explaining the nature of the link and the reasons for its action’ leading to a practice which ‘lacks consistency’ and is ‘selective’ (Cassese 2005: 347). While these accusations might be pertinent for a law, they are inappropriate for a political situation. A responsible politician will not wish to relinquish their grasp on any discretionary power and be-

ing able to be selective where armed intervention is concerned. However, as Cassese is at pains to point out: it does not make good law.

It is not the object of this dissertation to go into the limitations of the juridical approach to humanitarian intervention in great depth. What is relevant is that problems of consistency in the characterisation of humanitarian intervention cannot be avoided by restricting the analysis to this approach. In particular, insofar as the issues at stake are frequently large and controversial ones, the juridical method risks oversimplifying and depoliticising the issue.

I want to turn now from juridical approaches towards humanitarian intervention to stipulative definitions of a non-juridical kind, to which the main objection is their arbitrary nature. By non-juridical in this context, I mean those definitions outwith international law textbooks. This type of definition is perhaps best illustrated by Tesón's introduction to *Humanitarian Intervention: An Inquiry into Law and Morality*. Tesón writes that:

I define humanitarian intervention as the proportionate trans-boundary help, including forcible help, provided by governments to individuals in another state who are being denied basic human rights and who themselves would be rationally willing to revolt against their oppressive government (Tesón 1988: 5).

This definition, which is at variance in a number of significant aspects with other definitions that will be examined later, is posited without any explanation of whence it might have sprung. There is no critical examination of other definitions, no explanation of why this particular definition has been chosen, nor even an acknowledgement that other definitions might exist, yet this dogmatic definition is the starting point upon which the entire discussion that follows it is based. All the arguments delivered after this point are therefore dependent upon the initial uncritical acceptance of a definition adopted with no reference to academia, law or even to dictionary definitions. As was just said, what is offered is simply a dogmatic statement from an individual author who seems unconcerned with the intrinsically contentious nature of the concept he purports to clarify.

An especially noteworthy feature of Tesón's definition is that it posits boundaries which are to be crossed, and although force is not ruled out, it need not belong to the action; the state is mentioned, but the help provided by intervention bypasses the state in order to promote directly the basic human rights of individuals. Interestingly, Tesón

does not say that the oppressed people must be willing to revolt before humanitarian intervention is legitimate; he only says that they must be rationally willing to revolt – a clear example of the gulf between good intentions and actual situations in politics.

In another thoughtful academic work dealing with humanitarian intervention, *Saving Strangers: Humanitarian Intervention in International Society*, Nicholas Wheeler consigns his definition of the term to a footnote, despite the prominence given to humanitarian intervention in the subtitle of his book. Unlike Tesón, Wheeler does not even think the problem of definition is sufficiently important to deserve an entry in the index. His definition is interesting enough to be quoted in full:

[a]lthough humanitarian intervention can be defined to encompass non-military forms of intervention such as the activities of humanitarian non-governmental organizations (NGOs) such as Médecins sans Frontières (MSF) and Oxfam, this book focuses on the legitimacy of using force to end appalling abuses of human rights. I agree with Oliver Ramsbotham and Tom Woodhouse that the traditional state-centric approach to humanitarian intervention is too limited because it provides no framework for accommodating the non-military humanitarian activities of states and humanitarian NGOs, but my point of departure is that force is sometimes the right means to avert or stop a greater evil (Wheeler 2002: 2).

What is particularly interesting is that Wheeler points to another definition of humanitarian intervention which he acknowledges as valid, although it would not involve the military intervention invoked in his notion of force. The idea that humanitarian intervention can be either military or non-military and yet remain the same action is problematic, yet the possibility of several different equally legitimate kinds of humanitarian intervention existing is merely set to one side.

There are, however, still further difficulties created by Wheeler's treatment of humanitarian intervention. For example, he sympathises with Ramsbotham and Woodhouse's critique on the ground that the state-centric approach fails to account for non-military action, yet he does not make clear why he must then remain with this account. If a state-centric approach cannot account for non-military state humanitarian activities then it may be argued that Wheeler has not fully dealt with humanitarian intervention as a concept. Wheeler might argue that force is sometimes the right means to avert or stop a greater evil, but he has not proved that force thereby necessarily belongs to humanitarian intervention.

Another difficulty posed by Wheeler's approach to humanitarian intervention is that although he wishes to restrict his attention to instances that involve armed force, he also rejects the state-centric model as too narrow. He fails to explain, however, what bodies other than the state would be entitled to use armed force. If only states are able to use military power for the reasons he proposes (*i.e.* to end appalling abuses of human rights) then the state-centric approach he rejects is, in fact, perfectly compatible with the conception of humanitarian intervention he is advocating.

Furthermore, Wheeler's definition of humanitarian intervention, unlike Tesón's, allows for humanitarian intervention by non-governmental organisations: Tesón, by contrast, only allows governments to deal with individuals and argues that borders may be crossed in the process. Whereas Wheeler's definition permits force to be applied when there are appalling abuses of human rights, Tesón's definition does not require force (although the use of force is covered) and only permits humanitarian intervention when a denial of basic human rights has occurred. Human rights can be basic, or allow rather more extensive rights to be in place – this stipulation does not clear up any uncertainties. With only two definitions, the species of problem is already apparent. Wheeler's formulation 'force is sometimes right to avert or stop a greater evil' (Wheeler 2002: 2) displays a similar political moralism to Tesón's insofar as his reasoning is based not only on human rights, but also, more importantly, on the judgment made by the intervener concerning the need for intervention. It is the intervener, more precisely, who must decide whether the people 'would be rationally willing to revolt' (Tesón 1988: 5), as well as what constitutes the 'greater evil' (Wheeler 2002: 2). The trouble with Wheeler's somewhat sketchy and confused account of humanitarian intervention, in short, is that it creates more problems than it solves. Although his definition differs from Tesón's they have in common a tendency to evade the difficulties it presents by falling back on a moralistic framework of thought underpinned by a relatively uncritical concept of human rights.

The next definition to be considered is provided by Walzer in his study of *Just and Unjust Wars*. There, Walzer writes that:

[h]umanitarian intervention involves military action on behalf of oppressed people, and it requires that the intervening state enter, to some degree, into the purposes of those people. It need not set itself to achieve those purposes, but it cannot stand in the way of their achievement (Walzer 1992: 104).

This is quite specifically military action; worthy of note when compared with Brownlie's 2003 characterisation referring merely to force: for while military action implies force: force does not *necessarily* imply military action. Wheeler hinted at the type of force being military, Tesón does not specify, and Brownlie does, and does not depending on definition used.

Again more specifically than Brownlie or Tesón, Walzer denotes the state as the actor in a humanitarian intervention and, unlike Wheeler, has no apparent wish to go beyond the state. However, as in Brownlie's case, it is not made clear where the intervention is to take place: in another state? Is it internally? Against a Brownlien belligerent community? What is clear, however, is that humanitarian intervention assumes that we are in the presence of oppressed people and acting on their behalf – so much so, indeed, that Walzer issues a warning that the intervening state must not be allowed to prevent the oppressed people from wanting to stop its oppression. The implication of this qualification is made clearer by Walzer's insistence that '[o]ne cannot intervene on their behalf and against their ends' (Walzer 1992: 104). This does not make clear, however, whether the oppressed people need to ask for help, or whether they must explicitly set out their purposes, or whether the interveners must adopt those purposes if they have been set out. Once again, the ambiguities inherent in a politics of good intentions are apparent.

A definition which differs significantly from those above must now be considered. This is given by Karen Mingst and Margaret Karns, who define humanitarian intervention as:

UN or individual states' actions to alleviate human suffering during violent conflicts without necessarily obtaining the consent of the host country (Mingst & Karns 2000: 255).

It may be noted, first of all, that the possibility of an individual state intervening is not specified: only the UN and a grouping of states is mentioned as possible interveners. Secondly, the 'when' is made very explicit and very narrow: only during violent conflicts. Thirdly, the 'where' is also addressed in the somewhat bizarre notion of the host country, although whether they are hosting a war or hosting a non-consensual intervention is not made entirely clear. Fourthly, for the first time the concept of consent is invoked, despite it being so fundamental within any conception of force. This link to force is neglected by Mingst and Karns themselves and is not raised; in fact, humanitarian interventions are mere actions with no hint of force at all. The alleviation of human suf-

fering is the rather vague political moralism point here. All the pitfalls of the subjective definition of humanitarian intervention are present here.

Allen Buchanan's definition of 2004 mentions some of the points above, but, again, further features are added. Buchanan defines humanitarian intervention as:

the use of force across state borders by a state (or group of states) aimed at ending widespread and grave violations of the human rights of persons other than its own citizens, without the permission of the government of the state within whose territory force is applied (Buchanan 2004: 442).

We have the notion of force invoked (although there is no mention of military) and its necessary parallel, consent. The 'who' is state-centric, with a state or grouping thereof able to intervene, and the 'where' is another state. The 'why' is once again the defence of human rights, although the disclaimer of the violation of these rights being grave and widespread is added. The proviso that an action which classes as a humanitarian intervention cannot include a state's own citizens as the target population is given and a territorial aspect is brought forward: to be a humanitarian intervention a state (or group of states) must be within the territory of the state being intervened upon, *ergo*, borders must be crossed. So far only Tesón and Buchanan mention this explicitly.

A type of definition not yet considered involves an attempt to escape from the arbitrariness of stipulative definition by trying to create consensus about the definition amongst several authors. Although the definition remains stipulative, this mode of approach at least ensures that the discussion is about the same subject. A review of authors adopting this approach – some of those mentioned above also attempt this – indicates, however, that agreement about the meaning of humanitarian intervention brings them no closer to agreement on the issues it poses. Consider, for example, Mathias Koenig-Archibugi (2002: 49), David Rodin (2002: 130) and Simon Chesterman (2002: 1), who try to create a common definition by linking their own to one given by Adam Roberts.

According to Roberts, humanitarian intervention consists of:

military intervention in a [s]tate, without the approval of the authorities, and with the purpose of preventing widespread suffering or death among the inhabitants (Roberts 1999).

Other authors, such as, once again, Chesterman (2002: 1) and Buchanan (1999: 71), adopt Tesón's definition (already given above), according to which humanitarian intervention consists of:

the proportionate transboundary help, including forcible help, provided by governments to individuals in another state who are being denied basic human rights and who themselves would be rationally willing to revolt against their oppressive government (Tesón 1988: 5).

Still others, including Buchanan (1999: 71), and Nick Lewer and Oliver Ramsbotham (1993: 26), adopt Jack Donnelly's definition, according to which humanitarian intervention is:

intervention (in the narrow sense of coercive interference in the internal affairs of another state) in order to remedy mass and flagrant violations of the basic human rights of foreign nationals by their government (Donnelly 1984: 313).

Lewer and Ramsbotham do not limit themselves to Donnelly, however, and use the Brownlie (1974: 217) definition analysed above.

Finally, a large group of authors have linked their definitions to that of R. J. Vincent's definition in his 1974 volume *Nonintervention and International Order*. What is particularly striking in this particular example is that Vincent does not actually discuss humanitarian intervention, but only intervention. In spite of this fact, his definition is widespread and in it he declares it to be:

that activity undertaken by a state, a group within a state, a group of states or an international organization which interferes coercively in the domestic affairs of another state. It is a discrete event having a beginning and an end, and it is aimed at the authority structure of the target state. It is not necessarily lawful or unlawful, but it does break a conventional pattern of international relations (Vincent 1974: 13)

Vincent also insists that intervention, in his sense of this term, is a discrete event with a beginning and an end – that is to say, it is not something which becomes a state of affairs. Furthermore, although Vincent avows that a state is the proper target, the perpetrating agent need not be one but may instead be 'a group within a state, a group of states or an international organization' (Vincent 1974: 13). Authors attracted or influenced by Vincent's definition include John Baylis & Steve Smith (2001: 557), Lewer & Ramsbotham (1993: 26), Adam Roberts (1993: 431), Charles R. Beitz (1979: 72), Wheeler (2000: 27), and others.

What then is to be made of this consensualist approach, as it may be termed, to stipulative definition? Unfortunately, although almost all the definitions overlap in significant respects, major issues divide the authors. While Roberts characterises humani-

tarian intervention in military terms, for example, Donnelly and Tesón do not make military action part of the definition although they accept that it may, on occasion, be necessary. In addition, Tesón inserts the *ius in bello* concept of proportionality into the definition, whereas Donnelly does not. Roberts, in turn, requires that humanitarian intervention should prevent widespread suffering or death, which allows for pre-emptive action, as does Brownlie, whereas Donnelly rules out pre-emptive intervention. Although almost all agree that the entity being intervened upon is a state, there is no agreement about whether this means that the government of the state is the object. Donnelly and Tesón, for example, make clear that it is the government of the state which is the object of the intervention, whereas Vincent insists that the intervention must be aimed at the authority structure in general, and while Roberts does not have the approval of the authorities it is ambiguous as to whether or not they are the targets. Finally, as in the literature of humanitarian intervention at large, the references to human rights conceal disagreement about what they are and what they require. Tesón, as just one example, wishes to help people whose basic human rights are being denied, but leaves it unclear whether humanitarian intervention should be confined to remedial action to protect rights within the existing political framework, or should aim to protect those rights by changing the framework itself.

The weakness of the consensualist approach to the problem of definition, then, is that it fails to overcome the ultimate arbitrariness of all stipulative definitions. In addition, what is a necessary inclusion in the definition for one author is only a possible inclusion for another.

There are, of course, many more definitions of humanitarian intervention to be found in the literature of political science, but unfortunately many of them serve only to muddy the waters still further. Examples include Thomas G. Weiss' clearly military intervention:

coercive measures by outside military forces to ensure access to civilians or the protection of rights without the consent of local political authorities (Weiss 1999: 3);

Don Hubert and Michael Bonser's emphasis on wilfully committed atrocities:

[h]umanitarian military intervention can be defined as the use of nonconsensual military means to fulfil humanitarian objectives, including the provision of physical protection and/or bringing and end to wilfully committed atrocities within the borders of a sovereign state (Hubert and Bonser 2001: 111);

and Wheeler and Alex J. Bellamy's intervention which hints at outside considerations with its emphasis on 'primary':

[f]orcible humanitarian intervention: military intervention which breaches the principle of state sovereignty where the primary purpose is to alleviate the human suffering of some or all within a state's borders (Wheeler and Bellamy 2005: 773).

In looking at more thoughtful analysis of the term in area one, attention will therefore be confined to the work of two scholars who seem at first sight to raise the study of humanitarian intervention to a more coherent intellectual level. The first scholar whose work deserves special attention is Gordon Graham. While Graham takes pains to explain that intervention takes many forms and draws attention to the fact that the discussion is often based on the tacit assumption that when one speaks of intervention what is meant is armed invasion (1997: 106), a mere page later he states that:

[t]he definition of intervention rests upon purpose, not upon method. An act, whether relatively mild, like representation, or of great seriousness, like armed invasion, counts as intervention if its purpose is the defence or well-being of the subjects of a country other than that which does the intervening (1997: 107).

Although Graham's distinction between purpose and method is useful, he seems insensitive to the difficulties presented by the terms 'intervention' and 'humanitarian intervention' in the above quote, since all his examples count as intervention when that term is defined in the broad sense of involvement in the internal affairs of another state. According to his own argument, the purpose of those examples renders them humanitarian intervention, in which case he ought to have written that the definition of *humanitarian* intervention rests upon purpose, and that an act counts as *humanitarian* intervention if its purpose is the defence or well-being of the subjects of a country.

The problem at the core of Graham's approach, then, is the imprecision of the term 'intervention' in his usage of it. In particular, the term 'intervention' cannot be restricted to actions where the motives are humanitarian. To do that entails the absurd conclusion that war and empire-building are not acts of intervention.

The second scholar is Chris Brown, whose use of the word 'intervention' not only links the previous definitions together but also addresses a few of the questions they have not managed to answer. Humanitarian intervention, Brown writes, consists of:

the intervention (perhaps forcible) of one state or group of states, in the internal affairs of another, conducted mainly or

substantially, in the interests of the inhabitants of the latter (Brown 2001b: 246).

Here the notion of force is used again, but this is not a necessary part of the intervention. Above all, the problem remains, that in using the term ‘intervention’ to explain humanitarian intervention, it is not clear, for example, whether intervention already implies force, if only in the sense of the imposition of will. Nonetheless, Brown gives a clear answer to the ‘who’ of the intervention, which is a state or group of states, and also to the ‘where’ of the intervention, which is in the internal affairs of another state. Whereas vague references have been made by other authors to the protection of human rights, the prevention of humanitarian catastrophes, and the liberation of oppressed people, this vagueness is now at least replaced by reference to a more specific object than other attempts at definition have provided: it consists of the inhabitants of the state which is being intervened upon. Despite the fact that the object is more exact, however, Brown leaves the ‘why’ surprisingly vague. He describes it as being mainly the interests of the citizens. While Walzer rules out an action which would oppose the ends of the people involved, it is not clear whether Brown would do so, and his ambivalence on this crucial issue could make for uncomfortable politics since one might well claim to have the best interests of the citizens at heart, even as one opposed their actual ends. There is an obvious echo here of Rousseau’s well-known difficulty of differentiating between the actual and real will of the people.

Brown’s definition is of interest on account of the fact that in the later edition of the same book *Understanding International Relations* Brown changes his definition again. Unlike Brownlie’s 24 year difference, there is only four years between the two definitions. The edition in question is written in conjunction with Kirsten Ainley, who is responsible for writing this chapter, and, while substantially new, the chapter in question does contain material contained in the first two editions of the book (Brown & Ainley 2005: viii). The 2005 definition defines humanitarian intervention as the

forcible invasion of sovereign territory by one or more states, with or without the backing of international bodies, motivated supposedly by the intension [*sic*] to alleviate suffering within that state (Brown & Ainley 2005: 222).

This is prefaced by the remark that the norm of non-intervention was ‘radically unsettled’ by the ‘birth of humanitarian intervention’ in the 1990s, and states that humanitarian intervention ‘appears to be entirely in contradiction to the principles of the

sovereign state system' (Brown & Ainley 2005: 222). While this is the more recent definition, from the updated edition of the book it is not the better for it. Theoretical premises generated outside area one are intended to be applied back into area one. Hence, the usage of the somewhat partial term of invasion instead of intervention alongside the now no longer 'perhaps' forcible (Brown 2001b: 246), although this could be considered redundant as an invasion contains connotations of force. The implication of the notion of sovereignty will be considered in Section II: Political Philosophy, while the supposed motivation indicates what Anatol Lieven and John Hulsman deem 'pseudo-realism' (Lieven & Hulsman 2006: xiv), a term which will be explored in more depth in the next chapter. The claims regarding the birth of humanitarian intervention as being in the 1990s have been discredited in the previous chapter.

What then emerges from the review of the definitions of humanitarian intervention in area one? Two main conclusions emerge. In the first place, it is evident that all the definitions involve essentialist and stipulative approaches that are open to the charge of ultimate arbitrariness, despite their usefulness in specific instances. Secondly, the tacit assumption behind political moralism is retained – the assumption, that is, that a morally objective and incontestable legitimating standpoint is attainable at the expense of a political standpoint. The resulting situation is aptly summarised in a book review by Gábor Sulyok:

[a]ny analysis of humanitarian intervention inevitably raises difficult definitional issues. In the absence of a generally accepted definition of the term, a given approach – within reasonable limits – is probably just as suitable as any other one (Sulyok 2004: 1059).

3.2 SOCIAL SCIENCES, HUMANITIES AND CHAIRS

The debate on the relationship between the moral and the political has several facets, which will be looked at later, but in area one the subtitle to 'political science' can perhaps be referred to as 'the academic orthodoxy', which has shaped academic opinion, amongst thinkers in the UK at least.

The problems associated with distinguishing, or not, the moral from the political have been rooted in the study of politics since its inception as a distinct academic subject at British universities. The first chair in politics in the UK was only created in 1912 and the first professors of politics came from an array of different academic backgrounds, and many saw their first task as delineating politics from other academic sub-

jects. Hence, many used their inaugural speeches to specify exactly what the study of politics involved and how this was different from, most notably moral philosophy, but also economics, history, and law. The issues here have still not been resolved in the study of politics, as can be seen from its classification as, depending on the institution in question, belonging to the humanities or the social sciences, and the examination of these public attempts to deal with the problems trace the issues from its beginnings to the present day.

There was a time when anyone who gave a lecture on politics and ethics would be expected to begin by saying what he meant by 'politics' and 'ethics' (Cranston 1971: 279).

So said Professor Maurice Cranston in his inaugural speech entitled *Politics and Ethics* at the LSE in 1971. He then immediately declares his intention to disappoint this expectation: before going on to provide definitions of both. His definition of ethics is that it is simply the theory of morals (Cranston 1971: 279), but his definition of politics is expressed as frustration with others' definitions of politics:

we may get worried if we look up the definitions provided in books by academic theorists: in such places we read, for example, that 'politics is the authoritative allocation of values in a community' (David Easton), 'politics is the struggle for power' (Max Weber), 'politics is a systematic effort to move other men in the pursuit of some design' (Bertrand de Jouvenel), or 'politics is who gets what, when, how' (Harold Lasswell). None of these sounds right (Cranston 1971: 279).

Nonetheless, while sympathising with Cranston's dissatisfaction, I maintain that some clarification is necessary, although I regard the search for an authoritative definition as futile. Some definitions of politics and the political have already been looked at in passing, in response to dissatisfaction with all attempts to define or clarify the concept of humanitarian intervention. These definitions of humanitarian intervention all appear to overlook the fact that regardless of how who is doing what where, when, and why, the action has political aspects.

Similarly, the terms morality and ethics cause some confusion, not merely on account of disagreement on their content, but also on account of the fact that, strictly speaking, the terminology is part of the language of philosophy which those outside of the academic departments of philosophy may, or may not, adhere to. Within the realms of academic philosophy, ethics is a branch of the subject called moral philosophy: one of the main branches of philosophy. Ethics has morality, moral judgments, and moral

problems as its subject, and in this sense terms such as morality, the moral *etc* are a subset of ethics; however, very often they are used interchangeably with one another or as synonyms for good or right, or to indicate that something concerns morality (c.f. Frankena 1973: 4ff). To facilitate this investigation of the already complex subject of what the political is, the terms ‘ethics’, ‘the ethical’, ‘the moral’, and ‘morality’ will be used interchangeably and any author’s preference of one over the other will not be investigated.

Perhaps the question which is most pertinent is why then should ethics enter into the discussion at all? It may seem odd that issues such as morality or ethics are suddenly brought to bear on what we have declared a political action: why morality and why not, for example, legality, culture, or the environment? If it is not a necessary part of the clarification of humanitarian intervention is the discussion of any unnecessary aspect not simply arbitrariness combined with a disregard for Ockham’s razor?

Casting an eye over some of the literature which discusses humanitarian intervention indicates that it is at least a question with a good pedigree. Two of the most controversial and oft discussed aspects of humanitarian intervention are whether or not it is legal, and whether or not it is right (as mentioned above, the political is generally ignored) and indeed Tesón’s classic text is subtitled *An Inquiry Into Law And Morality*. Questioning the rightness or goodness of an action is verification that one is deep in the field of ethics: good points to ethics like a compass to magnetic North.

Thus, while I have not argued that a moral aspect must necessarily be contained within a notion of humanitarian intervention there are others who would disagree. The following moral judgments contained within the selection of the definitions already investigated above, are quite clearly placing questions of the right or good at the heart of the concept of humanitarian intervention:

force is sometimes the right means to avert or stop a greater evil (Wheeler 2002: 2);

to alleviate the human suffering of some or all within a state’s borders (Wheeler and Bellamy 2005: 773);

to alleviate human suffering during violent conflicts (Mingst & Karns 2000: 255);

ending widespread and grave violations of the human rights of persons other than its own citizens (Buchanan 2004: 442);

to fulfil humanitarian objectives, including the provision of physical protection and/or bringing an end to wilfully committed atrocities (Hubert and Bonser 2001: 111);

preventing widespread suffering or death among the inhabitants (Roberts 1999);

to remedy mass and flagrant violations of the basic human rights of foreign nationals by their government (Donnelly 1984: 313).

These examples possess explicit, moral goals. It might be argued that any moral aspirations contained within any given definition leave it open to assaults from those who do not agree with that particular moral judgment. It might further be argued that adherence to a particular school of thought advocating scepticism towards any idea of there being some form of morality between states, or entities functioning as such, will automatically reject any definition which contains a moral goal.

Both these arguments contain truth, but as they stand they do not go deep enough into the underlying problem at work, namely, the interconnections between politics and the moral before this stage of ideology building has occurred. This issue is often investigated but frequently only once these ideological principles are already in place, and seems to be regularly forgotten once specific subjects are investigated. A possible reason for this seeming inability to progress beyond ideologies or schools of thought could be contained in the history of the study of politics itself: that issues present within the subject itself might be preventing it from examining certain aspects fully or at all.

Ernest Barker's 1928 inaugural lecture *The Study of Political Science* set out his definition of, and approach to, politics. Trained in the classics, Barker was made a professor of political science, a title he was uncomfortable with:

I am not altogether happy about the term 'science'. It has been vindicated so largely, and almost exclusively, for the exact and experimental study of natural phenomena, that its application to politics may convey suggestions, and excite anticipations, which cannot be justified (Barker 1928: 18).

Indeed, his chair, the first in politics at Cambridge, was based in the faculty of history, and a committee consisting of political philosophers and historians had been the appointment committee (Kavanagh 2003: 597-598). However, his conception of the study of politics went beyond mere semantics as he went on to say:

I come with a genuine feeling of modest stillness and humility, to the great subject of which I conceive the subject of this chair

to be a province, a border-province, if you will, but nonetheless a province. That subject is philosophy, and especially moral philosophy. [...] Economics and politics thus run up together into philosophy; and moral philosophy (or moral science) is the basis or apex, common to both (Barker 1928: 30).

This is a rather interesting statement, as I suspect many modern authors within the field of politics or international relations might be horrified to think of their subject as being not simply deemed something as airy-fairy as philosophy, but moral philosophy: a subject concerned with ethics and moral judgments.

If one were to accept this view, it would be as if morality were being pre-programmed into the subject. Were this to be the case, it could be argued that any attempt at a value neutral or at least non-moral account of humanitarian intervention would be from well within the ivory tower: the ethical would be built in. Were this to be the basis of the study of politics, humanitarian intervention might, by necessity of it being part of the study of politics, have a moral element almost by definition. However, Barker's rejection of science on account of it conveying suggestions and exciting 'anticipations, which cannot be justified' (Barker 1928: 18) is also of interest. In rejecting the tag of science Barker is explicitly rejecting the God's eye view of politics, that there can be a final, incontestable, privileged position of objectivity which allows the correct answer to be found.

The dismissal of science applied to politics on account of the unjustified anticipations of which Barker spoke, could also be taken as the denial of ideology and schools of international relations, as science has laws which, if applied correctly, allow future events to be predicted and explained. In claiming that international relations follow a specific school or theory one might be guilty of a category error and mistaking ones belief for a state of affairs in the real world. A subject caught between these two poles of morality and science whilst being unaware of them could generate some absurd conclusions.

A view which ties this rejection of the science with a discussion of the moral is to be found, perhaps surprisingly, in Hans Morgenthau's *Scientific Man vs. Power Politics* where he states:

[p]olitics is an art and not a science, and what is required for its mastery is not the rationality of the engineer but the wisdom and moral strength of the statesman. The social world, deaf to the appeal to reason pure and simple, yields only to that intricate

combination of moral and material pressures which the art of the statesman creates and maintains.

Contemtuously of power politics and incapable of the statesmanship which alone is able to master it, the age has tried to make politics a science. By doing so, it has demonstrated its intellectual confusion, moral blindness, and political decay (Morgenthau 1947: 32).

Morgenthau not only rejects the idea of politics as a science, but manages to mention the term moral on three occasions in a relatively short segment. Moreover, Morgenthau's usage of this term is positive – the statesman requires moral strength to make the social world yield to his moral pressures in our morally blind age (Morgenthau 1947: 32). Perhaps not what one expects from someone regarded as a realist of the first water. However, the rejection of science forces a more subjective route, and the influence of philosophy, and especially moral philosophy, in the history of the academic subject of politics until present day is perhaps not adequately understood or acknowledged.

Nevertheless, while Barker might believe that the newly founded study of politics sprang from philosophy, this was not the only opinion on offer. The Cambridge chair was new, but two other chairs in the UK were older: Oxford has the oldest, created in 1912, and University of London (centred on the LSE) created a chair two years after that (King 1977: xii). As Jack Hayward points out, not only had the study of politics not fully cleaved itself from the actual practice of politics – experience of being a politician was advantageous – it was not immediately clear where the subject fitted into the traditional unit of the university (Hayward 2003: 2). Politics was linked not only with philosophy, but with law and history: all time-honoured subjects safe in their own identities (Hayward 2003: 2).

This identity confusion is not merely a case of deciding which faculty or department holds the budget, there are more deep-seated issues at stake. The lawyer, historian, and philosopher all have a clear and distinctive methodology, something which the study of politics lacked, and therefore the subject was, according to Dennis Kavanagh, in no hurry to detach itself from either history or philosophy (Kavanagh 2003: 598). This can also be seen in H.J. Laski's inaugural speech to the chair in the LSE, although not its first holder the subject is still young and Laski is at pains to explain how he sees the subject:

[p]olitical science concerns itself with the life of men in relation to organized states. We cannot omit from the field of relevant

interest whatever may affect that life. We have kinship with the studies of the economist [...]. We are connected with the lawyer [...]. We are concerned with the official [...]. Nor is this all. The results of ethics, of psychology, and of sociology, must obviously affect the conclusions at which we arrive; for whatever may influence, or be practically useful in influencing, the habits of civilized man, is clearly germane to our problem (Laski 1926: 2).

This might suggest that Laski was not wishing to link the subject with any one discipline, however, two pages later he states that:

[a] true politics, in other words, is above all a philosophy of history (Laski 1926: 4).

I shall ignore the notion of true politics as mere rhetorical flair. His statement that politics is a philosophy of history leads to his interest in the history of ideas and thereby to a 'history of political ideas' (Laski 1926: 5), so despite a fairly impressive listing of the scope of politics, we are back to history and philosophy, and variants of them both. It should be borne in mind that the jump from philosophy of history to a history of political ideas is neither as small nor as trouble-free as Laski appears to indicate.

However, this does indicate a divergence from Barker, for the philosophy of history can be within the realms of epistemology (the study of knowledge) or metaphysics (the study of reality) but is not inevitably contained by moral philosophy.

A history of ideas demands the ability to understand the philosophical notions presented, but is deeply rooted in the subject of history – the historical influences and the historical reasoning for specific theories appearing at specific times is very much the work of the historian. Nevertheless, Laski feels it necessary to 'insist upon the moral value of this discipline' (Laski 1926: 5) indicating that forays over the edge into the sphere of ethics are entirely possible.

It would seem that this question of what the subject actually entailed, what its methodology was, and where it was located, carried on well into the middle of the twentieth century. As late as 1945 D.W. Brogan agreed with Barker (his predecessor) that 'the theme of politics is closely connected with ethics' (Brogan 1945: 36), and he ends his paper with the wish that the university teaches that:

more permanent victories are won by cleaner heads and cleaner hands that the world, left to itself, will suggest to the practising politician that he should use (Brogan 1945: 45).

To have dirty hands in politics is to have done something wrong or bad for the normal citizen and the ethical is once again defining the political. G.D.H. Cole ponders that if he:

were made to choose between calling my subject 'Philosophy' and calling it 'Science' I should unhesitatingly choose 'Philosophy'; but I am very much happier in being allowed to call it simply 'Theory' (Cole 1945: 47).

This could be seen only as acknowledging a heritage, although striving towards some sort of moral neutrality, but a quote further on puts paid to any such notion:

I have to make, throughout, judgements of value. I have to proclaim certain ends as good, and to denounce others as evil. I have to make for myself a certain picture of man as a social animal, not only as he is but also as he is capable of becoming: and this capacity of becoming has to be conceived, not as undifferentiated capacity for good and evil, but as capacity for good (Cole 1945: 51).

This statement places politics firmly within moral philosophy, deeply within ethics, and is almost an admission that politics is a subject for applied ethics, such as medical ethics might be considered. His emphasis on good and evil even threatens to wander into the domain of religion, although it is possible that the Second World War may have had an influence here – he mentions Hitler and evils later on (Cole 1945: 53) – and Cole shall accordingly be given the benefit of the doubt. Nonetheless, the very strong influence of moral philosophy at the beginnings of the discipline is clear and, perhaps nowadays, hidden.

It may be thought that a historical overview of UK political thought during the first half of the twentieth century is not particularly relevant to the subject of humanitarian intervention. However, it appears to me that confusions regarding where the study of politics is located has led to further assumptions in the thought following on from this. One assumption, hinted at above, is that any difference between the theory of politics and politics as practiced by politicians, and others, is ignored: while the three areas used in this thesis cannot be expected to be applied, the confusion of doing politics with studying politics seems prevalent. Michael Oakeshott outlines this split, in his introduction to Hobbes' *Leviathan* where he parts the study of politics into two:

at all other levels of reflection on political life we have before us the single world of political activity, and what we are interested in is the internal coherence of that world; but in political philos-

ophy we have in our minds that world and another world, and our endeavour is to explore the coherence of the two worlds together (Oakeshott 1946: ix).

This split will be of interest later on as Chantal Mouffe uses a similar two-way split in her thoughts on Schmitt, At the moment it need not worry anyone within the academic subject whether ‘true politics’, to use Laski’s term and ignoring the question of whether or not such a thing as true politics actually exists, comprises the history of political ideas (the study of the political), UK government (Oakeshottian political activity), or political theory (the study of the political). Indeed the idea of one of these aspects being more politics than any other is slightly ludicrous. The real issue here, and the one which is being examined, is the problem of the confusion of these two areas, a confusion which it is easier to make than it may first appear.

This is an area in which Michael Freeden is interested and he agrees with some of the findings above in his 2005 article *What Should the ‘Political’ in Political Theory Explore* where he states that:

the fact is that most political theory employs methodological paradigms ‘imported’ from disciplines external to politics: philosophy and history (Freeden 2005: 114).

This, as we have seen above, is a fact of the history of the subject and, as such, is liable to be difficult to exorcise from the subject. Moreover, Freeden’s analysis of the impact of political philosophy seems to hint that morality, perhaps, does not belong in the political realm, that political philosophy:

brings to the study of political theory an overriding concern with either or both of the following: the logical validity and argumentative coherence of the political philosophy in question, or the moral rightness of the prescriptions it contains. Many of its versions display a flight from the political, the crowding out of diversity and the shrinking of the political to an area of constructed consensus guided by a vision of the good life; while its methods rely heavily on thought experiments and frequently inapplicable modelling (Freeden 2005: 113).

It should be made clear at this point, that Freeden does not seem to differentiate between the areas one and two as they stand in this thesis. For Freeden there is politics and political theory, and it is not always clear whether he means by political theory, the study of political science, or political philosophy. This distinction and its importance will become clearer in the course of this thesis. Area two, as will be seen from Section

II: Political Philosophy, is more aware of the issues of morality and politics, and certainly more aware of the possibility and problems of a rejection, or flight from the political. Moreover, it is not at all clear that area three politics is not guided by a vision of the good life, while it can certainly be argued that party politics are prone to crowding out diversity. These aspects will be investigated in more depth in Section III: Practical Politics.

Freeden is criticising the state of political theory or political philosophy as it stands, and is suggesting a new approach to the subject, an approach which will better appreciate the political and be less inclined to flee from it. He is also keen to indicate that political theory has already provided useful tools in the form of essential contestability and mentions its forms of ‘ambiguity, indeterminacy, inconclusiveness and vagueness’ (Freeden 2005: 117). However, it is not clear how these ‘tools’ can be used in area three, nor that area three would consider these to have arrived on the scene via political theory. The methodology Freeden is endorsing is outlined in the quote below:

This article puts the case for a fourth approach to the study of political theory: the political theory of politics. It is not intended to replace its illustrious and central predecessors [...] And it is not, as many alternative attempts to reconnect theory and practice have been, primarily another form of normative political theory. Instead, while recognizing the fundamental ethical concerns of political theorists, it points out that the scholarly study of politics – as is common among political scientists – engages notably in understanding and in interpretative mapping. That task should not be abandoned by political theorists (Freeden 2005: 114).

That there are issues with politics being sacrificed to the moral, or the religious, or the economic, is not in doubt. Where the problems with Freeden’s suggestions lie, are in the relations between the areas which Freeden posits. Firstly, it is not at all clear that ethical concerns are for politics theorists alone. This will be examined in some depth in the section on Schmitt. Secondly, it may simply be a looseness of language, but the suggestion is that political theory lies outside the ‘scholarly study of politics’ (Freeden 2005: 114), furthermore, the ‘scholarly study of politics’ seems to be understanding and mapping, there is no mention of interpretation. Thirdly, it is not clear how area three practical politics is to fit in here – certainly, from the quote above, Freeden does not seem to think that ethical concerns are of interest to area three practical politics. Nor is it clear why area two ought to change, as will be seen in the next chapter, it is area two

political philosophy which seems to be most able to differentiate between the political and all other comers. It seems only to be area two which appreciates the power of ‘ambiguity, indeterminacy, inconclusiveness and vagueness’ (Freeden 2005: 117). Moreover, Freeden makes a rather surprising suggestion:

The approach advocated here regards ideologies as synonymous with the political thinking actually occurring in a society, inasmuch as the product is identifiable in patterns (or morphological arrangements) and is produced and consumed by politically significant collectivities. That is not to suggest that the meaning of ‘ideology’ can now be stretched to take over as the preponderant object of political theory, but rather that political theory must avail itself of the methods and techniques that recent analyses of ideology have developed, in order to gain access to the vast realm of concrete and politically relevant thinking that exists at the heart of the political. It also suggests, as noted above, that we almost always encounter political thought in the form of ideological discourses (Freeden 2005: 124).

This is an unexpected conclusion, that it is via the study of ideologies that the realm of the ‘concrete’ and ‘politically relevant thinking’ can be opened up. As we have seen in the definitions studied and the beginnings of the subject, some of the ideas and ideologies that permeate political science are so deep seated to be almost imperceptible. Of course, Freeden is speaking of the methods and techniques that have come from ideologies, but nevertheless, it seems odd that a branch of moral philosophy that claims to be a science might be able, via ideology, to better understand the concrete. Moreover, an ideology, or even the tools or study of an ideology will involve simplification and generalisation. Indeed, as Freeden himself says, political science ‘engages notably in understanding and in interpretative mapping’ (Freeden 2005: 114), which is laudable, but in no way clear that this gives a political scientist better access to the concrete.

Freeden seems to want that politics as a subject cleaves itself away from all other subjects and becomes a free-floating science, independent of history, law and philosophy. Arguably, doing that which Wendy Brown is attempting to prevent, namely, avoiding the ‘naturalization of values as universal and transhistorical’ (Brown 2001: 97). As Nietzsche pointed out at the start of the previous chapter, ‘we have no right to *isolated* acts of any kind: we may not make isolated errors or hit upon isolated truths’ (Nietzsche 2000: 452[2]). Moreover, in analysing concepts such as humanitarian intervention, which are contingent, unstable, and historical, well-suited, perhaps, to Freeden’s clarion call to the tools of ‘ambiguity, indeterminacy, inconclusiveness and vagueness’

(Freeden 2005: 117), it seems peculiar to reject the ‘methodological paradigms “imported” from disciplines external to politics: philosophy and history’ (Freeden 2005: 114) right from the outset.

An ideology need not contain the political, an ideology need not be at all concrete. and if an ideology is based on morality then how will this affect political theory? In short, Freedен’s attempts to reform political theory seem flawed from the outset and risk themselves turning into a flight from the political. Glen Newey is of the opinion, not only that the area one and two difference is important, but that the focus on ideology may be erroneous, as he claims:

[w]hat is needed in my view, is more political philosophy, and less political theory. The contrast is intentional. It countenances the possibility that philosophy may be practised without purveying theory, where ‘theory’ is interpreted as a rational construction intended to guide practise or provide a more systemised understanding of it (Newey 2001: 14).

Departments of politics may not be particularly old, and dissatisfaction with the study of politics seems to have pre-dated them, as Graham Wallas seems to suggest in 1908, when he says that ‘[t]he study of politics is just now in a curiously unsatisfactory position’ (Wallas 1948: 1). However, building a new branch of the study of politics, as Freedен seems to be suggesting, is not necessarily the way forward, despite Alexis de Tocqueville’s claims, roughly at the time that humanitarian intervention entered the English language, to the contrary that: ‘[a] new science of politics is indispensable to a new world’ (de Tocqueville 1838: xvi).

Having examined some of the area one attempts at definition, and examined the underlying problems of the study of politics as political science, the next chapter will examine area two, political philosophy attempts to clarify the situation. This section leads on from the issues in area one, to looking at the theory of what politics actually is. This will then allow the concept of humanitarian intervention to be examined from a standpoint focussed on the political.

*Section II: Political Philosophy***4 Approaches to the Concept in Political Philosophy Literature**

This section on political philosophy is the section where it is perhaps most necessary to make clear the connection between the debates and humanitarian intervention. In pursuing this subject, issues may be raised which, at first, do not appear relevant to the subject of humanitarian intervention at all. However, the failure to raise such subjects risks simply repeating the intellectual faults which have been outlined and illustrated in the introductory chapters and which, I argue, all three areas are wont to exhibit. While area one does directly deal with humanitarian intervention, it is unaware of the problems of politics or their influence on the concept of humanitarian intervention. If there is an awareness of the issue, as Freedman demonstrates, then despite claims of understanding the nature of essential contestability and ambiguity, the solution is to aim towards some objective, scientific ideal, which will purge the non-political from the political. As will be seen, this is simply to misunderstand the nature of the political.

Humanitarian intervention in the area of political philosophy is simply one possible starting point amongst many, a theme which generates the deeper and more complex issues at stake, and as such useful as an example, perhaps, but of no more interest than any of the other possible catalysts to the debate. In short, in area two the problem of humanitarian intervention tends to disappear and be reduced to discussions on the political. These discussions are directly relevant to the concept of humanitarian intervention, but seldom directly applied.

This chapter is divided into three subsections. The first section is that of 'the political' or 'the political and the moral'. In this section attempts are made to explain the concept of the political but also its interactions with morality and moralism. The main tensions will be pointed out and this will form the basis for the two remaining sections of the chapter.

The second section is influenced by the work of Schmitt, and consists of the major challenge to both the academic orthodoxy of area one, and the political philosophy of area two posed by the work of Schmitt and those political theorists for whom the question of the political is paramount. This section will attempt to clarify the relationship between the political and the moral which will be examined is the literature on the concept of the political. The main proponent of this theory is Schmitt, a philosopher and jurist notorious for his complicity in Nazi Germany, but whose thought

on the idea of politics and the political has recently found favour again. Schmitt's ideas on the political have been taken up and modified by authors such as Chantal Mouffe and Claude Lefort, and some of these adaptations of Schmittian thought will be examined.

