foreseeable future, the main form in which man lives in society. Yet it is by applying some "vertical Montesquieu" that all ethics-incompatible idolatry of this specific political form will be overcome. Power should be vertically distributed along a line that starts with subnational units (local communities with a degree of autonomy and self-administration), in some cases followed by federal units, continues to the level of the state, reaches the regional level of both political and economic integration, and finally attains the level of world governance (not government) that is guaranteed by the functioning of international organizations, sectorial or universal in character.

Vital local power is a reality the world over. More and more, centralized states are looking for forms of federal or non-federal decentralization of power capable of reabsorbing tensions and addressing diversity without sliding into disintegration: The United Nations, in spite of all its problems, is much more than a forum for debate, and operates functioning institutions in fields as varied as security, development, and human rights: it is a vital part of world governance. Regional arrangements are moving from mere trade to politics. The case of the European Union is the most advanced and the most significant, so much so that the power of its member states – whether they like it or not, whether they realize it or not – is already drastically curtailed. What is even more relevant to our subject, EU partners have developed among themselves a new kind of diplomatic relations in which – though divergences of interest are still a reality – ethical behaviour is no less taken for granted than among actors within a national body politic; a type of diplomacy where "Machiavellians" are not only disapproved but – given the intrinsically cooperative nature of the system – cannot possibly manage to get very far in the pursuit of their diplomatic goals.

It is indeed by strengthening and continuing this growing vertical distribution of power in the international system that we will ensure a space for ethically compatible diplomatic action, because the institutional counterweights of a multi-layered system of governance – as well as the multiplicity of allegiances as opposed to the idolatric recognition of only one power (whatever that power may be) – are the best guarantees that the diplomat (as well as the judge, the soldier, or even the common citizen) will be able to resist the pressure to violate ethical norms because of a mistaken concept of duty and loyalty. This multi-layered system of power is not, and will never be, in a position of equilibrium. On the contrary, it will remain in constant tension, in need of continuous institutional adjustments, the theatre of frequent political reassessments. And yet, it is in this very tension that resides the best hope for a dignified and moral life for free and sociable individuals. As an Italian philosopher has written:

The European archipelago exists insofar as it faces a double danger: being resolved into a hierarchically ordained space/being dissolved into inhospitable, idiotic units, incapable of looking for one another, of calling one another, into parts that have no longer anything to partake.[56]

A space for ethics: Between self-preservation and self-denial

The previous section considered, in the search for compatibility between ethics and diplomacy, both legal norms and institutional arrangements, and tried to see how a space for ethics could be identified in their framework. It is time now, still in search of that controversial space, to focus on a more specifically ethical approach. Again, realists try to formulate the issue in starkly alternative terms: either a nation-state fights systematically (and regardless of moral principles) for self-preservation or, in that acceptance of the needs and reasons of others that is the essence of ethics, embarks on a path of self-denial leading to its gradual weakening – eventually to the point of extinction. The implications for the discourse on diplomacy are clear. Who are the diplomats who would consciously embark, on account of moral concerns, on a path leading to the weakening and possibly the extinction of their own country? If we phrase the question in these terms, ethics and diplomacy indeed look incompatible.

An answer to this dilemma – an artificial one, actually a case of intellectual blackmail – can be found in ethical theory at large, with no reference to the specific case of the nation-state. Self-preservation and survival are by no means the exclusive need of nation-states: they are first and foremost a primary urge/right of individuals. But who would maintain, in ethical theory, that self-preservation destroys the possible space for ethical behaviour? Concern – even love – for the other does not have to be contradictory with survival: on the contrary, survival is the evident precondition of ethical action. One of the most compelling enunciations of this concept is found in Vladimir Jankelevitch. According to this eminent French moral thinker, the territory of ethics can be located in the space between absolute love – self-denial to the point of self-destruction – and absolute being, by definition totally indifferent to ethics. Jankelevitch writes: "A being totally deprived of love is not even a being; a love without a being is not even a love."[57] As a consequence, a space for ethical behaviour can only be found by pursuing all the love that is compatible with the preservation of being.

