

RESPONSE TO “AGAINST THE NEW INTERNATIONALISM”

Against the New Utopianism

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There is much that is interesting in Anthony Burke's essay. Unfortunately, Burke is unable to resist hyperbolic language and too readily substitutes rhetorical onslaught for compelling argument. For example, those he criticizes as being neo-imperialists in liberal internationalist clothing are many times over said to present “disturbing” or “disturbing indeed” arguments.¹ We are told that liberty is a “hermaphrodite”; that the war on terrorism constitutes “the democracy that slaughters, the liberator that tortures” (p. 73), as if Abu Ghraib is standard policy rather than aberration and the deaths of civilians intentional rather than a tragic unintended consequence of fighting. Burke's opponents, he says, deploy “notoriously vague” and “fear-soaked rhetoric” as they “scandalously” mimic the ICISS report's title (p. 76). Citing Jürgen Habermas, he calls the war against Saddam Hussein an “unimaginable break” with existing norms (pp. 75, 76). This suggests that there are “imaginable breaks,” but we do not know anything about the criteria he is applying. Reserving sunny language for his own proposed alternatives, Burke blasts the idea of state sovereignty itself as “violent and exclusivist,” and “linger[ing], like a latent illness, in the very depths of modern cosmopolitanism” (p. 74). These excesses are distracting and cloud the observations in his essay that are perceptive and deserve serious consideration. He is not well served

by them, nor by the dualist motif running through his argument: we must opt for “perpetual peace” or “perpetual war,” and the like.

EMPIRICAL RIGOR

Many of Burke's claims could, if clarified, be examined empirically, but he fails to do so. For example, he endorses the idea that “loyal, long-term residents”—presumably of the United States—were “denuded overnight of rights” on September 11, 2001.² What does this claim mean? How is loyalty determined? What counts as “long-term”? And is this claim true? Who are these people? How many were thus denuded? He also endorses the view that there were “summary executions.”³ What summary executions took place and where? How many? Wartime deaths of armed adversaries do not constitute “summary executions,” so what does? We are never told. Burke cites the figure of “twenty-one thousand civilian dead” in Iraq (p. 82). I am not going to challenge this claim overall, since I think Burke is being responsible here. But who killed

¹ Anthony Burke, “Against the New Internationalism,” *Ethics & International Affairs* 19, no. 2 (2005), pp. 76, 86, 88, and 74. All in-text citation references are to this article.

² Suvendrini Perera, “What Is a Camp?” *Borderlands* 1, no. 1 (May 2002); available at www.borderlandsejournal.adelaide.edu.au; quoted by Burke, p. 73.

³ *Ibid.*

these people? How many of these deaths are attributable to the U.S. campaign, which does *not* intentionally target civilians, although we all know that civilians will come to harm in any war theater, even with the best of efforts to protect them? How many are victims of the so-called insurgency, which is really a murderous effort to slaughter Iraqi civilians—even worshippers in a mosque—as well as U.S. and Iraqi soldiers, statesmen and stateswomen, and so on? Burke provides no further analysis.

Burke attributes the deaths of civilians, especially children, under the UN oil-for-food program (“directly contributed to the deaths of anywhere from 200,000 to one million people” [p. 87]) to the vindictiveness of the UN sanction program rather than to Hussein’s gaming of the program and, as we now know, systematic corruption involving Iraqi and UN officials. He thereby effectively exculpates the Iraqi regime from these deaths. Sanctions may indeed have been an “enormous crime against humanity,” in Burke’s terms, but that crime was perpetrated by Hussein, not the UN. The sanctions regime permitted unlimited amounts for food and medicine to be delivered into Iraq. This makes moot Burke’s denunciation of Chris Brown’s “morally bizarre arguments” that the suffering brought about by the sanctions was itself a reason to go directly to regime change. Brown’s argument is bizarre only if one believes that what Burke himself calls a “crime against humanity” should continue—but the crime, again, was Hussein’s, not the UN’s (save for the felonious bad faith of some UN officials and others, as I have indicated). Once real evidence is brought to bear on claims of this sort, I do not believe that Burke’s assertions can be plausibly maintained.

JUST WAR TRADITION

In Burke’s analysis and criticism of my own positions—portions of which are clear and fair in exposition—he offers a very brief and, I fear, misleading account of the just or justified war tradition. One of the many problems with my argument, Burke claims, is “overreliance on just war theory as a guide both to *jus ad bellum* conditions for decisions about force and *jus in bello* protection of civilians” (p. 80). He further claims, without argument or substantiation, that “just war principles of proportionality and unintentional harm fail to address adequately such dangers,” referring to the dangers I cite of “either deepening the injustice already present or creating new instances of injustice” (p. 80). As Burke surely knows, proportionality and discrimination are key *in bello* criteria. If just war limitations fail, it must be with reference to some unstated standard of Burke’s own. What is this standard? Has he a compelling, plausible alternative to how states might strive to avoid “creating new instances of injustice”? If so, this should be spelled out as a real alternative to current *in bello* norms.