The third heading consists of various contemporary attempts to integrate the autonomous nature of the political, given such prominence in Schmitt's thought, into area two discussion. This encompasses a wide variety of authors and ideas, but many have been brought together by the recent exchanges on the idea of tragedy and the tragic in politics and hence it is under the heading of 'tragedy and the tragic' that these authors will be examined. This attempt to come to terms with the tensions between the political and the moral is to be found in the work of scholars such as Lebow and Frost who have endeavoured to revive the concept of the tragic within the political. Such thought accepts that there are conflicts between the concepts of the political and the moral which may not be reconcilable and an acknowledgement of this fact is more likely to aid in avoiding hubris.

The relationship of the moral to the political has recently become central in contemporary debate, although its relevance to area one and area three debate appears to be taking longer to emerge. As was mentioned previously, the concept of humanitarian intervention is often the catalyst for area two scrutiny of the ideas, but the conclusions drawn are left in the abstract and the consequences for humanitarian intervention in area one and three is not often touched upon in area two. Such a complex area two subject entrenched in both area one and area three discussions of humanitarian intervention ensures that incoherence, inconsistencies, and conflicts which might occur in this field are then carried forward into the further discussion of humanitarian intervention.

4.1 PROBLEM AREA TWO: POLITICAL PHILOSOPHY

J.D.B. Miller hints in the quote below at where the problem of definition of politics coming into conflict with the ideal of morality in politics might be:

[p]olitics, then, is about disagreement or conflict; and political activity is that which is intended to bring about or resist change, in the face of possible resistance. It is not necessary to suggest that people engaged in politics never agree, or that open and flagrant disagreement is necessary before we can see politics going on; what is important is that we should recognise that conflict lies at the heart of politics. In a world of universal agreement, there would be no room for it (Miller 1962: 14).

Miller's point at the end of his explanation, that politics would not exist in a perfect world (Miller 1962: 14), seems to be the point upon which a notion of politics will hinge. The conflict need not be as hostile as some authors would have it – one does not necessarily need an enemy or foe, as Schmitt has (in)famously put it, and as will be discussed in the next subsection, for there to be politics, but there must be disagreement, or at least the possibility of disagreement. It would be wrong to attribute this view to Miller alone; there are several expressions of this view in the literature. Oakeshott, for example, in the Harvard Lectures states that:

[p]olitics is an activity, not of governing, but of determining the manner and the matter of government, and where these are pre-determined and are regarded as immune from choice or change, there is no room for 'politics' (Oakeshott 1993: 8).

Along with Miller, an outline – I would be loathe to call this a definition – of politics is given and at the same time an, or more exactly, the outline of non- or anti-politics is given as its opposite, as Miller, too, posited. This appears to occur surprisingly often in the literature: an outline of politics is given based on an analysis of what politics is not. This may be due to the beginnings of the subject where the demarcation of the subject from other subjects relied on pointing out what it was not. Alternatively, it could be an embodiment of the nature of conflict in politics itself that polar opposites are introduced. Nevertheless, while this can be a fruitful exercise, it is open to problems. If one considers love and hate as concepts, one person might have these as opposites of each other, whilst another would have these as different expressions of the same thing, and instead posit indifference as the antithesis of both; what one put forwards as the opposite can fundamentally affect the understanding of the concept itself. This method will be looked at as, regardless of the opposite in question, the mere conceiving of an opposite may well clarify an author's view on politics more than they intended. Moreover, the notion of anti-politics is also utilised to explain the situation whereby the political is dispensed with in favour of another concept such as morality, and as such is of great utility in the concept of humanitarian intervention where this displacement frequently occurs.

In the second area of political philosophy, this wider issue about the nature of the political and its relation to the moral which underlies the discussion of humanitarian intervention is made explicit. Humanitarian intervention itself does not appear as a topic in much area two discussion, despite Rosenau's claim that:

[p]olitics is about the way in which actors seek to modify each other's behaviour across wide functional distances and, in this sense, given the extent of the modification attempted and the functional distances spanned through intervention, no situation is more purely political than the attempt of one nation to intervene in the affairs of another (Rosenau 1969: 156).

The most dramatic view of the divergence between the moral and political perspectives is that given by Carl Schmitt in *The Concept of the Political* (Schmitt 1976), where he maintains that the moral is characterised by the opposition between right and wrong and the political by the opposition between friend and foe. For Schmitt it is not simply one criterion amongst several, it is the criterion, as can be seen when Schmitt declares that the:

specific political distinction to which political actions and motives can be reduced is that between friend and enemy. This provides a definition in the sense of a criterion and not as an exhaustive definition or one indicative of substantial content (Schmitt 1976: 26).

That there is, as Newey explains, an '*inescapability* of politics [...] any society in which politics exists at all, is one in which the possibility of disagreement exists' (Newey 2001: 50) means that one need not take as extreme a position as Schmitt to come to the conclusion that there will be a problem between opposing viewpoints. Whether one deems this opponent the other, the foe, or thou, is, for the purposes of this thesis, unimportant, all that this antagonist needs to be in this case is to represent the possibility of disagreement. However, Schmitt is attuned to many of the confusions in all three areas which are still not apparent to contemporary authors.

'The concept of the state presupposes the concept of the political,' writes Schmitt (Schmitt 1976: 19), voicing the intuition that a stage, or a process, or even merely a thought is being missed in much of the discussion concerning international relations. One page later he states:

[o]ne seldom finds a clear definition of the political [...] [i]n one way or another 'political' is generally juxtaposed to 'state' or at least is brought into relation with it. The state thus appears as something political, the political as something pertaining to the state – obviously an unsatisfactory circle (Schmitt 1976: 20).

Schmitt is of the opinion that defining the political in terms of the state is, nonetheless, perfectly reasonable 'for as long as the state possesses the monopoly on politics' (Schmitt 1976: 20), which is one of the notions which the concept of humanitarian in-

intervention can challenge. However, he is also aware of the repercussions when the political is not in place in a theory, as all the:

characteristics of this image of entity and people [his definition of the state] receive their meaning from the further distinctive trait of the political and become incomprehensible when the nature of the political is misunderstood (Schmitt 1976: 26).

Any theory of international relations which places the state at its centre risks accusations of question begging as other aspects of the political are thereby ruled out, or at the very least consigned to the periphery. For if the political can, and does, include non-state actors (which few would deny), and if it can be shown that the political is contained within any action which can be called humanitarian intervention, then there are at least two conclusions. First, by concentrating on the state rather than the political, discussion in all three problem areas can become caught up in abstract notions of sovereignty. Second, if the political, and not necessarily the state, is the issue in cases of humanitarian intervention then the failure of area one and two discussion of humanitarian intervention to account for the political renders their conclusions suspect.

In area one and two discussion it often looks as though questions of a political nature are replaced by questions of sovereignty, the nature of the state, who can intervene and so on. As Carl Schmitt points out, once this step of replacing the political with the state has been taken, one risks all social issues becoming political, that is, the state is not specifically political and everything contains the makings of the political (Schmitt 1976: 22): '[i]n actuality it is the total state which no longer knows anything absolutely non-political' (Schmitt 1976: 25).

The strengths and weaknesses of Schmitt's position will be considered more fully at a later stage. For present purposes, a less contentious distinction between the moral and the political will serve the purpose. This distinction may be made by drawing on two authors.

The first author is Stuart Hampshire, for whom the most obvious difference between the moral and political perspective is that in moral disputes there is no sovereign authority to which disagreements may be referred, whereas in political disputes there is. No less obviously, a political agent who is a ruler occupies a public office, and is therefore not free to follow his own conscience. This is to say that, unlike a moral agent, he acts as the representative of a political body. As Hampshire remarks, this representative status carries with it 'duties of careful and responsible calculation', as well as the duty

to cultivate the virtue of prudence (Hampshire 1978: 52). The outcome, noted long ago by Machiavelli, is the possibility that a political actor may be justified in acquiring dirty hands through the use of force and deceit in ways which would be unacceptable in private morality. Whether Machiavelli was right to defend ruthless princes may of course be questioned, but simply to neglect the difference between private and public morality to which he pointed, as political moralism does, is unacceptable.

The second author whose work is valuable for this distinction is Chantal Mouffe, whose attempts to make Schmitt's thought more palatable are illuminating. Mouffe draws a clear distinction between politics and the political and writes that:

by 'the political' I mean the dimension of antagonism which I take to be constitutive of human society, while by 'politics' I mean the set of practices and institutions through which an order is created, organizing human coexistence in the context of conflictuality provided by the political (Mouffe 2005: 9).

With this distinction in mind, Mouffe distinguishes between political science and political theory in a way which corresponds roughly to the distinction made in the thesis between area one and area two approaches, and which mirrors somewhat, Oakeshott's distinction already quoted above. According to Mouffe's distinction:

political science [...] deals with the empirical field of 'politics', and political theory [...] is the domain of philosophers who enquire not about facts of 'politics' but about the essence of 'the political'. If we wanted to express such a distinction in a philosophical way, we could, borrowing the vocabulary of Heidegger, say that politics refers to the 'ontic' level while 'the political' has to do with the 'ontological' one. This means that the ontic has to do with the manifold practices of conventional politics, while the ontological concerns the very way in which society is instituted (Mouffe 2005: 8-9).

Mouffe utilises Schmitt's arguments concerning friend/foe, Schmitt's dichotomies will be covered in more depth in the following section, and criticises political moralism as consisting:

in securing one's goodness, through the condemnation of the evil in others. Denouncing others has always been a powerful and easy way to obtain a high idea of one's moral worth (Mouffe 2005: 74).

Following on from this, Mouffe criticises the 'increasing role played by the moralistic discourse in our post-political societies' (Mouffe 2005: 75) and posits a:

direct link between the weakening of the political frontier characteristic of the adversarial model and the ‘moralization’ of politics (Mouffe 2005: 75).

The blurring of the political and the moral – the main issue at stake in humanitarian intervention in area two (although the connection is seldom made in this field) – is of major concern to Mouffe and the crux of the issue is this moralisation of politics is that:

I do not mean, of course, that now people act in the field of politics in search of the common good, according to motives that would be more disinterested or impartial. What I want to indicate is that, instead of being constructed in political terms, the ‘we’/‘they’ opposition constitutive of politics is now constructed according to moral categories of ‘good’ versus ‘evil’ (Mouffe 2005: 75).

When the differences between the moral and the political drawn by thinkers like Hampshire and Mouffe is borne in mind, what are the implications for the study of humanitarian intervention? That study is altered in several crucial respects. In the first place there is no longer the possibility of a morally or politically privileged position, immune from legitimate contestation, from which legitimate or illegitimate instance of humanitarian intervention can be identified. The second is that although a case can still be made for humanitarian intervention, this will be in terms of a concept of practical reason which allows for the complexities and limitations of discrete political action rather than in terms of abstract, general appeals to human rights or a universal morality. Hence, the virtues of prudence and responsibility will weigh more heavily than abstract considerations of justice. Thirdly, what emerges is not a panacea which can be taken to area three with a view to giving definitive answers to what constitutes legitimate humanitarian intervention in all cases, but an acceptance that not only are political initiatives always contestable but that political outcomes are always uncertain. In short, the implications are that humanitarian intervention contains a political aspect which cannot be eradicated and must be taken into account. In order to illustrate what these changes amount to in more concrete terms, it will be useful to consider briefly the work of some recent authors who exemplify the kind of approach towards which the thesis points.

A recent, and in the UK somewhat neglected, text is *Ethical Realism: a Vision for America’s Role in the World* by Anatol Lieven and John Hulsman. While essentially dealing with issues in recent US foreign policy, they put forward suggestions which are applicable to the topic of humanitarian intervention in general.

In the introduction to their book Lieven and Hulsman outline the problem which their book addresses, namely, an undifferentiated approach to foreign policy from both the Democratic and Republican parties. The problem, they claim, is that both Republicans and Democrats maintain that:

we should not let facts get in the way of our daydreams. It's so much easier to fantasize about an alternative and ideal world, rather than making the hard and unpopular decisions that are necessary to deal with the complicated and frustrating one in which we live. It is so much easier to imagine that world as a blank slate on which American can draw as it wishes, rather than to recognize the limits on American power (Lieven & Hulsman 2006: xii).

It may be thought that this is an attack on political idealism and it could be a call to take up the banner of political realism, however, Lieven and Hulsman see both idealism and realism as having made the same fundamental mistakes. As they outline in their introduction, any real threat:

demands a realistic response. Any approach to foreign policy that hopes to create an intellectual consensus in the United States must embrace elements of both realism and morality. [...]

Neoconservatives and liberal hawks do try to balance realism and morality. [...] They are correct that a classically realist approach isn't sufficient to deal with this situation. [...]

Their answers, however, go much too far in the contradictory directions of both hard-line realism and utopian morality – or rather, as we shall argue, pseudo-realism and pseudo-morality (Lieven & Hulsman 2006: xiv).

Lieven and Hulsman name their approach 'ethical realism', a somewhat unfortunate term, which seems to indicate a confusion of the concepts. However, it is an attempt to 'provide a basis for the harsh action' (Lieven & Hulsman 2006: 53) which the USA may have to take, but is not 'cynical, indifferent to the long-term interests of humanity, or attracted to ruthlessness for its own sake' (Lieven & Hulsman 2006: 53). The expression ethical realism, therefore, indicates the intention of Lieven and Hulsman to bridge the gap between the extremes of moralism and the extremes of realism. Notwithstanding its regrettable name, the rejection of both these extremes and an attempt to find the middle ground is of interest here and the tenets of the theory, namely, prudence, humility, study, responsibility, patriotism are worthy of attention.

The first tenet which they posit in this theory is that of prudence which is of use in ‘shaping goals and deciding on actions’ (Lieven & Hulsman 2006: 67). Lieven & Hulsman cite the Iraq War, with its lack of a plan B and no idea of how to replace the government it toppled, as a case of the violation of prudence. The inclusion of prudence is unsurprising, as prudence, also known as *phronesis*, or practical wisdom has been linked with politics since the Ancient Greeks. Aristotle, in his *Ethics*, discusses the notion of prudence and says that:

[w]e call people prudent in particular respects when they have calculated successfully to some serious end (outside the sphere of art); so that in general also the man who is capable of deliberation will be prudent. But nobody deliberates about things that are invariable (Aristotle 1976: Bk6 chap. v, 209).

It is this identification of politics with the problem of choosing between ever-moving variables which seems to necessitate prudence. Aristotle goes on to state that:

prudence is not concerned with universals only; it must also take cognizance of particulars, because it is concerned with conduct, and conduct has its sphere in particular circumstances (Aristotle 1976: Bk6 chap vii, 213).

This Aristotelian notion of prudence seems to be the one at work in Beiner’s *Political Judgment* where in he states that in politics:

I am faced with particulars; that is to say, I do not deliberate about rules, which are general or universal, but about application of rules (Beiner 1983: 132).

Moreover, he states that political judgment, which one can replace with the terms prudence, *phronesis* or practical wisdom, is:

the comprehensive faculty by which we come to terms with particulars in the political world (Beiner 1983: 157).

Thus far prudence has only been mentioned in conjunction with politics, but Lieven and Hulsman wish to find a place for ethics in prudential politics: failure to do so is to risk the swing towards pseudo-realism. The one author who ties prudence, politics and morals up together without falling into the traps Lieven and Hulsman mention is Hans J. Morgenthau. Morgenthau states in his article *The Problem of National Interest* that there can be:

no political morality without prudence, that is, without consideration of the political consequences of moral actions. Classical

and medieval philosophy knew this and so did Lincoln when he said: ‘I do the very best I know how, the very best I can, and I mean to keep doing so until the end. If the end brings me out all right, what is against me won’t amount to anything. If the end brings me out wrong, ten angels swearing I was right would make no difference.’ (Morgenthau 1962a: 109).

The problem of both the extremes of realism and moralism, which Lieven and Hulsman speak of, is that one extracts the morality from politics and the other the politics from morality, thereby both making the same mistake of rejecting prudence and creating dogmas. In *The Demands of Prudence* Morgenthau goes into the issues in slightly more depth and states that the:

moral strategy of politics is, then, to try to choose the lesser evil [...].

Yet, as to choose the lesser evil is the best the moral politician can do, so it is also the best moral man at large can do (Morgenthau 1962b: 16).

This is reminiscent of Machiavelli, who states in *The Prince*, under the heading ‘How a Ruler Should Act in Order to Gain Reputation’ that:

it should be realised that all courses of action involve risks; for it is in the nature of things that when one tries to avoid one danger another is always encountered. But prudence consists in knowing how to assess the dangers, and to choose the least bad course of action as being the right one to follow (Machiavelli 1988: Ch 21: 79).

And Morgenthau goes beyond Machiavelli and states that it is at the:

point of choosing the lesser evil that moral evaluation and political calculation merge (Morgenthau 1962b: 17).

It is hopefully clear that prudence within politics is better than politics without prudence, indeed, according to Aristotle, ‘[p]olitical science and prudence are the same state of mind, but their essence is not the same’ (Aristotle 1976: Bk6 chap viii, 213). Thus it might be the case that the rejection of prudence within politics could be construed as a rejection of politics. This is perhaps why Tredennick, in a footnote to the quote above states that ‘politics is the fullest realisation of prudence’ (Tredennick 1976: 213n). The choice of authors traditionally cast as realist in this argument should not be taken to be a condoning of realism, it should be noted that all the authors quoted here who might be taken as such are cited in relation to their balance of ethics in politics. Ex-

tremes of realism and idealism can often result in seemingly wilful misreadings and Morgenthau and Machiavelli especially seem to suffer this fate.

The second virtue named by Lieven and Hulsman as necessary to a rethinking of foreign policy is humility, the virtue which keeps any notion of we can do no wrong in check, Lieven and Hulsman believe that this virtue will also generate tolerance and patience as the demand for perfection in others will be lifted. Once again we can turn to Morgenthau to explain the necessity for humility in politics. In the article *The Moral Dilemmas of Political Action* Morgenthau again links back to Ancient Greek thought when he remarks that:

the political actor is particularly tempted to blind himself to the limits of his power and thereby to overstep the boundaries of both prudence and morality.

It is not ignorance or misjudgment, that is, intellectual errors, against which the Greek tragedians and biblical prophets warn the powerful of the world but *hubris* and pride. The self-esteem engendered by power, which equates power with virtue, in the process loses all sense of moral and political proportion (Morgenthau 1962c: 325-6).

Thus, it could be argued that humility is a subspecies of prudence – a prudent ethical realism would not allow hubris to enter politics. However, turning again to Aristotle, who, in criticising Socrates, makes clear why this distinction can be made. Aristotle claims that:

some people maintain that all the virtues are forms of prudence; and why Socrates, though partly right, was also partly wrong in his inquiries, because he was mistaken in thinking that all the virtues are forms of prudence, but he was quite right in asserting that that they *imply* prudence (Aristotle 1976: Book 6 Chapter xiii, 224).

Humility implies prudence, but, as Lieven and Hulsman hope, this humility would ‘replace the hectoring and bullying of other nations with a genuine respect for their views and interests’ (Lieven & Hulsman 2006: 66). A strong nation could be prudential in its actions and still not respect the prudential actions of a weaker nation – humility, it could be claimed, tempers prudence, or perhaps could be deemed diplomacy. A humanitarian intervention carried out with prudence in mind but not humility is entirely possible and it could be argued that the invasion of Iraq suffered from this problem. The issue of hubris has not disappeared and it is in grappling with this notion that the recent

discussions on tragedy and the tragic in political thought seem to have emerged, but this debate will be examined in full in the section on tragedy.

Perhaps less expected than prudence or humility is Lieven and Hulsman's third virtue: that of study. Study, they claim is an underrated virtue, the lack of which is inexcusable in the area of practical politics. As examples, the authors point out that the US administration of Iraq had only one member of staff with any background in the Middle East, while the military planners of the Vietnam War could not have passed a basic exam in modern Vietnamese history (Lieven & Hulsman 2006: 74).

Beiner also writes of this element as a part of political judgment, but does not call it study. Linking it into his discussion of particulars mentioned above, Beiner states that judgment:

always operates within an institutionally defined structure of opportunities and possibilities. Men never judge in a vacuum [...] political judgment must take account of 'givens' (Beiner 1983: 148).

Discussing an article by Conor Cruise O'Brien on peace, Beiner agrees that:

many proposed resolutions of political conflict in Northern Ireland and the Middle East contribute nothing whatever to the search for peace because they are founded upon the condition that Ulster Protestant Unionists will cease to be Unionists, and that Israeli Zionists will cease to be Zionists. In Judging, we must address ourselves to what is already given, to what the judging subject confronts as given (Beiner 1983: 149).

In short, we cannot judge in a political vacuum: one can only make prudent decisions based on facts – if the facts are not known then the judgment risks being flawed. A course of action in the world of politics based not on facts but on what ought to be the case, or the ideal situation is a course of action based on theory alone, and the attempt at prudence based on it is more likely to be theoretical prudence than a prudence that works in the world. This is a rather astute point of Lieven and Hulsman, and one which seems to have been overlooked by some authors. This is not simply to have an understanding of the problems which one might face, but, linked into prudence, guards against the possibilities, always present, of 'unconscious self-deception, deliberate manipulation and misinformation by governments, intelligence services, and the media' (Lieven & Hulsman 2006: 75). In short, without study there can be no prudence as one is, at the very least, at the whim of other's information.

The fourth virtue is that of responsibility. This is a potent virtue, as it focuses upon the notion of good intentions. Moreover, responsibility allows for failure and mistakes (linked to the virtue of humility) to be considered – notions which good intentions can ignore. Beiner goes into this point in more depth than Lieven and Hulsman, but he too ties it into Weber's notion of an ethic of responsibility. Beiner declares that perhaps it is:

Weber's famous lecture on the political vocation that furnishes us with a genuine articulation of the two-sided demand of political judgment – neither abstracting from the existing realities with which political man must contend, nor failing to distance oneself from merely contingent institutional and existential givens. As Weber says, political life demands *both* distance and passion, both detachment and involvement. To judge a political world responsibly is both to accept and to reject, to say 'Yea' and 'Nay', to face realities that confront one and to 'reach out for the impossible' (Beiner 1983: 150).

It is perhaps the yea and nay aspect that is most intriguing, it seems to be illogical, but Lieven and Hulsman provide an example which makes it clearer when they point out that:

neither in statecraft nor in common sense can good intentions be a valid excuse if – as in the decision to go to war in Iraq – they are accompanied by gross recklessness, carelessness, and indifference to the range of possible consequences.

Among the range of questions to be studied is whether your country, its forces, and its resources are really strong enough to achieve the aim in view; whether your government and military are competent enough to achieve it; and whether your own people really have the will to remain committed to a given country or conflict for the time that will be necessary to stabilize it – which in turn reflects the question of whether their vital interests are truly engaged there (Lieven & Hulsman 2006: 77).

In short, it could be prudent to carry out a war, one might have the humility and have studied the situation, but if this study were to prove that one's military or government were not up to carrying out the action then while one might say yea to the action in theory or if the circumstances were other than they are, ultimately, if one is acting responsibly, then nay can be the only answer, as one would not be able to carry the action out in the required way. The good intention cannot validate gross negligence.

The fifth virtue mooted by Lieven and Hulsman is that of patriotism. This might at first seem a rather strange key virtue, especially to British sensibilities, but is set up,

perhaps surprisingly, as a counterweight to the tendency towards nationalism. Patriotism, claim Lieven and Hulsman is to love your country as it is, warts and all, while Nationalism looks to an idealised past and an ideal future which can be indifferent or even hostile to the country as it actually exists (Lieven & Hulsman 2006: 81). Much area two discussion focusses on the differences between nations and states, which can often be seen as a sidestepping of the issue of politics and turning the focus from nations to states: as Fred Halliday points out Morgenthau's *Politics Among Nations* and the United Nations are 'symptomatically mistitled' (Halliday 1994: 81). Dunn recognises that states and nations, nationalism and patriotism can be at work within the same actor when he declares that:

[w]hatever else it may be, every modern state, at every point in its history, is both a strenuous ideological fiction and an eminently practical reality (Dunn 1990: 1).

The virtue of patriotism, again linked to humility, allows you to respect the patriotism of other nations and rules out, so claim Lieven and Hulsman, extremes of international behaviour. In pointing out Nationalism as being potentially problematic in international relations, and envisaging methods to deal with it, Lieven and Hulsman appear to be unique amongst contemporary authors in this area in linking back to a problem in area three, and not remaining in the more abstract field of areas one or two.

While these virtues neither carry guarantees nor generate answers, reference to them could perhaps prevent the confusing of politics and morality which has occurred in this area. In order to investigate this relationship between the political and moral further, it is necessary to examine the thought of the one author who seems to have grasped this relationship so clearly.

4.2 SCHMITT AND ANTI-POLITICS

The generation of an opposite of politics is mainstream enough to have garnered a name for itself: anti-politics. It is this concept which will now be considered. The idea of any sort of anti-politics will be built into, visible only in conjunction with, and dependent upon the initial idea of politics – for otherwise it would be impossible to even attempt to guess an opposite of something which one did not know. This use of anti-politics is remarkable on another level, namely that in initiating a discussion of anti-politics, the authors are, from the outset, engendering politics with something very similar to the friend/foe distinction of Schmitt, albeit in another guise, be that conflict, deci-

sion, or, put another way, conciliation. Schmitt has war as the ultimate friend/foe distinction, in which any:

world in which the possibility of war is utterly eliminated, a completely pacified globe, would be a world without the distinction of friend and enemy and hence a world without politics (Schmitt 1976: 35).

This is not hugely different from the above quotes from Oakeshott and Miller, in content at least, if not tone. Twentieth century Schmitt makes no great leap of imagination from the linkage of politics to war if the nineteenth century oft-quoted maxim originating from von Clausewitz be considered:

war is merely the continuation of policy by other means (Clausewitz 1984: Ch1 §24).

It can certainly be argued that war is also a rejection or at least failure of politics, but the existence of war certainly underlines the existence of opposing viewpoints. Less dramatic, but no less similar, albeit in thick disguise, is Crick's rather soothing explanation of what politics is and how this conflict is to be reconciled:

[i]f the argument is, then, that politics is simply the activity by which government is made possible when differing interests in an area to be governed grow powerful enough to need to be conciliated, the obvious objection will be: 'why do certain interests have to be conciliated?' And the answer is, of course, that they do not have to be. Other paths are always open. Politics is simply when they are conciliated – that solution to the problem of order which chooses conciliation rather than violence and coercion, and chooses it as an effective way by which varying interests can discover that level of compromise best suited to their common interest in survival (Crick 2005: 14f).

All very well, and the notion of conflict is integrated into the description, but where does the moral come into this? Certainly our other paths are open. Crick does not explicitly make these other paths into anti-politics but insofar as they may be construed as a rejection of politics we are close to this notion. If one is to take the notion of anti-politics seriously then anti-politics, whatever that may be, will, by definition, negate politics: one loses politics. The Schmittian loss would be of the concept of friend/foe and the possibility of war, along with the gain of a completely pacified globe, a surprisingly cheery result one might think (Schmitt would not agree), and so perhaps may not be mourned. Oakeshott's negation, however, would be a situation where all choice would be predetermined, the loss being that of choice or change: a more serious pass-

ing; while Crick's loss would be one of the possibility of conciliation. These three losses, while expressed differently, are essentially the same thing, namely, the loss of conflict (and consequently choice and politics). This is the very crux of the matter: the loss of conflict resolution.

This argument can appear, it must be admitted, as a self-fulfilling prophesy, rather odd or at the very least somewhat circular. A notion of politics is posited, which resolves conflicts. A loss of conflicts would result in the loss of politics and a loss of conflicts is not something politics could wish for. This does not seem to make much sense, but then again, this is not quite a correct account. A premise is missing, namely something along the lines of 'humans live in an imperfect world'. This premise results in the conclusion being of the form 'living in an imperfect world, man would lose the ability to deal with its imperfections', and this, I argue, is the conclusion which alarms Schmitt.

Thus, for Schmitt, his anti-political nightmare would be a Kantian perpetual peace and this is where, for Schmitt at least, the issues of morality in the guise of anti-politics can appear. It must be pointed out that one cannot claim that morality is always a form of anti-politics, nor that politics and morality are incompatible, but if the possibility of decisions being made has been ruled out, if morality is providing an answer 'immune from choice or change' (Oakeshott 1993: 8) then it has displaced politics and is functioning as anti-politics. Miller tells us that:

[p]olitical action is not evidence of moral excellence; nor is it the absence of political action. Politics is, in fact, non-moral (Miller 1962: 22).

Miller thereby separates the two areas off from each other: morality will not enter into politics at all. For him, morality and politics are two separate arenas. However, as we have seen in the discussion above, it was not at all clear to some newly fledged professors of politics that politics and morality were, in fact, separate. How is it possible to come to two such contradictory conclusions? Looking at the underlying problems of the academic subject above, we have seen that the two poles of morality and science have pulled at the field since its beginning. In the case of humanitarian intervention, these two aspects seem to mix, as one sees the subject attempting to make a science of the morality. Hence, the political science aspect wishes to make a law that will hold regardless of historical context or circumstance, while the background of moral philosophy does not allow the ethics of the situation to be ignored, thus morality must always or

never be a part of politics, for what good is an exception to the law? Here we are most certainly in the realms of anti-politics.

The problem area two acknowledgement of the autonomy of the political – its irreducibility to another field, and its not being the conflict itself, but rather the relationship between conflicting parties, renders these attempts to deal with humanitarian intervention by problem area one somewhat meaningless. If politics were the same as morality or vice versa, then the once concept would collapse into the other and there would be no need for the separate concept. Furthermore, if politics adhered to universal laws of nature as the natural sciences do then these claims could be proved in the field of actual politics and the conundrum resolved once and for all time. Both these approaches deny the political by attempting to impose constraints upon a fixed relationship between unknowns, and are therefore themselves examples of anti-politics.

Cranston, in his above-mentioned lecture accepts a Schmittian imperfect world, but brings the notion of values into play, and posits a perhaps rather un-Schmittian conception of certain understandings already being in place to facilitate in politics:

[t]here is no politics in heaven because everybody is perfectly good and perfectly wise. There is politics on earth because men have a partial but not a perfect moral insight and a partial but not a perfect understanding. Politics is in part an argument about values between men who agree about some values but disagree about others. If they did not agree about some – about the desirability of truth and justice, for example – they could not engage in a dialogue at all; there could be no politics (Cranston 1971: 293).

The above quote also, although indirectly, puts forward the idea of morality as anti-politics: moral perfection would result in the disappearance of politics therefore, politics is only necessary on account of our imperfections which result in conflict. He mentions the moral values which must be in place for politics to occur, which raises the question of the moral being logically prior to politics. This would seem to be correct insofar as for politics to occur there must be agreement that the conflict can be resolved without resorting to arms, that the state of nature has been left behind. However, this prior moral basis to politics does not render morality superior to politics. Moreover, that there is disagreement concerning values does not mean that politics need adopt any of the values in question, although that said, nor does it, obviously, rule out the moral completely from the political – it is not forbidden.

Wendy Brown points at the difference between morality and moralism in politics but points out that either of these can transform into a variety whereby ‘moral truths’ act as a substitute for political struggle (Brown 2001: 22), thus these ‘moral truths’ take on the semblance of Oakshottian predetermined choice. It is perhaps the confusion of morality and moralism, a distinction Brown is keen to keep, which is problematic. According to Brown:

[a]t the extreme, moralism may be seen as a kind of posture or pose taken up in the ruins of morality by its faithful adherents; it is thus at once a ‘fall’ from morality, a ‘reversal’ of morality, and an impoverished substitute for, or reaction to, the evisceration of a sustaining moral vision. As an ‘addiction,’ the compulsive quality of moralism stands opposed to measured, difficult, and deliberate action that implicates rather than simply enacts the self (Brown 2001: 23).

Brown goes on to deem moralism ‘ritualistic’ and ‘often punitive’ (Brown 2001: 23) and enlightens these claims with reference to Machiavelli (Brown 2001: 27), who, in chapter 18 of *The Prince* claims that:

[a] ruler, then, need not actually possess all the above-mentioned qualities [those classified as good], but he must certainly seem to. Indeed, I shall be so bold as to say that having and always cultivating them is harmful, whereas seeming to have them is useful; for instance, to seem merciful, trustworthy, humane, upright and devout, and also to be so. But if it becomes necessary to refrain, you must be prepared to act in the opposite way, and be capable of doing it (Machiavelli 1988: 62).

Brown argues that when the limits and problems of a moral politics (when it is set above politics) become apparent to those in government, and means that their moral vision cannot match up to the political situation, then they can no longer act in good faith and the moral becomes the moralising. Hence, Machiavelli’s ‘seemingly good’ statesman will be less likely to veer towards moralism than the ‘actually good’ statesman (Brown 2001: 23). Brown draws from this that moralism demonstrates:

analytic impotence and political aimlessness – a misrecognition of the political logics now organising the world, a concomitant failure to discern any direction for action, and the loss of a clear object of political desire [...] a symptom of political paralysis in the face of radical political disorientation (Brown 2001: 29).

This seems like it could have real world applications. If a political situation is particularly fraught, as might well be the case in situations of potential humanitarian inter-

vention, or a government's position precarious, or its politicians suffering from the extremes of either inexperience or hubris, then the problems illustrated by Max Weber, in his *Politics as a Vocation* also play their part. Once moralism is active in politics then the responsibility for the consequences of its actions are borne by the theory, not the politicians. Moralism, not morality *per se* is most definitely a form of anti-politics and Brown is right to keep this distinction before us.

Brown goes on to explain the morality/politics divide in more depth, and her impression is contained in the quote below:

[e]ven in its least philosophical modality, the problematic of morality in politics is usually thought to center on the complex relation between principle and power, or on the important intervals between aim, strategy, action, and effect. Conventional inquiries into morality and politics almost always assume the relationship between principle and power to be fully antagonistic (Brown 2001: 24).

Brown's reduction of morality to principle and politics to power is not particularly helpful, as it perhaps clouds the issue more than need be. Nonetheless, the point is one with which E.H.Carr in *The Twenty Years' Crisis 1919-1939* would agree, as the

utopian who dreams that it is possible to eliminate self-assertion from politics and to base a political system on morality alone is just as wide of the mark as the realist who believes that altruism is an illusion and that all political action is based on self-seeking (Carr 1939: 125).

However, using Brown's terminology, if the assumption is made at the outset that principle and power are incompatible, then no distinction will be able to be made between morality and moralism in politics as the terms collapse both into one another and into a posited anti-politics.

The dangers when this collapse occurs are that while an anti-political moralism is rejected, so too is all morality – a conclusion which would shock Machiavelli, who knew its worth. Hans Morgenthau states not that moral principles cannot be applied to the actions of states, but that 'universal moral principles cannot be applied to the actions of states' (Morgenthau 1962a: 108). He does seem to contradict this statement in his essay entitled *The Problem of the National Interest* where he states that 'I have always maintained that the actions of states are subject to universal moral principles' (Morgenthau 1962a: 106). However he goes on to qualify this with the claims that 'to know that

states are subject to the moral law is one thing; to pretend to know what is morally required of states in a particular situation is quite another' (Morgenthau 1962a: 106).

Morgenthau seems always to be aware that he is liable to be accused of denying the notion of any sort of morality being associated with states and international relations, and it is this which drives him to seemingly be at odds with his own statements (which has nonetheless not stopped him being accused on this very point). Thus, he says, in referring to the relationship between universal moral principles and political action that:

these universal moral principles cannot be applied to the actions of states in their abstract universal formulation but that they must be, as it were, filtered through the concrete circumstances of time and place (Morgenthau 1962a: 108).

It is, perhaps, the 'universal' moral principles of which Morgenthau speaks which are the aspect of his thought most liable to cause confusion. For while he does not appear to deny universal moral principles, neither does he think that, should there be any, anyone could have any access to them and, if so, that they can have any bearing, in their 'universal' form at least, on international politics. Morgenthau does seem to be aware of the difference mentioned above between politics as activity and the study of politics. Indeed, Morgenthau seems to be acutely aware of the problems of the moral and the political and speaks of this:

curious dialectic of ethics and politics, which prevents the latter, in spite of itself, from escaping the former's judgment and normative direction, has its roots in the nature of man as both a political and moral animal (Morgenthau 1945: 5).

As Morgenthau is aware, the decision to place morality completely outside of politics is a moral decision and not a political one and those who do so commit the same error as those who attempt to build morality into politics. Insofar as Cranston is correct that politics is where there is disagreement concerning values, or even merely of Newey's possibility of disagreement (Newey 2001: 50), then constructing the answer before the disagreement has occurred, by either building morality completely into or out of politics, is to make the possibility of disagreement, not engagement in politics, but, rather, the state simply of being wrong from the outset. As Crick says in his essay entitled *The Nature of Political Rule*:

[p]olitics is not religion, ethics, law, science, history, or economics; it neither solves everything, nor is it present every-

where; and it is not any one political doctrine, such as conservatism, liberalism, socialism, communism, or nationalism, though it can contain elements of most of these (Crick 2005: 2).

In short, politics is flexible and malleable, and as such finds itself within other disciplines' realms, but as Crick correctly points out politics does not equal religion, politics does not equal law, but as a relationship between disagreements, the political could certainly find itself at home in these sphere.

One of the dichotomies which pushes politics towards religion more than morality is the good and evil as opposed to the right and wrong dichotomy. As mentioned above, Cole uses the religious dichotomy, and in discussion of morality and politics being fully antagonistic, so too does Brown when she claims that:

the potential for absolute goodness is conferred on principle and absolute evil on power [...] a formulation of the relationship of politics and morality that reduces to 'power versus principle' has persisted into the present, especially when violence is at issue (Brown 2001: 24).

Under the heading *Politics in the Register of Morality* Chantal Mouffe approaches this tendency, and, with an eye to Schmitt, explains why this is a problem:

instead of being constructed in political terms, the 'we'/'they' opposition constitutive of politics is now constructed according to moral categories of 'good' versus 'evil'.

What this change of vocabulary reveals is not, as some would have it, that politics has been replaced by morality but that politics is being played out *in the moral register*. It is in that sense that I am proposing to understand the 'moralization' of politics – to indicate not that politics has become more moral but that nowadays political antagonisms are being formulated in terms of moral categories, We are still faced with political friend/enemy discriminations but they are now expressed using the vocabulary of morality (Mouffe 2005: 75).

This is a fascinating insight for a number of reasons. If we are to take the notion of anti-politics or the risk of depoliticisation seriously, then the conflict-resolving potential of politics can be forfeited if it shifts into a position where its moves are limited by claims which assert control over and above it. These claims of universalism, objectivity, or morality prevent some options being present, and furthermore place any decision on these options back into the realm of the universal, or the objective, or the moral, and away from the political. However, it has also been argued that politics is plastic and can

utilise any number of categories and remain political: it is the abdication in favour of one category which depoliticises. What Mouffe makes clear is that politics can act politically, but still claim that its decisions are moral ones. Thus, we have another level of argument: morality, moralism and the moral register or moral rhetoric.

Mouffe's point is that while politicians, political scientists, and political philosophers may discuss the moral and the political in a government's position on account of it appearing to have a moral dimension, it is not the case that this means it must contain a moral dimension. To move into another realm in the name of politics is a very political act, and there may be nothing quite as political as making a decision and clothing it as moral, or legal or whatever best suits the political at that time.

Mouffe seems to think this move towards the moral register a threat, and it could well be. However, it is not at all clear that it is. The political subsuming itself to the moral is certainly depoliticising and Machiavelli has pointed out the weakness of this position; the political turning to moralism in its decision-making is problematic while Weber has indicated how important the politics of responsibility is. Nevertheless, covering the political in moral garb for the sake of the political is interesting, although if it is a permanent transformation then it may become worrying, but this point leads to Schmitt and perhaps a criticism of Schmitt and Mouffe by Schmitt himself.

In his first book on political theology, Schmitt proposes that the ideas in modern political thought are in fact secular versions of theological concepts, that is that the:

metaphysical image that a definite epoch forges of the world has the same structure as what the world immediately understands to be appropriate as a form of its political organization (Schmitt 1985: Ch3 p46).

Schmitt's argument seems on the face of it to be correct, certainly it is difficult to imagine a secular, modern, Western nation of today being governed by an absolute monarchy: the two views of the world would not map onto one another. However, Schmitt is working in what I have deemed area two, and he is undoubtedly concerned with the problems of area three, but it is not clear if he is aware that he is part of area three and thus open to the same arguments. From the early part of the twentieth century up until the end of the Cold War, the foe register is one which mapped well onto the situation as it stood: it was quite clear who one's enemies were and this presence of an enemy united disparate entities into friends against them. The sense of place in the following quote from the later chapter in *Political Theology* as Schmitt criticises liberalism is

tremendous, and in the midst of the Weimar Republic, where this was written in 1922 and updated in 1933, could almost be seen as prophetic:

Donoso Cortés considered continuous discussion a method of circumventing responsibility and of ascribing to freedom of speech and of the freedom of the press an excessive importance that in the final analysis permits the decision to be evaded. Just as liberalism discusses and negotiates every political detail, so it wants to dissolve metaphysical truth in a discussion. The essence of liberalism is negotiation, a cautious half measure, in the hope that the definitive dispute, the decisive bloody battle, can be transformed into a parliamentary debate and permit the decision to be suspended forever, in an everlasting discussion (Schmitt 1985: Ch4 p63).

The endless discussion and negotiation was in part what brought down the Weimar Republic and decisions were eventually taken, not by discussion, to bring about the decisive bloody battles. However, criticism of liberalism in the Weimar Republic is not criticism of modern liberalism. The friend/foe dichotomy of the majority of the twentieth century will be less effective once walls have fallen and great uniting enemies disappear. Schmitt's arguments need not hold for all time and the world as he experienced it in 1930s Germany is not the world we are in now.

As pointed out in the very first chapter of this dissertation, what emerged after the end of the Cold War was optimism and this expressed itself in universal principles and ethics. What Mouffe has observed is that the register has changed to that of a moral register. However, what Mouffe may have missed is the fact that this need not be forever: this register may change again. In fact, if Schmitt's assessment of political theology is correct then a change in the world, or our assessment of it almost certainly will. This should not, however, detract from the fact that if politics is operating, or is tending to operate, in a moral register then that is the political situation in which the political scientists and political philosophers must operate. This is not to claim that political scientists and political philosophers must use the moral register themselves, but rather if the politics of the time are being carried out in the moral register, or a time of optimism, or depression, or boom, or Cold War, then this will influence politics itself and how politics presents itself. I do not claim that there is nothing in Schmitt which cannot be applied to contemporary political debate and humanitarian intervention, but any claims that Schmitt will be valid for all times might be considered as anti-politics itself.