Let us try to apply this principle to international relations, and specifically to diplomatic action. Nation-states can be actually threatened with extinction, so it would be preposterous to state that the only possible "ethically compatible" diplomacy is one of pacifism. Ethics demands that diplomacy be peaceful, yes – in the sense that there is a moral duty to try

to avoid violent conflict – but not pacifist, if we interpret this term in its most consistent meaning: the refusal to have recourse to armed force in all instances, even defensive ones. Chamberlain and Churchill are of course the archetypes of two different approaches to diplomacy, and more specifically to diplomacy in the face of a threat of aggression. And yet, if we take Great Britain as the historical subject, we see that morally, facing the Nazi challenge, the country demonstrated that it was willing, in order to avoid violent conflict, to go to the brink of self-denial, only to draw later the conclusion that there was no alternative to violent self-defence and self-affirmation. What is important to stress is that Chamberlain was deeply wrong *in fact* (wrong assessment of the adversary, of the possibility to stipulate solid agreements with him, of the fact that appeasement with Adolf Hitler could mean peace), but he was not wrong *in principle*. It is important to state this, especially since bellicose "realists" the world over have been using Chamberlain, ever since 1938, as a handy symbol to deny the legitimacy of the morally justified and politically rational search for alternatives to violent conflict. Cries of "Chamberlain!" resound whenever, from the Middle East to the Balkans, there are attempts to find an alternative to war.

Another important clarification concerns the very definition of survival. As mentioned above, the tendency of nation-states to declare as "vital" marginal chunks of real estate, or even symbols, is quite widespread – and yet it would be absurd if we were to take those claims at face value. Up to a certain point, a threat to survival entails subjective elements of appreciation, but the idea (the mainstay of nationalist agitation) that a barren rock in contested waters is vital for the survival of a country – and therefore diplomacy aimed at its preservation or acquisition for the homeland should not be subject to moral scrutiny – is too preposterous to be taken seriously.

The issue of survival, for nation-states, is often bound with that of identity – one additional problem for ethics, indeed, given the non-rational, non-negotiable nature of this deep psychological need. If we shift from survival (a debatable but substantive concept) to the more dubious concept of identity, moral discourse becomes even more complicated. In fact, one can rationally prove, in many if not most cases, that yielding – on the basis of both legal and moral considerations – to the claims and rights of others does not have to mean for a nation-state to go inexorably down the path to self-destruction.

But one cannot "prove" that even a minor event, psychologically charged with historical symbolism, will not irreparably mutilate (to use the language of nationalists) the very soul of the nation. Here, again, as in the case of survival, one should try to "deconstruct" nationalist claims and see what identity really means. National identity – a most complex,

many-faceted phenomenon – cannot be tied, if not ideologically, artificially, to a single specific item, be it a piece of land or a flag or a geographic denomination. In other words, national identity does not have to be idolatric. History knows of nations that have grown, shrunk, shifted in territory, and still maintain their own identity. To phrase it in philosophical terms, identity is about remaining *ipse* (a self that is preserved through time), not about staying *idem* (unchanged).[58] The sleight of hand of nationalist agitators consists in turning all modifications of *idem* (an inevitable phenomenon, both for individuals and for nation-states) into a threat to identity *ipse*, thereby mobilizing – regardless of any ethical consideration or limit – the violent defences of the allegedly threatened nation.

Ethical diplomacy: Proposals for an agenda

Facing war

In trying to identify an agenda for ethically compatible diplomacy one must necessarily start from the issue of war: definitely the most problematic, most highly charged of ethical questions in the international sphere. In moral terms, there is no doubt that "diplomacy for peace" is better than "diplomacy for war". But is any peace morally better than any war?

We have already seen that self-defence (a concept, to be sure, that should not be stretched to preposterous limits) gives individuals and nation-states unquestionable legitimization, not only legal but also moral, for the use of violence. One should note that Article 51 of the UN Charter reiterates this fundamental principle (*ad abundantiam*, one may note, since even without that article, self-defence would remain a valid principle, both legal and moral). But there is another case in which legality and morality show their interconnectedness. Recourse to military action (and this includes the diplomacy that is necessarily associated with it) can be morally defensible in so far as it is justified by international norms. This refers to enforcement action under Chapter VII: a kind of military and diplomatic action that has a coercive nature, and yet can be considered morally admissible.

Two considerations are in order at this point. The first is that at the present stage of international relations it has become extremely difficult to separate diplomatic and military means, so that the flat category of "war", with all its ethical implications, has become too unsophisticated for our present conceptual needs. What we have been seeing in the second half of the twentieth century is the intertwining of the military and the diplomatic dimensions, be it in enforcement of Chapter VII of the UN

Charter, peace-keeping, humanitarian action, and even – though for the moment, as an exception – in human rights (the Kurds in northern Iraq). With reference to contemporary international relations, the famous Clausewitzian dictum according to which war is the continuation of *politik* by other means should be revised both as concerns "war" and "other means", and should read: "Military action is one of the means of international politics." If this is so, then the fundamental ethical question in international relations is not about how to use diplomacy in order to prevent recourse to military means, but how to use diplomacy *and* military means in order to pursue ethically compatible political ends.