Burke not only fails to spell out such an alternative, but *cannot do so*. That is, he absolves himself of the duty to identify ethical limits to the use of force by imagining a world in which such conflicts have simply melted away. (I will have more to say on this below.) In addition, Burke ignores altogether *jus ad bellum* criteria that are intended to serve as an ethical and conceptual framework for practical reasoning regarding the use of force among statespersons. But statespersons also disappear in Burke’s normative schema because states are to be dismantled. Indeed, it is difficult to see any real political actors altogether in

his constructive case because the United Nations, transformed into a mega-collective security apparatus, takes up all the “political”—if one could call it that—space. Politics, as all students of it know, involves contestation over various goods—a contestation that is never-ending as one cannot perfectly “reconcile competing human wills,” as St. Augustine put it. By eliminating the political space occupied by states and transcending it in a kind of Hegelian dialectical move that is rather breathtaking, Burke transfers politics to some mega- or meta-level.

MORAL AMBIGUITY

In criticizing my position of “equal moral regard for all persons” and an international ethic that, once a certain set of criteria are met, calls upon responsible states to act when people are being systematically, egregiously, and unremittingly assaulted, Burke pounces on my use of the “Spider-Man ethic”—namely, that “the more powerful have greater responsibilities.” For Burke this means that the United States is “recast as *superhero*, with all the absence of moral ambiguity such a metaphor implies” (p. 80). With all due respect to Mr. Burke, I do not believe he knows anything about Spider-Man. Any reader of Marvel Comics appreciates that Spider-Man is a tormented superhero and that his life is riddled with moral conflict and ambiguity. Does his loyalty to family and girlfriend take precedence over his duty to protect the innocent from torture and death? How can he be fair to the “domestic” and the “trans-domestic” at the same time? Spider-Man is always in danger of stretching himself too thin; always a bit exhausted; always wondering if he is doing the right thing. I chose Spider-Man rather than, say, Superman precisely *because* of the perduring conflicts

Spidey faces. What a pity that Burke has not familiarized himself with this existential and troubled hero! If I am guilty of anything here it is in assuming that those engaged in cultural criticism have some knowledge of the world of superheroes, the troubled (Spider-Man, Batman) and the untroubled (Superman). (Alas, and I sigh as I write this, my explanation will probably be another strike against me—a case of cultural imperialism.)

Let me be clear about what I call for in the essay Burke criticizes: it is a world of “minimally decent” states—not perfect states and certainly not a world of perpetual peace. (If there is such a world, it is not of this earth.) But to say this is not to fall into despair, but rather to endorse a chastened and restrained hope that the world can be made less brutal and less unjust, and this means more respect for human rights and more democracies, insofar as democracy involves respect for persons qua persons. Saying this does not dictate any particular form of government save that no one is born to be a slave, to be tormented, or to be slaughtered because of who he or she is—whether American or Palestinian or Israeli or Jew or Christian or Muslim or male or female. The real challenge to my perspective is to require of me that I spell out the criteria for what counts as “minimally decent” and what threshold conditions obtain—that is to say, at what point armed intervention becomes necessary to uphold equal moral regard. *That* would be a real challenge to my essay. I fear that Burke’s rejoinder fails to articulate such a challenge because he cannot resist a flight into utopianism.

A PRESCRIPTIVE ARGUMENT?

Burke’s prescriptive argument is not only improbable but also impossible as a course for a world of human beings organized presently within hundreds of entities called

states. His indictment of the state is relentless. Indeed, reading Burke you would never know that states have carried human aspirations and hopes; that much of the dignity and purpose of human beings derives from their location in particular communities with particular histories and traditions and stories and languages. States, at their best, help to protect and to nourish certain goods. As the late, great Hannah Arendt put it, “No one can be a citizen of the world as he [and she] is a citizen of a particular country.” Burke wants “collective decision-making,” a world beyond states. When one thinks of the challenges of representation and transparency in contemporary states—none of which is any longer monocultural—the notion that anything that would meaningfully count as representation could pertain in a world body defies common sense. One would likely wind up with a small group of elites, claiming to be something like a Hegelian class of disinterested persons, dictating policy. How could it be anything else in the absence of any concrete account by Burke of the principles of authority and legitimacy that are to characterize his proposed global order? Or without any compelling account of how politics is to be organized? What would be the principle of political organization? What, indeed, would be the purview of citizenship—conspicuous by its absence in his account?