There are several grounds for using Schmitt's arguments regardless of the above criticism. Firstly, Schmitt made his politics/the-political distinction in an article contained within *Le Categorie del 'Politico'* published in Italian in 1972. In this piece Schmitt argues that once the state's monopoly on politics diminished, new political players appeared (along with a new level of possible theory) and only at this point were politics and the political able to be classified (Schwab 1976: 12f). An acknowledgement of this distinction ties Schmitt's theory into thinkers such as Mouffe and Oakeshott. Secondly, the useful friend/foe distinction is, famously, Schmitt's, and thirdly, Schmitt lists several items which are not politics, but for reasons quite different to that of Crick or Miller. The listing of what is not politics starts off as clear enough, but becomes thereafter more complicated. Schmitt argues that one:

seldom finds a clear definition of the political. The word is most frequently used negatively, in contrast to various other ideas, for example in such antitheses as politics and economy, politics and morality, politics and law (Schmitt 1976: 20).

Thus, in part I of the essay, Schmitt lists the following political antitheses:

religious as antithesis of political

cultural as antithesis of political

economic as antithesis of political

legal as antithesis of political

scientific as antithesis of political (Schmitt 1976: 23).

However, he uses these as examples of 'thoroughly polemical and thereby again political antitheses' (Schmitt 1976: 23) originating in the nineteenth century, which democracy must do away with, as they constitute a neutralisation and depoliticising of domains which Schmitt deems important. Schmitt goes on to elaborate these claims.

Assuming that the state does not equal politics, an equation which Schmitt claims occurs once the idea of state no longer held the monopoly on politics, then the old equation of state and society being separate no longer stood. The boundary changed and they began to interact with one another, and so what was once purely social can now be of interest to the state, and vice versa (Schmitt 1976: 22). Once this has occurred, there is little which cannot potentially be labelled political – any claim to being neutral, *i.e.* not involving the state, will not necessarily hold true (Schmitt 1976: 22). If this is the case, then a claim such as morality is the antithesis of political, that is, conjecturing a clear

delineation of morality from politics with unambiguous and impenetrable peripheries, is thereby an attempt to claim ‘apolitical purity’ (Schmitt 1976: 21n), which is a particularly political claim.

The contention that the apolitical, or non-political is political is, as such, not illogical, as Schmitt explains:

designating the adversary as political and oneself as non-political (i.e., scientific, just, objective, neutral, etc.) is in actuality a typical and unusually intensive way of pursuing politics (Schmitt 1976: 23).

Hence, for Schmitt, any claims that morality is anti-politics is a political statement. This initially looks contradictory and illogical. The claim that the statement ‘morality does not belong in politics’ is political results in morality being political and thereby that the non-politics is political – surely a logical contradiction? If this is the case then as soon as I mention anything in the same sentence or thought as ‘politics’ it becomes political, *ergo* nothing can be apolitical and politics is everything. However, the previous arguments – those of Crick and Newey above – have also hinted at this conclusion. We saw that for politics to even take place there must be a previous moral basis, otherwise there would be nothing to stop one killing, rather than arguing with, ones opponent, and that it is better that a politician seem moral than to always be moral. The moral can be present in politics, just as politics can be present in the moral, but this does not mean there is no difference between morality and politics. There is little which cannot, at some point or other, enter into politics or into which politics cannot itself enter, if only for a short time. To deny an entire area into which politics can legitimately enter as being for all times off limits is to have some sort of agenda. Schmitt seems to be correct.

Schmitt realises that there are different types of argumentation occurring and acknowledges two fields: politics and the political. This recognition that there is more than one area at work, that discussing the theory of politics is not the same as doing politics appears in several commentators. Mouffe’s makes her Heideggerian ontic vs. ontological distinction, *i.e.* politics vs. the political based on Schmitt’s distinction, while Oakeshott’s quote concerning the ‘coherence of the two worlds together’ (Oakeshott 1946: ix) seems to follow similar lines. Any discussion of what politics ‘is’, is a meta-politics for want of a better word, *ergo*, the discussion of the link between politics and any other realm, be it morality, religion, or economics is clearly a political discussion.

Schmitt's contention seems to hold true and the awareness of what area one is engaging at is something that is often being missed from the discussion on humanitarian intervention.

Nonetheless, at first reading Schmitt himself seems to have issues with his own conclusions, as he states:

[i]n contrast to the various relatively independent endeavors [*sic*] of human thought and action, particularly the moral, aesthetic, and economic, the political has its own criteria which express themselves in a characteristic way. The political must therefore rest on its own ultimate distinctions, to which all action with a specifically political meaning can be traced. Let us assume that in the realm of morality the final distinctions are between good and evil, in aesthetics beautiful and ugly, in economics profitable and unprofitable (Schmitt 1974: 25-26).

This is interesting as, despite his claim that assertions of the sort 'subjects such as economics and morality are the antitheses of political' are in fact political, he now labels these areas as 'relatively independent endeavors' and declares that the moral and the political have their own distinctions which other subjects will mirror but not share. Surely these distinctions will render these subjects clearly delineated from other areas? The point to remember here is that Schmitt is not claiming that these aspects, *e.g.* religious, moral *etc.*, exist completely independently – this would mean Schmitt falling into his own trap of claiming a universality which they cannot possess. Rather, he is simply disagreeing with any assertions that these areas in no way overlap with the political, he points out their distinctions but he does not deny their intersection. He goes on to state that every:

religious, moral, economic, ethical, or other antithesis transforms into a political one if it is sufficiently strong to group human beings effectively according to friend and enemy [...] A religious community which wages wars against members of other religious communities or engages in other wars is already more than a religious community; it is a political entity (Schmitt 1976: 37).

Furthermore:

[e]motionally the enemy is easily treated as being evil and ugly, because every distinction, most of all the political, as the strongest and most intense of the distinctions and categorizations, draws upon the other distinctions for support [...] the morally evil, aesthetically ugly, and economically damaging need not necessarily be the enemy; the morally good, aesthetically beauti-

ful, and economically profitable need not necessarily become the friend in the specifically political sense of the word (Schmitt 1976: 27).

This makes sense and would explain the movement into the moral register of politics: the economically profitable can also move into the political to express something positively, and while the aesthetic might seem to appear less often, it is possibly there at a more subtle level. Politics is a human activity and any claims that an entire and reasonably global branch of human activity is amoral or non-moral seems to be a contention of colossal proportions. Once again Schmitt seems to be correct.

However, while Schmitt appears to have found a useful tool, it is by no means clear that these delineations are the defining dichotomies for the categorisations he claims. The discussion of politics and attempts to define what it is have been fraught. Scientifically, we cannot prove what is not, only what is and the concept of anti-politics mirrors this elusiveness. Defining something by what it is not is, as Schmitt might say, a particularly political way to proceed. Schmitt's thought tends to be discussed in legal and political circles, but he makes claims that there are dichotomies at work in ethics and that:

in the realm of morality the final distinctions are between good and evil, in aesthetics beautiful and ugly, in economics profitable and unprofitable (Schmitt 1974: 25f).

Schmitt's claim that morality is based on specific criteria, namely as existing between two opposites, is not new. However, it is not at all clear that the criteria must be between good and evil – as already claimed above, rights and wrong may be better for ethics. The most famed of the accounts positing morality as existing between two extremes is that of Aristotle. In his *Ethics* Aristotle claims that:

it is in the nature of moral qualities that they are destroyed by deficiency and excess [...] both excessive and insufficient exercise destroy one's strength, and both eating and drinking too much or too little destroy health, whereas the right quantity produces, increases and preserves it. [...] Thus temperance and courage are destroyed by excess and deficiency and preserved by the mean (Aristotle 1976 Bk 2 1104a11-32 pg 94).

For Aristotle, the moral does contain dichotomies, but that to choose either of these dichotomies on its own would be to give in to excess – the mean, the middle ground, dare one say the political, is the answer to what is moral to Aristotle.

However, this is not the only criteria which Aristotle allows into moral questions:

[f]or it is with pleasures and pains that moral goodness is concerned, Pleasure induces us to behave badly, and pain to shrink from fine actions. [...] If the virtues are concerned with actions and feelings, and every feeling and every action is always accompanied by pleasure or pain, on this ground too virtue will be concerned with pleasures and pain (Aristotle 1976 Book 2 1104a33-b20 pg 95).

Thus, when Schmitt informs us that morality is concerned with good and evil, we might agree, but we might also argue that Aristotle is not of this opinion, nor that there is only one criterion of morality. Similarly, when Schmitt informs us that friend and foe is the criterion which defines a political action we might agree that a conflict between two opposites is possible, much as it is in morality, legality, economics and aesthetics. That there is only one criterion, however, is not clear, nor that the criterion should it be the case, remains unchanged forever. Indeed, to paraphrase Schmitt, and as we already used it above, such a claim might well be an 'unusually intensive way of pursuing politics' (Schmitt 1976: 23).

Moreover, as with other writers above, Schmitt seems to lean towards confusing the moral with the religious, for surely it is religion which will deal more often in dichotomies of good and evil. It is also not merely the case that these domains of aesthetics, morals *etc* can overlap with politics and that these domains draw upon other distinctions, rather one can use these characteristics to legitimise ones own goals and demonise those of the other (Schmitt 1976: 66). In fact:

being reproached for immorality and cynicism, the spectator of political phenomena can always recognize in such reproaches a political weapon used in actual combat (Schmitt 1974: 67).

Indeed, the use of other domains and the demonisation of the enemy, *i.e.* going beyond the political framework results, Schmitt claims, in unusually brutal war. In such cases the enemy is not simply the enemy, but is rendered an immoral, inhuman monster: evil and ugly, who cannot only be defeated, but must be destroyed: if we are the side possessing the virtues how could it be otherwise (Schmitt 1976: 36)? This is a state of affairs which Schmitt credits Hobbes with recognising (Schmitt 1976: 65). Indeed, we do not need Schmitt in order to give words to this claim. As we have seen, Koselleck says that:

[b]y the yardstick of the laws of the moral world, social and political reality is not only incomplete, limited, or unstable but also immoral, unnatural and foolish. The abstract and unpolitical

starting point allows a forceful, total attack on a reality in need of reform.

The totality of the politically neutral claim of a fixed, eternally valid morality necessarily turns political acts and attitudes, once they are subjected to a moral test which they cannot pass, into total injustice. Moral totality deprives all who do not subject themselves to it of their right to exist (Koselleck 1988: 152).

Finally, we come to the point where humanitarian intervention can be linked into the discussion: this argument of Schmitt's is directly applicable to the concept of humanitarian intervention without any great leap of faith. Schmitt claims that humanity is not a political concept (Schmitt 1976: 55) but writes the following, which is relevant enough to the arguments surrounding humanitarian intervention to be quoted in full:

[t]he concept of humanity excludes the concept of the enemy, because the enemy does not cease to be a human being – and hence there is no specific differentiation in that concept. That wars are waged in the name of humanity is not a contradiction of this simple truth; quite the contrary, it has an especially intensive political meaning. When a state fights its political enemy in the name of humanity, it is not a war for the sake of humanity, but a war wherein a particular state seeks to usurp a universal concept against its military opponent. At the expense of its opponent, it tries to identify itself with humanity in the same way as one can misuse peace, justice, progress, and civilization in order to claim these as one's own and to deny the same to the enemy.

The concept of humanity is an especially useful ideological instrument of imperialist expansion, and in its ethical-humanitarian form it is a specific vehicle of economic imperialism. Here one is reminded of a somewhat modified expression of Proudhon's: whoever invokes humanity wants to cheat. To confiscate the word humanity, to invoke and monopolize such a term probably has certain incalculable effects, such as denying the enemy the quality of being human and declaring him to be an outlaw of humanity; and a war can thereby be driven to the most extreme inhumanity (Schmitt 1976: 54).

This is a startling passage both in the ideas it sets out and in the fact that it was written more than 70 years ago. Its arguments, even if the underlying friend/foe dichotomy is not accepted, are powerful: the mere act of declaring oneself to be on the side of justice or the good, or the true, automatically puts those whom one is fighting on the side of those who do not fight for justice or the good or the true. Politically, we can clash with the enemy to resolve the conflict; morally, we ought to destroy them. If one

is involved in a humanitarian war, and it is to protect humanity from the other, then that other has truly sunk very low indeed: if we possess all the virtues and they oppose them, they can only be riddled with vice. If nothing else, Schmitt shows the linguistic dangers of the use of the term humanitarian intervention, and it might certainly be argued that episodes such as Guantanamo Bay and Abu Graib linked, as they are claimed to be, with the ‘good guys’ of recent conflicts back this up. One need not find Schmitt to one’s liking to admit that he may have a point. And, indeed, much of the recent work utilising Schmitt has endeavoured to use his points without agreeing with his politics. These attempts also highlight other issues at work which are perhaps not always identified as part of the discussion of the political and the moral.

Dietmar von der Pfordten complains that there is hardly a clear identifying feature of political action or decision-making in the whole of political philosophy, but that one is rather more likely to find something by ‘conservatives’ such as Carl Schmitt rather than those on the ‘left’ (von der Pfordten: 2001: 3f). His reason for this claim is that while Hobbes and Locke make a relatively clear division between politics in the sense of sovereign government and society in the sense of social community, Rousseau and the Utilitarians have systematically blurred this distinction. While in Hobbes and Locke the contract justifies political authority, in Rousseau it becomes a ‘social’ contract, a contract which constitutes the society (von der Pfordten: 2001: 3f). Furthermore, he claims that on account of the maximisation of happiness in all areas of life, the clear differentiation between the political and the social sphere within Utilitarianism also loses its importance. Moreover, in John Rawls there is no clear boundary between political and social action: to the point that von der Pfordten claims that one can hardly differentiate between politics and society (von der Pfordten: 2001: 3f) – the delineation upon which Schmitt lays so much emphasis. Despite any arguments one might have with the author’s interpretations, the notion of a left/right split is an interesting idea and one that hints at underlying issues at stake in humanitarian intervention, and so will be followed up.

A fundamental left/right split, in addition to confusions regarding what the subject of politics actually is, and what the danger to politics in the form of anti-politics might be, could result in specific undercurrents registering in the humanitarian intervention discussion but without any reasoning to why they would be there. There does not appear to be a left/right split on what the study of politics is: that particular paradigm shift seems to be historical in nature as the further back one goes, in the UK at least, the more

chance there is of politics being thought of in terms of philosophy. Similarly, the more recent a definition one looks at, the less chance of seeing philosophy being mentioned at all, never mind as the birth mother of the subject.

So what would the left/right split on the subject of morality and politics look like? Claude Lefort gives a rather clear account of this and thus lends himself to the subject:

[m]odern conservative thinking does not doubt that relations of property and relations of power constitute the essence of politics, however keen it is to extol the values of democracy. Of course, it regards individual liberties and the guarantees accorded to the security of citizens as sacred, But it scrupulously distinguishes between what falls within the domain of morality and what falls within the domain of politics (Lefort 1986: 243).

The relation of property will not be looked at, its role in humanitarian intervention not being convincing. The relation of power to politics has been mentioned briefly above. This does take us into ideological territory and as such is well able to be a significant undercurrent. Of course, if one is to class Schmitt as a conservative thinker, as von der Pfordten does, then not only would Schmitt dispute Lefort's idea of politics having an essence, but his distinction is friend/foe, and not power *per se*. Indeed, Schmitt's claim is that the negation of the political (something which he cannot approve of) is inherent in all forms of individualism and, *ergo*, in liberalism, which cannot then generate its own positive theory, there is no such thing as liberal politics, but only a liberal critique of politics (Schmitt 1976: 70). Thus for Schmitt individual liberties are unlikely to be sacred – although he would no doubt appreciate the use of the dominion of the religious for the political – but are innately in juxtaposition to the political. That said, many conservatives would be offended to be grouped together with Schmitt, and it could be argued that Lefort's modern conservative may not be a term one could use with Schmitt. Whether Lefort, von der Pfordten, or Schmitt is most at fault here is difficult to say, but the three accounts do not fit seamlessly together.

However, of most interest in Lefort's account is his claim that the conservative keeps the domain of morality and that of politics quite separate. Again, we can quote Schmitt and his claims that liberalism has done away with any separation on account of its de-politicisation polemics and attempts at apolitical purity. Moreover, Schmitt's point that the absolute separation of morality and politics is just a very intensive method of carrying out politics is applicable here as is his acknowledgement of the intersection of realms, but the above criticisms of Schmitt's position within conservative thought

still hold. Nonetheless, if conservative thought is thought to differentiate clearly the issues of morality in politics, and the thought of the left to be not as scrupulous on this point, then judgments upon humanitarian intervention later on may be influenced. This could mean that judgments on the concept of humanitarian intervention may not be based on the idea of humanitarian intervention in itself but on humanitarian intervention *qua* examples of action of the left or the right and thereby on an underlying dogma rather than the issue itself.

A perhaps less controversial type of conservatism can be applied to Edmund Burke, but even here we can strike a blow against von der Pfordten's left/right distinction by a Burke quote made famous in another inaugural speech, that of Lord Acton, who quotes him as saying:

[m]y principles enable me to form my judgment upon men and actions in history, just as they do in common life; and are not formed out of events and characters, either present or past. History is a preceptor of prudence, not of principles. The principles of true politics are those of morality enlarged; and I neither now do, nor ever will admit of any other (Burke 1960: 282).

Once again, Laski and Burke are interesting bedfellows, we meet 'true politics' – a concept of which Plato would be proud and which, were it to exist, would unlikely be accessible to mere mortals – and Burke's claim that they are 'morality enlarged' is rather in contradiction to Lefort's assertion that the morality/political split will be approved of by conservative thinkers. However, in deference to Lefort, it could again be argued that an author writing in November 1771 may not be classed as a modern conservative; furthermore, Burke is writing a private correspondence in a rather heated personal argument about his family's behaviour in this case – a fact mentioned in the volume in question, but seldom mentioned in subsequent quoting.

It certainly looks like while a divide may be in place concerning morality and politics, there are issues in determining whether or not that can be classed as conservative or not, and the relationship of liberal thought to conservative thought is also going to have repercussions. However, insofar as area two seems concerned with ideologies and dogmas, the infiltration of these notions into discussion of humanitarian intervention is entirely possible. On occasion, this left/right split will certainly be knowingly done, but as it seems unclear as to whether a left/right split generates specific answers this would be an unnecessary, but powerful undercurrent.

O'Sullivan claims, in criticising Rawls, that it is the element of power which separates the moral from the political, a fact which he believes Rawls to have ignored (O'Sullivan 1997: 742). However, if this is the case, then will it not also be the element of power which separates the economic from the political, or the religious from the political, and we are back to the question of why the moral/politics split rather than any other should be so important? Nonetheless, O'Sullivan's answer to why Rawls feels able to ignore this, throws doubt on von der Pfordten's assertion that Rawls' political/social amalgamation is the main issue at stake:

[t]he answer is that he [Rawls] begins by moving all sources of major conflict, arising for example from religion and morality, out of the public realm into the private sphere. The public realm, in short, is de-politicized at the outset (O'Sullivan 1997: 742).

Schmitt's claim is that the merging of society and the state is a symptom of the (politically motivated) de-politicisation of important domains. If we take this to be the case, then the only possible retreat for the depoliticised would indeed be the private sphere, regardless of what one assumes the essence of the political to be. If Crick is correct and

politics represents at least some tolerance of differing truths, some recognition that government is possible, indeed best conducted, amid the open canvassing of rival interests. Politics are the public actions of free men. Freedom is the privacy of men from public actions (Crick 2005: 4),

then the de-politicisation of the public sphere would force the 'differing truths' into the private sphere, where conciliation will not be possible. One solves the conflicts by not allowing them to be dealt with. This could be considered a freedom of sorts, as public actions *qua* politics, if prevented from being public and forced into the private sphere, would prevent the public actions taking place altogether, a situation which, as Cranston mentions above, being completely without politics could be mistaken for heaven (Cranston 1971: 293).

By a rather circular route we are back to why Schmitt so feared the depoliticising of politics, alas, not via the problem of morality. A continuation of O'Sullivan's critique of Rawls indicates the way out of the labyrinth:

the real importance of Rawls' theory work is that it provides the classic illustration of the post-war eclipse of the political by the moral (O'Sullivan 1997: 740).

Here we see where the issue lies: any de-politicisation of the public sphere will create a vacuum, sucking another domain into its place. It is not clear that the domain of morality would be any better or any worse than those of religion, economics, or culture. I have already mentioned that I believe Schmitt confuses the moral dichotomy of good/bad, with a possibly religious notion of good/evil. Nonetheless, in filling a vacuum the moral domain can quite happily come into question for as Ivison says:

almost no one believes that morality is never relevant for political judgment or action (Ivison 2005: 171).

Dower would agree with him, and takes us back to the international level which is necessary for humanitarian intervention in saying:

[e]ven if we agree that foreign policy must be shaped by considerations of one type or other, that still leaves open the possibility that moral values contribute to it, either because international actors are persuaded that they are important, or because electorates which they represent are (Dower 1998: 9).

Going back again to Schmitt, he would most probably agree with Dower – the ruling out of any domain would not be a politically prudent thing to do – which is to say, it could be very political, but not very clever. To rule it out would be for political reasons – so a political act and for political reasons; and finally any attempt to separate the two completely would be an attempt to depoliticise politics, *ergo* a political act one way or the other. Schmitt makes it rather difficult to escape his logic.

Ivison can take on board those concerned with power, but his point is not limited only to them, his argument extends to all politics when he reasons that all:

politics is moral in at least this sense: power never merely asserts itself. Power always seek to legitimize itself in some way, or at least to de-legitimate its opponents, and thus always leaves itself open to the counter-legitimizing moves and arguments of others. In so far as politics is constantly dealing with questions of legitimacy, morality is in some way intrinsic to it (Ivison 2005: 177).

Ivison and Dower's arguments take us into enthralling territory. Schmitt has said that the political will, *qua* political, utilise the other domains. Ivison and Dower have shown that morality can occur within the political in ways which are naturally political. Hence, an attempt to fashion a strict politics/morality separation could be seen, whether you accept Schmitt or not, as a de-politicisation of politics.

Furthermore, any discussion of why there ought to be a separation of these two domains is well within the remit of political philosophy, indeed it would be difficult to discuss this area without this method. And what is political philosophy? Hoffmann would claim that political philosophy has traditionally been about the good state (Hoffmann 1998: 11), and Strauss makes only a slight deviation from this in professing that political philosophy is:

the attempt truly to know both the nature of political things and the right, or the good, political order (Strauss 1959: 12).

It is difficult to argue the question of why there ought or ought not to be a difference between morality and politics without the use of moral philosophy and its subset of political philosophy. That this is the only story or that it is more ‘true politics’ than any other method is nonsense on stilts: it is simply the correct method for certain questions. However, if our academic study of politics pioneers are correct – and if they are wrong, at the very least they are all in agreement and as distinguished a group of wrong as one could hope for in politics – moral philosophy sits very comfortably in its politics chair. Indeed, moral philosophy sits perhaps comfortably enough that the moral could well be next in line to the throne upon the death of the political. This would obviously come as a shock to the dominant theories of international relations, which, according to Brown and Ainley:

claim to be explanatory and value-free rather than normative (Brown and Ainley 2005: 207f).

Of course, the dominant theories are likely to fall to the same accusations from Schmitt, on account of their attempts to keep politics ‘pure’ in the sense of morality free. They argue that the dominant theories of international relations deem theorising about ethics in the international system:

as utopian or irrelevant. States in an anarchy make the decisions they must, based on national-interest calculations and (for the neorealist) systematic imperatives. Morality exists only within the borders of the sovereign state, which protects and promotes the values of its citizens and thereby makes morality possible, and as such is of no concern to IR [international relations] theorists (Brown and Ainley 2005: 208).

Dower mentions above that morality could well contribute to the national-interest. It seems that were it to, it could be denied by those who think it does not belong, its political aspect rejected and, thereby, depoliticised: which takes us back to the discussion

above. The Schmittian argument concerning anti-politics becomes a bit more obvious and it seems possible to utilise it in a number of ways, especially as, if the analysis of Schmitt is correct, international relations theory and theorists seem intent on depoliticising politics.

While several aspects of these concepts may now seem slightly clearer, one issue remains: why should morality be singled out in being so feared? That it might be the prince regent to the political in its dotage is clear, but why should that be so explicitly repudiated, and not the religious or the cultural or the environmental? If the aspect of power, mentioned several times but held at a distance, is considered to be the determining factor in politics, as it is claimed conservative thought holds, then Nietzsche might be able to explain. As he says in the *Genealogy of Morals*:

[w]hat if a symptom of regression were inherent in the ‘good’, likewise a danger, a seduction, a poison, a narcotic, through which the present was possibly living at the expense of the future? Perhaps more comfortably, less dangerously, but at the same time in a meaner style, more basely? – So that precisely morality would be to blame if the highest power and splendour actually possible to the type man was never in fact attained? So that precisely morality was the danger of dangers? (Nietzsche 2000: GM §6).

According to Nietzsche, or as far as anything can be claimed to be according to Nietzsche, the attainment of the highest power, if thwarted at all, can be thwarted by morality – the danger of dangers, to continue my metaphor, not simply the prince regent, but the in-house purveyor of regicide. We can take Nietzsche deeper into this argument. Assuming Schmitt is correct that a war of humanity would be the most inhumane on account of the dehumanisation of the foe, a situation Hoffmann would agree with, conveniently, at the international level when he says that once we have ‘moral warfare’ we are in the situation where:

we are good, other states have moral rights only insofar as they share our values, international relations is a clash between good and evil (Hoffmann 1998: 19).

This is the story in *The Birth of Tragedy*, where Nietzsche repeats his ‘danger of dangers’ but in a way which makes the comparison with a Schmittian war of inhumanity more than justified:

confronted with morality (especially Christian, or unconditional, morality), life must continually and inevitably be in the wrong,

because life is something essentially amoral – and eventually, crushed by the weight of contempt and the eternal No, life must then be felt to be unworthy of desire and altogether worthless. Morality itself – how now? might not morality be ‘a will to negate life,’ a secret instinct of annihilation, a principle of decay, diminution, and slander – the beginning of the end? Hence the danger of dangers? (Nietzsche 2000: BT §5).

Now it does all seem to be knitting together. Morality can slip so easily into the place of politics because it is so often used anyway. A political notion of something being right can be made especially political by adopting the apparel of the moral and claiming it is not merely right but also good, that is, by using the moral register. The political is flexible but the moral has many answers in place before the questions have even been asked and will be the easy option upon the rejection of politics. Thereafter the depoliticised politics becomes morality and the demonisation of opponents is another easy step: if you are right and good then opponents can only be wrong and evil, and as Schmitt points out, will probably possess no conception of economics and invariably be ugly: why should they not be destroyed if they oppose good? It should be made clear that at no point does it become necessary for us to have to adhere to the Schmittian view, or agree that power is the element of politics, adopt a left or right position, or believe that morality is the danger of dangers, however helpful this is to the argument.

A recap of the argumentation and the structure of the reasoning so far would be as follows. Despite any ideological claims to the contrary, then, morality can be involved in politics at some level or other. In its form as the anti-political, that is, as moralism, the moral would negate politics and in eclipsing the political, the moral would replace conflict with destruction for the non-moral. The moral would be the one danger which could completely thwart power. If there is a conservative viewpoint, which is not clear, which would demand a strict differentiation between the moral and politics, this would, ironically, be part of the de-politicisation of politics on account of the natural utilisation of the moral by the political. Any argumentation at the level of humanitarian intervention is thereby going to have inappropriate preconceptions (anti-politics?) in place. Conversely, if there is a liberal viewpoint to this issue, which is again not entirely clear, which might think that the question of humanitarian intervention will invariably involve morality, then this is just as mistaken; humanitarian intervention is a political action which may or may not involve morality, but there is no necessity either way. Eclipsing the political with the moral is also a de-politicisation of the political in this way.

This area two discussion has tremendous repercussions for humanitarian intervention, but this argumentation seems to stay firmly rooted in political philosophy, and is seldom even picked up by political science, never mind politics. This is not to say that moving this argumentation into areas one and three would help solve real world problems such as if and how humanitarian interventions are to be carried out; area two argumentation cannot solve all the problems of philosophy, nor show what must be done in any given situation. However, area two discussion of anti-politics could certainly aide the understanding of some of the issues posed in the other two problem areas. A further discussion rooted firmly in area two also, surprisingly, has implications for the study of the concept of humanitarian intervention, namely the idea of tragedy in political thought.

4.3 TRAGEDY AND THE TRAGIC IN RECENT POLITICAL THOUGHT

There has been a recent upsurge in interest towards the theme of tragedy within the study of politics and international relations. Richard Ned Lebow's *The Tragic Vision of Politics* from 2003 seems to have sparked the resurgence, followed by Mervyn Frost's article 'Tragedy, Ethics and International Relations' and James Mayall's 'Tragedy, Progress and the International Order: A Response to Frost', both in the journal *International Relations* in the same year. Thereafter, the topic is picked up again twice in *International Relations*: once in 2005 by Lebow and Nicholas Rengger, and again in 2007 by J. Peter Euben and Chris Brown. This subject is of interest within this dissertation for a number of reasons. Firstly, these articles are concerned with the notion of politics, a notion so fundamental to, but largely ignored, by humanitarian intervention. Secondly, they are concerned with correcting issues which they perceive to be at risk of misunderstanding or misinterpretation within the study of politics. Thirdly, and of most importance to this thesis, these arguments use the topic of tragedy to operate in several different areas: the disjunction between politics as they are practiced (area three) and political studies as the study of the world (area one) in an area two discussion. In short, within this subject all three areas as I have outlined them are explored.

Before this resurgence can be examined, the originator should be located, and what is meant by tragedy or the tragic within politics must be looked at. Only then can this modern reassertion of the tragic be investigated. As may be envisaged, there is not always agreement on what the notion of tragedy in politics might mean or involve.

As Lebow has been the catalyst to the modern adoption of the idea of the tragic, his influences and those from whom he has claimed to have taken up the theme are likely to indicate the origins. Indeed, Lebow concentrates on three authors in his book *The Tragic Vision of Politics* whom he deems classical realists, namely, Thucydides, Clausewitz, and Hans Morgenthau. Of these three, two predate the academic subject of political science, although both appear within the study of politics: Thucydides is better known as a historian and Clausewitz as a strategist. Not only was Morgenthau a political scientist writing from within a political science department, but he expressly wrote on this theme, acknowledging his thoughts on tragedy in his *Scientific Man vs. Power Politics* where chapter viii is entitled 'The Tragedy of Scientific Man'. Thus it is to Morgenthau via Lebow that I will turn my attention.

Lebow states that:

[m]odern realism, derived from the seminal mid-century works of E.H.Carr, Frederick Schumann, John Herz and Hans J. Morgenthau, has been the dominant paradigm in international relations for the last fifty years (Lebow, 2003: 14)

and goes on to say that:

I hope to persuade readers that ethics are not only instrumentally important, but that it is impossible to formulate interests intelligently outside of some language of justice. [...]

Realism is not just another arcane academic doctrine. As currently formulated, it offers an intellectual justification for a range of policies at odds with core democratic and humanitarian values. American presidents, secretaries of state and national security advisors have used – mostly in private or off the record – the language of realism to defend their least palatable policies: coups, bombings, interventions and support of oppressive dictatorships (Lebow 2003: 16).

Of course, this is an American academic theorising about area one American politics. However, Lord Douglas Hurd as a former British Foreign Secretary can claim:

I think the making of foreign policy is blending realism and idealism. It is blending the world as you would like it to be with the world as it is. It is an aim—I do not think it is the paramount duty but it is an aim—of British foreign policy, I believe, and of any government in the modern world, to make a contribution towards a more decent world, the betterment of humanity and the correction of human rights abuses (Hurd 1997a: Q79).

Hurd's views will be examined later on, but his rejection of dogmas from area one, if not area two, for application in his field is powerful. Lebow is, he claims, returning to these classical realists where he states that:

[a]ll three realists believed that it was essential, if only for practical reasons, that foreign policies conform to the ethical standards of their day (Lebow 2003: 16).

According to Lebow, Morgenthau, in his book *Scientific Man vs. Power Politics* 'attributed the horrors of the twentieth century to hubris and miscalculation' (Lebow 2003: 48). This hubris took the form of 'the Enlightenment's misplaced faith in reason and the false belief it engendered that human beings could remake and control the social and physical environments' (Lebow 2003: 49). Despite this misplaced faith in believing one could control environments, it would seem, 'Morgenthau based his theory of international politics on his tragic understanding of the world in the hope that it would help statesmen to avert another major and perhaps fatal war' (Lebow 2003: 49). Lebow goes on to say that:

Morgenthau saw obvious parallels in the methods and goals of ethics and international relations theory. Philosophers and theorists alike should search for underlying, universal truths through the study of history, and adapt them to contemporary circumstances (Lebow 2003: 242).

At this point Lebow is paraphrasing Morgenthau's idea which we saw above that:

these universal moral principles cannot be applied to the actions of states in their abstract universal formulation but that they must be, as it were, filtered through the concrete circumstances of time and place (Morgenthau 1962a: 108).

And here it does seem that Lebow is correctly paraphrasing Morgenthau, however this is the same Morgenthau who says in the same article two pages previous that:

to know that states are subject to the moral law is one thing; to pretend to know what is morally required of states in a particular situation is quite another (Morgenthau 1962a: 106).

It is not entirely clear to me either that Lebow is using Morgenthau correctly, or that the discussion on tragedy is of use to area one or area three. Of course, Morgenthau using the concept of tragedy (which will be investigated later), and Thucydides and Clausewitz being interpreted in this manner would not necessarily be enough to generate this interest. There are several philosophers who have turned their minds towards the

notion of tragedy who are also claimed by political science as its own, namely Aristotle, Hegel and Nietzsche. Indeed, even within dramatic criticism, arguably since A.C. Bradley's 'Hegel's Theory of Tragedy' was first published in *Oxford Lectures on Poetry* in 1909, references to Hegel and tragedy have become commonplace (Paolucci 1975: xi). Bradley himself claimed that 'Since Aristotle dealt with tragedy [...] the only philosopher who has treated it in a manner both original and searching is Hegel' (Bradley 1975: 367). Aristotle dealt with tragedy in his *Poetics* while Nietzsche addressed the topic in his *The Birth of Tragedy*. Thus, we have authors within the political canon referring to tragedy, although by this they are meditating on tragedy as drama as opposed to tragic politics, nonetheless, they will not be strangers to the field.

In order to proceed, we must discover what is meant by tragic and tragedy, and the difference, if any, in these terms in the political sense, and how it moved into the political sense. Corrigan, looking from the dramatic point of view does give a clear indication that these two words are to be kept separate:

[w]e must make a distinction between 'tragedy,' which is a constantly changing dramatic form that makes manifest and communicates the experience of tragedy and the feelings it arouses, and the 'tragic,' which is a particular way of looking at experience that has persisted more or less unchanged in the Western world from the time of Homer to the present. When we talk about tragedy we are in the realm of aesthetics ; when we discuss the nature of the tragic, we are in the realm of existence. In short, the difference between the two is the difference between art and life (Corrigan 1981: 8).

This distinction may need to be borne in mind with some authors, and ignored with others. The difference in these two terms is confirmed and an indication of how the progression from drama to politics has been made can be seen in a quote by Henri Gouhier translated by Timothy Reiss in his book *Tragedy and Truth* 'The tragic is a dimension of real existence. Tragedy belongs to literature and to theatre, the tragic belongs to life' (Reiss 1980: 1). However, as might be expected, agreement on definitions is not forthcoming in the literature. The problem is most starkly shown by comparing the above to Nicholas Rengger's article where he quotes Oakeshott on Morgenthau:

[h]uman life is not tragic, either in part or in whole: tragedy belongs to art, not to life. And further, the situation [Morgenthau] describes – the imperfectability of man – is not tragic, nor even a predicament, unless and until it is contrasted with a human nature susceptible to a perfection which is, in fact, foreign to its character (Cited in Rengger 2005: 326).

That tragedy belongs to art or theatre is not disputed anywhere, it is its relation to, among other things, life, politics and international relations that cannot be agreed upon.

Lebow interprets Morgenthau's position as sharing:

Thucydides' tragic understanding of politics, reflected in their belief that order was fragile, that human efforts to control, or even reshape, their physical and social environments were far more uncertain in their consequences than most leaders and intellectuals recognized, and that hubris – in the form of an exaggerated sense of authority and competence – only made matters worse (Lebow 2003: x).

Lebow goes on to claim in his 2005 article that '[t]ragedy is inescapable, and efforts to circumvent it by power and intellect risk making it more likely' (Lebow 2005: 330). This is a strange account, making tragedy appear more like fate than choice, and perhaps in the world of the Ancient Greeks, which Lebow is keen to invoke, this is a legitimate standpoint. However, tragedy is a legitimate political issue only insofar as one can avoid it: if it is based on choice or decisions made. If this is not the case, if unavoidable, it cannot, according to Oakeshott belong to politics, for, as we have already seen:

[p]olitics is an activity, not of governing, but of determining the manner and the matter of government, and where these are pre-determined and are regarded as immune from choice or change, there is no room for 'politics' (Oakeshott 1993: 8),

then we realise that Lebow is in danger of claiming that the tragic is of use to politics and in the process de-politicising it. If it were written in stars, if hubris were to be the fate of humanity, and therefore unavoidable, then it would seem there is nothing at all that could be done about this state of affairs by politics or anything else within the realms of human beings. Lebow, it seems, may not be immune to hubris.

In his review article, Daniel Warner explains Lebow's usage:

Lebow's tragic is the complexity of human behavior, a literary sense of the striving of the individual against forces beyond control as well as the limitations of human action. [...]

And because human behavior is so complex, Lebow argues for a more limited activity on the part of states and a recognition of the dangers of great power attempts at domination. Tragedy, as developed by Lebow, should lead to restraint; it should be a counter to the hubris of great powers [...].

Lebow's understanding of the tragic is inherent in human behavior and not in any system. [...]

Tragedy, for Lebow, is a way of confronting changes or 'modernization' without the arrogance of knowing immutable truths that govern all human conduct in all time (Warner 2006: 226).

Again there is a tension in the understanding of the tragic, for, as seen above, Lebow has claimed that Morgenthau's theory of the tragic should mean that philosophers and theorists should search for underlying, universal truths through the study of history, and adapt them to contemporary circumstances (Lebow 2003: 242).

Mervyn Frost, writing on the theme claims that:

[a]t the core of every tragedy is an ethical struggle. There are many forms that the ethical drama in tragedy takes, but there can be no doubting that the tragedies turn on ethical matters (Frost 2003: 479).

This is of interest as, at first, this looks like, and is in the context of the discussion of tragedy *qua* drama. However, Frost goes on to explain that he sees no difference in tragedy and tragic, nor in the discussion as *qua* drama or *qua* politics:

[w]hat are the identifying features of tragedy? I take this question to be applicable to tragic plays, novels, films, and, of course, to tragedy as it occurs and is told of in everyday life, whether it be at the micro-level of the family or the macro-level of world politics (Frost 2003: 481).

Frost then answers his question with a reinforcement of his answer above:

[a]t the heart of all tragedy is an ethical *agon* (the metaphor refers to a duel or competition)' [...]

The *agon* reveals the element of conflict that is central to tragedy. The conflict with which tragedy concerns itself is that between two ethical forms both of which have a valid claim on the actor or actors involved (Frost 2003: 482-483).

Perhaps even more interestingly, Frost then makes a claim which the other authors avoid, namely that a 'tragic account is thus a consequentialist one. It invites an ethical evaluation of a series of events consisting of an act and its consequences' (Frost 2003: 482) – if this is the case, then the tragic account risks being open to the common-or-garden attacks on consequentialism.

In his reply, James Mayall agrees with Frost's assessment that:

[k]nowledge of past tragedies cannot prevent new ones happening. The injunction 'Act so as to prevent a tragedy' is nonsensical. It displays a misunderstanding of what tragedy is about. The only way in which tragedies could be avoided would be if actors had perfect information about the future, and if all the social practices within which we participate could be shown to be in perfect harmony with one another. Neither of these is plausible or even possible. Therefore, tragedy is always a possibility. 'Act so as to avoid tragedy' is a pointless command. It might even be a comic one (Frost 2003: 486).

However, he takes issue with Frost's consequentialist claim:

tragedy is not the outcome of mistakes or the failure to calculate accurately the consequences of particular policies. On the contrary, tragedy is the outcome of a confrontation of two conceptions of the right, only one of which can prevail. It is tragic partly because the defeat of one conception of right does not automatically turn it into a wrong (Mayall 2003: 498).

The above quote is perhaps particularly suited to explaining the significance of tragedy and humanitarian intervention, it is not a case that one has to make a political decision to choose between wrong or right, one has to make a decision between right and right, or wrong and wrong. So it is with humanitarian intervention, which can be put, in overly simplified terms, either in the language of wrongs: that in intervening and causing death or not intervening and not preventing death. Or in the language of rights: that in intervening one is preventing harm, and in not intervening one is not risking one's own people. In making the decision, committing a wrong cannot be avoided, indeed, the tragedy is such that even not making a decision will, in effect, be a decision to not intervene in a given situation.

A final attempt at explaining what a tragic notion of politics might be is given by Chris Brown in his article '*Tragic Choices*' and *Contemporary International Political Theory*. Brown explains the tragic as being the sense that:

human action sometimes, perhaps often, involves a choice between two radically incompatible but equally undesirable outcomes, that whatever we do in a given situation we will be, from one perspective, acting wrongly, which constitutes for many contemporary writers the essence of a tragic vision of the world (Brown 2007: 9).

McCullom agrees and maintains that 'choice is at the heart of tragedy' (McCullom 1957: 4).

Thus we have the recent writers on the topic claiming that: tragedy is art not life; tragedy is art and the tragic is life; that there is no difference, tragedy is art and politics; avoids arrogance in assuming universal truths; is the search for universal truths applied to a contemporary setting; is a conflict where two rights make a wrong; and is a conflict where both sides are wrong. That there can be any discussion on the idea at all with such an array of arguments is a wonder. However, the parallels to the concept of humanitarian intervention are apparent in both the content and the links to the political. Reiss, a writer perhaps more at home in literature and drama than political science, is the author who best makes clear the link between any notion of the tragic and politics:

[t]he periods in which tragedy has appeared have been notable for a profound reorganization of the political and social order. One thinks of the formation of the oligarchic *polis* and the struggles that were brought to a temporary conclusion in the Peloponnesian Wars. One is reminded of the creation of the modern nation-state through the religious wars of the sixteenth century, the Thirty Years War on the European continent, and the years of the Commonwealth, Restoration, and bourgeois monarchy in Britain. One recalls the German romantic movement and the gradual unification of that country. Each appearance of the discourse called tragedy was accompanied or immediately followed by the invention of a powerful political-philosophical discourse, destined to provide for some centuries the limits within which such theory and practice could be conceived: Plato and Aristotle; Machiavelli and Bacon, Hobbes, and Locke; Kant, Hegel, German idealism, and Marx.

This complex conjuncture suggests that the discourse, tragedy, plays a particular – and perhaps fundamental – role in the formation of epistemes (Reiss 1980: 282-283).