The second issue has to do with *jus in bello*, the rules and limits concerning the means used in warfare. In the first place one should remark that, with all the justified horror one feels facing the prospect of war, it would be not only a conceptual but also a moral fallacy to insist on putting war outside the law (and outside the field of ethics) in all cases. Putting war outside the law would mean, in practical terms, banishing the law from war. It would mean accepting the Hobbesian "state of nature" to which neither legal nor moral norms are applicable.

Moral debate on NATO intervention in Kosovo has indeed touched upon not only the justification for military action, but also the strategy adopted, in particular the consequences of the bombing of militarily relevant targets located in urban areas and the so-called "collateral damages" to civilians. And even people who have no doubt about NATO's right to conduct military action against Belgrade have expressed moral reservations as to the specific strategies, for example stressing that from a moral point of view land operations directed against enemy troops would have been less troubling than bombing from a distance that is safe for the pilots, but less so, in spite of all earnest and technologically supported efforts at precision, for the civilians living in the targeted areas.

This, however, does not concern military means only. In diplomacy, too, legitimacy as to *jus ad bellum* does not necessarily entail an exemption from moral scrutiny as to the application of *jus in bello*. The most interesting example has to do with sanctions. The fact that they have been legitimately imposed under the UN Charter does not mean that they cannot be judged according to ethical standards. Here legality and ethics can part company, in the sense that the standards of international ethics must be stricter, and more concrete, than those of international legality. From an ethical point of view, it is not sufficient to determine whether sanctions have been legally declared: the question to be asked is what are their consequences for human beings, for their suffering and survival, and for the possibilities of reconstruction and normalization of a given society. Very clearly we are dealing here with the "ethics of responsibility", and since responsibility is personal, no amount of reference

to the impersonal legal nature of the sanctions nor to the moral responsibility of other subjects (who might well be much more guilty than we are in determining the continuation of the sanction regime) will suffice to exempt us from the dilemma of moral choice.

"Ethical" diplomacy, however, is not only concerned with how to conduct legitimate military action. Its task can be more ambitious. It is diplomacy, indeed, that has worked through the years both for a definition of *jus in bello* and for a restriction of *jus ad bellum*. In both cases a moral inspiration has been more than evident, both in the motivation for diplomatic initiatives and in the very language utilized in the drafting of relevant international norms.

An ethically compatible diplomacy should thus not limit itself to "denouncing", "rejecting", or "outlawing" war – but rather should embark upon a patient, professionally conducted exercise aiming at the following objectives.

* Continue working on the definition of restrictive rules as to the admissible means of war. The ban of anti-personnel mines with the Treaty of Ottawa is an excellent example of the possible results of ethically motivated yet fully professional diplomacy, and a case in which national interest and ethical considerations have found (at least for most countries) an area of compatibility.
* In more general terms, though the triumph of universal and permanent peace seems utopian, diplomacy should pursue the morally urgent goal of banning a certain kind of conflict: that which aims not at the simple defeat, but at the extermination of the adversary. They are two radically different types of conflict, especially from a moral point of view.

The Greeks – starting with Plato – had the distinction so clear that they used two different words for war: *polemos*, meaning total war against the totally "other" (the non-Greek, the barbarian), and *stasis*, meaning violent but limited conflict between enemies who share a common culture, and who know that after the confrontation they will eventually return to coexistence and even cooperation.[59] Here is one more reason why "war" seems today an indiscriminate, inept term to describe present-day conflicts, in particular since it posits a conflict between the subjects of international law, nation-states. The reality is quite different, since most conflicts are today of an internal, non-international nature (though they do have international implications): diplomacy has had to adapt to these conflicts inside borders, and actually to revise its *modus operandi* and many of its principles. And, of course, it has had to face – witness the cases of Bosnia and Kosovo – a new set of ethical dilemmas.

The problem is that, whereas "classic" international war can be of the *stasis* type (witness, for a recent example, the Anglo-Argentine war over the Falklands/Malvinas), internal conflicts, with their charge of fear and

hatred, tend to turn into all-out *polemos*. What can diplomacy do in the presence of such ethically devastating transformation of the nature of conflict? It can do much. In the first place, it can further perfect the normative banning of the most repulsive and indiscriminate modes of conflict: genocide, ethnic cleansing, and systematic rape as an instrument of war. Then it can work towards better instruments for enforcement: the 1998 Rome Conference for the institution of a permanent International Criminal Court is a very relevant case of ethically inspired diplomacy. More generally, it can continue to work gradually towards a reappraisal of traditional priorities as to the fundamental principles of international law, in the sense that the threat that *polemos*-type conflicts entail to the life and dignity of human beings should be enough to justify – even in the absence of a "threat to international peace and security" according to the UN Charter – the relativization and overruling of the principle of non-interference.