Burke criticizes my ethic as being allegedly based on a “narrow dialogue between government elites,” ignoring thereby the “profound problem of accountability to citizens inherent in all security policy-making.” I could not agree more that accountability is a “profound problem” and that to deal with it requires certain sorts of domestic institutional arrangements. And of course in endorsing democracy I thereby endorse citizen participation. The term “domestic” already signals a distinction between a partic-

ular set of arrangements culminating in states and arrangements beyond that level. It is states that can be pressured to take responsibility for aberrant behavior—for example, the U.S. military courts-martial of the out-of-control rogues who enacted their own sordid pornographic fantasies with prisoners in Abu Ghraib. One doesn’t court-martial people for carrying out faithfully an official policy. There is most certainly fault to be found here—whether in ambiguous statements about what is permitted or in insufficient training of those guarding prisoners, admittedly in a difficult situation over which the U.S. military was just beginning to take control. We rightly judge a military by whether it indicts and punishes perpetrators of wrong: Why is nothing said about this by Burke? Surely Burke owes us an account of a coherent set of institutional arrangements to carry out such a role in a world characterized by ethnic revisionists, murderous jihadists, one-party dictatorships, child soldiering, rape campaigns, human trafficking, genocides, corruption, exploitation, and all the rest. It is through states and through the national contingents of international bodies—whether of churches or the Red Cross or human rights groups or guilds of various professional organizations—that persons can try to act and to organize. Once they do, such entities based in one state connect up to other such entities to form international networks that can put pressure simultaneously on particular states and on relevant international or transnational bodies. To assume a world beyond this sort of politics is to assume what never was and never will be—namely, that there will no longer be a need to “reconcile competing human wills.” Defending, as Burke claims to be doing, a “liberal ethic of war and peace” (p. 82) means, surely, to think of rules and laws and responsibility and accountability. Liberalism is premised on a

world of states and, depending on whether one is a Kantian or some other sort of liberal, a world in which the principle of state sovereignty can be overridden under some circumstances.

KANT'S FANTASY

So I, pace Burke, have not forgotten “the vision of the great cosmopolitan” Immanuel Kant. Instead, I profoundly disagree with it. Perpetual peace is a fantasy of at-oneness, as I have called it, of a world in which differences have all been rubbed off and sameness invites “the definitive abolition of the need to resort to war” (p. 83). For Kant, all hostilities must be concluded without any “secret reservation of material for a future war.”⁴ Otherwise, one has a mere—*mere*—truce, not authentic peace. Here, and elsewhere, we find Kant downgrading the humanly possible work and the arduous tasks of diplomats, statespersons, international organizations of citizens, and so on, in favor of a utopian fantasy of eternity—the ability of human beings to, in effect, *freeze* a particular vision or arrangement and for that arrangement to continue undisturbed in perpetuity. To reduce soldiering, as Kant does, to hiring men “to kill or be killed” is stunningly reductionist, and it mocks those who have died to fight fascism, slavery, and other evils. Kant may enjoin the destruction of standing armies until he is blue in the face, but that is not going to happen. It is not going to happen because eliminating human fear, envy, jealousy, anger, rage—including rage at injustice—is not possible. What Burke calls “dismantl[ing] security dilemmas, brick by terrible brick” (p. 85) also requires the dismantling of human beings as we know them. His positive vision runs contrary to the entirety of the historic and even paleontological record; there has *never* been an epoch in which armed conflict

has been altogether absent. The challenge is not to eliminate—presumably if that could be done it would by now have been done—but rather to limit the occasions for war and the destructiveness of war. (And, contrary to Burke, modern warfare such as the United States fights is less, not more, destructive, capable of realizing the ideal of discrimination better than ever before; consider whether it would have been better to be in Baghdad in 2003 or in Berlin in 1944.)

People fight for good reasons and for bad ones. It is the obligation of citizens and responsible statespersons to distinguish good and bad reasons to engage in armed conflict and—here I agree with Burke—to find ways to chasten overambitious and enthusiastic recourse to the use of force. This can only be done if particular citizens in particular places act politically to tame their own states when they find them in the wrong. And to do that they require some sort of workable set of principles that places limits on the use of force and animates realistic and hopeful possibilities in a way that abstract models cannot. Those who endorse utopian visions of perpetual peace neglect the hard, nitty-gritty political and ethical work. I hope Burke turns his considerable intelligence and learning to a concrete account of how a Kantian vision can be realized and, when he does so, I believe he will realize that the dualistic contrast between “perpetual peace” and “perpetual war” is a chimera that ignores ambiguity, nuance, the smudginess of real human lives and history—the very things he accuses me of downplaying when they form the very background assumptions out of which I work.

⁴ Immanuel Kant, “Perpetual Peace: A Philosophical Sketch,” in Hans Reiss, ed., *Kant: Political Writings* (Cambridge: Cambridge University Press, 1988), p. 93; quoted by Burke, p. 83.