This is a fascinating notion and it is based on this that Reiss can claim that ‘[t]ragedy and the political appear at all times to be inescapably linked’ (Reiss 1980: 289). Invoking the notion of the agon into an explanation, Reiss points out the tensions and paradoxes at work within the idea of tragedy and politics, where tragedy:

escapes from, but installs, the political. Tragedy is at once the moment of crisis and its resolution. Tragedy is simultaneously the invention and the exile of the tragic, indicating the difficulty but also the necessity of the political (Reiss 1980: 302).

Another viewpoint which is again enlightening and again outside contemporary political science, is that of T.R. Henn who states that ‘[f]rom the beginnings tragedy has

concerned itself with considerations that may be called, broadly, political' (Henn 1956: 244). Henn goes on to explain this further:

[t]he reasons are obvious. One pole of the established type of conflict is often formed of a kind of stalactite of petrified laws, custom, usage, which is in itself challenged and broken by a new order. [...]

The State may be regarded as the perfect abstract protagonist in tragedy. It can include among its claims the most powerful stimulatory virtues: honour, patriotism, piety, love of tradition, loyalty; it can also call on the hidden *todttrieb* for its mystical defence through blood. In time of war its claims on truth are absolute in proportion to the strength of its censorship (Henn 1956: 245).

This works well together with Reiss's theory: any time of political upheaval may generate an older and a newer system, neither of them necessarily better than the other or more true, but, despite this, the very fact that this takes place on the political plane ensures that there will be a conflict, but also that there will be a solution.

This at least explains an interesting, if not especially useful, link between tragedy *qua* drama and politics, but why is so much emphasis being placed on this?

The political issue here, according to Orrin Klapp, is that since:

tragedy is at the same time a check on pride and a testimony to human dignity, we may be fearful that without this perspective, leaders may act with too much assurance that they are right and with too little respect for the individuals under them (Klapp 1981: 254).

Hubris raises its head again, but not in the sense of the drama where the tragic hero is destroyed, but rather that in a state where those making the mistakes of hubris are not necessarily those that will suffer from its ill effects. Frost has mentioned ethical conflicts at work in tragedy, and Lucien Goldmann explains this notion admirably:

this means that, in every tragedy, there is an absolute primacy of morals over the actual state of affairs, of *what ought to be* over *what is*. It means that a tragedy is the representation of a universe dominated by a conflict of values (Goldmann 1981: 137).

We are now most definitely within the realms of politics and political science, and this quote best indicates why this discussion, which so far has yielded little fruit, has been of recent interest. The conflict of values mirrors Cranston's view, quoted previously, that

[p]olitics is in part an argument about values between men who agree about some values but disagree about others. If they did not agree about some – about the desirability of truth and justice, for example – they could not engage in a dialogue at all; there could be no politics (Cranston 1971: 293).

This is an argument understood and presented by Carr, when he states that:

[c]oercion and conscience, enmity and goodwill, self-assertion and self-subordination, are present in every political society. The state is built up out of these two conflicting aspects of human nature, Utopia and reality, the ideal and the institution, morality and power, are from the outset inextricably blended in it (Carr 1939: 124).

Carr does, in fact, mention the problem of morality and politics being one of tragedy, although it remains an underlying theme, where he maintains that:

[h]ere, then, is the complexity, the fascination and the tragedy of all political life. Politics are made up of two elements – utopia and reality – belonging to two different planes which can never meet (Carr 1939: 118).

Insofar as this disagreement over values is within the realms of politics and morality, where regardless of what is done a tragedy will unfold, then the issue of tragedy might well be able to be invoked for the issue of humanitarian intervention. To use the three problem areas, the problem takes place in the realm of politics (area three), the utopian and realist visions are from the realm of political science (area one), and the discussion of tragedy and its place in political science that of political philosophy (area two). Here too is where we can see the problem with the issue of the tragic in politics, for the area two discussion of whether or not the concept of tragedy is of use in area one still faces the issue of completely missing out what is actually happening in area three.

Nonetheless, two of the authors attempt to show the relevance of the tragic in area three, and, significantly, both use the example of the dilemma of intervention as their example. Brown and Frost both endeavour to show that the choice involved in deciding whether or not to intervene ‘the agon would be between intervention and non-intervention’ (Frost 2003: 484) could be helped by an understanding of the tragic. Both maintain that the study of tragedy would aid decision-making in area one. Brown claims that it:

ought to cause us to act modestly, to be aware of our limitations and to be suspicious of grand narratives of salvation which pre-

tend that there are no tragic choices to be made (Brown 2007: 11).

We are, it seems, to be on our guard, act modestly, and be aware of our limitations, sage advice for any area. Frost goes further and states that:

[a]n education in the tragic tradition can help us identify ethical problems and may help us understand certain key features of these problems (Frost 2003: 486-487).

Again, this could well be useful in any area. However, it soon becomes clear that both these authors are in fact discussing area two. Frost soon has us as objective observers:

[i]t alerts us to the relationships that hold between an actor, the wider society within which he or she is constituted as an actor of a certain kind, ethics, and the consequences of his or her acts.[...]

In reading tragedies (or watching them), we come to see that what is to count as ethical behaviour is not a free choice for the actors concerned (Frost 2003: 486-487).

While our limitations, modesty and guardedness, as suggested by Brown, are, it seems, to aid our sensitivity in writing about intervention:

[t]he key question, in both cases, is whether the genuinely tragic nature of these situations is recognised in the discourse. The answer, I think, is generally 'no'. [...] it is difficult to find other international political theorists who are sensitive to the dilemmas of intervention (Brown 2007: 9).

Thus far, however, there does not seem to be any argument compelling enough to demand that understanding notions of tragedy or the tragic will aid politicians in their decisions, aid political scientists in their political science, or even justify the area two debate on this topic. It is not at all clear why tragedy and not Lieven and Hulsman's key virtues of prudence, humility, study, responsibility, and patriotism would not be more appropriate across all three areas. Frost's claims that an education in the tragic might help us identify ethical problems does not seem particularly helpful in the case of humanitarian intervention. That the agon is between intervention and non-intervention is clear, but what is not clear is how an understanding of tragedy could help the Red Cross or New Labour's foreign policy to assess whether or not to intervene. Euben goes so far down this route of tragedy to claim that:

[i]t seems that, despite our hopes, tragedy portrays a world that is not made for us and for which we are not made. Human history tells no purposive story and even if it did there is no position outside ourselves or history from which we could authenticate our activities (Euben 2007: 17).

The only response to this strange assertion that humanity and the world are not made for one another comes from Eric Bentley's book:

Margaret Fuller once said that she accepted the universe, and Thomas Carlyle commented: 'Gad, she'd better!' (Bentley 1964: 279).

As McCollom correctly points out, '[d]ramatic tragedy refers to tragedy in life, but it does not imply that Being or Substance is tragic' (McCollom 1957: 20). Returning to Bentley, and indeed to Nietzsche who is, on the whole, ignored in the recent discussions of tragic politics, we can agree that:

[s]ince the whole notion of a tragic view of life was largely the creation of Nietzsche, it is proper to recall that he did not reduce tragedy to a philosophy (Bentley 1964: 278).

It is also Bentley who is confident enough to take a negative view of tragedy:

[t]ragedy transcends melodrama, and many people think it does so in being more sensible [...] But actually tragedy does not discard the bizarre, macabre, and morbid elements of melodrama. It exploits them farther. In tragedy, there is even more of mental sickness, even more of destructive and monstrous passion (Bentley 1964: 272).

One very curious omission from the discussion of tragedy in politics is its sister muse, comedy. The forms of comedy and tragedy are almost identical: both require a conflict of some sort to occur, both require recognition to occur and according to Feibelman '[o]ften indeed the connection between comedy and tragedy is so close as to render them hardly distinguishable' (Feibelman 1962: 202). Feibelman also claims that a situation can be both comedy and tragedy (Feibelman 1962: 203), Corrigan backs this claim up:

[t]he combining of the tragic and the comic in a single play is nearly as old as the drama itself [...]

both tragedy and comedy depend upon generally accepted standards of values (Corrigan 1965: 9).

As does Fry:

[t]he bridge by which we cross from tragedy to comedy and back again is precarious and narrow, We find ourselves in one or the other by the turn of a thought (Fry 1965: 16).

Why then should politics not be corrected by comedy or the comic? As just indicated, they are at times almost indistinguishable, but as yet no serious attempt at positing the comic in the political has been made. There could be confusion at work, of course: by comedy some authors might understand the funny or the laughable and declare the comic unfit for the purpose of discussing international relations, but as Feibelman says:

[t]here could hardly be displayed a greater confusion of categories than in the mixing of theories of comedies with comedy itself [...] The analysis of comedy can no more be funny than the analysis of water can be wet (Feibelman 1962: 168).

Comedy, it seems, is not taken seriously, despite any usefulness of the tragic being mirrored in the comic. Comedy is often taken to be the lower art form, although Socrates discusses its relationship to tragedy at the end of the Symposium, and Aristotle wrote a, now lost, treatise on it. Furthermore, as Bentley pointed out above, there is a 'high' form of tragedy and its 'lower' form of melodrama, a division also reflected in comedy's relation to farce. Indeed, high comedy and high tragedy may have more in common with each other than with their respective low forms, and indicate their enduring linking with the political, for according to Bentley:

[t]ragedy and comedy are concerned, as melodrama and farce are not, with justice (Bentley 1964: 260).

Feibelman points out that Bergson, amongst others, is of the opinion that comedy is closer to 'real life' than tragedy can be (Feibelman 1962: 201), and, Sypher claims that nothing human is alien to comedy (Sypher 1965: 32). Feibelman also states that:

[c]omedy is an intellectual affair, and deals chiefly with logic. Tragedy is an emotional affair, and deals chiefly with value. Horace Walpole once said that 'life is a comedy to the man who thinks and a tragedy to one who feels' (Feibelman 1962: 199).

Meredith joyously claims that:

the test of true comedy us that it shall awaken thoughtful laughter (Meredith 1965: 470).

With tragedy's twin back in place, tragedy might be better placed to prevent hubris and induce modesty and be aware of our limitations, as:

[c]omedy is an antidote to error. It is a restorer of proportions, and signals a return from extreme adherence to actual programmes, in so far as these programmes are found to be faulty (Feibelman 1962: 181).

Furthermore, comedy, if arriving on the political scene at the time of the political upheavals which Reiss writes of, is perhaps more able to cope on account of being 'by its very nature a more revolutionary affair than tragedy' (Feibelman 1962: 200), but also on account of the 'corrosive effect' of humour which 'eats away the solemnity of accepted valuation, and thus calls for a revaluation of values' (Feibelman 1962: 182). The emphasis on tragedy and the ignoring of comedy may, in fact, emulate the problems of political science – the choice between extreme dogmas which cannot be altered, a choice must be made and there is no middle ground, as in, for example, idealism and realism.

And here is the crux of the matter – comedy, may, perhaps, be able to offer a resolution: that is the difference between tragedy and comedy. In tragedy there is indeed a conflict, one which cannot be resolved without recourse to death; comedy can turn on the same conflict as the tragedy, but problems are recognised and are resolved. The recognition of the tragic cannot solve the problem, it is simply acknowledged as tragic; comedy on the other hand has its moment of recognition which is able to move the actors to avoid disaster. In a play this might be deemed 'the happy end' but in politics this is the conflict resolved.

It is in failing to acknowledge the 'political' that any notion of the tragic will fail to be of use within the realm of IR. Insofar as it is always concerned with values, insofar as it is the ought above the is, insofar as they turn on ethical matters, talk of the tragic is a turning away from the political. In discussing the Cold War, Lebow even states that '[t]he principal threat to peace was political' (Lebow 2003: 243), a very strange claim.

Talk of universals, be they put in a contemporary setting or not, talk of some political decisions always being tragic and political science benefitting from an appreciation of the tragedy is a flight from the political. That hubris might be a vice within politics or indeed political science and political philosophy is not in doubt, that studying tragedy and the tragic might make those prone to it more aware of it is, perhaps, possible. That there might be problems within recent manifestations of the ideology of realism is not in doubt: that any notion of the tragic might render it any less of an ideology is questionable. In fact, any form of realism which turns away from politics and sup-

ports itself upon the tragic is liable to be a victim of Morgenthau's arguments. That a discussion of issues should delve so deeply into the notion of tragedy and never once meet comedy is absurd. That a reform of political science is mooted which is not only a flight from the political, but suggests a better connection can be made with area three by adopting a normative suggestion from a political philosophy discussion of drama is at the very least odd.

Reiss, who is not a political scientist or political philosopher, is the one author who takes pains to ensure that tragedy and politics are firmly linked. However, Reiss is also an author who ensures that 'tragedy' remains in the arts and 'the tragic' in life, and so his bond is between politics and the art of drama.

That there may be occasions where a concept of the tragic is of use to politics is, of course, not ruled out – the political never does rule avenues out – but this argument would have no reason for putting the tragic above the comic or referring to it more often. It should be pointed out at this stage, that there are cases of area three politics referring to this area two discussion of tragedy, and not simply in a sense of the word 'tragedy' being taken to mean some sort of catastrophe. However, the one unambiguous politician using this terminology is former Czech President Václav Havel – himself a former playwright. Moreover, Havel seems to utilise this in order to account for historical events, or facilitate understanding of the past, he does not appear to identify any other usefulness of the device in this area (Pirro 2002).

Brown, perhaps, comes closest to a useful theory of the tragic, but in positing only that it:

ought to cause us to act modestly, to be aware of our limitations and to be suspicious of grand narratives of salvation which pretend that there are no tragic choices to be made (Brown 2007: 11),

it is no more useful than notions of prudence or Lieven and Hulsman's suggestions for foreign policy, which are more practical and less prone to hubris than area two discussions of tragedy. Moreover, one need not follow Oakeshott and claim that tragedy is art and not life, to accept that tragedy at least emerged from art and belongs to aesthetics, and, while of use to politics, could just as easily come into conflict with the notion of the political. But, even over and above these conclusions, it must be pointed out that a firm grasp of the notion of the political and an awareness of the contestable nature

of political initiatives, and the uncertain nature of its outcomes might lead to the same conclusions as are reached in the notion of tragedy in politics.

This chapter, perhaps, seems furthest from the concept of humanitarian intervention, barely touching upon it and hardly mentioning it. However, this is not the case. It is this chapter which most clearly broaches the themes which are so important to the understanding of the concept of humanitarian intervention, but which are seldom linked into it. As has also been pointed out previously, in area two discussion humanitarian intervention dissolves into analysis of the deeper underlying themes, of which humanitarian intervention is simply one example amongst many. However, as has been seen, area two discussion is not so ensconced in the ivory tower that it has no application to areas one or three. The recognition and discussion of the issues of the political and the moral are dealt with in most depth in this area, and the dangers of rejecting the political and replacing it with the moral are spelled out most clearly. Furthermore, for all that it may not always be applicable to other areas, area two political philosophy discussion at least does not assume that it can solve the problems in areas one and three, but is simply more aware of the problems. Nor does area two assume it knows the answers to questions on humanitarian intervention, indeed, many of the questions asked in area one seem to be strangely out of step with ideas of the political. To ask the question 'is humanitarian intervention legal/ or moral/ or good?' is almost meaningless in area two: it displaces the political, seems intent on creating a dogma, and the discussion on the tragic proves, at least, that there are just as many reasons for as against and if there is no avoiding tragedy, the best outcome is perhaps merely the comic. In this respect, areas two and three might be said to have more in common with one another than with area one political science.

Hence, this next section will examine area three generally, and New Labour theorising on an ethical dimension to foreign policy specifically.

Section III: Practical Politics**5 Approaches to the Concept in Practical Politics Literature****5.1 PROBLEM AREA THREE: PRACTICAL POLITICS**

This section will deal with several area three attempts to define humanitarian intervention. In these discussions there does seem to be a realisation that any definition provided forms part of a defence of an agenda. Despite taking place on the practical politics stage, the displacement of politics for the sake of, for example, morality, is not uncommon. More often than not, the political is replaced by the moral, rather than some non-moral alternative such as the legal or economic, and a Schmittian ‘unusually intensive way of pursuing politics’ (Schmitt 1976: 23) can be seen to occur. Four organisations which operate in the realm of practical politics will have a definition they have provided examined, namely, The International Committee of the Red Cross, the European Union, *Médecins Sans Frontières*, and the United Nations’ International Commission on Intervention and State Sovereignty. Although these definitions have been generated by these agencies at some point in their history, it is not necessarily the case that the organisations have ever actively used these definitions, or if they have if they still use these definitions. As in chapter three, where political science definitions of humanitarian intervention were examined, it is the definitions themselves which are of interest.

As has been indicated elsewhere in this thesis, the post-Cold War optimism which, most especially, Fukuyama and Rawls called attention to or exemplified can be seen to be at work in these definitions. All the definitions in this section have been posited post-1989 and are indicators of a specific stance taken towards humanitarian intervention by the organisation in question. These four examples of proclamations by international bodies have in common an attempt to present humanitarian intervention in moral terms. Furthermore, these definitions are presented, in the cases of the International Committee of the Red Cross and *Médecins Sans Frontières*, in the form of acknowledging several types and varieties of humanitarian intervention, but positing a revision of these with definitions which declare not only their own commitments, but also what they perceive ought to be the commitments of other international actors. In this area the commitment presents many theoretical issues which are understandably ignored in order not to impede the implementation of the agendas of the various proponents of the ideal.

5.2 INTERNATIONAL COMMITTEE OF THE RED CROSS

The International Committee of the Red Cross offers a definition of humanitarian intervention in its 2001 position paper on humanitarian intervention in *International Review of the Red Cross*. This defines humanitarian intervention as:

‘armed intervention in response to serious breaches of human rights and of international humanitarian law’. This wording also serves to emphasize the fact that the forces engaged in the intervention are bound by humanitarian law in their military operations (Ryniker 2001: 529-530).

The emphasis on armed intervention may be seen as delineating more clearly the differences between NGO humanitarian operations and military operations which may have humanitarian in their name. The position paper attempts to defend humanitarian intervention by presenting it as a reaction to an act, or acts, which are illegal under international law. The document emphasises that the method must be humanitarian and subject to international law. Indeed, the meaning of humanitarian intervention is defined primarily in terms of the means used by the interveners, rather than in terms of the end they pursue.

This mode of approach causes a headache for NGOs as the terms humanitarian intervention, military intervention, and military humanitarian intervention tend to be used synonymously. This thereby associates the work of aid agencies such as the International Red Cross with, for example, NATO military operations. The International Commission on Intervention and State Sovereignty makes this point very clear in its defence of its definition of humanitarian intervention in its report *The Responsibility to Protect*:

[w]e have responded in this respect to the very strong opposition expressed by humanitarian agencies, humanitarian organizations and humanitarian workers towards any militarization of the word ‘humanitarian’: whatever the motives of those engaging in the intervention, it is anathema for the humanitarian relief and assistance sector to have this word appropriated to describe any kind of military action (ICISS 2001: 1.40).

The Red Cross agenda, then, aims to restrict the term humanitarian to use by non-military and non-state organisations and purposes. The very nature of this agenda, however, tacitly acknowledges that the concept of humanitarian intervention may legitimately be defined in other ways by other organisations pursuing ends diametrically opposed to those of the Red Cross. Although the resulting intellectual confusion does not invalidate the worthiness of Red Cross activities, it does mean that there is little intellec-

tual enlightenment to be gained in this area. Let us see if we fare any better in this respect by considering the proclamations of a second international body, the European Union.

5.3 EUROPEAN UNION

The 1995 *Report on Human Rights in the World in 1993-1994 and the Union's Human Rights Policy* by the European Union on human rights both within the Union and in the world at large noted that the European Parliament had adopted the resolution of 20 April 1994 on the right to humanitarian intervention. This resolution stated, remarkably, that 'the human rights situation in a country does not form part of its internal affairs' (Imbeni 1995: 30). The document then goes on to define humanitarian intervention as:

the protection, including the threat or use of force, by a state or group of states of the basic human rights of persons who are subjects of and/or resident in another Member State (Imbeni 1995: 30).

This is an unusual document on a number of different counts. The rejection of human rights as being an internal state affair is fascinating, sweeping aside, as it seems to, centuries of European thought on sovereignty and the principle that whatever occurs within a state's boundaries is the state's own business, although it becomes somewhat clearer what exactly the boundaries of this theory involve once the humanitarian intervention definition is added on. Once this has been done one realises that this statement refers to other EU Member States and is not a far-reaching rejection of the concept of state sovereignty *per se*: the EU is not outlining its foreign policy towards non-member states. It is indicating a minimum standard which is taken for granted within the EU states as a prerequisite of membership.

The implications remain startling, however, for in agreeing to cede matters of human rights to the EU the internal nature of these rights is indeed forfeited. Insofar as many definitions of humanitarian intervention cite the concept of human rights violations as the reason for a humanitarian intervention, it could well be argued that since human rights are not an internal matter, *ergo*, they are an external matter for the European Union. It therefore follows that it might actually be too mild to talk of the right of humanitarian intervention as other states may in fact have the duty of humanitarian intervention insofar as it occurs within the EU.

Certainly, within the bounds of this definition it seems to be the case that Member States are obliged to resort to humanitarian intervention to protect subjects and/or residents of other Member States. Despite the radical implications of this commitment to humanitarian intervention, the meaning of the term receives little serious consideration.

At no point in the EU definition, for example, is the content of the human rights to be protected made clear. All that we are told is that the human rights to be protected are basic rights, a phrase used only once in the document with all other references simply to human rights alone. This qualification, however, does not indicate whether humanitarian intervention to protect rights is only justifiable in order to prevent violations of them or whether pre-emptive intervention is acceptable. The result is a level of vagueness so great that practically any action by the EU can be defended as an instance of humanitarian intervention. That said, it may be argued that membership of the EU involves securing basic human rights both for a state's own citizens and for other EU citizens living within its borders. A failure to provide these basic rights might well be considered a breach of EU law, although, of course, this would not automatically subject a state to the use of force.

This rather revolutionary document has not been used, as far as I am aware, as the basis of any other attempts to define humanitarian intervention. The reason is fairly obvious: it involves a very specific set of criteria which apply only to EU Member States and within their confines assume that the need for humanitarian intervention is, in practice, non-existent. As in the case of the example of the Red Cross, no light is shed on the concept of humanitarian intervention, in this particular case, however, because it is assumed that when it comes down to it there is unlikely to be a need for it. The radical nature of the definition is in fact possible because of the moderate nature of the states within the EU.

5.4 *MÉDECINS SANS FRONTIÈRES*

Médecins Sans Frontières has a fascinating place in the discussions of humanitarian intervention. One of its founders, Bernard Kouchner, has already been discussed in relation to his position as Foreign Minister in President Sarkozy's government in the introduction and Chapter two, but as will be seen in the next chapter, he is also inextricably linked to the phrase: the right to intervene. MSF seems to be acutely aware of its position with relation to politics and the political. This may be on account of the nature of its work, its relative youth in comparison to the Grande Dame of NGOs, the Red

Cross, or perhaps the fact that MSF has a deep vein of French intellectualism running through it, but there is a level of awareness not found in other NGOs.

Tellingly, MSF documentation does not provide a definition of humanitarian intervention, but, rather, argues for remaining outwith politics, the argument changing according to the political situation it finds itself in. In this sense, MSF is in an interesting position as regards its relationship to area two and area three. On the one hand, insofar as MSF goes into those areas suffering from war and conflict, areas where there are problems in the area of practical politics, it is most definitely at work in area three. On the other hand, however, its area two argumentation, which shows great understanding of its role in area three, is designed to deny its political side and claim only the humanitarian for itself.

In its Activity Report 2003/2004: *Military Humanitarianism: A Deadly Confusion* Fabrice Weissman argues that in going into Afghanistan, many NGOs worked under the umbrella of the UN Assistance Mission in Afghanistan (UNAMA) and the interim government, both of whom received support from coalition forces. The argument then follows that any NGO in this situation has abandoned its neutrality and independence – it was ‘impossible to distinguish between a subcontractor working on behalf of a warring party and an independent, impartial humanitarian aid actor’ (Weissman 2004). The politicians’ use of rhetoric also comes under attack, for if:

an appeal to humanitarian considerations can justify both a medical aid operation and a military campaign, doesn’t that suggest that aid workers and international troops represent two sides of the same coin? (Weissman 2004).

MSF does not blame this situation on governments alone. The document also holds other aid actors, especially that ‘liberal, universalist strain within the charitable aid movement and among human rights defense groups’ (Weissman 2004) responsible.

Thus, in its 2000 *Recommendation to the International Community* (MSF 2000) MSF states under point B.2. ‘To the international community and political decision maker’ that:

MSF demands that the humanitarian and political-military agendas should be totally independent of each other.

And, moreover, that the UN should take care not to link humanitarian with military or political priorities, going on to claim, perhaps surprisingly, that:

[t]he mandate for humanitarian intervention should clearly remain the responsibility of humanitarian agencies (MSF 2000).

In a presentation to the Royal Institute of International Affairs in London, on March 31, 2004, entitled *Challenges to Humanitarian Action: The Impact of Political and Military Responses to International Crises* MSF does identify three forms of intervention using force. These are intervention, involvement, and abstention –but not one of them is described positively. It is pointed out that all three forms of intervention generally take place under a UN mandate and it is clear that MSF wants nothing to do with any of them (Brandol 2004). Its reasoning for this is contained in the quote below from a different article *MSF's Principles and Identity - The Challenges Ahead*, a document concerning MSF's role:

we refuse to be involved in the integrated system. We reject the reduction of humanitarian assistance to a role of army after-sales service, whether for the United States government in Iraq or the Russians in the North Caucasus (Captier 2005).

MSF is thus arguing against much of the prevailing discussion as regards the UN and international law in humanitarian crises, where much is made of whether a particular humanitarian intervention (or involvement or abstention, to use MSF's terminology) has the approval of the UN. As far as MSF is concerned, if it is a humanitarian crisis then this is irrelevant, as the political has nothing to seek here, anything it does intend is simply clothed in humanitarian rhetoric.

Nonetheless, despite MSF's intentions, the fact that it takes part in the discussions of conflicts involves it within the realms of politics, and while it might wish for a clear separation, its engagement with the questions ensures it cannot. Indeed, its criticism of the 'liberal, universalist strain within the charitable aid movement and among human rights defense groups' (Weissman 2004) is difficult to reconcile with its declaration that 'abstention', one of its three forms of intervention is:

characterised by international indifference to the extreme brutality of certain conflicts. This equates to issuing the principal belligerents with a licence to kill (Brandol 2004).

This notion of inaction being classed as intervention is attacked by James Rosenau who claims that:

the height of definitional vagueness is occasionally reached when inaction is regarded as intervention. Having defined intervention as the impact that one state has on the affairs of another,

logic leads some observers to classify inaction as intervention whenever consequences follow within a state from the failure of another to intrude upon its affairs (Rosenau 1969: 153).

What seems to follow is that an intervention can only be carried out by an NGO, indeed, an NGO cannot remain outside, for to do so would be to condone the situation. Should any NGO have any discussions with any non-NGO within the region regarding, perhaps, access or verifying its location then the NGO risks being ‘involved in the integrated system’ (Captier 2005). It would seem that the only way to avoid criticism by MSF in an intervention is to be MSF in an intervention. MSF attempts to engage with the political, whilst evading it, and answer political dilemma with moral solutions: it continually risks that which it seeks to avoid.

5.5 INTERNATIONAL COMMISSION ON INTERVENTION & STATE SOVEREIGNTY (UN)

The fourth illustration of the rhetoric of humanitarian intervention as it has featured at international level is drawn from a commission set up by the United Nations in response to concerns within the UN about the proper limits to interventionist action by sovereign states (ICISS 2001). This commission has been quoted above, but merits further investigation. The core assumption in this document is that:

[t]here is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes. The task is not to find alternatives to the Security Council as a source of authority, but to make the Security Council work better than it has (ICISS 2001: xii).

The International Commission on Intervention and State Sovereignty attempts to cover every possible eventuality, with its document ranging from such concepts as the ‘Just Cause Threshold’ to specifics regarding *ius ad bellum* before reaching a definition under the heading ‘the meaning of intervention’ (ICISS 2001: xii). Here ICISS states that:

[t]he kind of intervention with which we are concerned in this report is action taken against a state or its leaders, without its or their consent, for purposes which are claimed to be humanitarian or protective (ICISS 2001: 1.38).

As this quotation indicates, the object of UN intervention is rather different from that envisaged by the other three international organisations previously discussed, since it allows for the leaders of a state to be the target of it. Perhaps the most surprising as-

pect of the definition is that the purposes referred to in the quotation need only claim to be humanitarian, or alternatively to be protective. There is no mention of violations of rights, basic or otherwise, and no reference to the charters, treaties, or resolutions to which a legal basis to international right and wrongs. Any agent who adopts this definition is therefore, theoretically, able to label as humanitarian intervention whatever action is claimed to be for someone's good. It is not even clear that the action should be a response to some undesirable policy adopted subject to the intervention, it would appear that the action can be pre-emptive.

There is thus nothing in the UN definition which prevents any actor from claiming that whatever policy it pursues can be labelled humanitarian intervention. Similarly, there is nothing to prevent any agent responding to any situation at all by labelling whatever action pursued as humanitarian intervention.

Despite the fact, then, that the UN definition of humanitarian intervention appears, at first glance, to be less sweeping and more cautious than the EU definition, its vagueness could lead it to be far more indiscriminate in its application than the EU definition. However, in practice the probability of the UN coming face to face with the need for whatever it deems to be a humanitarian intervention is much higher than that which the EU faces. The UN definition, therefore, must be in the position to account for them all. In addition, there is a need for any UN definition to take account of UN Resolutions and other sources of international public law – its hands are tied by law and its definition must account for all cases, but need not intervene in all cases. This is not to say that the EU ignores those aspects, but as mentioned above, the low risk of the definition being used in practice does appear to allow the EU definition to take more liberties than the UN definition does on account of the EU definition being unlikely to be invoked.

Despite this greater bind on the UN definition, however, the terminology used fails to save it from the charge of vagueness, due, in part, to the fact that it must be used to encompass any humanitarian intervention which the UN might come across. The intervention envisaged, for example, is defined only by the general term action, which the reader is told might mean any or all of the following: any application of pressure to a state; conditional support programmes by major international financial institutions; emergency relief assistance; and non-consensual or coercive acts (either actual or threatened) such as political and economic sanctions, blockades, diplomatic and military threats, military force and international criminal prosecutions (ICISS 2001: 1.37). There is no mention of who might carry out the act of intervention. The outcome is that we are

left with a definition which, despite being more restricted than that put forward by the EU, fails to shed much light on the concept of humanitarian intervention.

Ambiguities and confusions concerning humanitarian intervention similar to those found in the agendas of the four international bodies considered above, will be considered in more depth in the following chapters. In these chapters the concept will be explored in relation to the UK New Labour government's commitment to the declared ideal of a foreign policy with an ethical dimension and the implications for any humanitarian intervention it might wish to consider. The unique interest of the New Labour case is that New Labour explicitly staked an important aspect of its political identity both in opposition and in government on transforming British foreign policy.

The story of this commitment will be the subject of chapters six to eight. For the moment, however, I want to draw a tentative conclusion about the rhetoric of humanitarian intervention from the analysis of what has been called area three usage of it so far given in this chapter. This is that, despite the different agendas of the international organisations considered, the moralistic way of thinking about international politics means that, in area three the concept of humanitarian intervention threatens to collapse into the inescapable vagueness and ambiguity associated with what may be termed a politics of good intentions.

The politics of good intentions is characterised above all by the cleavage of intentions from outcomes. This cleavage is inspired by what David Runciman calls 'the deep perils of the siren call of simplicity' (Runciman 2006: 27), according to which the 'complexity of political existence generates a persistent temptation to seek out simplistic solutions to the problems of politics' (Runciman 2006: 26). A war can certainly be lost, but one very seldom comes across a nation trying to have a war and failing: we tried to launch a military campaign against state X, but it ended up turning into a rather boisterous game of football and we lost on penalties... However, with the idea of humanitarian intervention, the wish to, for example, stop a genocide by crossing an international boundary and protecting a people could follow this humanitarian plan to the letter, and yet nonetheless be a war. This is to say that simply willing a humanitarian intervention and trying to carry out a humanitarian intervention does not mean that a humanitarian intervention will have taken place.

The potentially disastrous result of the cleavage in recent American foreign policy has been illuminatingly explored by Anatol Lieven and John Hulsman, who focus in particular on the 'shabby argument' made by former hard-line supporters of the Iraq

War that 'we should excuse their responsibility for this disaster because their intentions were good' (Lieven & Hulsman 2006: xvii). As Lieven and Hulsman go on to say:

[n]either in statecraft nor in common sense can good intentions be a valid excuse if accompanied by gross recklessness, carelessness and indifference to the range of possible consequences. Such actions fail the test not only of general ethics, but also of the sworn commitment of state servants and elected officials to [...] not simply pursue at all costs their own ideas of morality (Lieven & Hulsman 2006: xvii-xviii).

At what I have called area three – that of practical politics – the concept of humanitarian intervention, then, acts as a catalyst and raises the question of the limitations of a politics of good intentions.

At the beginning of this thesis, the growth of sympathy for humanitarian intervention was related to an intensified political moralism in the aftermath of the Cold War. This moral concern has been analysed at three different conceptual areas with a view to clarifying its implications for understanding the concept of humanitarian intervention. It must now be asked what emerges from this analysis. Three main conclusions seem apparent.

The first conclusion is that, in area three, the concept of humanitarian intervention tends to dissolve into a politics of good intentions which opens the door to irresponsible and potentially disastrous forms of action in the international order. The second conclusion is that much of the debate at both areas one and three has proceeded in a way which depoliticises the concept. My aim has been to show that a depoliticising approach oversimplifies the issues involved, in particular by presenting them in moral terms which ignore the complexities and uncertainties inherent in political action. In order to rectify this situation, I have sought to show that in discussions of an action deemed to be a humanitarian intervention, the political dimension cannot be ignored. What must immediately be added, however, is that the political dimension cannot be restored simply by insisting that only states may properly be agents of humanitarian intervention. It is true, of course, that the state is a political unit and that action by states may properly be called political action. My point is that the full meaning of the political is missed if the term is restricted in this way to the state, its agents, and its acts. When that position is taken, the concept of humanitarian intervention inevitably becomes embedded in ultimately arid discussions about the nature of sovereignty. They are arid because they sidestep the real issue presented by humanitarian intervention, which is that it is politi-

cal even when the relevant perpetrators and recipients are not states: discussions of states and sovereignty are very often a placebo for this area two discussion. In this sense of the term, the political dimension refers, as Chantal Mouffe noted, to ‘the dimension of antagonism which I take to be constitutive of human society’ (Mouffe 2005: 9). It follows, then, that the political notion of humanitarian intervention cannot be adequately treated by trying to limit it to state action and issues of sovereignty.

The third conclusion which emerges is that the concept of the political is itself a contested concept. This is now generally recognised in much area two theorising, as well as in more thoughtful area one discussion. If we look, for example, in an area one work like *Understanding International Relations* by Chris Brown and Kirsten Ainley, the authors explicitly acknowledge not only that ‘the very nature of *politics* is heavily contested’, but that there ‘are no politically neutral ways of describing “politics” or “economics”’ (Brown & Ainley 2005: 2-3). The conclusion they draw is interesting. What, they ask:

does this tell us about how to go about defining international relations/International Relations? Two things. First, we have to accept that if we can find a definition it will be a matter of convention; [...] Second, while it may make sense for us to start with the conventional, traditional definition of the subject, we should be aware that this definition is sure to embody a particular account of the field – and that the way it does this is unlikely to be politically neutral (Brown & Ainley 2005: 2-3).

It follows that the literature in the area one political science approach examined above involves, at best, an arbitrary characterisation of the political, insofar as the question of the nature of the political is raised at all in this area.

The conclusions from the previous chapters will now be examined and illustrated by the New Labour Government’s invoking of an ethical dimension to foreign policy.

6 Robin Cook, New Labour & the Ethical Dimension

Having looked at some of the theoretical and historical issues to do with humanitarian intervention, the next three chapters will examine a ‘practical politics’ illustration, namely, the ‘ethical dimension’ of foreign policy in the UK’s New Labour government. As we have seen, an ‘ethical dimension’ may not be a form of anti-politics as long as the political is not sacrificed to the moral: an ethical foreign policy where morality is built in risks rejecting the political. However, it should be made clear that it is the relationship between the moral and the political which is important, not what this relationship has been termed.

The New Labour example has been chosen for a number of reasons. Firstly, on account of an optimism contained within it which would allow for cases of humanitarian intervention. Secondly, the ethical dimension was a theory which was to underlie all governmental foreign policy, including any cases of humanitarian intervention, making it useful in having both a theoretical and practical aspect. Thirdly, the theory is declared in statements, reports, and interviews, inviting academic and press scrutiny of this topic; this drew media interest making it a widely reported and extensively analysed sphere of policy – there has been much written on this question, but there is also much hearsay.

In looking at the ethical dimension in foreign policy within the politics of New Labour as area three example of political moralism, it will be necessary to discover what was actually said and written on this subject at the time. The subject itself has ended up being criticised by supporters and opponents of New Labour alike, and there appears to be hints of a revision of historical facts. This revisionism seems to work in both directions, as some commentators wish to indicate that they saw the endeavour as flawed right from the start and knew that it would end up being dropped. At the same time, other authors maintain that the flaws were not actually that fearsome and that the ethical dimension ought to be resurrected, if, indeed, it ever went away. Both attempts end up complicating the matter, as confusions occur in what was actually said by the Foreign Secretary in the New Labour government, Robin Cook, the other individual ministers, and the government as a whole. Further complications arose in what contemporary media commentators, but also political scientists took to be the case based on these statements.

Thus, this example will look at this issue in three ways: in the first chapter, the actual events as they unfolded and the political rhetoric will be examined – who said what,

when. This will be an attempt to disentangle the primary sources from the secondary interpretation of them, and will involve investigating the major press statements and interviews of the time. It will examine the academic literature which forms the basis of much of the recent discussion of the issue. I wish to argue that many of the assumptions concerning statements made and press reactions to them, are incorrect and are now, mistakenly, firmly imbedded in the debate.

The second chapter of this examination will scrutinise the claims that the ethical dimension to foreign policy was Robin Cook driven and based primarily in the FCO. The four main departments linked to foreign policy will be examined and links and contrasts made explicit. In the third chapter of this examination the original sources will be searched to discover if a New Labour doctrine of humanitarian intervention can be found and the problems generated by it.

New Labour swept to power after the 1st May 1997 election with a rout of the opposing parties, winning 419 seats including the speaker. On the afternoon of 2nd May 1997 Tony Blair announced his cabinet, and it was made known that Robin Cook was, as expected, to be Foreign Secretary. On 12th May 1997 Robin Cook launched the Foreign and Commonwealth Office's (FCO) new mission statement. This mission statement contained the details outlined both in the election manifesto *new Labour because Britain deserves better* and the four goals given in an interview with *The Observer* which was published on 4th May: just over one week previously.

During his statement to the press on 12th May, Robin Cook used the following words:

[t]he Labour Government does not accept that political values can be left behind when we check in our passports to travel on diplomatic business. Our foreign policy must have an ethical dimension and must support the demands of other peoples for the democratic rights on which we insist for ourselves. The Labour Government will put human rights at the heart of our foreign policy and will publish an annual report on our work in promoting human rights abroad. [...] Today's Mission Statement sets out new directions in foreign policy. [...] It supplies an ethical content to foreign policy and recognises that the national interest cannot be defined only by narrow realpolitik (Cook 1997a).

This emphasis on 'an ethical dimension' or 'ethical content' was soon being referred to in the press, perhaps initially only as journalists' shorthand, as 'ethical foreign policy', not simply at the time but long after Cook's departure from the Foreign and

Commonwealth Office (cf. Alibhai-Brown 2007; MacAskill 2000a, 2000b; Britain 2000; Gittings et al 1999; *Guardian* 2003; Hurst 2001).

6.1 THE MORAL AND THE ETHICAL DURING THE ELECTION CAMPAIGN

On the 16th April 1997, just over two weeks before the election, Tony Blair spoke to an invited audience of 350 people in Southampton. His speech was reported the next day in *The Times* by James Landale under the title ‘Blair takes politics into the moral ...’ and its very first sentence informs its readers that Blair intends to bring ‘a “moral dimension” to British politics’ (Landale 1997). Throughout his speech Blair makes a number of quite explicit claims about the relationship between the intended politics of New Labour and the realms of the moral and the ethical; while he is not discussing foreign policy he does seem to indicate that this moral dimension will be located within the government itself, thereby affecting all that it does.

Hence, when Blair speaks of justice it is not simply as an abstract word with a feel good factor, it is given a specific task within government, namely, as some form of veto within debates as Blair intends:

to put justice in its rightful place, at the head of the queue. We will restore the social and moral dimension of British government and ensure that, in all our debates, the question ‘is it right?’ is asked persistently and that we get a clear answer before we take the decision (Landale 1997).

We may be within the realms of weasel words: Blair does not say whether the clear answer which justice is to give has to be yes or no. However, other instances rather put paid to this cynical notion, for example, it is ‘about making choices not only because they are prudent and sensible but because they are just’ (Landale 1997). That said, it should be clear that there is some political rhetoric at work here, for not many parties, whether in the midst of an election campaign or not, would claim to be the party of injustice. The term justice itself may end up being used as a rhetorical tool, but it is the surrounding discussions which will make clear what Blair’s intentions were.

Blair’s words are quite clearly tying politics and morality together when he claims it is ‘our right, and I would say our duty, to put politics in a moral and ethical context’ (Landale 1997). This is a battering ram of a sentence using the words ‘right’, ‘duty’, ‘moral’, and ‘ethical’ within a very short space of one another, and while we can argue about whether or not there is any right or duty to do any such thing, the sentence itself is rhetorically very strong. Moreover, it will be rather difficult to claim thereafter that one

does not intend an ethical dimension to some aspect of politics. It may be being used as part of a general election, but it is still a clear statement of intent.

A final quote from his Southampton speech provides an interesting angle as he switches round the idea of government reflecting the people it represents, to the people reflecting its government, where the:

health of the family and the strength of the nation ultimately reflect the quality of honest, decent, truthful government, government which has a moral dimension and which always makes sure that justice has a high place at the Cabinet table (Landale 1997).

The UK will not get the government it deserves, it will get the government it ought to deserve, and perhaps become worthy of: a government in full possession of the virtues. Indeed, some cabinet ministers might possibly be able to sit next to the embodiment of one of them, assuming they are high enough up the Cabinet table. While, again, no government would claim to be the dishonest, indecent, and untruthful government, the moral dimension does seem to go beyond electioneering and indicate a parallel with any future use of ethical dimensions.

Writing on this speech, David Walker does warn his readers that one cannot ‘hang a man on the evidence of his election rhetoric’, (Walker 1997: 70) but, nevertheless, this was a speech delivered to an invited audience, so we must assume it is thought out and pitched towards its listeners, and the speech’s content is mirrored in the party’s 1997 manifesto.

It can hardly be argued that any other minister using the terms ethical dimension or moral dimension, in conjunction with New Labour policy will have conjured this from out of nowhere. Nor can it be claimed that there were no indications given that an ethical dimension to policy might appear post-election. However, one speech is perhaps not enough proof, regardless who gave the speech, so further pre-election usage will be sought.