Thus, from an ethical point of view, the task of diplomacy is not that of rejecting the reality of war: ethics, as this chapter has tried to stress, does not mean utopian pacifism. At the same time diplomacy cannot limit itself to coexistence with war while trying to limit the means employed in its conduction or ban its most inhumane forms. It can, and must, set its sights much higher, though in a gradual, politically credible way. The goal must be not that of "excommunicating" war, but of depriving it of political oxygen; not to deny the reality of contrast, even tough confrontation, between nation-states, but to supply alternative, non-violent paths to the solution of controversies.

An ethic of responsibility

Anyone who is interested in ethics will be familiar with Max Weber's famous distinction between an ethic of ultimate ends and an ethic of responsibility.[60] There is no doubt that, in so far as diplomacy is a branch of politics, when we speak of "ethical diplomacy" we are necessarily referring to an ethic of responsibility. Politics is in fact choice between alternative actions in view of their desired or feared consequences in a society. It would indeed be difficult, in the field of international relations, to imagine an ethic of ultimate ends – except, of course, in the framework of "fundamentalist" approaches that recognize no autonomous space for politics *vis-à-vis* religious inspiration and duty.

As Daniel Warner writes at the very outset of his book, however, one should not push too far the distinction between the two kinds of ethics, given the fact that Weber himself, writing about Luther, considers his typically non-consequentialist *Ich kann nicht anders* not as an alternative to, but as an extreme but logical development of, an ethic of responsibil-

ity.[61] This remark is extremely important for the discussion of ethics in diplomacy. "Responsibility" can in fact be interpreted in different ways. One is still self-referential, non-dialogic, ready to be converted into non-negotiable "ultimate-end" ethics. And, as the "self" can be presented as a collective entity, responsibility may actually turn into individual abdication from personal evaluation and judgement, and into passive delegation of power (and of justification) to "higher authorities": "the ethic of ultimate ends leaves the consequences with the Lord, and the ethic of responsibility leaves the result with the leader and his perception of how the consequences relate to his cause".[62]

But there can be another interpretation of the concept of responsibility. If we set aside the debate on ultimate ends (ends that are by definition non-negotiable, at times not even explicable to those who do not share the same ideological premises), and if we try instead to give an ethical appraisal to diplomacy on the basis of the criterion of moral responsibility, our task is complex but possible. Consequences of action (or, one should add, of lack of action) are not, though subject to interpretation and even controversy concerning actual facts, totally impossible to assess. Who would deny, for instance, that the consequences of international passivity towards the mounting crisis in Rwanda (1994) were such as to involve ethical responsibility on the part of those who could have acted and did not? Who would today criticize from a moral standpoint international diplomacy aimed at the termination of apartheid and the introduction of non-racial democracy in South Africa? Speaking of responsibility, of measurable consequences of specific actions, renders ethical discourse more concrete, less ideological, easier to be shared by a wide and diverse set of international subjects.

Central to the concept of responsibility is that of imputation (or "accountability", according to the prevalent English usage). It is a concept that is shared by both the legal and the ethical dimension, in so far as both law and ethics need the identification of a point of reference in the individual human being. Both in criminal law and in moral discourse, responsibility is always personal, so that it is impossible to attribute it to a collective body, be it the state, an association, or a corporate entity. Imputation, in other words, identifies responsibility, and the trail always leads to an individual subject. More specifically, imputation is opposed to causality, in that it defines – on the basis of the assumption of the freedom of the individual – a break in the causal chain.[63] Both law and ethics are based on this assumption, without which neither legality nor morality would be conceivable, since every consequence-generating human action could theoretically be presented (and justified) as being, in its turn, the effect of some preceding cause.

It is especially important to insist on this fundamental assumption in

the context of a discussion on ethics and diplomacy. Individual diplomatic officials have the tendency (as do all public officials) to present themselves in the image of a simple element inserted in a chain of command that operates according to the principle of causality, excluding thereby any possibility for ethical evaluation and moral responsibility. But of course they, no more than other human beings, have no right to be exempt from the principle of accountability and find refuge in the comfortable haven of irresponsible causality.