At no point in the Labour Party’s election manifesto of 1997 is the word ‘ethical’ mentioned. The word ‘moral’, however, was used twice: once in the section entitled ‘promoting economic and social development’ where it is stated that ‘Labour believes that we have a clear moral responsibility to help combat global poverty’ (Labour Party 1997), and a second time in the final paragraph of Tony Blair’s introduction:

[t]his means knowing where we want to go; being clear-headed about the country’s future; telling the truth; making tough choic-

es; insisting that all parts of the public sector live within their means; taking on vested interests that hold people back; standing up to unreasonable demands from any quarter; and being prepared to give a moral lead where government has responsibilities it should not avoid (Labour Party 1997).

Two incidences of a word in as large a document as a manifesto cannot, perhaps, be thought of as significant, and in fact, this is the same frequency as in the Conservative manifesto of the same year (Conservative Party 1997). Nonetheless, the above quote is very similar to the ‘honest, decent, truthful government, government which has a moral dimension’ passage mentioned above (Landale 1997).

This list of actions, which he intends the party to carry out once it is in power, seems to resemble a political ethical code, appearing almost like a list of possible political virtues which the party intends to attain: to tell the truth, do what is right, stand up to the bully, and so on. Bold claims when one’s manifesto promises that it contains ‘only what we know we can deliver’ (Labour Party 1997). Indeed, Paul Williams lists the slogans used by New Labour in foreign policy since 1997 and comes to the conclusion that on ‘closer inspection, this reads like a list of aspirations rather than policy’ (Williams 2004: 921).

The mention of moral in its ‘combat global poverty’ guise (Labour Party 1997) is acknowledgement that New Labour believes it has clear moral responsibilities beyond its country’s own borders: we are approaching the idea of foreign policy also having its ethical dimension.

Furthermore, Igor Cusack has drawn up a chronology of Labour’s foreign policy from 1983 to 2000 and, while not citing his sources, asserts that as early as June 1996 the Labour Party was aiming to put ‘human rights and developmental issues’ to the fore (Cusack 2000: 273). Also, according to Cusack, in September 1996 there were press reports claiming that Cook was to declare that international trade should have a moral aspect and *The Times* reported in February that Robin Cook was to give human rights a more central role in its foreign policy (Cusack 2000: 273). However, without the sources and with the problem here being that of hearsay it is difficult to base an argument on these sources, as I have been unable to locate these articles. Although this might point to the idea of an ethical dimension to foreign policy having an earlier starting point than might be claimed, this can only be mentioned as an aside.

However, Peter Lawler points out that Tony Blair had indicated that foreign policy was to be one of the four cornerstones in his ‘New Britain’ and that Blair had

pledged to have a ‘comprehensive review of foreign policy and a revivification of Britain’s internationalist credentials’ (Lawler 2000: 281). This claim to internationalism was also quite prominently contained within the 1997 Labour Party Manifesto:

[t]here is a sharp division between those who believe the way to cope with global change is for nations to retreat into isolationism and protectionism, and those who believe in internationalism and engagement. Labour has traditionally been the party of internationalism (Labour Party 1997).

Williams, too, has discovered prior information as he says that before:

New Labour’s arrival in government, the party’s relevant documents suggested some new directions in foreign policy were likely to follow an election victory (Williams 2004: 921)

This all hints at there not being quite the level of surprise which some of the other analyses which will be examined below seem to indicate. These authors focus on the media reaction at the time of the announcement of the mission statement rather than the party literature quoted and examined above.

The conclusion to be drawn from this brief outline is that the notion of ethics or morality was in use by the party prior to winning the election. There was a hint of the moral or ethical in the 1997 manifesto beyond merely the specific usage of moral vocabulary, and it was echoed in at least one speech by the future leader. Nor was this idea of an ethical dimension limited to domestic affairs: moral aspects to foreign policy were at least being mooted: the press seemed to be aware of the moral rhetoric being used before Labour won the election and it was reported.

6.2 THE NEW LABOUR GOVERNMENT’S FOREIGN POLICY STATEMENTS

On Sunday 4th May 1997 *The Observer* newspaper published a report of the interview Robin Cook had given to Will Hutton and Patrick Wintour the previous day, in which he outlined his foreign policy agenda.

Robin Cook, widely regarded as the most influential left-winger in government, and indeed, not only the one minister in the FCO with prior government office experience, but the only one who had been in parliament when Labour was last in power (Brown 2001a: 15), promised to ‘open a radical new era of British foreign policy’ which he would nevertheless combine with ‘a vigorous defence of British interests’ (Hutton and Wintour 1997).

So far business as usual. However, Cook also undertook to publish a 'Foreign Office mission statement' within a fortnight which would set out the top four priorities for UK foreign policy; one of these four foreign policy priorities would include placing 'human rights and the environment at the centre of European policy' (Hutton and Wintour 1997). Cook pledged to put an immediate ban in place preventing the sales of British land mines, but refused to discuss arms sales bans to individual countries, whilst asserting that bans could be possible (Hutton and Wintour 1997).

Having won the election, Robin Cook indicated in an interview, almost as soon as he had an office to conduct it in, what he intended for his time in the Foreign and Commonwealth Office. True to his word, eight days later on the 12th of May 1997 in the Locarno Room in the Foreign Office, Robin Cook unveiled his mission statement. The four benefits intended to be secured for the UK were:

- Security. We shall ensure the security of the United Kingdom and the Dependent Territories and peace for our people by promoting international stability, fostering our defence alliances and promoting arms control actively;
- Prosperity. We shall make maximum use of our overseas Posts to promote trade abroad and boost jobs at home;
- Quality of Life. We shall work with others to protect the world's environment and to counter the menace of drugs, terrorism and crime;
- Mutual Respect. We shall work through international forums and bilateral relationships to spread the values of human rights, civil liberties and democracy which we demand for ourselves (FCO 1997: vi).

This was followed by a listing of the strategic aims of a global foreign policy and the immediate priorities for the subsequent twelve months, neither of these documents mentioned arms, rights, morals, ethics, or dimensions of any sort.

Of itself, it can perhaps be argued that the mission statement is not particularly scandalous: security and prosperity are mentioned first, followed by international policing, with a mention of the environment, then mutual respect – a perfectly Westphalian notion, one might think. However, the claim to wish to spread values is where the interest lies.

Looking back at the electioneering rhetoric of Tony Blair it could well be argued that this tenet is of a similar breed: just as no government will claim to be the dishonest,

indecent, unjust, or untruthful government, what foreign policy would wish to claim to be the foreign policy of human rights and civil liberties abuses, and a rejecter of democracy? This may have been planned as a similar rhetorical device, and looking at this last pillar in this way, it does not seem that unlikely.

Had the mission statement merely been put into action without a press conference it is possible it may almost have gone unnoticed; the notion of mutual respect is not given any more weight than the other three foundations. In fact, as they are not presented in alphabetical order and security is mentioned first – it is at the top – it might well be assumed that mutual respect is rather lower ranking. However, perhaps worried that this could be the case, that this aspect introduced by New Labour might fall by the wayside, the press conference was held in a magnificent setting. With video displays in the background, the mission statement was presented to the media and Robin Cook gave a statement entitled ‘British Foreign Policy’ (Cook 1997a). It is this statement which seems to have changed emphasis and slipped very definite interpretations into place.

There has been much said on the very concept of the mission statement and whether or not Malcolm Rifkind had released one beforehand, whether the concept was new or not. However, one of the most relaxed quotes on the subject came from one of Cook’s predecessors, Douglas Hurd, who said in his testimony before the House of Commons Select Committee on Foreign Affairs:

[m]ission statements were invented after I became Foreign Secretary. In my day they were called ‘Speeches in the House of Commons’, but that seems to be rather out of fashion now. Of course there were statements of intention. [...] if you look back at Hansard you will find plenty of mission statements, except they were not called that. I do not object to the jargon of the business school coming into these matters, but I do not think it is a huge change. The stuff is all there—the statements of intention, the speeches—you have just re-christened them. If you are happy with that, that is fine. It does not do any harm (Hurd 1997b: QQ101-102).

The first point to be made is that Robin Cook spoke of an ‘age of internationalism’ (Cook 1997a). Lawler draws attention to the fact that Cook later speaks of how the four goals of foreign policy contained in the mission statement ‘provide the Labour Government’s contract with the British people on foreign policy’ (Cook 1997a), a theme ‘reiterated in internationalist form’ (Lawler 2000: 286) in the mission statement’s commitment to a ‘people’s diplomacy’ (FCO 1997). As John Young points out, in ‘rhetoric

at least Labour sounded, as it has often done, more “internationalist” than the Conservatives’ (Young, J 1997: 139).

In using internationalist language, New Labour would risk an ideological term being applied to their foreign policy right from the start, possibly opening them to attack at an earlier stage than a new government might wish. However, as mentioned above, the links to internationalism had been present in the Party Manifesto, so this seems to be a planned battle line. Furthermore, this link to internationalism is pointed out and strengthened in documents and speeches later in New Labour’s first term. As mentioned below, the Ministry of Defence claims in 1998 that ‘British are, by instinct, an internationalist people’ (MoD 1998: 7); Tony Blair in his famous 1999 Chicago Speech declares that we ‘are all internationalists now, whether we like it or not’ (Blair 1999), and Cook in 2000 not only mentions it again, but defends his use of the term:

it is going to be the Internationalist century.

It is a curiosity of semantics that the word 'internationalism' produces a favourable reaction, except on the wilder shores of reactionary isolationism (Cook 2000b).

We must conclude that it might be more difficult to claim that New Labour is not arguing from an internationalist viewpoint than the opposite.

This continuation of thought from electioneering to government appears again a few sentences later: ‘[w]e are instant witness [*sic*] in our sitting rooms through the medium of television to human tragedy in distant lands, and are therefore obliged to accept moral responsibility for our response’ (Cook 1997a) – here we see Robin Cook beginning to apply the notion of the moral to the FCO mission statement.

Two interesting sentences arrive shortly afterwards. Cook claims that nation states are interdependent: this may be a globalisation claim, or even further proof of an internationalist inclination to the foreign policy, yet this is followed by the proclamation that ‘modern world foreign policy is not divorced from domestic policy but a central part of any political programme’ (Cook 1997a). This is remarkable for its logic. If states are interdependent, and if domestic policy overlaps with foreign policy, then could it not be the case that one state’s domestic policy overlaps with another state’s domestic policy, that is, a denial of the traditional notion of sovereignty?

Cook goes on to speak of arms control and disarmament – using the idea of the advances in the technology of weapons to make this in the national interest. The use of

the language of *realpolitik* with disarmament policies is an interesting move, and it is within this framework that he announces working towards a total ban on landmines.

While in the mission statement the environment is mentioned simply as one of several aspects to do with the quality of life pillars, in his statement Cook tells us that the 'Labour Government is determined to push the environment up the international agenda' (Cook 1997a). This is worthy of note as it is mentioned where the drugs, terrorism, and crime contained within the mission statement are not. While it is not to be assumed that the environment is the most important of the four, the fact that it has been singled out to be talked of, will certainly leave it more open to comment.

It is the fourth tenet of the FCO's mission statement which attracted the most attention, and was the most misquoted, perhaps on account of the fact that it was so eminently quotable. These soundbites include: '[t]he Labour Government does not accept that political values can be left behind when we check in our passports to travel on diplomatic business'; '[o]ur foreign policy must have an ethical dimension'; '[t]he Labour Government will put human rights at the heart of our foreign policy', and furthermore, an annual report on work promoting human rights abroad was to be published (Cook 1997a).

Here we have the mutual respect aspect not being one amongst four, but perhaps more like first among equals; furthermore, this is no Westphalian notion of sovereignty and mutual respect, this is an ethical dimension added where the mission statement had none. An internationalist policy with an ethical dimension is a bold announcement, and Cook wishes it to be acknowledged as such when he claims that this 'sets out new directions in foreign policy' (Cook 1997a). Just in case a single mention of ethical might be construable as a slip of the tongue, it is mentioned again as supplying 'an ethical content to foreign policy' along with a rejection of *realpolitik*, and if it still is not quite clear, then Britain must become a 'force for good' (Cook 1997a). Whereas the mission statement taken alone might have been able to be construed as a fairly neutral document, it is no longer. It is providing 'ethical content', an 'ethical dimension' (Cook 1997a), and became, before very long ethical foreign policy to its commentators.

It should be noted that many commentators are at pains to point out that Cook never used the phrase 'ethical foreign policy' (BBC 2001; Wheeler and Dunne 1998: 851), despite claims that it was 'Mr Cook's phrase' (Parker 2001). Notwithstanding, it was frequently used by commentators (c.f. Brown 1998; 2000: 199; 2002: 173; Wickham-Jones 2000: 11). Another point to be made here is that it is often used merely as

shorthand and is very often used not as an ethical foreign policy but rather as either ‘an “ethical” foreign policy’ or ‘an “ethical foreign policy”’ (c.f. Clwyd 1997; Rawnsley 1998; Parker 1999; Rath 2006) – inverted commas being a difference more tricky to pick up on in formats other than the written word and perhaps adding to the confusion.

Chris Brown goes as far as to state that ‘no official ever used that phrase’ (Brown. 2001a: 16), whilst Wickham-Jones takes a more careful view:

government press officers did not dispute that characterisation (at a time when they were happy, by and large, to correct that they considered to be misinterpretations of policies) (Wickham-Jones 2000a: 4).

However, it is not entirely the case that government press officers are to blame for an error which Cook, it is claimed, would have made clear, especially as he made a point of saying in a speech that:

[s]ome people have described our new approach as an ethical foreign policy. I created a modest little stir last week when I pointed out that it was not a description I had ever used myself (Cook 1998d).

If we take a closer look at what was said, we may find out that both Brown and Wickham-Jones are mistaken.

Although one might quibble at who or what an official is, there is one official source, which is parliamentary not governmental, which not only uses the term, but which one ought to expect to be especially careful in its usage, namely the House of Commons Select Committee on Foreign Affairs’ First Report which was set up on 31 July 1997 to examine Foreign Policy and Human Rights. Although it might be argued that this is not official government usage, any incorrect usage can be identified and a correction submitted by the government. The introduction to the report mentions the ‘ethical dimension of the Government's foreign policy’ (HC 1998: Intro: 4) and that this ‘new emphasis on ethics in foreign policy was met with some scepticism’ (HC 1998: Intro: 5). By the time we have reached the assessment chapter in the report we find that there has been:

a great deal of discussion on the question of whether the foreign policy of the present Administration is any more or less ethical than that of its predecessor (HC 1998: Assessment: 85)

That is to say, the question is not if there is an ethical foreign policy but how ethical, and whether or not is it as ethical as the previous administration.

Of more interest are the questions posed by the committee during the testimonies: the phrase ethical foreign policy is used a number of times by various officials. One of the first usages is on the first day of evidence hearing and it is by Liberal Democrat MP David Heath who also explains what he thinks the committee is doing:

I think the main area of interest for this Committee is how we take the idea of an ethical foreign policy beyond sloganising and towards practical effects (HC 1998: Minutes of Evidence 25/11/97: Q9).

Not New Labour Government usage, but not corrected, either. A single usage in the early stages of the committee may be regarded as an error, but three weeks later at the next hearing when Douglas Hurd is being examined, we see further usage, and, as above, it is coming down to the question of the practical:

Lord Hurd, we constantly come back to the main thrust of our inquiry here, which is the practical measures which can be taken to advance an ethical foreign policy (HC 1998: Minutes of Evidence 16/12/97: Q90).

The question following directly after talks of policy instruments ‘which might be used by a Foreign Secretary in pursuit of an ethical foreign policy’ (HC 1998: Minutes of Evidence 16/12/97: Q91). Thereafter, Labour MP Diane Abbott points out to Hurd, as someone who is not a Labour Party member that:

the idea of an ethical foreign policy has tremendous emotional resonance for the Labour Party [...] I can see why the Foreign Secretary might want to present himself as taking forward this totally new departure in ethical foreign policy (HC 1998: Minutes of Evidence 16/12/97: Q92).

Taking these usages into account, I think it is difficult to argue that no official ever used the term. It should be apparent that there is official use of the term ethical foreign policy and, moreover, that it is not simply a case of journalists’ shorthand – although it cannot be ruled out that it is not politicians’ shorthand either. However, so far, it must be admitted, there is no government official who has used the term.

It may be argued that while it is the case that the committee which was set up to look into how human rights and foreign policy were to be implemented ought to know exactly what the intended remit was, we are still not in the position to have Robin Cook himself faced with this misuse and correcting it. Nor will we be able to after the following examples.

In a transcript of a radio interview conducted on 14 May 1997, Cook does not correct the interviewer whose first question of the interview (according to the transcript) consists of ‘Is the whole ethical foreign policy beginning to unravel? Can we start with Indonesia? Why are we still selling military equipment to them?’ (quoted in *Guardian* 1999) and lets the reference to ‘ethical foreign policy’ pass. Of course, this is still in the aftermath of the election and one might argue that the problems had not appeared which would result in the correction. Of perhaps more importance, then, is that Cook also lets the usage pass in a context where one would expect that accuracy would be of the essence, namely at his testimony before the above mentioned Select Committee on Foreign Affairs in the following year. When asked by Conservative MP Virginia Bottomley:

[a]fter all the euphoria of last summer about the ethical foreign policy of the Mission Statement [...] Does he go as far as some of his predecessors suggested, that so much vaunting of human rights and ethical foreign policy can actually be counterproductive and can actually cause difficulties or is that asking him to go further than he feels able to? (HC 1998: Minutes of Evidence: 06/01/98: Q216).

The first and last sentence in the question both mention ‘ethical foreign policy’ but are not rebutted by Cook and while, midway through his answer, he states that he is ‘quite happy to stand by the rhetoric I made. Sometimes rhetoric is attributed to me that I never uttered’ (HC 1998: Minutes of Evidence: 06/01/98: Q216) he gives neither examples nor gentle hints that this rhetoric is to be found in his questioner. Of course, the testimony is the verbatim record and perhaps not as likely to show a thought out answer as a written statement. Yet, there is a platform to respond and were this misuse of a term fundamental to government policy then one might expect that it would appear in the written response to this report, but in the *First Report from the Foreign Affairs Committee: Foreign Policy and Human Rights. Response of the Secretary of State for Foreign and Commonwealth Affairs* there are absolutely no corrections indicated (FCO 1998).

Here it seems that Kampfner is correct when he states that ‘Cook insisted that he had never actually used the phrase “ethical foreign policy”, although it was only when the policy started running into trouble that he disowned the phrase’ (Kampfner 1998: 216).

However, to further do away with Brown’s claim that no official ever used that phrase there is a final source which can be quoted. For while the above examples do un-

dermine this claim it could be argued that these counterexamples do not originate from within cabinet, and are therefore not ‘government officials’, a former member of the same cabinet did indeed use this phrase: Clare Short. In her 2004 book entitled ‘An Honourable Deception? New Labour, Iraq, and the Misuse of Power’, within her chapter on Blair’s First Term, Short says:

[i]n 1997 Labour began with a bang and we committed ourselves immediately to all sorts of good things such as signing the EU social chapter; an ethical foreign policy; a ban on land mines; an aid programme focused on reducing poverty; rejoining UNESCO; and tightening controls on arms exports (Short 2004: 66).

As far as Short is concerned, and one would assume she ought to know, this was no mere ethical dimension to foreign policy: it was an ethical foreign policy which was announced in May 1997.

It can be argued that in 2004 Clare Short was operating under a different agenda, having finally resigned over the Iraq War, and that this claim some seven years after the facts cannot be taken simply at face value. However, although she does not quote it herself, her department does indeed use the term ‘ethical foreign policy’ in 1997, but this will be discussed in length in section 7.2.

6.3 THE ACADEMIC REACTION

New Labour, its foreign policy, and any ‘ethical dimensions’ to the party are still the subject of academic discussion, and as this thesis intends to look at the links between humanitarian intervention, morality, and politics, these discussions are of great importance. How a government comes to its position, justifies this position, and the reaction to it are all of interest here. Robin Cook’s position is one of the most clearly outlined and as such one of the most fascinating accounts for study.

It is necessary for this study that the facts surrounding the New Labour example are as clear as possible and in the case of the press reaction to the ethical dimension a great deal of imprecision has occurred. Several writers have commented on the press reaction, but as far as I am aware, no large-scale study carried out. Thus, the one or two paragraphs which an author might devote to the subject seem to be quoted extensively and taken as law. As we have seen above, whether or not anyone in government used the term ethical foreign policy has caused confusion and disagreement between commentators, the reception of the ethical dimension in the press has generated even more.

Some of these statements are not wholly incorrect, but hint towards a negative reception or surprise within the UK press which does not appear to be borne out once the reports themselves are examined. Mark Wickham-Jones who states that the ‘weight placed in the mission statement on an ethical dimension took the press by surprise’ (Wickham-Jones 2000a: 4), while Little claims it was ‘unheralded and unexpected’ (Little 2000: 253). Wheeler and Dunn (2004: 5) quote Wickham-Jones’ appraisal of the situation and Gaskarth goes so far as to say that:

[w]hen Cook announced in 1997 that New Labour’s foreign policy should have an ‘ethical content,’ former practitioners were vociferous in their skepticism [*sic*]. Media commentary was almost entirely negative and the phrase ‘ethical foreign policy’ was used to condemn either the Government’s supposed amoral hypocrisy or its naive utopianism (Gaskarth 2006b: 325).

Both of these quotes indicate a negative response, but while the Wickham-Jones article hints at a mild bowling over, Gaskarth’s article claims a general derogatory retort – two rather different accounts of the same period of time. Another quote by Wickham-Jones again, in a different article, states that as shadow Foreign Secretary ‘Robin Cook gave no indication that he would initiate an ethical dimension to UK foreign policy on entering office’ (Wickham-Jones 2000b: 93), and the general consensus that the (in)famous mission statement on 12th May 1997 is the starting date for this policy (c.f. Dunne and Wheeler 2001: 167; Buller and Harrison 2000: 77; Wheeler and Dunne 2004: 5; Gaskarth 2006a: 45).

It is true that 12th May 1997 was the date that Robin Cook announced and held a press conference on his mission statement for the FCO, thereby making it rather difficult to ignore. Nonetheless, as we have already seen in the previous section, there were enough intimations in speeches and manifestos to give at least a suggestion of what was to follow – the main issue being how much of such rhetoric makes it beyond the election. And as will be seen, the content of the mission statement was known to the press before its presentation in the Locarno Suite.

Wheeler and Dunne paraphrase Wickham-Jones in describing the press reaction to Cook’s mission statement press conference, declaring that the ‘broadsheets referred to it as ‘Cook’s ethical bombshell’, ‘unprecedented’, ‘startling’ and so on’ (Wheeler and Dunne 2004: 5). In an earlier essay, they claim that it is the ethical aspect which ‘dominated the media coverage’ and that it was a ‘radical departure’ in foreign policy (Dunne and Wheeler 2000: 62). Claiming that it was the ethical dimension which, according to

newspaper headlines, was the most controversial aspect of Cook's mission statement (Wheeler & Dunne 1998: 847), Wheeler and Dunne also quote a headline not mentioned in Wickham-Jones' listing, looked at in more detail below, namely the *Daily Telegraph*'s headline 'Cook to lead the Foreign Office on moral crusade' (Lockwood 1997: 6) which 'gives a flavour of the "spin" put on the ethical dimension by the media' (Wheeler & Dunne 1998: 847n).

However, while the headline itself is quite attention seeking it may be argued that this is the point of a headline: the content of the article is more measured and more positive than the nine words might otherwise suggest. Indeed, the article didn't make the front page, turning up on page six; paragraph three states that the 'speech made clear that he wants the moral dimension to be well to the fore in his stewardship of one of Britain's more stuffy institutions' (Lockwood 1997: 6). In fact, the *Telegraph* seems to be more petulant than outraged at the mission statement, claiming that its five strategic aims 'look similar to those that Mr Rifkind would have drawn up had anyone asked him for a "mission statement"', and as for Mr Cook's statement regarding the Commonwealth, the UN, consular services and the strengthening of relationships '[n]o one would argue with any of that' and with regards to the benefits of these proposals 'these would not have surprised Mr Rifkind either' (Lockwood 1997: 6).

In short, *The Telegraph*'s discussion of the moral dimension is fairly measured; the similarities rather than the differences with Cook's predecessor are pointed out, and the article has an eye-catching heading. The tendency to over-egg the pudding as regards the contemporaneous newspaper reaction can be as minor as confusing the headline with the content, as Wheeler and Dunne seem to, but also goes beyond this. I will argue that the surprise and negativity with which it is assumed the mission statement was met with was not the case. Part of the problem is that impressive hyperbole in headlines has been taken, by many in political science, as the response of the press, whereas it is the content of the article which is of interest. As Simon Jenkins says in his testimony before the House of Commons Select Committee on Foreign Affairs: 'Would that you had read out what I wrote rather than what the headline writer wrote!' (Jenkins 1997b). Too many of these accounts are written with the benefit of hindsight and it does seem that a mixing up of facts has occurred. In fact, Wickham-Jones admits in a different article within the same collection to that containing his overview of the press reaction, although it is no *mea culpa*, that, '[i]t may be that too much has been made of the

surprise expressed by media commentators and others' (Wickham-Jones 2000b: 94). This situation will now be investigated.

6.4 THE PRESS REACTION

In reporting the fact that Robin Cook was intending to release his first general message via a film produced by Sir David Puttnam, the *Daily Telegraph* wrote criticising these 'video "mission statements"' and mentioned in passing what it thought this video would contain, namely, 'Labour's priorities, thought to include human rights, overseas aid and boosting the role of the Commonwealth' (Fenton 1997a: 4). This guess was of course not too far from the truth; however, rather than being critical of the proposed mission statement or its perceived content, the *Telegraph* contents itself with criticising the idea of making a video to accompany it. The priorities mentioned above are not commented on further, this article's main interest to this thesis being that a vague idea of the content of the mission statement can be surmised five days before it is announced and still not raise any eyebrows even in a broadsheet not sympathetic to New Labour or its policies.

The Guardian managed to find out the content of the mission statement prior to the press launch, and published it on 12th May – there cannot, surely, with this leak and the proof above of the sort of guesswork going on, have been many journalists present who would not have had an inkling of what was in store. *The Guardian's* Ian Black claimed that the mission statement was:

expected to include:

Putting human rights and global environmental issues at the centre of British and European policy; [...] Developing tough guidelines on arms exports;

Integrating foreign policy into domestic issues [...]

Most of what will be announced has appeared in New Labour's foreign policy documents. Repeating it in the mission statement - a device common in the private sector - is intended to signal the will to implement it.

Foreign Office officials say they are pleased Mr Cook is impressing his sense of priorities on the diplomatic service, which many feel is badly in need of change after 18 years under the Tories (Black 1997a: 10).

This is fascinating, as not only does a contemporary account manage to give a fairly accurate version of what the mission statement did actually contain, printed in time to allow other journalists to read it and be prepared for the content, but the word used to describe the mission statement is ‘unprecedented’ as opposed to anything more shocked:

Robin Cook, the Foreign Secretary, issues an unprecedented public mission statement today promising a Euro-friendly Britain with better internationalist credentials (Black 1997a: 10).

Moreover, it is not entirely clear what is ‘unprecedented’: the mission statement itself, or its content. Furthermore, *The Guardian* claims that the majority of the content, including the tough guidelines on arms exports and the emphasis on human rights, is already contained in other policy documents – this press conference is merely to reiterate them. The Foreign Office officials interviewed for the above quote do not appear overly upset at proceedings.

Thus, as I have indicated above, Wickham-Jones’ assertion that the press were taken by surprise (Wickham-Jones 2000a: 5) may not strictly be the case: the mission statement was leaked, and more than one commentator had seen the writing on the wall in Blair’s ‘New Britain: My Vision of a Young Country’, the 1997 election manifesto, and the speeches in the run up to the first of May. Wickham-Jones does not cite the academics who were taken unawares by the ethical angle (Wickham-Jones 2000a: 5) and it would be a surprise to find any. If it can be proven that the press were not quite as much on the back foot as Wickham-Jones claims, then it would be a daring political scientist who would admit to never reading a newspaper following a general election. Wickham-Jones lists the press reaction as follows:

The Observer termed it ‘Cook’s ethical bombshell’ (18 May 1997). *The Guardian* described the mission statement as ‘unprecedented’ (13 May 1997). A *Financial Times* leader called the ethical angle ‘the most striking innovation’ of the goals laid out by the foreign secretary (13 May 1997). Joe Rogaly, a respected commentator on the paper, described it as a ‘startling’ development (17 May 1997). *The Times* reported, ‘Labour is anxious to set a new tone: on human rights and arms sales the shift is substantial’ (13 May 1997). *The Economist* concluded, ‘In Mr Cook, the moral dimension goes deep’ (17 May 1997) (Wickham-Jones 2000a: 5).

These headlines and quotes will now be followed up and assessed to see whether they have been quoted correctly, used in context, and how the content matched up to the headlines.

Looking at some of these articles in a little more depth is enlightening. The Walters and Garret article is not to be found in the UK or political section: it is in the business section. This is of significance as the entire article is dealing with the defence industry's reaction to the mission statement – hence the use of the word 'bombshell'. The article itself is balanced, showing reactions from both sides of the argument. Whilst claiming that 'the defence industry is reeling' and that Cook 'set alarm bells ringing', at the same time the article quotes group managing director of British Aerospace, Mike Turner, as being 'relaxed' and saying '[w]hat I like about Cook is that he says "Yes, human rights are important" but he also thinks about what is in the national interest' (Walters and Garret 1997). Digby Waller, defence economist at independent think-tank International Institute of Strategic Studies is reported as stating that 'British defence exports will be affected only at the margins' (Walters and Garret 1997). The paraphrasing and lack of context makes this headline appear far more damning than it actually is: the bombshell is a headline writer's gimmick rather than a true representation of a balanced article.

The 'unprecedented' quote from *The Guardian* is delightful, as its precedent was set the day previous, on the 12th, when *The Guardian* leaked the mission statement and it was described then as 'unprecedented' by Ian Black (Black 1997: 10). In fact, Black uses 'unprecedented' on another occasion on the 12th, *i.e.* one day prior to the press conference, in a more in-depth commentary, a paragraph in which hyperbole is rather noticeable:

Cook is to go public with his plans today by issuing an unprecedented mission statement at an on-camera press conference in the glittering Locarno Room – a striking contrast to the lobby-style unattributable briefing the FCO prefers (Black 1997b),

In fact, despite Wickham-Jones' claims of surprise and shock, the tone is rather one of enthusiasm, referring to Cook as 'the energetic Scotsman sweeping away the cobwebs' in charge of a department claimed to be 'perhaps the stuffiest, most cautious in Whitehall, we are in for some interesting times' (Black 1997b). Other terms used are 'imaginative', 'fascinating', and an FCO official is quoted as saying that this change was badly needed and that 'Now we're going to have some fizz. We had competence

without the fizz for too long' (Black 1997b). As mentioned above, it is not clear whether it is just the notion of a mission statement itself which is unprecedented or its content, and in the above article it does seem to be the idea of a mission statement which is described. The further adjectives used; 'on-camera', 'glittering' and 'striking' do not appear to add negatively to 'unprecedented' (Black 1997b). This is not to say that problems were not foreseen or forecast, but these will be examined later.

The quote from *The Financial Times* article cannot truly be described as surprised and the use of the word innovation might simply be in response to Cook's description of his mission statement as 'a new direction' (*Financial Times* 1997). *The Financial Times* is fairly neutral and addresses the dilemmas which the inclusion of this 'ethical dimension' into foreign policy might bring, but does end with '(n)onetheless, a policy which sets out to do the decent thing whenever possible is no bad place to start' (*Financial Times* 1997): again, not quite giving the impression of a newspaper in distress. Furthermore, the Rogaly article, which discusses Robin Cook's statement is only one of three news events of the week involving both politics and ethics. The other two stories involved Royal Dutch/Shell and Rupert Murdoch: Robin Cook comes off best. Rogaly's mention of 'startling' is followed by the word 'innovation', not 'development' as Wickham-Jones claims, and while a 'startling development' can indeed bode ill, a 'startling innovation' emerges as more positive than that. Moreover, the paragraph following this is worth quoting in full:

[t]he new government's stance is admirable. We cynics must resist the temptation to pelt it with rotten tomatoes. We may, however, mutter that the foreign secretary's ability to carry out his self-proclaimed new mission will depend in large part on other governments. They must be persuaded to co-operate, to join the club of benevolent intentions. Here's hoping (Rogaly 1997: 3).

That Rogaly is a cynic, he admits himself and he points out a major problem. However, admiring the stance and admitting of some hope, albeit faint, is not the doom-mongering which might be implied from the Wickham-Jones quote: on the contrary, this is a paragraph where Rogaly is hoping against hope in spite of himself – he regards the endeavour as admirable, surely not a negative reaction.

The Times article is interesting as it seems to be at pains not to be in any way shocked. In response to Cook's 'new departure' *The Times* sighs that 'the more prosaic truth is that every year, the thick annual Foreign Office report is prefaced by a summary of its mission, aims and objectives' (*The Times* 1997). While *The Guardian* might claim

that it is the idea of a mission statement which is unprecedented, *The Times* won't even allow it that accolade. Echoing Hurd's thoughts on the mission statement, *The Times* is of the opinion these features were always there, just called by other names – they do not see any innovation there. They do admit it is to Mr Cook's credit that he does not dismiss the public's desire to help during disasters and atrocities, and that there is merit in an annual report on human rights (*The Times* 1997); but as with the other newspapers, *The Times* is worried about how exactly this will all work when the horns of a dilemma loom. *The Times* is not shocked, startled or taken unawares. As with a great many of the other contemporaneous press reactions, the tone is balanced, credit is given where they think it is due and the possible problems pointed out.

A similar sense of *ennui* can be detected in *The Economist* article which Wickham-Jones quotes:

Mr Cook is not the first British foreign secretary to arrive in office determined to change things. Nor will he be the last to run up against the diplomats' natural scepticism about his ability to do so (*The Economist* 1997).

Like *The Times*, *The Economist* cannot be shocked and is also at work to ensure that no-one else is either and so, contra Wheeler and Dunne who tell us that:

[i]n the preceding fifty years, there had been no public articulation of a conceptual framework for understanding the means and ends of foreign policy (Wheeler and Dunne 1998: 847),

The Economist is able to say of the mission statement:

Mr Cook wrote it personally, and he says it represents 'a new direction'. As it happens, this claim is readily testable. For in March, just before the election campaign began, Mr Rifkind also published his own mission statement, in the Foreign Office's annual report. Comparing the two, anyone expecting a cultural revolution is doomed to disappointment (*The Economist* 1997).

Again, as in all the other articles, *The Economist* is aware of the issues at stakes and neither euphoria nor depression is forecast, the possible future problems are pointed out and *The Economist* makes no prophesies, and instead, as with the other national newspapers, sets out the issues:

[a]s Mr Cook makes real-world decisions over the next couple of years, which will prevail? The answer to that question will not be known for some time. When it comes, it will say a lot

about how radical, once the energy of victory wears off, Mr Blair's government is really going to be (*The Economist* 1997).

The conclusion to be drawn from this section is that with a post-election policy following on from pre-election promises, which included references to, amongst others: internationalist elements to foreign policy; the moral, and the ethical, added to which there was a leaked version of the mission statement, there was unlikely to be a surprised journalist in the room. The emphasis placed on some elements may have raised a few eyebrows, which may have had something to do with the traditional image of the FCO rather than the content, but, realising that something had to give, it was the aspect of what would eventually have to be sacrificed in this stance and when that would be which raised the most questions, which will be looked at now.

6.5 POLICY ISSUES RAISED BY THE PRESS

The one problem which was obvious to all the commentators in the first few days after the mission statement press conference was that of foreign policy with an ethical dimension being pulled in two directions. This takes the form of the ideals of, for example, human rights being at the centre of the policy, or the UK being a 'force for good' (Cook 1997a), or coming into conflict with that of 'prosperity' (FCO 1997: vi) *i.e.* jobs in the arms industry. As Dawkins and Coyne point out, even when a balanced argument is called for:

[w]hen two opposite points of view are expressed with equal intensity, the truth does not necessarily lie exactly half way between. It is possible for one side simply to be wrong (Dawkins and Coyne 2005).

That is to say, it is not necessarily the case that a middle ground can be found: if a solution is to be found it may involve one of the views being completely disregarded to the benefit of the other. It was clear to many commentators that this was inevitable, it was just a matter of waiting to see which principle toppled first. As we have seen above, the political can remain the political whilst moving through, for example, the moral and the legal, but once the moral steps away from what is right, it stops being the moral. The moral is more likely to give. This next section will look at some of the media comment which deals explicitly with this point and how this point was dealt with. This is of interest to make clear whether anyone damned or encouraged this policy right from its start.

The BBC website pointed out that '[h]uman rights policy is rarely clear cut' and that the dilemma facing the British Government is how to 'balance concern for human

rights abroad with the need to protect British trade and employment [...] between turning down a contract to supply weapons to a regime which has a poor human rights record, or the loss of jobs in the defence sector in Britain' and concludes that the 'new Labour Government is unlikely to find easy solutions to this dilemma' (BBC 1997). The BBC is not taking sides and simply points out that not supplying goods to specific buyers will result in job losses in that sector. The dilemma is whether the human rights record of a far off land is of more importance to a UK government than unemployment numbers at home. No solution is offered and the difficulty of dealing with such a dilemma is acknowledged.

A feature piece in *The Times* the day after the statement clearly addresses the issue the Government will face, namely:

the stronger the principled commitment to human rights, the greater the risk of being pilloried for double standards. [...] What balance is to be struck between concern for moral standards and Britain plc? (*The Times* 1997).

Moreover, *The Times* article points out problems which could occur within government without clarification, pointing out that '[o]missions, in any broadbrush statement of objectives, are often the most illuminating clues' (*The Times* 1997), a continuing issue for the Government, and as late as 1998 Wheeler and Dunne were complaining that:

[d]espite repeated public statements about the need to put human rights at the heart of foreign policy, the government has not elucidated a conceptual framework for deciding the priority and consistency of the various principles contained in the mission statement (Wheeler and Dunne 1998: 848).

This lack of explanation would cause internal problems, maintained *The Times*:

[f]aced with this policy, coupled with instructions to promote human rights forcefully, but told to make 'maximum use of our overseas posts to promote trade abroad and boost jobs at home', the natural reflex of British ambassadors must be to wire home for clarification (*The Times* 1997).

Thus the risk here is one of generating confused foreign policy. Echoing this, Simon Jenkins in his opinion piece on 14 May 1997 states that:

[s]tudents in advanced mission-statement studies know that the devil is in what is not said (Jenkins 1997a).

And points out that:

we must not take Robin Cook's new mission statement too seriously. We are still in the post-election novelty phase (Jenkins 1997a).

It is clear that Jenkins is going to wait and see, but he points out some of the possible problems. As we have already seen above, while claiming to be a cynic, he does not damn the entire venture. Jenkins' piece is of interest as he is examined as a witness in the Select Committee on Foreign Affairs on the idea of foreign policy and human rights, and is able to explain in more depth what his opinion is. In his article Jenkins points out the fact that there are moral ambiguities of foreign policy but indicates that what he sees in New Labour's message is:

not diversity with continuity, not even responsibility with change. It is morality. Out goes pragmatic, opportunistic British diplomacy. New Labour is ethics. [...] From the people who brought you the Iron Lady now comes...Holy Tony.

Human rights is to be at the heart of British foreign policy. [...] This foreign policy has the most interventionist slant of any I can recall (Jenkins 1997a).

This looks rather uncomplimentary. That said, the foreign policy is not deemed 'interventionist' *per se*, rather it has the most 'interventionist slant' – it leans towards it (Jenkins 1997a). As with the other commentators, however, Jenkins, the hopeful cynic, is not prepared to condemn the entire endeavour as completely impossible and leaves Cook with a lifeline, albeit a slender one:

[m]odern interventionism is short-term and paper-thin. It is upheld by none of the commitment of empire or of old Cold War alliances. Such imperialism risks being mere television diplomacy. The challenge for Mr Cook is to prove that his new moral outreach can ever deliver a practical goal. Otherwise it is just showing off and feeling good (Jenkins 1997a).

One might expect that this dilemma between the moral and the political would be given short shrift in *The Financial Times*, but the notions behind it get a sympathetic hearing, a balanced discussion of the issues is presented, and the question is left hanging of what the new Labour Government will actually do in practise. *The Financial Times* says of the mission statement that '(a)s a statement of principle, this is commendable', and even that 'a policy which sets out to do the decent thing whenever possible is no bad place to start' (*The Financial Times* 1997).

However, before the impression is made that *The Financial Times* wholeheartedly approves of the policy, it points out the problems:

giving [the Mission Statement] substance will mean addressing some dilemmas. [...] Taking a tough moral stand in such cases may mean sacrificing export orders and jobs at home. That is a legitimate choice, but one which the government must have the political courage to defend if its approach is to be credible (*The Financial Times* 1997).

This is not simply dependent on political will. The *Financial Times* points out that hard choices will remain, with few easy answers and that ‘most foreign policy is based on complex trade-offs, in which moral absolutes must contend with other less noble priorities. That, no doubt, is why Mr Cook offered few specifics yesterday’ (*The Financial Times* 1997). Like the analysis in *The Times*, *The Financial Times* points out the lack of specifics but rather than see this as a failing, it sees this as a necessity. This cannot be deemed an attack on the Cook’s proposals, but rather as a somewhat downbeat ending to a fair hearing.

The Observer’s article of 18 May 1997 collected opinions from various sources as to what this ethical dimension might bring, some of these views are already mentioned above. The most interesting aspect is that there is neither euphoria nor doom – both sides on this argument are aware of the potential for conflict and aware that it will be a zero sum game: they are not sure enough yet of who will benefit to express either of these extremes. Even whether or not there will be an effect is brought into question in *The Observer*’s article through the query: ‘[i]s the stated desire for a more ethical foreign policy just impressive rhetoric, or will it translate into decisions and policies with direct consequences for overseas trade?’ (Walters and Garrett 1997).

Those in the defence industry are quoted as saying:

[e]xactly how Labour’s policy will have an impact is unclear. But will they really take the purist’s view if they can see it costing thousands of jobs? [...] The Government will have to choose between an ethics policy on the one hand, and foreign currency receipts and jobs on the other’ (Walters and Garrett 1997),

while a spokesperson from Amnesty International says:

[o]ne big issue will be consistency. We were used to the last government making good statements about human rights violations in small countries, but they often soft-pedalled when it came to important allies, such as Turkey. [...] They have been making the right noises, but so far the only commitment has

been some kind of annual report to Parliament, which would provide a list of licences granted during the year (Walters and Garrett 1997).

Any claims that Robin Cook might have had that this was a 'new direction' were being countered by, of all possible opponents, Amnesty International, claiming that the previous administration had said much the same thing – they will wait and see what action it will bring. That responses were guarded is to be expected: fine words are all very well, but as with any new government, one simply has to play the waiting game. The unusual aspect to the ethical dimension in this administration was the direct conflict with trade which they had built into the theory – a loser would be shown at the first conflict of these values and that would set the tone.

The Guardian ran several articles in the early days of the mission statement and exhibits the same general understanding and misgivings as the other newspapers, 'it will be fascinating see to how much comes of it' and 'even if Cook's tour doesn't change the world or really put Britain at the heart of Europe, it won't be boring' (Black 1997b). However, the *Guardian* also talks of the mandarin 'muttering about the dangers of double standards and problems of accuracy' and that 'Defence manufacturers and the DTI are still much keener on exports than ethics' (Black 1997b).

Some parts of *The Guardian* articles seem to afford Cook less sympathy than one might expect. Black reminds his readers that they should not get 'carried away too far: this is a circle-squaring enterprise, in which the ethical dimension fits awkwardly around the angular core of strategic and commercial self-interest' (*Guardian* 1997). The *Guardian* goes so far as to suggest that the landmine ban was '[s]moke and mirrors' insofar as it was on the cards already (Black 1997b). However, where it gets more interesting is in *The Guardian*'s response to Cook's idea of benchmarks. Even although it can guardedly claim that 'sniffing the air these exciting first few days, no one expects enormous changes' (Black 1997b), nonetheless establishing a set of benchmarks 'moves the parameters of foreign policy discourse in an encouraging direction' (*Guardian* 1997). This is on account of the benchmarks encouraging public scrutiny, and thereby having huge potential for achievement or disappointment (*Guardian* 1997). Herein lies the problem for Cook and the call to caginess in *The Guardian*: 'Judgment must come later, but at least Mr Cook has given us the commitments against which the performance can (and will) be judged' (*Guardian* 1997). The conclusion being that Robin Cook has created a zero sum game, clear rules on how he is to be judged, and has invited the pub-

lic to watch. He is either confident of himself, confident people will forget, or likes to provide his own rope for hanging himself. *The Guardian* makes it quite clear that there is nothing to be done but wait, and then judge.

Hugo Young in *The Guardian* does not hold out much hope, pooh-poohing Cook's pretention of a new direction and pointing out the similarities to previous incumbents of the office, before putting the question to his mission statement '[i]s this any more meaningful than what went before?' and asking of Cook 'How can he deliver on this promise?' (Young, H. 1997).

Young quotes Douglas Hurd, not long after being made Foreign Secretary as saying 'we should penalise particularly bad cases of repression and abuse of human rights' and spoke of 'the moral imperative', which, Young points out 'didn't last long' (Young, H. 1997). The difference between Hurd and Cook, according to Young, is that people will expect more: Cook has given a pledge which 'elsewhere on its agenda, the Blair Government has been careful not to give: visible, ambitious, demanding' (Young, H. 1997) – to renege on this promise would be dangerous.

The Economist follows a similar line of attack as *The Guardian*: pointing out the lack of difference between Cook and his predecessors, and musing on how it will all turn out. This might sound like criticism, but few of the newspapers felt confident enough to say exactly what Robin Cook, the left-winger, may or may not get up to – all bets were hedged. Thus:

[i]f Mr Cook wants to challenge any of these beliefs, a change of style will not suffice. He will have to manage a change of substance, in the face of the accumulated wisdom of a venerable British institution. It will not be easy (*The Economist* 1997).

While *The Guardian* concentrated on comparisons with Hurd, *The Economist* chose his direct precursor, Malcolm Rifkind. A few commentators made note of the fact that prior to Robin Cook, the FCO did, in fact, have a mission statement (FCO 1997) and *The Economist's* comparison is worth quoting in full:

Mr Cook will 'strengthen the Commonwealth'. But then Mr Rifkind wanted to 'work for a stronger Commonwealth'. Mr Cook will 'spread the values of human rights'. But then Mr Rifkind promised to work for 'respect for human rights'. Mr Cook wants a 'successful transition in Hong Kong' which, as it happens, are precisely the words Mr Rifkind used (*The Economist* 1997).

The Economist also points to the difference in style between the ‘cautiously worded’ mission statement and Mr Cook’s speech at the press conference, hinting, perhaps, at an FCO approved mission statement and a Cook approved speech and an indication of battles to come (*The Economist* 1997). Nor does the author overlook Tony Blair’s role in supporting Cook, describing him as a ‘prime minister who has a touch of the moralist about him’. In short, *The Economist* has no wish to make a call as to how this will all end, and finishes the article with a balance sheet and a question:

[o]n the one hand, bureaucratic opposition, the lobbying of the arms makers, the alarm of employees in arms factories at the prospect of losing their jobs, the anger of the backbenchers who represent them; on the other hand, conviction and a determination to make a difference. As Mr Cook makes real-world decisions over the next couple of years, which will prevail? (*The Economist* 1997).

Writing in the *Telegraph* on the 18th May John Simpson points out that Defence and Foreign Office posts are tricky positions in the Labour Party as ‘too much contact with the United States, the EU or weaponry makes you unpopular with the Left of the party’ (Simpson 1997: 33). Simpson argues that British foreign policy transcends domestic politics and he points out several controversial foreign policy decisions where the party in government acted in a way which might have been thought more in keeping with the party in opposition. Simpson appears to be hinting at something which will be examined in section 7.5, namely that the dance of the diplomats is stronger than the pull of the party within the FCO. In short, Simpson’s analysis is ‘by voting Malcolm Rifkind out of that magnificent office and putting Robin Cook in his place, we have changed virtually nothing’ (Simpson 1997: 33).

Despite Wheeler and Dunne’s and Wickham-Jones’ claims (Wheeler and Dunne 2004: 5; Wickham-Jones 2000: 5) there is no indication of any great surprise caused by the mission statement and Robin Cook’s statement to the press. The matter had been hinted at, reported on, and leaked to the press a day previous to its announcement. Cook was assumed to be serious about carrying the matter through, and the matters which might arise were discussed.

There are a few conclusions we can draw from this chapter. The lack of surprise with the press was such that various previous incumbents of the post of Foreign Secretary were compared to Cook and the general feeling was that there were more similarities than differences. Both Hurd and Rifkind had stated that they wished to deal more

robustly with regimes which violated human rights. Arguments raged as to whether previous foreign secretaries had used mission statements, and if so, whether they called them mission statements or not.

Gaskarth's claim that the:

[m]edia commentary was almost entirely negative and the phrase 'ethical foreign policy' was used to condemn either the Government's supposed amoral hypocrisy or its naive utopianism (Gaskarth 2006b: 325)

has been disproved. Media comment for the time period directly following the announcement of the ethical dimension was in reality well balanced and thoughtful. That negativity appeared later, once the dilemmas which the media had discussed arose is not in doubt, but these are two distinct time periods.

The point to be made is that the episode directly following the election of New Labour has not been adequately researched, and it has been assumed that the negativity of the press which followed the first few dilemmas had been present from the start, which was not the case.

Though not 100% sure Cook would, neither was anyone 100% sure he would not manage to negotiate through the problematic issues which would occur as a result of the ethical dimension. Furthermore, any media commentators in the UK who immediately attacked the new policies of an incoming government, which had won by such a resounding margin, might well find themselves out of kilter with their audience – such a course would be, at the very least, imprudent.

It cannot be argued that the press was either truly sceptical or truly convinced. Both sides of the issues were discussed and nobody in the media seemed inclined to declare whether or not they thought Cook would fall at the first hurdle. It seems that the press did not want to be wrong-footed on this account. Praise for the sentiments, clarification of the dilemmas, uncertainty at whether or not Cook would make the difficult decisions, and instances of where other Foreign Secretaries had fallen seems to be the general pattern.

Cook himself made things easy for the press: using buzzwords and rhetoric; linking himself to internationalism and giving the ethical prominence. He generated a zero sum game and publicly laid out the criteria by which he was to be judged: all the press had to do was wait. Any attempt to predict what was to come would have left the news-

paper in question possibly open to ridicule – the nature of the game indicated a 50/50 chance of being right or wrong. The press let Mr Cook take that chance himself.

Looking at this chapter with the benefit of the analysis of areas one and two, we can observe some issues. The central question of ‘where is the political?’ will receive a somewhat confused answer from this chapter. Firstly, the Labour Party had been so long out of power that practical politics seems to have transformed into political theorising. Secondly, this theorising does seem to favour of the moral. Thirdly, this seems to be area one based political science, whereby an ideology has been chosen and is being defended, as can be observed below:

Today's Mission Statement sets out new directions in foreign policy. [...] It supplies an ethical content to foreign policy and recognises that the national interest cannot be defined only by narrow *realpolitik* (Cook 1997a).

This quote seems to quite clearly illustrate de Jasay's point, outlined in the introduction, of instrumentalism:

the state as an automatic machine which dispenses ‘social decisions’ when we feed out wishes into it (de Jasay 1995: 10).

Cook plainly sees foreign policy as a structure, to which ethics provides the content – the automatic foreign policy machine will dispense ethical decisions if only the content is ethical. As we also saw above, Koselleck warns that:

[t]he abstract and unpolitical starting point allows a forceful, total attack on a reality in need of reform

The totality of the politically neutral claim of a fixed, eternally valid morality necessarily turns political acts and attitudes, once they are subjected to a moral test which they cannot pass, into total injustice (Koselleck 1988: 152).

Cook risks a great deal in his approach, but area one has been concerned with establishing itself as a science and has made a similar error, assuming a neutrality it cannot possess, and assuming that the selection of a doctrine can pass unhindered through the instruments of state. Moreover, the fixation of area one on ideology, which if taken too far can be seen as a form of anti-politics (insofar as the answers are predetermined and not dependent on circumstance), can be seen in Cook's rejection of *realpolitik*. The analysis by area three practitioners of foreign policy as regards ideologies will be

looked at in the following chapter, but we have seen in chapter four that Douglas Hurd states that:

I think the making of foreign policy is blending realism and idealism. It is blending the world as you would like it to be with the world as it is (Hurd 1997a: Q79).

Suffice to say former foreign secretaries were not of the opinion that an ideology could be chosen and adhered to, such a view misunderstands and rejects the political. However, in his defence, Cook was able to turn to little else other than political science, his party was so long out of power, and was not to know that there has been a crisis in the concept of the political.

As we have seen from the section on tragedy, Morgenthau does not deny that there can be ethics at work in politics, but, crucially:

to know that states are subject to the moral law is one thing; to pretend to know what is morally required of states in a particular situation is quite another (Morgenthau 1962a: 106).

I have claimed above that while the study of tragedy as regards politics has been interesting, it is not particularly useful. Nonetheless, the connection between politics and tragedy is perhaps best made in this chapter where Cook's area three statements illustrate the concept well. If we take Lebow's quote that:

Thucydides' tragic understanding of politics, reflected in their belief that order was fragile, that human efforts to control, or even reshape, their physical and social environments were far more uncertain in their consequences than most leaders and intellectuals recognized, and that hubris – in the form of an exaggerated sense of authority and competence – only made matters worse (Lebow 2003: x).

Then one might begin to recognise the links between the belief that the state is simply an instrument with the idea of hubris, for if the state is neutral, then to control it is no problem at all and so a rejection of the political could almost be deemed hubris from the outset. As Bentley pointed out, '[t]ragedy and comedy are concerned [...] with justice' (Bentley 1964: 260). Thus, it is possible that we will meet with one or other of the concepts when Cook's claim that '[t]he Labour Government will put human rights at the heart of our foreign policy' (Cook 1997a) is considered. Insofar as Fiebelman is correct when he states that:

[c]omedy is an intellectual affair, and deals chiefly with logic. Tragedy is an emotional affair, and deals chiefly with value (Feibelman 1962: 199).

Then it is most likely to be tragedy. The use of tragedy does not answer questions on the political, but it does make the issues with which this dissertation is concerned more apparent.

This chapter has been based on the mission statement given by Cook after the election, mainly to show the press reaction and indicate that the response by some academics to these first few days in office is flawed. Of more immediate significance is to what extent the notion of an ethical dimension within foreign policy was only linked to Cook and to what extent it was endemic within the New Labour Government's departments. This is what chapter seven will now consider.

7 New Labour Consensus on the Ethical Dimension

Having looked at the build up towards the 1997 election, the mission statement, and clarified the media reactions, we are now able to progress towards what the ethical dimension actually was. The basis of this idea as it was brought into being in the Locarno Suite mission statement was simply the announcement of something to come. We now have to look at how this idea moved on, how it was expressed in policy and statements, and how deeply this dimension was embedded within the entire Government.

One facet of the ethical dimension of foreign policy which seems to be often confused is that this was Robin Cook's idea alone and that this dimension may or may not have come into conflict with Blair's notions of foreign policy. Some commentators have argued that this idea emanated from Robin Cook and that this caused problems. Wickham-Jones claims that not only was this Cook's idea, but that:

Cook's ethical turn was motivated, in part at any rate, by a desire to raise his political profile within the Blair administration as a different kind of foreign secretary (Wickham-Jones 2000b: 109).

Not going quite this far, Vickers nonetheless does not have Cook working in harmony with Tony Blair in his drawing up of the ethical dimension and claims that:

Robin Cook has been eager to draw on the Third Way as a point of reference for his foreign policy, though it is not clear to what extent this reflects an agenda laid out by Blair or by himself, and press reports indicate some tensions between the two (Vickers 2000: 39).

Wickham-Jones, in a different article, also maintains not only that there were issues between Cook and Blair, but that the ethical dimension did not sit comfortably in Blair's Government, when he enquires just:

how closely Tony Blair's Third Way corresponds to Robin Cook's ethical initiative is an open question [...]. On the face of it there appears to be a manifest tension between the two. [...] There have been persistent press reports of tensions between the prime minister and his foreign secretary (Wickham-Jones 2000a: 17).

Vickers claims also that there was a problem with clashes with other departments when this FCO theory came into conflict with their priorities:

[f]or example, the foreign secretary can tighten up arms sales only if he has the support of the DTI [Department of Trade and

Industry], but this is resisted because the DTI has a very different set of priorities to the Foreign Office. Foreign policy will continue to be a problem for the Labour government unless some way is found to integrate it into the heart of the New Labour project and to reconcile the domestic and the international agendas (Vickers 2000: 44).

This would mean that either a coherent plan for the entire government had not been thought of, or that Cook sallied forth on his own without discussion – neither of which seems particularly convincing. This begs the questions of how much of this was Cook’s policy alone, and would it be possible to initiate any such policy without the full backing of party and to appreciate those domestic aspects which may come into conflict with the idea? I am inclined to agree with Little who points out that:

it is unlikely that he [Cook] could have launched such a policy without either the approval of the prime minister or the agreement of Labour’s spin doctors. All must have accepted that it was possible and desirable to sell foreign policy in ethical terms (Little 2000: 254).

It would seem extraordinary that one of the first acts of a new Foreign Secretary, in a new government so long out of power, would be to generate division within the ranks. One other possibility is that this ethical dimension was, in fact, integrated within other departments and was more New Labour than simply Cook alone.

David Walker begins his chapter *The Moral Agenda* with the words ‘[w]hen Labour was a socialist party, it had a predefined moral agenda’ (Walker 1997: 66) before arguing that New Labour, in abandoning its socialist roots, cannot have an ‘intrinsic moral position’ (Walker 1997: 66). Combine this with the claim that the Labour Party was the party of internationalism – as claimed in the Labour Party manifesto and Blair’s ‘revivification’ as outlined by Lawler, both mentioned above (Labour Party 1997; Lawler 2000: 281) – and the Party has, or had, a ‘predefined moral agenda’ (Walker 1997: 66). Add to this mix the fact that Cook was Labour’s first Foreign Secretary since David Owen in the Callaghan Government of 1979, then, by necessity, much of the innovations in foreign policy would be based on ideas and theories rather than experience.

Indeed, this basis becomes more obvious when one realises that Cook was the only cabinet minister with any parliamentary experience whatsoever under a Labour government (Brown 2001a: 15), having been elected to parliament in the February 1974

election with a narrow majority of 961 votes (Kampfner 1998: 37) and staying in parliament, uninterrupted, for the intervening 23 years. There was virtually no other experience to draw upon.

The Kampfner book in its very first words outlines, perhaps, why the ethical dimension was attached to Cook in people's minds: Kampfner wanted to write a book about 'the role of the radical left in the Labour party under Tony Blair, approached through its most controversial proponent, Robin Cook' (Kampfner 1998: 7). Cook was well known both as a politician and a radical and any ideas which looked like belonging to the Party's Left or containing anything which could be labelled radical could be pinned on Cook quite easily. Cook may or may not have been a radical but nonetheless it would be rather surprising if a Foreign Secretary announced a foreign policy which conflicted with all other government policy: radical Foreign Secretaries do not stay as such long, with either the post or the adjective soon being removed.

The FCO is responsible for foreign policy, but after Tony Blair's Chicago speech he could not thereafter be accused of not having an interest in foreign policy himself. New Labour also created the Department for International Development (DFID), which would also have to deal with aspects of foreign policy. On top of that there is the Ministry of Defence which is likely to have a voice on facets of foreign policy. It does not seem wise for a new Foreign Secretary to adopt a policy that would almost from the start come into conflict with other departments of government. The very idea seems somewhat ludicrous.

In this chapter I will show that an ethical link can be found within all the above-mentioned departments, and that ethical dimension was a New Labour policy, not simply a Cook modification. This close link between the politics and ethics will then be investigated later in the thesis. If that does prove to be the case that the ethical in New Labour is much more prevalent than thought, then any scandals, alleged or otherwise, which only encompassed the FCO would be unlikely to change the entire party's (ethical) outlook on the matter. That an ethical dimension may not function in the party's foreign policy would not logically mean that it would have to be removed from any other department.

7.1 COOK, ROBERTSON & SHORT

In attaching the concept of the 'ethical' to merely one department and one minister if the theory were actually more deeply embedded in government policy, commentators

would risk overlooking an underlying model which might prevent a thorough understanding of the New Labour Government in power.

As seen above, Robin Cook was quick off the blocks in announcing, explaining, and suffering for the ethical dimension with the announcement in May 1997. The nature of the announcement, in contrast to the perception of the FCO as the last bastion of stuffiness, along with its speed in respect of other departments and statements, attracted the attention of the media, and, as we have seen above, the hype and headlines have often been taken at face value. Hence it is necessary to look at several key players in government who could also have reason to influence foreign policy and what they have said or written on the subject.

It is of interest that other governmental departments are so often left out of the picture during discussions of an ethical dimension to New Labour's foreign policy. Two are mentioned in passing in Williams: 'the Department for International Development (DFID) and the Ministry of Defence both published their "ethical" concerns early on' (Williams 2002: 61). Williams then goes on in a later article to go into slightly more detail:

Defence Secretary George Robertson declared that the UK's armed forces would act as a 'force for good', while Clare Short's new Department for International Development set out to alleviate world poverty and ensure that Britain did not forget its obligations to the planet's poorest citizens' (Williams 2005: 1).

There is no study of the phrase 'force for good' and just a rather banal account of DFID. This somewhat prosaic view of the ethical in other departments seems widespread, with Wheeler and Dunne pointing out that the Department for International Development might have an interest in development issues:

Clare Short's newly formed Department for International Development jointly produced the annual report on human rights, much of it emphasizing Britain's role in promoting the right to development (Wheeler & Dunne 1998: 853).

Even Lilleker who is writing on the *Strategic Defence Review* within the Department of Defence fails to mention any notion of the ethical contained within the Review, saying only that the 'only element of New Labour's approach that had the appearance of innovation was the attachment of an ethical notion to foreign and defence policy'.

Lilleker mentions the phrase ‘force of good’ but in relation to Cook (Lilleker 2000: 219) before later declaring the Review ‘something of a damp squib’ (Lilleker 2000: 219).

These examples indicate that the main thrust of the ethical dimension is not being picked up on in other departments, and from the brief mentions that they are given one might be mistaken for thinking that it was mere lip service to the idea, hence the concept of the ethical dimension is only being attributed to Cook. Another commentator quotes an interview where ‘George Robertson, Labour’s defence secretary, said, “I want our armed forces not only to defend our country, but to be a force for good, in a very complicated and a very difficult new world that we are facing”’ (Wickham-Jones 2000: 16). However, once one has seen the radio transcript of the interview one realises that Robertson uses the phrase ‘force of good’ three times within a short space of time – often enough for the interviewer to pick up on it and question its use during the discussion (BBC 1997b).

These departments and documents are important enough to crop up in at least some of the writers on the subject, but then only fleetingly. I intend to look at some key documents and statements made from other departments with foreign policy interests in order to analyse whether or not an ethical dimension is present. The presence of some form of an ethical dimension in all of these would indicate that the ethical went beyond the FCO. It is not the intention to provide a completely comprehensive overview, this is merely designed as a brief synopsis of the departments to pick up on key words, phrases, and intentions which will aid in discovering what the New Labour’s ethical dimension on foreign policy intended to do.

Obviously, an ethical dimension to foreign policy emerging solely from within the FCO and from one man will differ from one intended by several government departments. Once this has been answered satisfactorily, it will be possible to look in more depth at what the ‘ethical dimension’ might involve, at what point (if at all) it was abandoned, and the problems this theory poses.

7.2 DFID: CLARE SHORT

The Department for International Development was set up in 1997 to replace the Overseas Development Agency and it was headed by a secretary of state with cabinet rank. The first secretary of state for International Development was Clare Short and the department’s white paper on international development was presented to parliament in November 1997. Entitled *Eliminating World Poverty: A Challenge for the 21st Century*

the document set out the aims of this new department and as such, one would expect it to link in with other foreign policy aims.

Accordingly, in the summary announcing the 12 strands, in section 3 ‘Consistency of Policies’ under point number 7 it states that DFID shall give ‘particular attention to human rights, transparent and accountable government and core labour standards, building on the Government’s ethical approach to international relations’ (DFID 1997: 7). Within section 3 the white paper goes into more detail on how it means to achieve these goals and under point 3.52 which is mainly concerned with conflict prevention it states that it is crucial to understand the causes of conflict and to resolve disputes non-violently before stating that:

[t]o achieve this, we shall deploy our diplomatic, development assistance and military instruments in a coherent and consistent manner to:

- spread the values of civil liberties and democracy, rule of law and good governance, and foster the growth of a vibrant and secure civil society
- strengthen social cohesion, promote mediation efforts and encourage the regeneration of societies recovering from conflict
- protect and promote the full enjoyment of all human rights
- help solve political and other problems before they cause conflict
- advocate measures to control the means of waging war
- provide humanitarian assistance for victims of conflict and persecution
- contribute to international peacekeeping (DFID 1997: 69).

There are several items of interest contained here, and the first is the page seven reiteration of the ‘ethical approach to international relations’ (DFID 1997: 7). This is worthy of note as the white paper was presented in November 1997 – a full six months after Cook’s FCO announcement when it must have been quite clear within government which issues were cropping up vis-à-vis the idea of the ‘ethical dimension’. Indeed, by this time the ‘arms to Indonesia’ affair, where in July 1997 the Labour Government sold Hawk aircraft to Indonesia, despite the possibility of them being used for internal repression, had occurred.

Had these issues been considered insurmountable, or were DFID not committed to the ethical dimension, then it seems probable that they would have been left out or at least significantly watered down. Cook might have claimed only to have used the term ethical dimension, but another department seems to think this dimension could be stretched further.

Moreover, this document claims that this list of aims which the ethical approach involves will be adhered to by ‘our diplomatic, development assistance and military instruments’, this would seem to indicate the FCO and the Ministry of Defence, as well as DFID being involved (DFID 1997: 69). ‘International peacekeeping’ and ‘controlling the means of waging war’ while certainly not outwith the remit of DFID would seem to gravitate more naturally towards the Ministry of Defence or even the FCO (DFID 1997: 69). Again, if there were no overarching theory this would, at the very least, be treading on several departments’ toes. Nonetheless, DFID declaring its ambition to use military instruments to protect and promote all human rights seems to be going quite far.

In section 1 ‘The challenge of Development’ of the white paper point 1.20 states that these ‘principles form the basis of our international as well as our national policies. The Government has already made clear its commitment to human rights and a more ethical foreign policy’ (DFID 1997: 16). While point 1.21 talks of why the objectives of international development ought to be embraced and tells us ‘because it is right to do so. Every generation has had a moral duty to reach out to the poor and needy and to try to create a more just world’ (DFID 1997: 16).

These two quotes are intriguing on a number of counts. Firstly, we have an official use of the exact phrase ‘ethical foreign policy’, again this use is by Clare Short, who, as was seen in the previous chapter, seems inclined to use this term. However, this is a 1997 usage contained within a contemporaneous official document, as opposed to her later memoirs and it would seem that, for this minister at least, the ‘ethical’ was not a dimension, but rather an integral part of the policy. Secondly, the reasons for agreeing with the objectives set out in the white paper are down to it being ‘right’ and our ‘moral duty’ – surely the tracks of moralism if ever there were any. No political reason is given here, only ethical reasons. Cook, it could be argued, may have aware of the difference between an ‘ethical dimension’ and ‘ethical’ foreign policy, but it is not clear that this distinction was made by, for example, DFID.

The accusation could be levelled that any attempt to tie the ethical dimension in DFID and the FCO together is question begging. However, we are simply comparing

official statements and documents and as such the public face of government policy. Moreover, despite being separate governmental departments the FCO and DFID, even if only initially, were working together on these ideas if Cook is to be believed:

I therefore make our commitment to human rights, not just on behalf of the Foreign and Commonwealth Office, but as part of a Government policy coordinated with the Department for International Development. I have consulted closely with Clare Short on these commitments, and she has contributed to many of the initiatives which I am about to make (Cook 1997c).

This is an important quote as it points out that the intention, at least, was not only to have this foreign policy, but to integrate it beyond the FCO: that decisions being made at the FCO were at the very least being relayed to other departments. But it goes beyond this. Cook is consulting with Short and she is contributing to FCO initiatives – any later attempts to pin ethical foreign policy on Cook alone must ignore DFID's recognition of the concept.

It would seem that the first major document coming from DFID is just as keen to promote the ideas outlined by Robin Cook. The phrase ethical foreign policy is used and there was sufficient time between Cook's announcement and the DFID white paper to have anything that might cause embarrassment removed, especially if the departments were indeed consulting closely. That is perhaps the most interesting aspect of this document, as it shows that the idea of ethical foreign policy was most definitely being mooted from within government, and was not simply journalistic shorthand apparent in the media's frequent use of this term.

Six months after it has been seen that the media leapt upon the term, and that it was the ethical dimension which generated the most interest in the FCO mission statement, the term ethical foreign policy is mentioned in an official document, despite or perhaps because of this attention. Moreover, the DFID document seems to indicate that this policy extends beyond the department itself into the FCO and the Department of Defence: it is not merely the case that there are hints of an ethical dimension being read into the text, it is clear that DFID is keen to promote these ideas. This is of significant interest and is unjustifiably overlooked in the literature on this area.

7.3 MOD: GEORGE ROBERTSON

The Labour Party manifesto of 1997 promise to 'conduct a strategic defence and security review to reassess our essential security interests and defence needs' and that

this would be foreign policy led (Labour Party 1997). Taking longer than intended, this review was finally delivered fourteen months after the election. The time scale is, of course, significant as while the DFID white paper had six months to gauge opinion and results, the *Strategic Defence Review* (SDR) had over a year, time enough to purge anything likely to generate negative headlines. It must be assumed that any suggestion of the ethical that has managed to get to this stage is quite obviously intended.

Taking our lead from Robertson's BBC interview mentioned above, we may tally up our 'force for good' references: the phrase is mentioned nine times throughout the Ministry of Defence (MoD) document. Robertson does use other terminology and thus 'we have a responsibility to act as a force for good in the world', are 'a leading force for good in the world', and a 'real force for good' (MoD 1998: 7; 12; 68; 261, 65). Robertson, it seems, is keen to get this point over. Beyond this and in his introduction under point 19 Robertson states that the:

British are, by instinct, an internationalist people. We believe that as well as defending our rights, we should discharge our responsibilities [*sic*] in the world. We do not want to stand idly by and watch humanitarian disasters or the aggression of dictators go unchecked. We want to give a lead, we want to be a force for good (MoD 1998: 7).

This is a rather startling paragraph. Firstly, while the Labour Party can claim to have an internationalist history it is an odd claim to make of the whole population. Although as we have already seen, Blair makes this claim that we 'are all internationalists now, whether we like it or not' (Blair 1999), while Cook makes the century internationalist (Cook 2000b). The use of internationalism does appear to be running through a significant amount of New Labour documents and does indicate a party stance and not simply rogue usage. Linked to this, Robertson manages to squeeze in talk of rights and responsibilities on the international stage, this is certainly within the realms of the ethical, and there does appear to be a mirroring of language occurring.

While the world is unlikely to run out of aggressive dictators any time soon, there are very few aggressive dictators around who are foolhardy enough to invade their innocent neighbours. While this could happen, it would be more likely the case that aggressive dictators would vent their aggression on their own populations. The aggression mentioned in the above-cited quote is not qualified. Does being a force of good involve invading states to prevent internal aggression, that is, going beyond what current international law might allow? Or does this simply mean joining UN sanctioned defences of

states which are being aggressively attacked, that is, affirming the current international law? There is no indication as to what this might actually mean or involve.

Further on in the document there does appear to be some qualification of the idea of policing aggression. In chapter two under the heading ‘security priorities in a changing world’, point 21, the document states:

[a]s a Permanent Member of the UN Security Council and as a country both willing and able to play a leading role internationally we have a responsibility to act as a force for good in the world. We do not aspire to be a world policeman; many of our important national interests and responsibilities are shared with others, particularly our Partners and Allies in the European Union and NATO’ (MoD 1998: 11 – 12).

The force for good does not compel the UK to leap into the fray at every hint of a misdemeanour: however, it does not say that the UK will not. There is perhaps no aspiration to be a world policeman, but this statement is not placed in the sentence with the phrase force for good, it is in the sentence explaining our interests and responsibilities are also those of others. The UN, the EU and NATO are mentioned as possible others and seem to indicate that while the UK does not wish to be a world policeman, if its interests and responsibilities with other states compel it to do so, then so be it.

In chapter one of the *Strategic Defence Review* entitled ‘A Strategic Approach to Defence’ we are given a reiteration of the linking of defence and foreign policy:

[d]efence serves the aims of foreign and security policy. The Government’s manifesto sets out a broad vision of Britain’s role: strong in defence; resolute in standing up for our own interests and as an advocate of human rights and democracy the world over; a reliable and powerful ally; and a leader in Europe and the international community (MoD 1998: 10).

This obvious linking of defence and foreign policy, defence and human rights, defence and democracy, all seems to back up the claims made by DFID that DFID, defence, and foreign policy were connected. Interestingly, defence serves foreign policy, albeit not exclusively. Furthermore, this paragraph invokes the manifesto, which one assumes contains aims and goals which the whole government can agree on: by appealing to it, the MoD at least is showing its agreement. This being the case the ethical should be of the same sort throughout the cabinet. Indeed, this paragraph uses language which is very similar to Blair and Cook’s rhetoric.

The document is almost 400 pages, but much of this is supporting essays and fact-sheets, indicating that the document is to be distributed in different ways to different groups of people: this is very useful for our purposes as both explanations and sound bites are included which might allow the ethical to be more clearly identified.

In supporting essay two: 'The Policy Framework', under the title 'Interests' one might assume a rather realist account would appear. However, counter intuitively, the notion of interests is tied into a more internationalist viewpoint, which is quoted at length below:

[a] nation's foreign policy must reflect its values. Britain stands for a strong world community, where differences are resolved fairly and peacefully. Our national security and prosperity thus depend on promoting international stability, freedom and economic development. As a Permanent Member of the United Nations Security Council, Britain is both willing and able to play a leading role internationally. We have a responsibility to contribute to a strong world community. But we cannot achieve all our aims alone. Instead, we need to work through strong partnerships and alliances, particularly the EU and NATO. We also attach immense importance to the international community as a whole working together through the UN and other international organisations (MoD 1998: 93 [9]).

There is much of interest here: the foreign policy link to defence is once again mentioned, but this foreign policy is linked to values. The values are of great significance here as the UK foreign policy is to reflect the country's values: if the foreign policy is moral it is because the UK is moral. The UK's strength is linked to justice and peace; national security is linked to freedom; the notion of duties and cooperation is linked to the UK's role internationally. Rhetoric it may be, but it is political rhetoric which is quite obviously using moral language, a point made by Mouffe above. It could be the political simply using the moral for its own, very political, ends, but risks basing the policy on the moral. The essay continues with point 10 and to put right any notions that these links are not intentional the document continues:

[t]his is summed up in the four broad foreign policy goals outlined by the Foreign and Commonwealth Secretary on 12 May 1997;

Security of the United Kingdom and Overseas Territories and peace for our people by promoting international stability, fostering our defence alliances and promoting arms control;

Prosperity, promoting trade and jobs at home, and combating poverty and promoting sustained development overseas;

Quality of Life, protecting the world's environment and countering the menace of drugs, terrorism and crime;

Mutual Respect, spreading the values of human rights, civil liberties and democracy which we demand for ourselves (MoD 1998: 93-94 [10]).

The four goals are mentioned in full, including the fourth goal of not simply adhering to the ideas of rights and democracy, but actively spreading them: all within an MoD document. However, this link to the FCO is made clear in 'the Policy Framework' where it states that the Review has been 'foreign policy led' and, in its first stage at least, was conducted jointly by the FCO and MoD (MoD 1998: 79 [2]). Fourteen months after the FCO press conference, the values mentioned are still at work in government. Defence policy has been worked out in collaboration with the FCO, who would have known the problems the idea was encountering in the media and have been able to advise on avoiding any pitfalls. This far-reaching interdepartmental influence is a point surely worthy of more notice in the literature.

Looking to one of the factsheets, 'Modern Forces For The Modern World', which is most definitely dealing with military forces and not merely abstract policy, we see under the title 'Britain's Security and Interests' that this spreading of the word is to be taken seriously:

we have responsibilities as a leading member of the international community, and a collective obligation to those whose condition is much worse than our own, to help promote peace, freedom and prosperity worldwide.

Britain must therefore be a force for good in the world (MoD 1998: 261).

The logic seems to be something of the sort that our values inform our foreign policy, which then has duties and responsibilities. In the above paragraph it is an obligation to promote peace, and therefore we must be a force for good because how could we be otherwise?

Again, it could be argued that abstract notions such as freedom and force for good do not tell us too much and in actual fact they might simply be political rhetoric: words with a feel good factor. Phrases such as values and responsibilities may denote ideas of the ethical to the philosopher, but perhaps not to the man on the Clapham omnibus: we

may be seeing what we want to see. However, supporting essay five entitled ‘deterrence, arms control, and proliferation’ makes clear that these are all part of a wider framework, and explains what this framework is.

Under the title ‘Humanitarian Obligations’ there are two points, 52 and 55, which most clearly and without ambiguity point out what the underlying framework is. Point 52 gives us an obligation, tells us what this is part of, and how this obligation leads to action:

[a]ll States have an obligation to minimise and alleviate the consequences of conflict for innocent civilians. This is fundamental to an ethical security and defence policy, and we have clearly shown our commitment in this area, in particular by our efforts to ban anti-personnel landmines, and to ratify the Additional Protocols to the Geneva Convention (MoD 1998: 132 [52]).

A slip of the pen? Is an ethical security and defence policy actually what is meant? In case we might think it is not, it is mentioned again under point 55:

[t]he Government is convinced that the interconnecting policies and programmes set out above, which have either emerged from or been confirmed by the analysis and conclusions of the Strategic Defence Review, represent a coherent, ethical and militarily sound contribution to British security (MoD 1998: 133 [55]).

The ethical lies at the centre of this review, alongside coherent and militarily sound. This must surely be considered proof that any notion of ethical foreign policy was not simply the work of one man from the radical left of the party working from within his own department. Rather this is a concerted attempt to put the ethical into all aspects of policy which could impact on the international level, and that this issue cannot be looked at in isolation from the government. This paragraph makes absolutely clear that this is a New Labour and not a Cook policy. The ethical as it is laid out in the points above also have implications for humanitarian intervention theory within the government.

The policy framework essay states under the title of ‘The Defence Contribution’, point 24 that:

[o]ur analysis has shown that to do this [make a major contribution to Britain's objectives in this rapidly changing world], our force structures and military capabilities need to be based on: [...] supporting the Government's wider international responsibilities, including as a Permanent Member of the UN Security Council, particularly in relation to the maintenance of peace, in-

international order and stability, humanitarian principles and democratic rights (MoD 1998: 96-97 [24]).

Ultimately, it is the section directly above which is of significance to humanitarian intervention. There is a hierarchy at work in this paragraph, namely, that military capabilities and structures are to be based, it seems here, on government's wider responsibilities. This may not seem much, but the preceding paragraphs have already listed interests, and the responsibilities are not presented as obligations, as there may be to NATO or the UN, but as being beyond contractual. The wider international responsibilities include membership of the UN but are not exhausted by them.

It may be argued that what is meant is international cooperation within NATO, or even the EU, and that this is not necessarily a rejection of the role of the UN. One might expect the New Labour Government, keen on human rights and democracy to look to the UN as a guiding light. However, perhaps surprisingly, it seems rather that New Labour would prefer to be a guiding light to the UN.

Robin Cook has questioned various aspects of the UN and it is to perhaps be borne in mind that New Labour mentions the UN in a number of speeches, very often with suggestions for its improvement:

[w]hen it was formed in the 1940s, the United Nations was based on the presumption that the threat to peace was international aggression and the role of international law and international organisations was to halt wars of aggression. It was an understandable preoccupation given the two World Wars in the lifetime of those who wrote the UN Charter.

And their initiative has been very successful within its own terms. Wars of aggression between states are now a rarity. Sadly, internal conflicts are only too common. The UN needs new rules on when it can intervene to keep the peace within a state rather than between states (Cook 2001).

What the UN has will be built upon, but just because something does not appear in a UN document does not limit New Labour, in the mind of New Labour, it is simply the case that the UN is slightly behind the times.

The language used is that of 'humanitarian principles and democratic rights' (MoD 1998: 96-97 [24]). Human rights is the phrase that the FCO used in its mission statement which was repeated twice in the SDR and are cited above, namely, 'Mutual Respect, spreading the values of human rights, civil liberties and democracy which we demand for ourselves' (MoD 1998: 94 [10]) and 'an advocate of human rights and de-

mocracy' (MoD 1998: 10 [13]). That the writer of the document might confuse 'democracy' and 'human rights' and end up with 'humanitarian principles' and 'democratic rights' cannot be ruled out, but is not hugely likely as the term 'human rights' is so prevalent.

Human rights are the rights demanded as a human, so democratic rights might be the rights demanded as a citizen in a democracy, which may or may not be different to human rights in a non-democracy, or perhaps the right to belong to a democracy? It is not clear why the UK government would favour democratic rights above human rights, although the two uses mentioned above are the only two uses of the phrase in the SDR compared to three uses of the phrase intellectual property rights.

However, to further complicate matters, Cook states that:

[i]f every country is a member of an international community, then it is reasonable to require every government to abide by the rules of membership. They are set out in the Universal Declaration of Human Rights (Cook 1997c).

One might expect the membership rules to be contained within the UN Charter, but it seems not. Moreover, the thirty principles contained within the Universal Declaration of Human Rights are summarised by Cook to 'six core human rights':

- Everyone has the right to life without fear of violence sponsored or tolerated by the state.
- Everyone has the right to liberty and freedom from arrest without due process of law.
- Everyone has the right to freedom from torture or cruel and inhumane treatment.
- Everyone has the right to freedom of thought and the right to express their thoughts.
- Everyone has the right to practise the religion of their choice.
- Everyone has the right to take part in the government of his or her country through democratic procedures (Cook 1997c).

It seems this is the basis upon which the guiding principles are to be built. That the Declaration is not the Charter; that the thirty principles are reduced to six 'core human rights' (Cook 1997c); that quite clearly even some of these six could come into conflict with one another – none of this is mentioned in Cook's speech and the MoD does not mention where exactly its democratic rights spring from.

What may be of mild interest for the model of ethical foreign policy may be of greater significance for the idea of humanitarian intervention. To this end let us focus on two statements contained within the supporting essays; the first is from essay two 'The Policy Framework' and the second from essay six 'Future Military Capabilities'.

'The Policy Framework' essay is in itself of significance as it is the part of the review which concerns itself with building the foreign policy goals of the FCO into the framework. Of these goals 'Mutual Respect, spreading the values of human rights, civil liberties and democracy which we demand for ourselves' (MoD 1998: 94 [10]) is of most consequence for our purposes. This policy is slightly odd and allows for much. The mutual respect of which it speaks is not respect for others as they are, but respect enough to consider remaking them in our image.

The statement that '[a] nation's foreign policy must reflect its values' (MoD 1998: 93 [9]), and what exactly that could mean, and how this affects the idea of humanitarian intervention is outlined in supporting essay six where it states that:

[t]he Government promised at the outset of the Strategic Defence Review that the process would be foreign policy-led, identifying what our forces need to be able to do and making sure that they had the necessary capabilities. This promise has been kept (MoD 1998: 149 [43]).

Our values are reflected in UK foreign policy, and this, it seems, feeds into the SDR itself. It is in annex A to the Future Military Capabilities Essay, under the title of 'The Missions of the Armed Forces' that we find a reference to humanitarian:

Peace Support and Humanitarian Operations: To contribute forces to operations other than war in support of British interests and international order and humanitarian principles, the latter most likely under UN auspices (MoD 1998: 151 [Annex A. (E)]).

The 'most likely under UN auspices' is interesting as it allows for other backing (MoD 1998: 151 [Annex A. (E)]). However, the content of these missions is explained a few pages later, under the heading 'Peace Support and Humanitarian Operations' A25. MT20 'Humanitarian Operations and Disaster Relief Outside the United Kingdom and Overseas Territories' the SDR tells us that:

[h]umanitarian crises and disasters, if not addressed rapidly and effectively at an early stage, can often lead to potentially serious conflicts. When appropriate, and at the request of the Foreign and Commonwealth Office or Department for International De-

velopment, the Armed Forces contribute to humanitarian and disaster relief operations, either on a national basis or as part of a co-ordinated international effort (MoD 1998: 155).

Whilst the latter quote alone is almost rather commonplace, seemingly dealing with disasters, it is of interest as it is not simply the FCO who can call on the military to act, DFID, it seems, is also able to call upon the British armed forces. The above quote also specifically allows for a unilateral approach to whatever humanitarian crisis it is dealing with.

When linked together these two quotes make for fascinating reading. The first quote has ‘British interests’ and ‘humanitarian principles’ (MoD 1998: 151 [Annex A. (E)]) as possible reasons for these humanitarian operations and it is not clear that these two motives converge. While humanitarian operations are ‘most likely’ under UN auspices (MoD 1998: 151 [Annex A. (E)]) if serious conflict looks like a possibility, it appears that the FCO or DFID can request that the MoD act without international cooperation.