Imputation is thus a concept that is shared by law and ethics. But after having coincided on this specific point, law and ethics must now again part company; it must now be repeated once more that law and ethics are related, linked by reciprocal influence, but do not coincide. And indeed, the ethic of responsibility in international relations comes to the forefront whenever one leaves the strictly legal field.

We definitely do not need to talk of ethics in the presence of patent violations of international law, as the Iraqi invasion of Kuwait or cases of international terrorism. But take, for instance, the case of conventional arms sales. They are absolutely legal, except in cases when the buyer is under a sanctions regime. But since the selling state knows to what use those weapons are being put (ethnic wars, repression of their own population by dictatorial regimes, at times even the arming of groups that are on the borderline between political and criminal activity), ethics does become an issue. There may be no international legal responsibility deriving from the sale of arms that end up in the hands of opposed factions in East-Central Africa or in Sudan, but there is a huge moral responsibility.

Also, there is no legal prohibition to the carrying out of underground nuclear experiments by countries that have not accepted any treaty limitation to such sovereign prerogative. And yet such totally legal action can be (and is) subject to critical moral scrutiny, and criticism, in the light of the damage it can cause to the reduction, through non-proliferation, of the danger of nuclear confrontation – a goal that most countries, and most people, find morally defensible.

Since we are trying to address the subject of ethics and diplomacy with a contemporary focus, it is important to draw attention to a specific feature of our time that has a definite bearing on ethical responsibility. Today – given the accelerated development of all kinds of communications – we all know more about the international consequences of our acts. Thanks to television, in particular, we are practically forced to see what once we could try to avoid knowing: today there is very little sand left in which to stick our heads. We are daily confronted, in other terms, with very graphic summons to our responsibility even towards people living – and suffering – far away from us. More knowledge/more responsibility: and that is also true for diplomacy. The face of the other, who may be suffer-

ing or even killed because of our international actions or omissions, often looks straight at us from the TV screen.

Conclusion: Beyond responsibility

Paradoxically, at the end of this examination of the issue of ethics and diplomacy, we come to the conclusion not only that the widespread dogma of a sort of "moral exemption" of diplomacy is untenable, but that the ethical rules applicable to political action in the international sphere might actually be seen as extending beyond the classical definition of responsibility. The interconnectedness of the whole world, a product of economic globalization and communications technology, has increased to a once unthinkable level. Many of the things that are done, or not done, within a certain society have almost immediate repercussions at a distance of thousands of kilometres. In a way, we are now in a situation that has been described in the framework of "chaos theory", a theory that took its first steps when in 1979 a metereologist, Edward Lorenz, delivered at a scientific congress a paper entitled: "Predictability: Does the Flap of a Butterfly's Wings in Brazil Set Off a Tornado in Texas?"[64] In our present globalized world one can apply this paradigm well beyond metereology (and beyond physics in general), and extend it to human society. If we consider, for instance, the volatility of international financial markets, we realize that individual decisions taken in one country can rapidly and sometimes catastrophically impact on many others.

But who would declare the Brazilian butterfly guilty for the disaster in Texas? If there is no predictability (chaos is by definition non-predictable), how can there be responsibility? The author would like to suggest that today the fact of global interconnectedness demands, in international relations, ethical standards that go beyond a strict, legalistic concept of responsibility. The butterfly does not *know* about the consequence of the flapping of its wings; but the butterfly cannot *rule out* that consequence. We move here from responsibility to a related but more restrictive concept, that of precaution.

The "precautionary principle" has been developed, especially in Germany and France, with reference to environmental laws and the legal protection of public health.[65] According to such "precautionary doctrine", it is possible to consider responsible "not only those who have not taken preventive measures required by a known or predictable risk, but also those who, in case of uncertainty or doubt, did not take precautionary measures".[66]

In the field of diplomacy the "precautionary" extension of the principle of responsibility should be considered particularly relevant. The world is interconnected, but the "wiring" of this complex system is so complicated

and intricate that it is extremely difficult, if not impossible, to reconstruct a precise causal path for each individual action or omission. Indeed, the precautionary principle intrinsically deals with the problem of decisions in a situation of uncertainty, a rather adequate description of the quandaries of contemporary diplomacy. Moreover, if we go back to the original area in which the precautionary concept was first developed, that of the environment, we find that natural environment and "political" environment have a lot in common as to the duties they impose on each inhabitant. There is a sort of "international pollution" (harmful to others in terms of security or in economic terms) that we should always consider from a moral point of view.