Theoretically at least, according to this document, it would be possible for a humanitarian crisis to occur, where there might or might not be British interests involved, that would allow the UK to become militarily involved unilaterally, at the request of a department other than the FCO. It is not clear if this conclusion was intended from the start. It is, however, certainly possible.

It is not to be construed that I am insinuating that New Labour came to power with the intention of carrying out, or planning to carry out humanitarian interventions; however, as mentioned above, a generation of not being in power guaranteed a theory based policy, while the landslide win engendered a condition of goodwill and optimism not minded to formulate a theory based policy upon timidity.

The *Strategic Defence Review* is all but ignored in both the academic and media discussion on the notion of ‘ethical foreign policy’ within New Labour: if mentioned at all in the ethics debate the Ministry of Defence or the SDR is generally simply mentioned in passing, and without any indication that there are ethical issues contained within it tying it to the ‘ethical dimension’ (Williams 2002: 61; Chandler 2003: 300).

After appraising the document it is not clear why this has been ignored. The FCO four goals are incorporated into the review, indeed, the FCO was involved in writing it. The idea of values, most noticeably with the idea of UK forces being ‘a force for good’, the notion of having international duties, and the proposal that the policy be ethically

sound are all mentioned. Combine these ideas with references to operations other than war – based on humanitarian principles – and the possibility that these operations could come about without UN sanction makes for very interesting reading.

It is hard to argue that an ethical dimension element is not running through this document. There is a great deal more conformity of thought concerning the ethical dimension, the FCO, and the application of ethics within these documents than has been assumed.

7.4 DTI: FOUR MINISTERS

The input from the Department of Trade and Industry (DTI) on aspects of the ethical dimension is difficult to gauge. The reason for this is the fact that the department changed the president of the board of trade (also known as trade secretary) position four times in four years. The first trade secretary, Margaret Beckett only remained in the job a little over a year before being replaced by Peter Mandelson after Blair's first reshuffle. Mandelson was forced to quit after six months, whereupon Stephen Byers took over until 2001 at which point he was replaced by Patricia Hewitt.

In an article entitled 'Blair is blamed for muddle at "Jekyll and Hyde" DTI' the *Daily Telegraph* reported on the Institute of Directors claim that four heads of department in four years meant the department 'suffered from an extraordinary level of political instability' and that the turnover of ministers had caused 'frequent changes of the emphasis of policy' (McSmith 2002). Thus, despite this department being affected by foreign policy and potentially generating changes in foreign policy, its influence and capability to act were seriously weakened by this lack of stability. Notwithstanding this fact there is at least one major announcement of the DTI with regards to the ethical dimension to foreign policy which warrants attention.

There is a curious anomaly in this major announcement, the document itself is entitled 'Strategic Review of UK Export Licensing Controls, 1997, URN No: 97/1029'. This document can be found on the Department for Business Enterprise & Regulatory Reform (BERR – formerly known as the DTI) and is the speech of the Government's announcement on this new criteria of UK export licensing in the House of Commons on 27 July 1997: this DTI announcement is made by Robin Cook, the Foreign Secretary.

It is Cook who outlines the changes to export licences despite the fact, which he mentions later on, that licences to export these items are issued by the president of the board of trade (Margaret Beckett at this point), and that the licensing authority is the

export control organisation of the DTI (Cook 1997e). He then goes on to outline the new criteria for an export licence before also announcing that for transparency and accountability, there will be an annual report on the state of strategic export controls and their application.

Cook talks during this announcement of the defence industry being a 'strategic part of our industrial base' (Cook 1997e): industrial bases a topic surely more at home with a trade secretary than with a Foreign Secretary. A further point to note is that he announces that the criteria will not be backdated, and it is this which allowed the sale of Hawk aircraft to Indonesia, the first test case in the ethical dimension which commentators had predicted would come: the media duly pounced on this failure of the ethical.

It is not clear why Robin Cook should have given this announcement, when so much of its content was the business of the Department of Trade and Industry. That a manifesto commitment 'Labour will not permit the sale of arms to regimes that might use them for internal repression or international aggression' (Cook 1997e) was being broken by a commitment made by the previous government or honoured as soon as possible still does not completely account for Cook giving the speech.

That said, with such a wide ranging content it is possible that Blair, Beckett, Cook, or Robertson could have given the speech as its contents could certainly have covered more than one portfolio. One cannot imagine that the speech would have gone ahead had the DTI not approved of the content, or were the idea at least not government-wide. At any rate, it is made a bit clearer why Cook himself is so strongly associated with the notion of ethics and foreign policy. Thereafter, the export licensing and any difficulties with it were placed squarely at the door of the Foreign Secretary, although as was made clear in the quotes above, the DTI was the department with the licensing power.

7.5 FCO: ROBIN COOK

Having looked at DFID and the Ministry of Defence documents dated from six months after and fourteen months after the election which still hold true to the ideas expressed at the mission statement press conference, we are now able to look more closely at Cook's ideas. These ideas occur over a longer time span than the other departments, and will enable the examination of New Labour's concept of humanitarian intervention within this same framework.

The reason that Cook is so often taken to be the standard-bearer for any notion of the ethical within foreign policy can be explained as follows. While there was an indication of a moral message in the run up to the 1997 election, one of the first public acts of any government department was Robin Cook's speech outlining the mission statement of the FCO. This initial statement was then followed by the DTI announcement of the linking of the ethical dimension to arms sales, thereby linking Cook to the concept in the public's mind.

Nevertheless, the FCO is not a Foreign Secretary alone, and it would be strange if the Foreign Secretary were to give speeches on subjects which other FCO ministers of state would negate in their work; indeed, it was not the case that they did.

In his May 1999 speech 'Defence and Security: A Snapshot of the Issues' FCO minister of state Geoff Hoon defended Cook and his ethical dimension:

Robin Cook made it clear when we took office two years ago that it would be important for us that we have an ethical dimension to our foreign policy. He has taken some stick for this since. To my mind it is wrong - and unfair - to examine every deed and utterance that we make looking for absolute perfection. [...] But our understanding remains: we can and we will bring these issues out in the open and we can and we will put a great deal of effort into making the world a better place, as well as a safer place, for us all (Hoon 1999).

Hoon seems to signal that, perhaps, Cook's choice of words has been attacked, but what he meant by those words, his ethical dimension, is being acted upon. It is not that there is not an ethical dimension, but rather that it is impossible for it always to function as well as might have been hoped – it cannot be perfect. In emphasising the 'ethical dimension' and not the 'ethical' itself, and by pointing out the impossibility of perfection, Hoon may be emphasising the political at work in the policy. However, in the same speech Hoon indicates that there is an ethical structure at work in the background, even perhaps generating problems of its own:

we cannot, and we will not, act without a framework of principle to guide and inform us as we chart our way through the unpredictable waters of diplomacy. Human Rights, democracy, and the rule of law are [...] not soft, 'touchy-feely' concerns that can be left to one side as soon as the going gets tough (Hoon 1999).

However, in generating a framework to shore up an ethical dimension, one also creates the scaffold for one's own condemnation should one not apply it: the going may well be tough, and it seems from Hoon's speech that it was.

Another FCO minister of state, Peter Hain, in a speech in September of the same year entitled 'Africa: Backing Success' uses the same language of rights and necessity as the mission statement, indicating that two years later these ideas are not abandoned. It is, however, of interest that a further dimension is added:

human rights are not just a moral imperative. Where they are respected, economies flourish. Human rights make humans rich (Hain 1999).

The idea of the moral working their way into what has traditionally been deemed a state's interests will be looked at in full below. But despite a two year time lapse from the mission statement's announcement, and notwithstanding the 'going getting tough', as Hoon has indicated earlier in the year (Hoon 1999), Hain feels quite able to speak not just of morals but of moral imperatives.

However, as we have seen above, it was Cook who gave the announcement concerning the strategic review of UK export licensing controls and was, moreover, openly acknowledged in departmental papers to be working closely with DFID and the MoD: overlap is occurring, is acknowledged, and this can surely not be coincidence.

In short, to locate the ethical dimension solely within the FCO and to associate it only with Robin Cook alone is a mistake. This was a government-wide policy covering all departments with any interest in foreign policy.

Nonetheless, it was Cook who made the majority of speeches on this theme, and it seems that the other departments did look to the FCO to manage the idea. We can now look at the FCO in more depth to examine their content to get closer to what the ethical dimension was intended to be.

It is clear that any differences in policy through time are of importance and will be explored. However, it is the outlining of what this ethical aspect might be and indications of how this relates to humanitarian intervention which are of foremost interest.

Of the several recurring themes in Cook's speeches which have a bearing on any notion of humanitarian intervention, that of the overlap, and in some cases almost equivalence, of the domestic and global spheres is of significance. This is a topic to which Cook returns repeatedly. As early as June 1997 he indicates a move in this direction when he speaks of:

this connection between the domestic sphere and international events [...]. We must recognise that diplomacy has expanded beyond its international sphere of inter-state relations, security treaties and trade agreements (Cook 1997b).

This is simply a connection at first and it can hardly be denied that a connection exists between the domestic and the global; however, the point to note is that of the international sphere expanding beyond its traditional boundaries. Where else can the international expand but into the national, and this throws up the question: whose national affairs? Where does that leave the internal/external division or the concept of sovereignty? All issues on which the government might well be questioned. By 2000 this connection has become a convergence, as Cook states that as ‘the world grows smaller, national interests and global interests are converging’ (Cook 2000c).

The most noticeable implication here will be the risk of the nature of the national and international becoming indistinguishable. It does not follow that they must become indistinguishable, however, differentiating between the two will be considerably more difficult. This would have the result that our questions above have little meaning: they only have meaning if there is a clear boundary between national and international. The notion of sovereignty melts away if one cannot tell what a state is, or where one state ends and another starts, or what the affairs of the international are. Without this boundary, even a fairly unclear boundary, the notions of external and internal, the international, and national affairs simply dissolve as they cannot be clearly distinguished. It is not necessarily the case that one will argue ones own sovereignty out of existence, but the sovereignty of others may possible be in danger.

Further implications appear in other speeches and become apparent once the logical connections are built between them, for example:

[f]inally, and famously, the last commitment in the Mission statement was to spread the values of human rights, civil liberties and democracy. Ours is a Government that believes that the values which inform our domestic policy must also inform our foreign policy (Cook 1998a).

Thus, not only is the international sphere expanding, but the national, insofar as it relates to the UK, is not thereby getting smaller. The international is moving in a certain direction: outwards. As such it can only eat into the domestic sphere of others. One might hope that foreign or international values might work in both directions: both into the UK domestic sphere to perhaps challenge assumptions, and this same process in reverse. But Cook only has UK values emanating outwards, informing our international policy; and while this need not necessarily be a bad or good thing it must be expected that allegations of neo-colonialism are liable to be made.

Moreover, as the quote stands, the international also risks becoming a subset of the domestic; this could result in what we class as an international affair becoming an internal issue and one is, by definition, involved. More worryingly, perhaps is the difference to international cooperation. Taking more interest in the international arena might mean more international cooperation, but an enlarged domestic sphere does not require this teamwork. The domestic realm expanding into that of the international could have repercussions: an element of unilateralist interest has been worked into what might previously have been regarded as a foreign affair with which one has no concern. One might well work together with international institutions in international affairs, but if the affair can be seen to be an issue of domestic policy then this caveat is overridden.

Furthermore, as other states do not necessarily have this overlap of national and international which Cook suggests, there could be a number of issues. The first is that other states will not be of the opinion that the international matter actually concerns the UK at all; the second is that an external event could generate an obligation for a unilateral response for the UK which no other government would feel necessitated action. One risks upsetting several governments with this position. Of course, if one is committed to being a force for good this is not necessarily a problem – being good is not the same as being popular.

That this stance will generate obligation is confirmed below:

I firmly believe that the values that inform our domestic policies must also connect with our foreign policy. That if we demand democracy, human rights and social justice for our own country, then we must produce a foreign policy which promotes the same values for other communities as well (Cook 1998d).

This is expressed in the form of a logical if...then statement, and with no necessity to demand these values, Cook is claiming that any values that the UK deems important for itself are to be applied to other states. Moreover, this demand is determined to be more than simply a logical: if...then, and is firmly in place in other speeches:

[w]e support human rights and democracy for other people because these are values we demand for ourselves (Cook 2000b).

Before long we find the national/international fusion producing a moral obligation to ensure that any domestic values become international values:

[a]s a government we are determined to reduce poverty at home. That confers on us a moral obligation to help fight poverty abroad (Cook 1998b).

This is a levelling device which does not acknowledge international difference except as something new to apply ones domestic values to. There is no hiding that this is a moral stance.

Another facet of FCO speeches of the Cook era which is of importance in the understanding of the administration towards humanitarian intervention is the suggestion that the ethical dimension is in no way in conflict with the national interest. The importance of this stance is in its ability to bridge the gap with *realpolitik* to avoid criticism from this quarter. Cook's strategy is to agree with what his critics say and counter that they have not thought the idea through:

I am constantly being lectured that the work of the Foreign Office should only be about the national interest. Actually, I agree with that. But I also believe that promoting our values, taking pride in our principles is in the national interest (Cook 1998c).

This tone does change in the course of time to rejecting the argument altogether. In its place, instead of a pride in principles, the line of argument used is one of attempting to put the critics on the back foot with claims that it is *realpolitik* arguments that are unrealistic and are prepared to put the nation's interests on hold for the sake of dogma:

[w]hen I made our commitment to human rights, I was criticised in some quarters for sacrificing the national interest for principle. There is something odd with a national interest that is in conflict with principle. I would robustly argue that the British national interest is promoted, not hindered, by a commitment to human rights. [...] our pursuit of human rights is both principled and practical (Cook 2001).

Here we see Cook using the word principled – the implication is therefore in place that any argument against him is thereby unprincipled – and indicating that such an unprincipled foreign policy as his opponents seem to seek would be strange. Indeed, his inference is that this principled (not necessarily ethical) foreign policy is better than the unprincipled one, promoting as it does the national interest, and arguing on the grounds of practicality.

It seems that here Cook identifies that there is a problem of sacrificing the political for the moral, but he allocates this stance to his opponents, and attacks them on account of their sacrificing the political for the amoral or non-moral. Unfortunately, Cook does not realise that these two positions, his and that which he attributes to his opponents, are both just two sides of the same coin: both are sacrificing the political on the altar of the non-political. To attack the extreme of realism and binding oneself to an ex-

extreme of idealism is self-defeating: both extremes, realism and idealism, make the same error and can be attacked with the same argument – this is the point Lieven and Hulsmann make.

This change of tone in argument is also used in conjunction with the domestic vs. global reasoning above and builds the foundation for subsequent claims regarding humanitarian intervention. In the quote below from the *Foreign Policy and National Interest* speech to the Royal Institute of International Affairs at Chatham House in January 2000 Cook reiterated these assertions:

[t]he purpose of our foreign policy is to pursue our national interests. [...] our national interest will more and more coincide with the global interest. [...] Promoting our values enhances our prosperity, and reinforces our security.

Critical Engagement, enlightened self-interest and Diplomacy for Democracy provide a foreign policy through which we can best pursue Britain's national interests.

Those national interests girdle the globe.

The new forces of globalisation offer immense prospects for progress. Those prospects will be fulfilled only if we take every opportunity to pursue our national interest through a foreign policy that also meets the international interest (Cook 2000b).

This speech is worth quoting extensively as it shows a repeated message hammered home and underlines how important the lessening of the internal/external distinction is. Cook clearly states that the pursuit of national interest is the purpose of foreign policy, although in the full speech these national interests are explained with reference to the four objectives set out in the 1997 mission statement.

The values mentioned in the mission statement both 'enhance' and allow us to 'best pursue' these national interests (Cook 2000b). However, it is the threefold reference to the national interest and global interest converging – the national interest 'coincides with' and 'meets the international interest' whilst 'girdling the globe' – which very much looks like a plan for perpetual peace. This will be examined later, but it cannot be doubted that this is a foreign policy filled with the optimism mentioned in the first chapter.

If a principled foreign policy is the best way to promote the national interest, and if international and national interests overlap, then there is a risk of British values being indistinguishable from 'universal' values and what is good for the UK being good for

the rest of the world. If the premises are correct then any attack on the case via arguments based on western values or cultural imperialism are misplaced, as, according to the line of reason, the international sphere is contained within the domestic sphere and one might as well argue that one's own moral decisions are cultural imperialism imposed by oneself: the argument is rendered illogical. It is only with the domestic/international split out of the way that this argument can function. It allows either side of the argument to be adopted – an attack on the concept of UK values is sidestepped by rendering them international values, an attack on universal values is avoided by deeming them British.

We now have, according to the arguments used, what Neville Chamberlain may have described as 'a quarrel in a far-away country between people of whom we know nothing' (Chamberlain 1938), and of interest – perhaps, perhaps not – to international relations, becoming an affair for domestic politics. This realm of domestic politics, insofar as it becomes known to us via, to use Cook's example, television, means we have a moral responsibility on account of what he deems our response. Furthermore, this responsibility is put to us in terms of our status as witnesses. What we have is an incredible transformation of an act not affecting the UK becoming domestic affairs; we are also converted from TV viewer to a witness to a crime, generating personal moral responsibility. This has further ramifications which are discussed below.

Cook twice mentions the idea of us all being 'witnesses in our sitting rooms' and that as such we have a 'responsibility' (Cook 1997a & 1997c) for our response to 'grotesque breaches of human rights' (Cook 1997c). This statement is of great importance, for it brings the idea of the national equating to international within the realm of the private.

The idea that we could have a responsibility for 'grotesque breaches of human rights' (Cook 1997c) is problematic. Crick tells us that '[p]olitics are the public actions of free men' and freedom 'is the privacy of men from public actions' (Crick 2005: 4), Weintraub points out that 'it may be worth reemphasizing the cautionary point that there is no necessary connection between the notions of "public" and "political"' (Weintraub 1997: 6). Weintraub's point is, I believe, that the two notions do not map directly onto one another and the definition of the one term does not necessitate the other. While Weintraub maintains that the public and the political are not necessarily linked, he will surely agree that the links between the private and the political are even weaker and the movement of the political into the private or personal is, if nothing else, of interest.

So, while I do not wish to get too involved in the definitions of public and private, I do wish to acknowledge that there is some sort of a border or barrier and that the collapse of this boundary would at least impinge upon the political in some way. If the political does not acknowledge some form of public/private distinction then the risk of the political encroaching on the private is present.

This is not to suggest that Cook is envisaging a total state with his remarks, but rather that the shape, for want of a better word, of the political changes. If one understands the moral viewpoint as a private viewpoint, then a private viewpoint dominating the political, which is not private, will have some sort of effect. The most likely affect will be a de-politicisation of these spheres as contentious issues end up being moved from the realm of politics, where compromise and solutions are possible, to another realm – here the moral sphere – where other methods are applicable.

There is another dilemma, at the heart of some of the talk on human rights, which is not acknowledged as such by ministers such as Cook. It has already been hinted at above, and it is the notion of British values versus universal human rights. This may appear at first to be simply a rerun of the domestic/global issue already mentioned. Like that split, this is an issue of blurred edges and the movement of ideas from one sphere to another, but on account of the addition of values, it leads to a slightly different and interesting conclusion which will now be looked at.

As already seen above Cook is quoted as saying:

[b]ut I also believe that promoting our values, taking pride in our principles is in the national interest (Cook 1998c).

This idea of our values or British values is used on several occasions, sometimes within the one speech, as below:

[w]e have done much to promote British values of democracy and freedom [...]

In the global age it is in Britain's national interest to promote British values of freedom and democracy. [...]

Promoting our values enhances our prosperity, and reinforces our security (Cook 2000b).

This is not a case of promoting human rights, but quite clearly British values, which does put one in the position of defending a stance that some might call neo-colonialist. This is obviously going to raise questions of Western or relative rights or

values and why these should be imposed on other states. The quote below has already been given as an example of a state of affairs in the UK being used to justify creating this state of affairs in another state, viz., that which is the case in the UK ought to be the case elsewhere:

if we demand democracy, human rights and social justice for our own country, then we must produce a foreign policy which promotes the same values for other communities as well.[...]

What we have tried to do consistently, and with new priority, is to give our values practical expression that gets results (Cook 1998d).

It is not argued why something that is the case in the UK ought to be promoted in the rest of the world. Nor is it explained why if something is the case in, for example, Yemen, Malawi, or Indonesia, to pick countries outside Europe, these values are not to be promoted throughout the world. Moreover, the argument is not that perhaps some of the UK's choices must be followed through, rather, if it is a UK value then it must be made practical and promoted abroad. Even if this is not neo-colonialism or jingoism, and is simply an acknowledgement of an ensuing diplomatic contest, there will at least be accusations of such behaviour.

In another example of domestic/global and political/private amalgamation Cook states that:

if Britain as a nation wishes to promote our values and to defend human rights then it cannot all be left to government (Cook 1997c).

Once again the international has been transformed not simply to the national, but to the private, this despite 'Britain as a nation' (Cook 1997c) perhaps finding it difficult to act *qua* nation via any other method than by government. As mentioned already, the public and the political may not be necessarily linked, but the private and the political are even less so.

The problem with this approach is compounded when one then claims that human rights are universal. If this is the case then why should British values be promoted over and above the universal ones? Or is there no difference between universal human rights and British values? Cook does claim that human rights are universal, but the notion of British is thrown into the mix:

I am proud that I live in a Britain which respects human rights. I am proud also that we are campaigning for those same universal rights to be enjoyed by the peoples who at present are denied them. I reject the sneers of those who take our freedoms for granted but want us to turn a blind eye to oppression elsewhere (Cook 1998c).

This speech is most definitely accepting that human rights are universal, but Britain is mentioned as being a place where these universal rights are accepted. Does this mean there is a complete overlap or could the British values be to accept the universal? If there is an overlap why mention the British and risk entering into a Western concept argument of human rights? Cook's position may well be that Britain respects universal values, but a 'blurring' round the edges of his argument seems to threaten. This seems to be a blurring of edges following that of national/international; but it might well be the case that this is intentional in order to side step the argument entirely.

By loosening the boundaries of the concepts and denying that they conflict with one another, one can entirely avoid the universal/relative argument relating to human rights. Put more bluntly, rejecting the dichotomy enables one to always step into what was previously the opposing viewpoint. Hence, when it is argued by some that a concern for human rights is a form of cultural imperialism, Cook can respond with:

I reject that self-serving excuse. When we ask those governments to observe basic standards of human rights, we are not seeking to impose some peculiarly British concept, but are inviting them to observe rights which have been recognised by the whole world (Cook 1997c).

How does that tie in with the idea that 'Britain is best served by a foreign policy of enlightened self-interest' (Cook 2000b) or that the idea of 'diplomacy for democracy' involves promoting the British values of democracy and freedom (Cook 2000b)? Of course, as with much of this discussion, this could simply be rhetoric, but conflicts in thought are generated and these show where the weaknesses in the arguments lie.

This distorting of the edges is fascinating and it is here that New Labour's arguments become somewhat problematic. The lines of reasoning above indicate that Cook is attempting to blur the edges between these viewpoints, thus enabling him to step from one side to the other in the argument. However, this is not unproblematic.

The structure of the argument appears to be that by blurring the boundary between idealism and realism an attack on a position can be turned into an attack on the opposing position. However, in doing so Cook risks making the two opposing theories indistin-

guishable from one another and thus making any defence difficult. Thus when Cook claims that promoting the UK's interests is in the national interest (Cook 1998c) he may well avoid criticisms from Realists that he is damaging the national interest, however, this makes him vulnerable to the attacks from idealists that he is espousing realism. Rather than avoiding attacks from his opponents, he risks turning those he might be expecting to be his political friends into opponents.

Another point where Cook risks a great deal is in aligning himself with idealism: thus leaving him open to allegations of hypocrisy should his actions not align with its principles. We shall now look at this argument and how the praxis view of realism versus idealism differs from the theory.

While it is of political interest whether a particular issue is a national or international affair, there is no necessity, politically, for any government to come down on one side or the other of the realist/idealist split. Moreover, it can be argued that both the realists and the idealists are two sides of the same coin, both making the same mistake – namely to sacrifice the political to some viewpoint vis-à-vis the moral. In either case the political is lost, and a form of anti-politics is posited.

Furthermore, publicly claiming a realist or idealist standpoint is to publicly rule the other out, again weakening the concept of the political. To keep the political in politics is to not rule any area out; if this is the case then the political will dip into realist and idealist territory as compromise dictates. If the political dips into both the realist and idealist stockpiles, then if it becomes necessary to have to claim a standpoint it is most probably (but not always) rhetorically easier to claim that of the realist. The idealist will have problems explaining why an action is carried out which does not adhere to their ethical ideals, the realist can claim that any ethical action is only for realist motives. Indeed, claiming to be an idealist might be a very realist thing to do. Both viewpoints if strictly adhered to in the praxis are, of course, unsustainable. It must be noted that this does not make realism 'more correct' than idealism, simply rhetorically more defensible most of the time; adopting an extreme of realism makes exactly the same errors as that of an extreme of idealism.

Cook the politician seems to have understood what Cook the theorist has not, for in speaking of Madeleine Albright he said that she 'shows that it is possible to be an idealist and a realist at the same time' (Cook 2000c). This is something that the theory behind much of what counts as international politics does not yet seem to have grasped. Furthermore, it is not illogical to claim that someone can be both realist and idealist at

the same time: it is more likely to be illogical to maintain the one stance for all times within something like international diplomacy, which is dealing daily with real world problems.

An unlikely ally in this rejecting of choosing one theory over the other is one of Cook's predecessors, Douglas Hurd. Speaking in front of the House of Commons Select Committee on Foreign Affairs, Hurd is moved to say:

I think the making of foreign policy is blending realism and idealism. It is blending the world as you would like it to be with the world as it is. It is an aim—I do not think it is the paramount duty but it is an aim—of British foreign policy, I believe, and of any government in the modern world, to make a contribution towards a more decent world, the betterment of humanity and the correction of human rights abuses (Hurd 1997a: Q79).

This would seem to be a rather surprising statement from a former Conservative Foreign Secretary, but that would be to concentrate on the principles rather than the political. We have seen the media's response to Cook's mission statement and the idea of the ethical dimension to foreign policy and this response was, on the whole, political in nature as opposed to dogmatic: the problems of acknowledging an idealist stance were conceded, the idea was welcomed, albeit meekly, awaiting the tests which would befall it. As we have seen, the arguments of those concerned with the theory are less likely to admit the political constraints than the media.

As we see above, Hurd does not condemn Cook's approach, and he does say more which will be looked at presently. Another previous Foreign Secretary was called to give evidence to the same committee and might be expected to more inclined to approve of Cook's ethical dimension, however James Callaghan says:

I ask you to begin by recognising the inconsistency in dealing with different situations throughout the world. I do not think there is one general principle or consistent regulation that you can lay down and apply to every case. Now, that is not very helpful because it is negative. Secondly, I do not think that we should encourage the Foreign Secretary always to advertise his achievements. Sometimes good is done by stealth (Callaghan 1997: Q114).

Which is not to deny the ethical dimension, but rather to point out, as Hurd has, that there is not simply one way or one method, it is not simply a case of applying idealism or realism: in short it is political. Furthermore, Hurd goes on the defensive concerning the notion of the ethical dimension:

I believe there has always been an ethical dimension in recent years in British foreign policy which has not always been described in that slightly pretentious way. [...] What is slightly irritating (and only to me—there is no reason why it should irritate the Committee) is to pretend that a shift of two or three degrees is a shift of 180 degrees and that all his predecessors were immoral rogues (Hurd 1997a: Q76).

The recognition of the political would signify that one was aware that neither angels nor devils were involved in politics: Hurd is correct: had all Cook's predecessors been immoral rogues then there would have been very little politics. Hurd goes on to mention human rights and claims that:

every French President, German Chancellor and British Prime Minister dealing with China [...] should have the human rights items on their agenda (Hurd 1997a: Q83).

Although he points out that these discussions of human rights can be 'private pressures' (Hurd 1997a: Q83): it might be argued this is Callaghan's 'good by stealth' by another name (Callaghan 1997: Q114). This continuation of the argument that the political cannot be simply realism or idealism is carried on by Callaghan who goes on to say:

I think that there is a strong case all the time for emphasising that human rights are of ethical importance in the conduct of foreign policy, but I think you should all recognise that we are frail and we shall constantly fail in certain areas for reasons at the time either of *force majeure* or because you believe the balance of argument on one side or the other comes down in different directions for different countries (Callaghan 1997: Q108).

What these former Foreign Secretaries are able to bring to the discussion is the knowledge that the realist/idealist split is in the theoretical area, in the area of politics such a split is meaningless. This implies that much of the theory in political science may have lost its connection to the praxis aspect.

This confusion is seen in a great many of the discussions on the issue in the area of political science, which highlights the problem which humanitarian intervention faces if this split, that is between the theories of area one and the praxis of area three has not been acknowledged when dealing with the subject.

If we look at one academic paper which mentions the testimony given by Hurd before the House of Commons Select Committee on Foreign Affairs Wheeler and Dunn feel able to say that:

[w]hat Lord Hurd is venting is the realist conviction that state leaders have to work with the world as it is and not as idealist foreign ministers would like it to be (Wheeler and Dunn 1998: 868-9).

This is the same Lord Hurd who said before the same committee on the same day that:

I think the making of foreign policy is blending realism and idealism. It is blending the world as you would like it to be with the world as it is (Hurd 1997a: Q79).

If not a wilful misreading then this is significant misunderstanding of what Hurd is saying. Furthermore, in the conclusion to their article, Wheeler and Dunn claim that they manage to generate a:

‘third’ alternative course for British foreign policy between the rival doctrines of realist pragmatism (the traditional course) and its antithesis, a form of cosmopolitanism which looks to replace the states system with a universal moral community (Wheeler and Dunn 1998: 868),

And, without irony, mention this third course in response to Hurd’s comment that what irritates him is the pretence that a ‘shift of two or three degrees is a shift of 180 degrees’ (Hurd 1997a: Q76). This is an odd statement. Hurd does not maintain that all previous Foreign Secretaries were rogues or realists, nor that this two or three degrees means that Cook is a realist too. On the contrary, he argues, as does Callaghan, that foreign policy cannot be a one-size-fits-all realist or idealist answer, but that it uses both: and this answer is itself neither realist nor idealist, but rather political.

In attempting to spawn a ‘third’ route which ‘requires more than a shift of a few degrees, but less than an about turn’ (Wheeler and Dunn 1998: 868) Wheeler and Dunn bestow an assurance on the concept of the border between realism and idealism which it does not possess. There is little in politics which is black and white, but many shades of grey, and to lay claim to a single shade of grey as the answer and not some other hue is to make the same mistake again. As Freedon points out in his article entitled ‘What Should the ‘Political’ in Political Theory Explore?’:

[n]egotiation and compromise are political activities that can prevent the eruption of uncontrollable disorder. The fluid structure of political concepts itself holds the potential for negotiation, though not all features of political thinking – for instance, oversimplification or excessive competitive zeal – are amenable to such compromise (Freedon 2005: 127).

While the theories surrounding realism and idealism are themselves not oversimplified, their application to politics would appear to be, and indicate what Freedman terms 'a flight from the political' (Freedman 2005: 113). Even those authors who seem to pick up on the point, manage to turn it away from the political and into the dogmatic. Frost indicates that he thinks there is something being missed in foreign policy, but, instead of allowing for the 'fluid structure', creates his own dogma:

[b]y stressing that his policy had an ethical dimension he was, I believe, merely making explicit what is implicit in all foreign policies. I have long argued that it is not possible to understand acts in the international arena or to act in it, without taking up an ethical position - a position about right and wrong in world politics (Frost 1999).

In the belief that this idealist/realist split existed in the praxis, when in truth the hard line split only exists within the theory, New Labour made the decision to adopt the idealist position. Perhaps not everyone in the government did this, the difference between an ethical dimension and ethical foreign policy was clear to some. However, for some, if the choice is between principled and unprincipled, why choose unprincipled? This decision can perhaps be explained as only natural, as the Labour Party was so long out of government and only had the theory of foreign policy, and some considerable time to study it, and not the experience.

There seems to be confusion in area one and area three as to what is theory and what is praxis. Cook himself does not appear to be aware of this state of affairs; so unaware, in fact, that he is adopting a theoretical approach that he seems rather wont to claim that any sort of theoretical argumentation is missing the point. He claims in his 2001 speech on human rights that the concept of human rights 'is not an abstract concept' (Cook 2001) and, famously, in his 1997 speech on this theme said not only that these rights are self-evident but also that he is:

well aware that philosophers have spent many happy hours debating whether these rights can indeed be universal rather than relative, or whether they are rights rather than aspirations. For myself, I take a more down-to-earth perspective (Cook 1997c).

The argument of relativism versus universalism is not addressed, despite Cook's own speeches bringing up the theme, but by rejecting the theory and the questions it might generate, any discussion is thwarted. Cook takes the 'down-to-earth' approach

(whatever that may be), and the questions as to the problems in his theory, whether he is aware of it as a theory or not, are consigned to academic entertainment.

That said, the problem of the inability of the academic to align itself with the praxis is illustrated in the following passage, indicative of the nature of the theory, as Wheeler and Dunn set up the either/or of idealism or realism:

[t]he question whether Britain is pursuing a new ethical foreign policy under Labour can be located within a broader debate about the moral responsibilities which derive from membership of an international community or international society. Should state leaders follow a realist ethic which privileges the security and welfare of their own citizens over claims of common humanity? Or should ministers recognize that their moral responsibilities do not stop at the water's edge? (Wheeler & Dunn 1998: 853-854).

Wheeler and Dunn seem to suggest that politicians should not be political, not respond to circumstance and situation, but rather should decide on an ideology prior to office and apply this come what may, that is, they advocate a rejection of the political. It is little wonder that Cook is unimpressed by academia, although, conversely, he does seem keen to utilise theory. In response to his philosopher quote, Jenkins wrote that when 'foreign ministers turn to philosophy, decent citizens should run for cover' (Jenkins 1997a), but fails to mention what we ought to do in the event of foreign ministers turning to history. In discussing the dispute over whether values and interests are 'doomed to conflict in foreign policy' Cook sums up with:

[w]hether that was ever true in the past I leave to historians to debate. But those who advance that view are still living in the past (Cook 2000b).

It seems Cook takes his ideas from theory, but seems to be in denial about this fact. However, in doing so, Cook appears to make similar mistakes as the academics and separates the political from politics even further and in putting the moral above the political manages a flight from the political. With little practical experience of government and with academia seemingly mirroring the mistakes, it is almost inevitable that this will occur.

There are several conclusions which can be drawn from this analysis of the various governmental departments. Firstly, the notion of the ethical dimension was not linked to Cook alone. Cook did make the majority of speeches on this subject but this was department-wide, and as we have seen above, government-wide policy. Various

ministers and officials from each of the ministries examined, at one time or other, declared their department's policy linked into the concept of a foreign policy with an ethical dimension. Furthermore, this association continued beyond the first few scandals, when it became clear that the ethical dimension was coming under increasingly negative scrutiny – well over a year later in the case of the MoD. Thus, the arguments from the previous chapter regarding anti-politics, instrumentalism, and tragedy can most likely be applied to the entire government.

Secondly, Cook's argument for a blurring of domestic and global affairs – the domestic shall feed into the global and the global is domestic – has far-reaching consequences. The result of this could be one of several things: all things becoming domestic and thereby within the UK's interests; the rejection of any relativist/universalist argument as British values and domestic issues have expanded beyond their borders; the idea of a moral obligation to interfere in what were international affairs, which thereby rejects the political. If the above transformation were to take place then there could be no conflict between promoting British interests and a principled foreign policy, as they would, somewhat self-righteously, be the same thing. The accusation of hubris made previously by the application of the tragedy literature stands.

A third point, linked to the second, is a sense in which the international collapsing into a notion of the national impinges upon the public/private distinction. This has a depoliticising effect as issues are moved from the arena where there are possible solutions to those where there are not.

A fourth point is that Cook seems to wish to argue that idealism and realism are the same thing, thus saving his arguments from attacks from both these angles. Previous Foreign Secretaries argue to the contrary that these separations exist but that the dogmatic adherence to one set of principles or the other is not desirable. The submission to one line over the other loses the flexibility of politics, is a flight from the political and sets oneself up for a fall. In holding fast to idealism it will be more difficult to justify the movement into what might be deemed realist action than would be the case if the converse were to take place.

The fifth and final conclusion to this chapter is that there appears to be a rather severe split between the praxis and theory of foreign policy as regards realism and idealism. Within the realm of politics a flexibility and fluidity is acknowledged by foreign secretaries, although not by Cook; within the realm of political science a dogmatic necessity to adhere to one philosophy or the other is posited in defiance of the praxis and a

choice must be made. Cook appears both to accept the theoretical argument and to accept a theory, but at the same time refuses to argue in the theoretical area. Both Cook's pronouncements and the discussion on ethical dimensions risk ignoring the praxis and seem to reject the political. This has tremendous repercussions on the New Labour theory of humanitarian intervention, which will now be examined.

8 New Labour and Humanitarian Intervention

Of special interest to this dissertation, focussed as it is on humanitarian intervention, is the New Labour government's claim to provide an ethical dimension to foreign policy. This moral foundation, as has been shown in the previous chapter, was incorporated in several ways into the policy of government, perhaps widely enough for this to be considered as government-wide. This notion of an ethical dimension to the policy will have repercussions on any notion of humanitarian intervention.

What is at stake here is that if an ethically principled international order is sought then, it can be argued, a de-politicisation of international affairs is risked as the political is set aside in favour of a moral approach. The danger in this situation is that the moral can generate answer based on theory which might have nothing to do with the political situation, and chances denying political judgment. Political judgment, as indicated by former Foreign Secretaries, cannot be tied exclusively to a theory, as not only do the circumstances and praxis of international affairs not allow for it, but if verdicts are fashioned in advance of facts then judgment or indeed politics can have very little to do with them.

In adhering to an essentially academic theory but refusing to argue on this level, New Labour ends up claiming that opponents in praxis are immoral and opponents in theory naïve. New Labour itself seems unaware both that its praxis is based on highly theoretical notions and of the dangers of attempting to occupy the moral high ground. The analysis of New Labour's speeches above has shown that concern about human rights abuses in another state, under the conditions of accepting that the UK is a force for good in the world, while blurring the distinction between global and domestic mean that such abuses are therefore a British concern. These premises and this conclusion make it almost impossible to avoid countenancing the idea of humanitarian intervention in foreign policy praxis.

These conclusions from the documents, statements, and speeches would liable to have a colossal and wide-ranging effect on New Labour's idea of humanitarian intervention even if there were no actual assertions concerning humanitarian intervention itself. However, there are several primary sources within government during the 1997-2001 period which explicitly deal with humanitarian intervention and they shall be looked at in the next section.

8.1 A CLEAR IDEA OF HUMANITARIAN INTERVENTION?

The New Labour government was not dodging any discussion of humanitarian intervention when it came to power: it would have been difficult to avoid the debate. In a number of speeches the subject is broached directly and posited as highly problematic. In his *Guiding Humanitarian Intervention* speech Cook declares that the:

question of when it is right to use or threaten force is perhaps the most difficult issue with which political leaders have to grapple (Cook 2000c),

but of more interest is his statement which he used, word for word, in two separate speeches, over a year apart.

In his *Human Rights – A Priority Of Britain's Foreign Policy* speech at a meeting of human rights NGOs, and his *Foreign Policy And National Interest* speech to the Royal Institute of International Affairs, Chatham House, both occasions where he might expect levels of serious questioning, Cook states:

[t]he biggest unresolved question in upholding universal values is when is it right for the international community to intervene and who decides that it is right? The United Nations Charter declares that 'armed force shall not be used, save in the common interest'. But what is the common interest and what defines it? (Cook 2000b & 2001).

This is of particular interest not only due to its usage on two occasions, but on account of the points it contains. Firstly, this is not simply a case of when one should use or threaten force, but involves the 'upholding of universal values', which are not placed in question unlike all the other factors mentioned (Cook 2000b & 2001): the 'why' of the intervention does not seem to be the problem for Cook – the 'when' and 'who' are. Of relevance is the fact that the universal values are not placed in question, but rather the interpretation of the universal values and the UN Charter are. The one difference between the two paragraphs from 2000 and 2001 is telling. At the end of the part of the 2000 speech mentioned above Cook adds that '[w]e need to establish new rules of the road' (Cook 2000b).

If one does intend to be a force for good, and intends on having an ethical dimension then it is, as a matter of fact, a positing of a set of values (be they universal or not – the New Labour collapse of domestic/global renders the distinction mostly irrelevant). When these values are placed above the political then it is necessary for the political mechanisms and methods to either change or be rejected. This rejection of the political

would be the logical consequence of the thought, and with his statement above, this appears to be what Cook is implying: knowingly or not. The UN – a political mechanism – is brought into the quote simply to show that it is not adequate to answer the (moral) questions New Labour poses and must be changed for the better.

New international laws, charters, or rules of the road must, according to New Labour, reflect the universal values and to this end New Labour suggested, to different agencies at different times, different guidelines which it wished to put in place. It is these propositions which will give the insights into what exactly New Labour's theory of humanitarian intervention is and it is to these that we can now turn.

The speech on humanitarian intervention which is most often mentioned in the literature was not made by Cook, but by Tony Blair. Referred to as either the 'Chicago speech' or the 'Doctrine of International Community' this speech approaches the same subject matter as that above, and Tony Blair phrases the question thus:

[t]he most pressing foreign policy problem we face is to identify the circumstances in which we should get actively involved in other people's conflicts (Blair 1999).

The question is not if we should intervene at all, nor how or who should make the decision: the question of whether or not one ought to intervene has been answered – the question is when. This is not to allege that New Labour wishes to be rid of the principle of non-interference all together: this is not the case. For New Labour as long as the values (which are universal and at the same time British) are adhered to, the principle of non-intervention stays in force. It is only a violation of this moral principle which would make it clear that the political principle sits beneath moral values in the hierarchy and must defer to them.

Blair's speech contains five principles. Much has been made of what is missing in this list of principles (*cf.* Wheeler & Dunn 2004: 21, & Krakiewicz 2005: 5); however, I intend to concentrate only on what is contained as opposed to what is not. This is due to a quirk whereby Cook and Blair do not stick to the same numbers or versions of their rules for humanitarian intervention, but give different accounts of their intended principles. Hence, on the theme of humanitarian intervention Blair presents five principles of a doctrine in 1999. Cook, on the other hand, offers up a set of four ideas in his 2000 speech to the Royal Institute of International Affairs; six months later he expounds six principles of a framework to the American Bar Association, before putting forward four rules to a meeting of human rights NGOs in 2001. These last four rules of 2001 are

identical to his first set of four in 2000. It is clear that these principles are not set in stone and are being changed depending, perhaps, on audience or circumstances.

These rules and principles will be looked at in the following section and the core guidelines examined and differences noted. However, as there are three distinct sets of guidelines with three different numbers of principles, it is the incongruence between the speeches themselves that are of most interest.