A French author has written that the precautionary principle seems peculiarly fitting for the field of international law because "in international law the practice of recommendation – in part with recourse to general concepts with a strong ethical connotation – is all the more important as that of prescription is limited".[67] It is true that the constant exchange between international law and ethics creates a space where precautionary approaches can usefully be applied. Yet one would tend to maintain that international law at large (leaving aside the specific area of environmental protection)[68] should, for the sake of both political realism and legal guarantees, remain centred on the strict principle of accountability. But whereas it would be excessive, and in any case premature, to extend systematically the precautionary principle to the whole body of international law, if we shift to a moral discourse then this more demanding criterion is not only possible, but also necessary.

Morally, diplomacy should be held responsible, even outside a strict criterion of imputability, for that "international pollution" that is often the consequence of an insufficient precaution. One example will suffice. Even if we rule out specific breaches of international law or accountability for specific conflicts, would not a diplomatic approach consisting in an indiscriminate support of all separatist causes be responsible, according to the precautionary principle, for the "pollution" of the international political environment brought about by the proliferation of ethnic conflicts? Should we not, when acting in the diplomatic field, keep in mind worst-case hypotheses?

Our moral goal should be one of "zero damage" to others, including those living beyond our borders. Uncertain knowledge of the results of our acts is no excuse:

In the framework of traditional responsibility doctrine, an uncertain knowledge waives responsibility. If we apply the precautionary principle, the result is totally different: uncertain knowledge not only is no excuse, but must be seen as an incitement to prudence.[69]

A strict goal, indeed, and one that can never be fully attained, but can reasonably be pursued if – as advocated by philosophers from Spinoza to Hans Jonas – we are capable of following the precepts of the virtue of prudence.

Precaution, prudence, worst-case hypotheses, zero damage: are we not running the risk of implying that the only ethically compatible diplomacy is one of scrupulous abstention and negative self-restraint? The question is a serious one, since it would be practically disastrous, and morally questionable, if for the sake of an ethically irreproachable profile, diplomats the world over, facing tangled issues, crises, and conflicts, were to inscribe in their banners the famous Roman saying: *in dubio abstine* (when in doubt, abstain).

It is important here to clarify once more that, when speaking of all kinds of political action (diplomacy included), ethical scrutiny should be applied both to action and to omission. The "moral cost" of action, measured by its repercussions, should be considered in parallel with the costs of inaction. Responsibility and precaution should apply in both cases. This line of reasoning is particularly valid if applied to those international subjects which wield more power. In this case it quickly becomes evident not only that their responsibility must be considered as directly proportional to power, but also that their non-action can have as much international impact as their action. And since we are talking about moral and not legal duty, there is no reason why we should consider action differently from omission.

If we move, however, from the negative to the positive, if we posit not only a moral duty to abstain from causing harm, but also the duty to act in order to prevent it or put an end to it, should we not be widening our concept of responsibility to include solidarity? Is it not true that the first and most fundamental ethical precept can be derived *a contrario* from Cain's sinister disclaimer of responsibility? But if we are indeed our brothers' keepers, then no "zero damage", and no abstention from harming others, will suffice to fulfil our moral duty.

This remains true in the specific field of diplomacy, where the dimension of solidarity appears today to be the only one capable of supplying the moral, and also the operational, tools to cope with a chaotic, destructured yet thoroughly interconnected world. Because we are all "butterflies"; some with wide, strong wings, others tiny and apparently insignificant, but still capable of starting devastating processes. Thus knowing one another across borders, caring for one another's problems, recognizing one another's rights – and developing and applying a compatible diplomacy – is not only morally commendable, but it is the sign of a higher realism:
• because conflict, wherever it happens, does not threaten only contiguous areas, but poisons the very blood of the international body politic;

- because beggar-thy-neighbour economic and commercial strategies are demonstrably self-defeating in a globalized world economy;
- because human rights violations generate conflicts that disrupt normal international life;
- because huge (and sometimes growing) differentials of development induce – together with the effect of conflicts – massive and irregular movements of destitute people who usually end up knocking on someone else's door.

If this is the reality, and if moral considerations coincide with self-interest in inducing us to address it on the basis of solidarity, then ethical diplomacy is thus not to be put in contrast with *realpolitik*; it is not utopia but rationality.

The author would like to suggest that in the field of international relations moral principles may also be interpreted under the same "functional" optic that is applied within each domestic framework, where nobody denies that ethics is an indispensable foundation for society. Moving beyond the narrow vision of the national interest – the exact equivalent of individual interest in domestic theory – we should finally be able to see, abandoning the strong state-centric ideology that still dominates the international discourse, that there is a sort of "evolutionist advantage" for those states that are capable of harmonizing the pursuit of legitimate national interest with ethical criteria.

It is indeed bizarre that in international theory the prevailing "realist" school has continued maintaining to this very day that the best diplomacy is one that is practically deaf to all moral considerations and that only pursues self-interest. This approach, even leaving aside all moral considerations, appears incredibly dogmatic and short-sighted. Not only, in fact, does it not consider the fact of reciprocity in unethical diplomacy, a factor not to be underestimated which puts each, alternatively, on the receiving end of immoral international behaviour; but even if we want to stick to the primitive "law" of survival in a tough, evil world (which would mean, incidentally, that the worst guy determines the ethical level of all), we should still consider the systemic level.

Immoral diplomacy affects and undermines the very foundation of international norms, thereby weakening an international system which even the most powerful states need as the necessary framework for the pursuit of their fundamental interests in terms of security and prosperity. Thus this ethics-incompatible diplomacy ends up being harmful to the very national interests it purports to defend, so that perhaps one could suggest, answering the diplomat quoted at the beginning of this chapter, that the true oxymoron is "unethical diplomacy".

But as it is usually the case, theory is challenged by events rather than by contrary theory. The writer would like to conclude by referring to the

1999 conflict over Kosovo: a conflict that will certainly entail deep and lasting consequences for international relations in Europe and beyond. One can advance the hypothesis that the consequences for the issue of ethics and diplomacy will be as deep if not deeper. Because of this conflict, ethical considerations have been elevated more explicitly than ever before to the status of a decisive factor in the conduct of foreign policy up to and including the decision to have recourse to military force. One must point out, on the other hand, that there is still a lot of (understandable) reluctance on the part of those responsible for foreign policy in each country to define moral considerations not only as decisive, but as overriding all other concerns. Moral argument, if formulated in absolute terms, risks of course binding those who handle it without sufficient care in ways that can be dangerous if applied consistently, or leave them exposed to criticism of "double standards" if not.

Thus it is important to note that ethical motivations for the intervention against Serbia are not formulated in absolute terms outside a wider context. Repeatedly, allied leaders (starting with President Clinton)[70] have referred to a double motivation for intervention over Kosovo: the moral urge not to allow Serb atrocities, and the "realist" goal of preventing geopolitical destabilization and widening conflict in the Balkans.

Definitely, the issue is far from being easily addressed, because firstly NATO action has been from its very inception subjected to scrutiny on the basis of ethics-of-responsibility criteria (What are the results? What are the costs in human terms?),[71] and secondly because combining "ethical" and "realist" motivations for military (and diplomatic) action brings about a sort of "overdetermination" that can be very problematic to assess in its exact mix of components and in its credibility.

On 22 April 1999, in Chicago, Prime Minister Blair was the one to put the question in its most explicit terms, when, referring to the "simplicity" of the Cold War, he said: "Now our actions are guided by a more subtle blend of mutual self-interest and moral purpose." A "subtle blend", indeed, and one that will engage – even tax – our moral temper and our political skills for many years to come, especially until we are able to perfect international institutions capable of channelling our moral impulses through mechanisms that are more effective and less arbitrary than the present ones.

In any case, something that Tony Blair went on to say in the same speech is definitely not controversial: "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 interest too. The spread of our values makes us safer."[72]

The ethical justification for the war over Kosovo has been strongly challenged, not only by pacifists but also by "realists" denouncing the

dangerous and erratic nature of ethics as a guiding principle of diplomacy (and of war). Yet, beyond the merits of the present debate, it can be said that after the conflict over Kosovo the discussion of "ethics *in* (rather than *and*) diplomacy" will remain open, and will be considered not only by politicians, but also by the traditionally reluctant practitioners, as a legitimate, inescapable, and even indispensable one.