8.2 BLAIR: FIVE PRINCIPLES

The Chicago speech contains many of the points regarding the foreign policy of New Labour indicated in the chapter above, further strengthening the position that the ethical dimension of foreign policy was underlying much of government policy. The speech's five principles are in the context of a defence of the situation in Kosovo, a situation of which Blair says:

this is a just war, based not on any territorial ambitions but on values. We cannot let the evil of ethnic cleansing stand. [...] If we let an evil dictator range unchallenged, we will have to spill infinitely more blood and treasure to stop him later (Blair 1999).

For Blair it is the notion of values that makes this war just, and we have moved from a political plane to a moral one. On this moral plane we are faced with the problem of evil both as the evil of ethnic cleansing and the evil of a dictator. Politics faced with a problem can look for a solution: morality faced with evil can have little choice but to destroy the evil – how can one, especially one which claims to be moral, compromise with evil? Morality compromising with evil is a failure of morality and one of the weaknesses of this position is thereby exposed: negotiation, concessions, and conciliation become impossible.

The Cold War provided a framework which was clear and straightforward, and its demise is what has created the conditions for a new framework, so says Blair, and these days:

our actions are guided by a more subtle blend of mutual self interest and moral purpose in defending the values we cherish. In the end values and interests merge. If we can establish and spread the values of liberty, the rule of law, human rights and an open society then that is in our national interests too (Blair 1999).

Here we see proof that many of the ideas examined in the previous chapter are also being promoted by Blair himself. Some of the rhetorical devices examined above al-

so occur: idealism and realism are merged into one another, and the national/international distinction disintegrates with the same consequences as posited previously, namely, if our values and interests merge, then wherever our values are attacked, our interests are also attacked – our jurisdiction widens. Moreover, our self-interest is not selfish self-interest: it is mutual self-interest. Even our notion of self has widened outwards, one assumes, to incorporate those beyond our borders.

Furthermore, Blair does not seem to deny this conclusion and goes on to back up this claim:

[i]f we wanted to right every wrong that we see in the modern world then we would do little else than intervene in the affairs of other countries. We would not be able to cope.

Any new rules however will only work if we have reformed international institutions with which to apply them (Blair 1999).

All that is stopping all the wrongs in the world being righted is the inability to cope. In truth we should be constantly intervening, if the moral is set above the political then this is the logical consequence: this inference is not rejected by Blair. The moral has no grounds for not intervening once it has intervened in a situation once, while the political can pick and choose according to the circumstances.

As New Labour's paradigm requires a shift from political to moral, this necessitate the reform of institutions, as without this restructuring any action based on these proposed values will be rendered illegal or incorrect by the system as it stands. As the representation of the political, the unreformed institutions will most likely attempt to prevent interventions based on morals alone. If one does not reform the institutions then one will be compelled to reject them outright. When an intervention arises, a rejection of an unreformed institution could weaken the moral position. A government advocating foreign policy with an ethical aspect cannot be seen to act in contravention to what are commonly accepted as rules or laws, rejecting what was set up to protect states, thus reforming these institutions is the only option.

With Blair's speech on humanitarian intervention already in agreement with the conclusions drawn from the other questions of foreign policy in the chapter above, it only remains to look at the five principles which can be paraphrased as follows:

1. Are we sure of our case?
2. Have we exhausted all diplomatic options?

3. Are there military operations we can sensibly and prudently undertake?
4. Are we prepared for the long term?
5. Do we have national interests involved? (Blair 1999)

This first principle is slightly strange when taken in conjunction with that which has gone before. Blair expands the question by admitting that war is an imperfect instrument for 'righting human distress' but that 'armed force is sometimes the only means of dealing with dictators' (Blair 1999). However, if the intervention is to right human distress, then it may be the case that it is our distress which is the problem, not the circumstances of the situation. There are always people in distress somewhere in the world, and as Blair himself has said, we could intervene every minute of the day. Furthermore, if one has yielded the political to the moral then there is no way to deal with what Blair deemed the 'evil' of dictators (Blair 1999) other than to destroy them, only the political could contend with the problem of dictators with compromise. In short, with New Labour's policy principle one will always be met: driven by morality, anything judged evil must necessarily be destroyed. If intervention is based upon the existence of human distress, then interventions are potentially always possible. With these criteria in place it is almost impossible for the New Labour government not to be sure of their case.

The second principle is something of a weasel. To have exhausted all possible diplomatic options is not achievable – there are always options which have not been attempted. However, to claim that all diplomatic options have been exhausted is simply another way of saying that the political is being abandoned and attempting to lay the blame at the door of the opponent. Insofar as the political is being ceded to the moral then this is the case from the outset. For if the moral is always placed above the political, as it often will be in cases of humanitarian intervention, then this principle is satisfied before it is even asked, as the political is only useful insofar as it achieves the 'correct' moral response. If this moral response seems unlikely then there is little the political can do and thus all diplomatic options to attain this goal will have been exhausted, or at least rendered pointless.

The third principle of military options is left very vague – there are always sensible and prudent military operations which can be arranged. This principle does not differentiate between military action and the threat of military action. Indeed, it is assumed

from the outset that military action will be needed, something which the attempts to define humanitarian intervention in previous chapters showed is not undisputed. Furthermore, it is a mistake to assume that a military operation that looks sensible and prudent on paper will remain so in the real world. Writing on the US involvement in the Iraq war, Lieven and Hulsman write:

prudence applies especially to the launching of military operations. And it is now blindingly obvious that the launching of the Iraq War violated the most basic rules of prudence, including the elementary one, set out in official U.S. military doctrine, that you must always have a Plan B in case things do not turn out according to Plan A. As we now know, there was quite simply no real plan to replace the Baath state that the United States was going to destroy (Lieven & Hulsman 2006: 67).

Prudence in military and political matters is not a case of a point on a check-list whereby if an action is regarded as prudent, then the action remains prudent *ad infinitum*. This type of prudence is liable to be forgotten in moral action on the international stage. For while the political response is more likely to be prepared for the slings and arrows of outrageous fortune, the moral response risks confusion the question ‘is this action prudent?’ with the question ‘is this action right?’, and, as we have seen from the second principle, with a moral response the answer is invariably yes.

Moreover, when dealing with what one has deemed evil one may not be morally bound to be prudent. One may have an assessment of the situation, judge that there is nothing one can prudently do to prevent a great evil, but as this would be more of a political judgment than a moral one this position would be rejected. A great loss of life in order to stop a great evil may well be worth it if the politics of good intentions are at work.

The fourth point is linked to the third point as being prepared for the long-term risks sounds like lacking an exit strategy. Staying the course does not necessarily equal prudence nor does it make a better rule for reformed international institutions. The sensible and prudent option does not set out in advance how long a humanitarian intervention should take. Humanitarian intervention appears to be a somewhat unstable action which perpetually risks transforming into something else: a long-term humanitarian intervention is unlikely to remain a humanitarian intervention for very long and could become one of several possibilities including a war, a war by proxy, a peacekeeping mission, an occupation or whatever it happened to transform into.

Indeed, Blair himself does not contradict this idea in his speech. On the contrary, while he seems to imply that a moral humanitarian intervention and whatever it becomes thereafter will be over quite quickly, there is perhaps no need for an exit strategy if one just remains in the state. As Blair himself says 'having made a commitment we cannot simply walk away once the fight is over' (Blair 1999). A moral commitment will ensure that one cannot walk away. Long term 'morally' is easier to commit to than long term 'politically' on account of the unchanging nature of morality. A moral approach to this principle will ensure it is always met. The financial or political situation in the intervened upon state or on the home front are not considered

The final point appears rather meaningless. As Blair pointed out earlier in his speech, as far as he is concerned values and interests converge. As we have also seen, once this occurs and on account of the universal values involved, the national and international also collapse into one another, insofar as there are no values that are then not of interest to the UK. Thus national interests collapse into the concept of values. On this argument as soon as there are values involved there is a national interest involved. According to the statements and speeches New Labour has made on foreign policy, this principle will always automatically be met for as long as the moral is put above the political and New Labour's views on UK and universal values is as claimed.

What follows from the above analysis is that Blair has set up five guidelines to reform international institutions in order to deal with the new, post-Cold War situation, but if the political has been rejected in favour of the moral then the criteria are met before they can even be posed. As such, one could carry out a humanitarian intervention and declare it justified in almost all cases, if these were the guidelines. If faced with a situation where the UK government has to ask itself if it ought to carry out a humanitarian intervention, then, according to the Chicago Speech, and if the moral is placed above politics, then the answer will almost certainly be in the affirmative.

8.3 COOK: FOUR RULES OR IDEAS

These four ideas of Cook's were submitted to the UN Secretary-General as suggestions as to how the international community should decide it is to act. Cook used these four ideas in 2000 and repeated them word for word as four rules in 2001; this may give them more weight than the other guidelines. Also by the year 2000 Cook is in his third year of the job and should be much more aware of what it involves. He agrees enough with his speech in 2000 to repeat parts of it in 2001. The 2000 speech has Cook

discussing the idea of dirty hands and berating those who feel he should take the high moral ground – this could be reflected in his rules, which are as follows:

1. Any intervention is by definition a failure of prevention. Force should always be the last resort;
2. The immediate responsibility for halting violence rests with the state in which it occurs;
3. When faced with an overwhelming humanitarian catastrophe and a government that has demonstrated itself unwilling or unable to halt or prevent it, the international community should act;
4. Any use of force in this context should be collective, proportionate, likely to achieve its objective, and carried out in accordance with international law (Cook 2000b & 2001).

The main point in the first rule is that force should be the last resort – this maps onto Blair's second principle of '[h]ave we exhausted all diplomatic options' (Blair 1999) in the section above and as such is open to the same argument, namely that it is simply a way of indicating that the political is being discarded.

The second rule or idea, that of the state in which the violence is occurring is responsible, in the first instance, for stopping it, is interesting on a number of points. Firstly, it appears not to be contained within Blair's principles. Secondly, it is of significance that the first point is that force should be the last resort and not that the responsibility lies with the state within which the problems occur. What this establishes is that the threat of intervention and force from the international community is in place before the responsibility of the individual states to combat whatever violence is taking place within its borders. The state in which this violence is taking place need not agree that there is a problem; it is simply told that it has the responsibility to sort out an internal problem by an external power. Furthermore, an external state could decide that the responsibility was not immediate or effective enough and launch an intervention on that basis. Thus, the responsibility to stop the violence might belong to the state where it is occurring, but if the UK and/or the international community does not think this responsibility has been met then intervention can commence. Interestingly, a responsible government might still be attempting political solutions but be judged unable to halt the human catastrophe of which Cook writes in point three (Cook 2000b & 2001), but because of the definition in Cook's point one, namely, that an intervention is a failure of prevention ensures that the existence of a crisis can, potentially, trigger an intervention at once. Politically there

would be much to stop a state launching an intervention on this basis: morally, that is, based on good intentions, very little.

Rule three follows on logically from the second point – should the government in the state not react as one might wish then the international community should act.

Furthermore, if a humanitarian intervention is based on the moral as opposed to the political, then the political move to compromise, appease, or assuage the situation could be seen as being unwilling to prevent evil occurring. Indeed, compromising with that which has been deemed in some way bad or evil is to align oneself with the evil: the moral standpoint risks demonising the political. The result of this argument is that the politics of good intentions can relegate all internal attempts to deal, politically, with a problem as an unwillingness to halt or prevent the catastrophe. Once these points are in place, and a moral response built in, the conditions are always met for an intervention. The dictator who does not wish for an intervention will be dealt with, but also the political state which does not adopt the moral approach.

It is worth noticing that it is not the UN posited as the actor, but the international community. This may be a minor point, as these suggestions were presented to the Secretary General of the UN and it may be argued that the UN is implied. However, as we have seen above, the reform of the UN or any other institution which places the political above the moral has been mooted by New Labour: it is not clear whether the international community posited here is a political or a moral community and the answer might require something other than the UN.

Moreover, the notion of the international community might give the suggestion that there is political consensus on the matter being built into the argument, but this is not the case. As has been pointed out above, the assumption of the moral is also an assumption that these values are universal. This is a line of reasoning made explicit by Carr where he points out that the:

Utopian [...] argues that what is best for the world is best for his country, and then reverses the argument to read that what is best for his country is best for the world, the two propositions being, from the utopian standpoint, identical (Carr 1939: 96-7).

Only those nations who stop the infringement of the value are safe: those who disagree (or are unwilling) are to be intervened against; those who agree but do not manage to stop the infringement are also to be intervened against; those who politically approach the infringement also risk intervention. This is pointed out by Cook in same

speech as he declares that not adhering to the universal values renders a government illegitimate:

[w]e will all need to make a concerted effort if we are to get across the message that the real objective is not to pressurise legitimate governments but to halt gross abuses by governments that have forfeited their legitimacy (Cook 2001).

Thus those who place the political above the moral are also risking intervention by those who place another system above it – by not adhering to the moral one risks one's political neck, as the moral, it seems, is what defines the legitimate.

The final rule seems to squash several ideas into the one principle. It contains the ideas of collective force, proportionate force, having a good chance of success, and that the force used be carried out in line with international law. These ideas share much with the notion of just war. As such, it may be churlish to place them in question. However, as we have seen, certain assumptions can change the shape of claims. Thus, the assumption of universal values would take for granted that the force would be collective. Whether it would be collective, and whether others would agree is an interesting point. Collective force does not specify who would have to agree and one is unlikely to have unanimous agreement. The parameters are broad enough to make them easier to achieve than not.

The word proportionate is another weasel word – a concept which is unlikely to be properly nailed down. Within the realms of the political, this is a word which alludes to judgment and balance. However, were one to be of the opinion that one were on the side of good and fighting a great evil, the risks and losses that one might be willing to brook would be disproportionate to another looking from the political viewpoint. Similarly, with the idea of the action being liable to achieve its objective – if one views the opponent as an aberration to the universal order and one's objective is to restore the balance then failure to restore universal order is unlikely to be brooked as conceivable. Linked to the previous point, this goal could be so important that one could happily throw everything at it in order to attain this balance. Again, the interpretation differs depending on whether or not the moral is a dimension or an integral part of the policy.

Finally, when one is intending to change international law, then carrying out actions in accordance with it should not be a problem. As was mentioned above, the impulse of the moral will be to change the legal and political to allow the moral to work,

and if this does not occur then the moral would have no compunction in abandoning international law. In short, this is easy to agree to and easy to override.

Once again, this set of rules, at first glance a list of demanding political challenges, is rendered easily attainable by sacrificing the political to the moral whilst retaining the stern rhetoric of politics. Any negative impact or unforeseeable consequences will be rendered acceptable by good intentions.

8.4 COOK: SIX PRINCIPLES

Cook's six principles appear in a speech given to the American Bar Association in 2000 entitled *Guiding Humanitarian Intervention*. Again, Cook claims these are part of a framework submitted to the UN Secretary General. These six points are a version of the four points mentioned previously to which Cook returns in his 2001 speech. However, as a speech dealing directly with humanitarian intervention and delivered to those in the legal profession, it must be assumed that this will be a tightly argued piece of public speaking.

The first feature to note is that the six points have not been expanded to include any of Blair's Chicago speech, but instead the four points which Cook has used before are divided up differently. The six rules as mentioned in the speech can be paraphrased thus:

1. Any intervention, by definition, is an admission of failure of prevention. We need a strengthened culture of conflict prevention.
2. We should maintain the principle that armed force should only be used as a last resort.
3. The immediate responsibility for halting violence rests with the state in which it occurs.
4. When faced with an overwhelming humanitarian catastrophe, which a government has shown it is unwilling or unable to prevent or is actively promoting, the international community should intervene.
5. Any use of force should be proportionate to achieving the humanitarian purpose and carried out in accordance with international law.
6. Any use of force should be collective. No individual country can reserve to itself the right to act on behalf of the international community (Cook 2000c).

His first point in the 2000 and 2001 speeches has been split into two separate elements and this disjointing requires further attention. Most of what has become point two has been fully dealt with previously, but Cook goes into more depth as to how humanitarian intervention can manifest itself:

[i]ntervention may take many forms, including mediation, [...] sanctions, [...] observer missions, [...] and international condemnation (Cook 2000c).

Thus, Cook is amalgamating military and non-military intervention into the same idea, but still referring to all these actions collectively not simply as intervention, but as humanitarian intervention. Cook, as Graham in chapter three, seems to use the terms intervention and humanitarian intervention interchangeably. Not only does this confuse the issue somewhat, as one is never certain if humanitarian intervention is to be a military operation or not, but this is also a situation against which, as seen in chapter five, some actors, MSF, for example, argue.

Furthermore, Cook states that of all these various forms of intervention only armed force is the last resort – these other types of intervention, we must assume from what he says, are lesser forms and not the last resort. In his first rule Cook makes a point of saying not only that any humanitarian intervention is a failure or prevention but that any intervention is a failure of prevention. Yet in the same rule the emphasis is on a ‘strengthened culture of conflict prevention’ (Cook 2000c). The confusion with the terms intervention and humanitarian intervention means that Cook is deeming mediation, sanctions, observer missions, and international condemnation as failures of prevention.

While conflict prevention on a political level could well involve the many forms of non-armed intervention which Cook lists and more, it is not necessarily the case that these are failures of prevention. If this were the case then all politics could be deemed failure of prevention insofar as politics attempted to resolve problems. There are two possibilities here. The first is that Cook is making exactly the same mistake as Graham and what he means here by intervention is armed intervention, which is entirely possible. The second possibility is that as soon as conflict, that is, the circumstances in which politics can work, appears, it is to be combated by external intervention. This can be interpreted as a rejection of politics: disagreement and conflict are to be actively avoided, and when they occur it is of interest to the international community who can infer this as failure. This rejection of the political is then compounded by making the international

response a moral response. If the moral replaces the political, it does not mean there is a greater lust for intervention, but there are certainly more opportunities for it.

Rules three and four are almost as they stood in the previous sub-chapter. One change which at first appears minor but is actually of some significance is in rule four where intervention is called for when a government is unwilling or unable to prevent a catastrophe. The addition of the phrase 'or is actively promoting' (Cook 2000c) places dictators seeking violent clashes on a par with political mediation which is not going fast enough for those seeking a moral response. This has quite dramatic possibilities and makes it more difficult to argue that Cook is simply confusing intervention and armed intervention in his first and second rules, as it seems to quite actively promote the moral above the political.

Rules five and six are created by splitting the last rule of the four. Cook mentions that force should be proportionate (he also mentions that it must be likely to achieve its objectives in this context) and mentions international law again in this framework. This has already been covered above. However, the split is somewhat worthy of note as it partitions off the aspects mentioned in just war theory and places them together in rule five – only the collective aspect is separated out and put into rule six.

Particular emphasis is being placed on the avoidance of unilateralism, which is liable to be a hazard if the moral has displaced politics. If one is acting within the UN and international law, unilateralism is unlikely to be a problem: if one is not, the problem presents itself. Cook points out that the unilateralism would be tantamount to claiming to act on behalf of all, another likely inference from such circumstances. Cook is keen to prevent such thoughts, and dealing with this point separately would seem to give this rule extra prominence. However, the same problem has been mentioned and is still present: namely no international organisations are mentioned, only the nebulous 'international community' and the claim that no 'individual country' can act on its behalf, but two or three perhaps? Rule six prohibits political arbitrariness, but does not affect the moral high ground. The other criticisms mentioned in the previous section still apply.

In keeping with the points already mentioned, whereby the boundary between the national and the international becomes blurred, universal values and a moral response allow other states to become involved at a much earlier stage, significantly, perhaps to prevent the international community's armed response from arriving too early. Once again, what might at first appear to be a set of principles not too different from the status

quo are, if applied from a moral perspective, lowering the bar to humanitarian intervention.

8.5 PROBLEMS WITH NEW LABOUR'S THEORY OF HUMANITARIAN INTERVENTION

New Labour, its foreign policy, and its view of humanitarian intervention have repercussions which are not necessarily intended by the New Labour government. Many of the implications are only clear when the entire structure of the claims is examined. However, it would seem that the theory is at least government-wide, in spite of claims of departments and people being at odds over the idea of the ethical dimension in foreign policy. It does seem to appear quite regularly, moreover, in a similar form, in ministries, speeches, and documents. This bold statement of ethical intent was not able to be consistently carried through, however, and this is due partly to what Kampfner puts down to Blair, namely:

taking charge of Britain's role in the world with less foreign policy knowledge or experience than almost any incoming Prime Minister since the Second World War (Kampfner 2004: 8).

This claim can be levelled at the entire government, so long in opposition. In brief, lacking experience in praxis, there was little the incoming government could do but rely on theory. Norton calls Blair the 'first truly rootless Prime Minister' (Norton 2008: 90) and where a lack of experience and roots occurred, theory would obviously provide roots and stability.

The theory itself, is not clean cut and as the comments by former Foreign Secretaries show, adherence to a theory, any theory, does not sit well in the world of foreign policy, where flexibility, and not dogma, is needed. What is feasible or able to be influenced within the boundaries of foreign policy is not knowledge a governing party with little experience of government would necessarily possess. If we take Max Weber and his *Politics as a Vocation* lecture and apply it to the New Labour theory of humanitarian intervention then this point is covered when Weber claims that there are:

three pre-eminent qualities [...] decisive for the politician: passion, a feeling of responsibility, and a sense of proportion (Weber 1948: 115).

It is this sense of proportion which successive Foreign Secretaries have gained, whether they sought it or not. As was seen in the previous chapter, Callaghan spoke of

‘recognising the inconsistency in dealing with different situations throughout the world’ and that ‘good is done by stealth (Callaghan 1997: Q114), and of recognising that ‘we are frail and we shall constantly fail in certain areas’ (Callaghan 1997: Q108), while Hurd alluded to ‘blending the world as you would like it to be with the world as it is’ (Hurd 1997a: Q79). There are no questions of interest here, nor of whether a government is prepared for the long term or not in its foreign policy, but rather notions of frailty, failure, and recognition of what one cannot change. The sense of proportion or an admission of its limits is missing from New Labour’s account of humanitarian intervention.

The post of Foreign Secretary is one of the more senior positions in government and, indeed, New Labour appointed their most experienced parliamentarian. Nonetheless, the experience and sense of proportion were missing, supplanted by passion, but not of the sort lauded by Weber. In fact, Weber points out the traps into which New Labour fell, resulting in a Weberian ‘deadly sin’:

[t]o be sure, mere passion, however genuinely felt, is not enough. It does not make a politician, unless passion as devotion to a ‘cause’ also makes responsibility to this cause the guiding star of action. And for this, a sense of proportion is needed. This is the decisive psychological quality of the politician: his ability to let realities work upon him with inner concentration and calmness. Hence his distance to things and men. ‘Lack of distance’ per se is one of the deadly sins of every politician (Weber 1948: 115).

Weber’s discussion of passion as a pre-eminent quality for a politician indicates where New Labour’s lack of experience turns the virtues into vices:

passion in the sense of *matter-of-factness*, of passionate devotion to a ‘cause,’ to the god or demon who is its overlord. It is not passion in the sense of that inner bearing which my late friend, Georg Simmel, used to designate as ‘sterile excitation,’ [...] an excitation that plays so great a part with our intellectuals in this carnival we decorate with the proud name of ‘revolution’ [...] a ‘romanticism of the intellectually interesting,’ running into emptiness devoid of all feeling of objective responsibility (Weber 1948: 115).

Herein lies a New Labour problem; it cannot justify why it can carry out one intervention, which it is passionate about, as a force of good, and not the other. Not having this monopoly on right is why politics is well able to act in one case and not another, and here we see Weber’s matter-of-fact passion compared with his sterile excitation.

The mere fact that, as Blair points out above, under the conditions set out it is impossible to carry out all the humanitarian interventions in the real world, means that the decision to carry out the interventions that one does will come under intense scrutiny.

There is another problem of New Labour's position on humanitarian intervention which Weber alerts us to, namely his distinction between an ethic of ultimate ends and an ethic of responsibility. In his introduction to Voegelin's *Political Religions*, Barry Cooper pins Weber's distinction down well:

Weber's distinction between the 'ethics of intention' and the 'ethics of responsibility' contained the genuine and permanent insight that the unforeseen consequences of moralistic action are the responsibility of the actor. This insight, which could be formulated in commonsensical terms as well, was important because it was developed in opposition to the ideological position that if one cherishes certain 'values' with great conviction, the 'sincerity' with which they are held and the morally elevated intentions that one makes public are sufficient to excuse any suffering that might be caused by trying to put them into action. Weber's distinction made it clear that the 'values' that are assumed to be so morally elevating are not only not scientifically valid, they are ideological inventions (Cooper: 1985: xv-xvi).

Voegelin himself goes further and refers to responsibility and demonism in politics:

[t]he new sense of theoretical relevance could express itself, therefore, only in the creation of the categories of 'responsibility' and 'demonism' in politics. Weber recognised the 'values' for what they were, that is, as ordering ideas for political action, but he accorded them the status of 'demonic' decisions beyond rational argument. Science could grapple with the demonism of politics only by making politician aware of the consequences of their actions and awaking in them a sense of responsibility (Voegelin 2000: 99).

This ethics of responsibility is important enough for Weber to class it as one of his three political virtues alongside passion and proportion, and, perhaps, it could be argued that this is the central political virtue of Weber's three. It is with this ethic of responsibility, as Voegelin points out, that the demonisation of the opponent could be prevented, or the consequences of adopting a moralistic standpoint are at least comprehensible. With an ethic of responsibility the limits of action and influence are more likely to be acknowledged: frailty and failure are more likely to be recognised.

It should be pointed out that the mistakes which New Labour are being accused of are neither new nor limited to any particular party or era. Elie Kedourie examined the published diaries of Richard Crossman, Minister for Housing, Leader of the House of Commons, and latterly Secretary of State for Social Services in Harold Wilson's government, and concluded that the idealism of Crossman eventually has to give way to something else, and this, very often, is simply the wish to stay in power. Kedourie concludes his discussion with a quote from the diaries illustrating this change:

[a]nd so we take leave of the Minister, now nearing the end of his political life. His mood one of mellow and lofty disillusion, he surveys as from a great height the multitude over whose petty concerns Providence has charged him with the duty of keeping watch: [...] 'I now accept that the settled and just management of society by a progressive oligarchy is the best we can hope for' (Kedourie 1984: 27).

This brings the contestability of politics into focus, despite its usurpation by the moral. While the moral may attempt to claim an objective standpoint for its assertions this is not an option for politics. Politics exists where there are disagreements and conflicts – without these, it might be argued, politics would disappear. Claiming that one has right on one's side does not support one's argument; rather it underlines the problem of the moral in politics by demonising the opponents. This can be underlined by returning to Max Weber, who states that if:

an action of good intent leads to bad results, then, in the actor's eyes, not he but the world, or the stupidity of other men, or God's will who made them thus, is responsible for the evil. [...]

No ethics in the world can dodge the fact that in numerous instances the attainment of 'good' ends is bound to the fact that one must be willing to pay the price of using morally dubious means or at least dangerous ones – and facing the possibility or even the probability of evil ramifications. From no ethics in the world can it be concluded when and to what extent the ethically good purpose 'justifies' the ethically dangerous means and ramifications.

The decisive means for politics is violence (Weber 1948: 121).

That is to say that even the means to the just end involves decisions which could contradict the end itself: the privileged position of objective right collapses, if it ever existed, on the international stage. Indeed, in creating an immoral foe – for if one is doing what is right those who oppose must oppose what is right – the moral cannot back

down from bloodshed and disproportionate means. If a government is moral why would it deign to allow the immoral government to continue after an intervention? As Weber points out:

[h]e who seeks the salvation of the soul, of his own and of others, should not seek it along the avenue of politics, for the quite different tasks of politics can only be solved by violence (Weber 1948: 126).

The lack of a detached standpoint, the creation of an immoral antagonist, and the right of one's cause will invariably generate unforeseen, unwelcome, or contrary to expected results at some point and it is again Weber who indicates the problems when he maintains that:

[w]hosoever contracts with violent means for whatever ends – and every politician does – is exposed to its specific consequences. This holds especially for the crusader, religious and revolutionary alike [...].

Whoever want to engage in politics at all, and especially in politics as a vocation, has to realize these ethical paradoxes. He must know that he is responsible for what may become of himself under the impact of these paradoxes (Weber 1948: 124-5).

This is to say that just feelings and good intentions are not enough: while Weber's passion may well be found here, although in its negative form, the lack of a sense of proportion mentioned above all impact on the result.

In *The Politics of Good Intentions*, Runciman applies Weber to the moralising of New Labour and US neo-cons which led to the Iraq war. Accordingly, the responsible politician:

knows that good does not always follow from good. Even actions undertaken with the best intentions will generate unintended consequences, and the mark of a responsible politician is how they deal with these. The way to deal with them is to take responsibility for them, which means neither denying them nor wallowing in them, but accepting them for what they are, the unintended but foreseeable consequences of any involvement in the dangerous business of power politics. All politicians with real power have dirty hands, because real politics can be a bloody business. The trick for Weber is not to try to hide them, nor to parade them through the streets, but just to get on with the task in hand, in the knowledge that dirty hands, and a soiled conscience, are the price that all politicians have to pay. Responsible politicians will suffer, but they should suffer in silence, because the test of politics is whether you can cope with the

knowledge that you are not as good as you would like to be (Runciman 2006: 38-39).

This theme was also picked up by Grainger in his 2005 book *Tony Blair and the Ideal Type*, where a more straightforward connection between Weber and Blair was put forward:

[t]o the enlightened and ardent Blair, avowedly pursuing an 'ethical foreign policy' in order to secure a re-ordering of the world in the light of a global consensus, the 'just war' as a means of international morality and justice, as the guarantor of liberal democracy of liberal democracy and human rights, has considerable appeal. For the victor of a 'just war' may impose 'war guilt' upon a defeated enemy, exact retribution from him and enforce his recognition of and obedience to the right values and, of course, demand 'regime change' (Grainger 2005: 32).

Grainger posits Blair as the charismatic politician for whom values are not simply contained within and shape policy, but he requires that these values are accepted by others, a goal so important that questions of proportion are unnecessary.

Looking more specifically at the claims made by the area three actors, and the arguments from area two, we can see that even the, what may at first have appeared to be excessively philosophical analysis has a bearing on New Labour's foreign policy. If we look at Blair's claims that:

this is a just war, based not on any territorial ambitions but on values. We cannot let the evil of ethnic cleansing stand. [...] If we let an evil dictator range unchallenged, we will have to spill infinitely more blood and treasure to stop him later (Blair 1999).

Then it is clear that the area two theorising examined in chapter four is applicable to area three politics. As Mouffe pointed out, a useful tool in securing one's goodness is:

through the condemnation of the evil in others. Denouncing others has always been a powerful and easy way to obtain a high idea of one's moral worth (Mouffe 2005: 74).

It is much easier to prove that one occupies the moral high ground when there is an immoral low ground dweller to point towards. Mouffe has also been at pains to indicate that:

instead of being constructed in political terms, the 'we'/'they' opposition constitutive of politics is now constructed according to moral categories of 'good' versus 'evil' (Mouffe 2005: 75).

This seems to be very much the case in the Blair speech, if nowhere else. The quote by Schmitt, referred to on a number of occasions in this thesis, that:

designating the adversary as political and oneself as non-political (i.e., scientific, just, objective, neutral, etc.) is in actuality a typical and unusually intensive way of pursuing politics (Schmitt 1976: 23),

also seems to fit seamlessly into this area three discussion, the terms used by the New Labour cabinet such as, for example, ‘force of good’, so well-liked in the MoD, ‘a moral duty to reach out to the poor and needy and to try to create a more just world’ (DFID 1997: 16) or the ‘ethical dimension’, or ‘human rights at the heart of our foreign policy’ (Cook 1997a). Those on the opposite end of the scale are thus immoral, unjust, deniers of rights, and the evil against which a force of good must battle, and in:

being reproached for immorality and cynicism, the spectator of political phenomena can always recognize in such reproaches a political weapon used in actual combat (Schmitt 1974: 67).

That is to say, area two discussion makes clear that designating one’s enemies as immoral or unjust does not render New Labour moral or just. New Labour does not simply focus on the ‘ethical dimension’, however, for as we have seen in this chapter, humanitarian intervention is a consequence of this point of view, not simply for the commentators, but for New Labour itself. As Cook makes clear:

(w)hen faced with an overwhelming humanitarian catastrophe, which a government has shown it is unwilling or unable to prevent or is actively promoting, the international community should intervene (Cook 2000c).

And the force used is rectifying this is in order to achieve ‘humanitarian purpose’ (Cook 2000c). New Labour is invoking a universal morality for humanity and here Schmitt and Koselleck show the unintended and paradoxical consequences of this stance. Firstly, Koselleck’s realisation that the:

totality of the politically neutral claim of a fixed, eternally valid morality necessarily turns political acts and attitudes, once they are subjected to a moral test which they cannot pass, into total injustice. Moral totality deprives all who do not subject themselves to it of their right to exist (Koselleck 1988: 152).

When combined with Schmitt’s similar but still profitable inference that to:

confiscate the word humanity, to invoke and monopolize such a term probably has certain incalculable effects, such as denying

the enemy the quality of being human and declaring him to be an outlaw of humanity; and a war can thereby be driven to the most extreme inhumanity (Schmitt 1976: 54).

It is now clear, if it were not before, where the area two discussions on the tragic can be applied to New Labour's foreign policy. Applying Schmitt and Koselleck to New Labour above, we realise that an ethical dimension to foreign policy and humanitarian intervention can actually result in extreme inhumanity, in the total absence of limits of injustice and immorality, all in the name of justice and morality. As Frost comments in *Tragedy, Ethics and International Relations*:

In those series of events that are construed as tragic, there is often an element of irony. What the actors intend does not come about and quite often their acts cause an outcome antithetical to their own judgement about what would constitute a good ethical result (Frost 2003: 483).

The real use of the tragic in international relations is not simply putting into focus the idea that what a government or a politician or a state wants is no guarantee of what their actions will actually bring about, but also as a cap on the area one assumption that deciding on an ideology or method in advance of facts is applicable to area three politics. What the tragic shows at area three generally, and with New Labour's foreign policy in particular, is that an ideology, be it of a realist or idealist sort, is not a joker in the hand, which, when unforeseen and/or unwilled consequences occur one is able to wield and still deem them to have the national interest, human rights, or an ethical dimension at their core, regardless. Moreover, Weber is clear that not only is no joker possible, the hand will always be dirty, and the best one can hope for is a good poker face from one's politicians. The tragic shows that even with the best intentions, great plans, and goodwill to all mankind, terrible injustice can still occur. This is not a pessimistic outlook, *per se*, it is simply an admission that mortal man is highly unlikely to attain perfection. Thus:

what tragedy purports to show is just how not only do our ethical commitments sometimes not cohere, but sometimes positively conflict. The tragic view throws doubt on any suggestion that our ethical commitments can be brought into harmony (Frost 2003: 487).

Which is to say that even with perfect knowledge of a situation, it is still not possible to do the 'right' thing as,

tragedy involves a situation where duties are in radical conflict, such that whatever is done will involve wrongdoing; by definition, this conflict cannot be wished away – the only way to preserve integrity and honour is to accept the tragic nature of one's choice: that is, to acknowledge that to act is to do wrong (Brown 2007: 9).

And hence we are back at the idea of politics where conflict, diversity, or difference not only enable and require politics, but also acknowledge the notion of the tragic (or, indeed, the comic).

New Labour's ethical dimension in foreign policy and its theory of humanitarian intervention reflect the problems which occur with area one theorising, and illustrate the recent discussions of area two argument. Foreign policy demands flexibility and compromise, while the moral provides certainty and absolutes. Politics leaves politicians with dirty hands, while morality in the political arena will not guarantee one's goodness, it may give the appearance of it, and, if nothing else, put the blame on the immoral foe. Politicians will invariably have to shoulder responsibility, an ethical dimension takes this away as one's intentions were good.

New Labour's ethical dimension and humanitarian intervention doctrine was based on ideology, not politics, nor even philosophy. For a party which had been so long in the political wilderness, but which swept to power with such an overwhelming majority, it was clear that ideas and not experience were not only what it would rely on, but what it had been elected upon. Furthermore, discussions of humanitarian intervention seem to entirely disregard any notions of the political and this despite the fact that 'no situation is more purely political than the attempt of one nation to intervene in the affairs of another' (Rosenau 1969: 156).

9 Conclusions

The conclusions that might be drawn from this examination are varied. The first is a historical one that arises from the beginning of the thesis, which noted that following the end of the Cold War an increase in optimism in certain intellectual circles coincided with an increase in the number of projects claiming to be instances of humanitarian intervention. This optimism coincided with an assumption by some authors that the concept of humanitarian intervention was a new one, which had only appeared post-1989. The attempted definitions of the concept by authors who made that assumption were as much an endeavour to account for the advent of this novel idea as to clarify exactly what the supposedly new idea actually involved. In this situation, it was hardly surprising that the definitions advanced revealed little agreement among the authors about what they were in fact considering, let alone about the theories constructed around the definitions.

A closer historical analysis of the concept revealed that the term ‘humanitarian intervention’ as such has been with us since at least the late nineteenth century, the first unambiguous usage found by the present author being by Edward S. Creasy in 1876. The component elements in the phrase, however, have existed since the first half of the nineteenth century, with disagreement and conflict surrounding them from the start. Furthermore, many of the issues raised in its infancy remain embedded in the term. Apart from a few anachronisms in language, the arguments for and against it over the decades since this time might still be put today. Any claims that humanitarian intervention is of recent appearance, then, are not only exaggerated, but show an unwillingness to look at the history of the concept. The history of the concept has indeed been routinely ignored in academic studies of this theme, and a greater sensitivity to its history might prevent some arguments based on erroneous claims from surfacing at all. This disregarding of the history of the term appears to occur in all three areas, albeit in different forms: the academic study of politics, where contemporary accounts give the impression of ignoring historical analysis and treat the issues as being approached for the first time; political philosophy, where the deeper, underlying questions are probed at the expense of historical specifics; and practical politics itself, on account of agendas and rhetoric. My first conclusion, then, is the need for greater historical awareness amongst those writing on it.

The second conclusion is the need to take explicit account of the political. As the analysis of the three areas of politics, political science and political philosophy indicate, much of the literature pertaining to humanitarian intervention explicitly or tacitly ignores the political dimension. In this connection, it should be stressed that the incorporation of the political perspective is not intended to be a formula for some form of realist militancy, of the kind found, for example, in Carl Schmitt. It is only to insist that situations of conflict would not disappear from the international order even if humanity consisted entirely of angels. This conclusion throws the need to examine the concept of humanitarian intervention through three different lenses into sharper relief. The one area which is acutely aware of the political is area two, that of political philosophy, however, it does not relate its arguments to the problem of humanitarian intervention, and the conclusions do not seem to filter into areas one and three. The area of political science gives the impression of generating theory, whilst the area of practical politics is inclined to adopt theory, both without looking like they are bearing the notion of the political in mind.

A third conclusion is that the difference between the moral and the political is more philosophically problematic than some commentators appreciate. The border between the moral and the political has been porous enough in the past to allow for genuine confusion, as the thesis indicated in relation to the academics who sought to inaugurate political science as a subject distinct from moral philosophy. Authors who do not appreciate the problem are likely to compound the mistakes of the past further. Much of the discussion at the birth of the subject concluded that political science was a branch of moral philosophy. This conclusion might not surprise philosophers, who tend to think, or did in the past at least, of philosophy as the mother of all sciences, but might come as a shock to the modern political scientist. In the present context, however, what is being suggested is not so much that the boundaries between politics and morals are so very faint that it is simple to move between them, as that authors who do so are simply not aware of moving from one to the other. Thus, a political issue such as humanitarian intervention is turned into a moral question, which is then placed back into real world politics: a political solution is either denied or subjugated to the ethical. Schmitt's realisation of the potentially disastrous implications of this denial of the autonomy of the political is the basis of his insistence that the moral or humane war risks being the most bloody since opponents are denied membership of these categories. Opponents, that is, are treated as immoral, inhumane, as well as being ugly and foolish. It is for this reason

that a moralistic approach to humanitarian intervention risks being more terrible than a political war over, for example, land, or resources. In a similar vein Koselleck points out that a claim to political neutrality and a universally valid morality transforms the political into the sphere of injustice. As he himself puts it, '[m]oral totality deprives all who do not subject themselves to it of their right to exist' (Koselleck 1988: 152).

The fourth conclusion arises from the discussion on tragedy. The recent debate is useful as an indicator of what sort of problems political philosophy is concerned with. In particular, it is a way of explaining the general problem of why the good intentions of politicians so often result in bad, or unexpected, or entirely wrong outcomes. This aspect is almost entirely overlooked by both practical politics and political science. The propensity of political science to produce theory based on ideologies of realism or idealism shows a lack of understanding of the problem, and, indeed, a lack of understanding of its own limits. Practical politics fares no better at recognising its limits, and if political science is unable to separate good intentions from politics in its theory, then practical politics applying this theory is liable to perform no better. The notion of the tragic fails, however, to shed light on the specific limitations of humanitarian intervention in particular. It merely throws the issues associated with it into sharper focus.

The fifth conclusion emerges from the study of New Labour and its ethical dimension to foreign policy, which raised the issue of the relation between theory and praxis, and perhaps surprisingly for conclusions based on practical politics, is linked to the notion of the tragic outlined above. Former Foreign Secretaries of both the major parties seemed more aware of the problems which surround this relationship than academics. The former Foreign Secretaries questioned by the Select Committee on Foreign Affairs, for example, expressed concern that they and their predecessors were in some way amoral or immoral because of the inescapable complexities of the world of concrete policy which the New Labour ideal had failed to recognise. Thus both Hurd and Callaghan spoke of the mixing of realism and idealism, and of never choosing blindly to follow any doctrine. In practice, however, their lack of government experience left New Labour ministers relying on political dogmas instead of on political *phronesis*. As Hurd remarked:

I think the making of foreign policy is blending realism and idealism. It is blending the world as you would like it to be with the world as it is (Hurd 1997a: Q79).

While Hurd and Callaghan knew that foreign policy is a mixture of realism and idealism, New Labour at large did not.

The final conclusion goes beyond studies of humanitarian intervention and raises questions about the academic study of politics in general. The issue of politics as a separate academic subject follows on from conclusions four and five above, which are concerned with the limits of politics and the inability of much practical politics and political science to acknowledge the problem of theory versus praxis. As the analysis of inaugural speeches at the emergence of a discrete subject of politics showed, this failure of the academic study of politics to be concerned with what it is and what it ought to be is a fairly recent development. This thesis cannot hope to do more than simply draw attention to the issues, which are fundamental concerns. What can definitely be said, however, is that this thesis advocates neither a cynical realism nor a sanguine idealism in international affairs. It is closer to sympathy for the work of Michael Freeden, which was considered in chapter 3, and to that of Glen Newey, who has claimed that in liberal political philosophy, in particular, there is little attempt:

to address the real world of politics, often applying inappropriate theoretical models to it when they do and liberal political philosophers aim at the supersession of the ostensible subject-matter of their discipline – that is, politics, they aim at a post-political world (Newey 2001: 2).

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