Notes

1. On the level of propaganda, on the contrary, the enemy tends to be negatively described in Machiavellian terms. See for instance President Reagan's assertion, referring to Soviet leaders: "they reserve the right unto themselves to commit any crime, to lie, to cheat". Quoted in Der Derian, J., 1987, *On Diplomacy*. Oxford and Cambridge, MA: Blackwell, p. 1.
2. Actually, "that a discipline within which normative issues arise so often, should fail to take normative theory seriously is a paradox that calls for critical investigation". Frost, M., 1996, *Ethics in International Relations. A Constitutive Theory*. Cambridge: Cambridge University Press, p. 5.
3. Comte-Sponville, A., 1994, *Valeur et vérité. Etudes ciniques*. Paris: Presses Universitaires de France. See in particular the chapter "Morale ou éthique?", pp. 183–205.
4. For a detailed discussion on this point, with special reference to the philosophy of Emmanuel Levinas, see Toscano, R., 1998, "The Face of the Other: Ethics and Interethnic Conflict", in Weiner, E. (ed.) *The Handbook of Interethnic Coexistence*. New York: Continuum. For English readers, a good way of approaching Levinas's vast body of works is Hand, S., ed., 1989, *The Levinas Reader*. Cambridge, MA: Blackwell.
5. Der Derian, note 1 above, p. 42.
6. It has rightly been remarked that realism enjoys "an institutionally entrenched position". Frost, note 2 above, p. 21.
7. Forde, S., 1993, "Classical Realism", in Nardin, T. and Mapel, D. R., eds, *Traditions of International Ethics*. Cambridge: Cambridge University Press, p. 62.
8. For a detailed listing of realist arguments against normative (ethical) approaches to international relations see Frost, note 2 above, p. 41ff.
9. See in particular Kennan, G., 1985–86, "Morality and Foreign Policy", *Foreign Affairs*, Winter, p. 206.
10. Hobbes, T., 1996, *Leviathan*. Oxford: Oxford University Press, Part 2, XXX, 30, p. 235.
11. Berlin, I., 1980, "The Originality of Machiavelli", in *Against the Current. Essays in the History of Ideas*. London: Hogarth Press, pp. 25–79.
12. Hampshire, S., 1989, *Innocence and Experience*. Cambridge, MA: Harvard University Press. p. 165. Terry Nardin also rejects the "extra-moral" claim of realism, bringing it back into the area of moral debate: "As a moral argument, realism amounts to a claim that the reasons for overriding the constraints of ordinary morality in emergency situations are themselves moral. There is, in other words, a higher law that legitimizes bowing to the necessities of national survival, one that requires that these ordinary constraints be set aside when the state is threatened with catastrophe." Nardin, T., 1993, "Ethical Traditions in International Affairs", in Nardin and Mapel, note 7 above, pp. 15–16.
13. Ricoeur, P., 1990, *Soi-même comme un autre*. Paris: Seuil, p. 284.

14. Trotsky, L., 1997, *Their Morals and Ours. The Class Foundation of Moral Practice*. New York: Pathfinder.
15. Banfield's description of "amoral familism" in the culture of a southern Italian village clearly identifies, rather than an absence of morality as such, a pattern of different moral allegiance, so that the very definition turns out, after all, to be a misnomer. See Banfield, E. C., 1958, *The Moral Basis of a Backward Society*. Chicago: Free Press.
16. To go the the most extreme case, here are two amazing but authentic rationalizations by Mafia killers. Giovanni Brusca, who admits among other crimes to having killed the 14-year-old son of a *mafioso* turned police informer, justified himself as follows: "I never killed for personal reasons, but only for Cosa Nostra." (*ANSA*, 30 July 1997). Gaspare Mutolo, another *mafioso*, who admits to having killed with his own hands at least 20 people, explains: "For someone who is a member of the Mafia, it is natural to go and kill. Those who do it act out of duty, of solidarity, a spirit of community." (*La Repubblica*, 31 May 1996).
17. Hobbes, note 10 above, Part 2, XVII, 2, pp. 111–112. This author agrees with Frost (note 2 above, p. 163) when he writes: "My contention is that the questions about the justification of unconventional forms of violence are in the same class as questions about the justification of war."
18. Spinoza. *Ethics*, Part III (Of the Origin and Nature of Feelings), Propositions VI, VII, VIII, and IX. Here we are not just facing a variant of possible ethical options, but something much more radical. In fact, whereas ethics is by definition exclusively human, *conatus essendi* (the striving for the preservation of being) is, according to Spinoza, a property of "things" in general. In other words, if *conatus essendi* – naturalistic laws on a par with the laws of thermodynamics – is the only or the absolutely overwhelming guiding principle for action (both individual and group), this evidently makes all ethics – and also legality – inconceivable.
19. Lewis, B., 1988, *The Political Language of Islam*. Chicago: University of Chicago Press, p. 73.
20. Hobbes, note 10 above, Part 1, III, 8.
21. Forde, note 7 above, p. 65. Machiavelli, an advocate of preventive strikes, writes: "war is not removed, but postponed to the advantage of others" (*The Prince*, III, 8).
22. In a 1952 dispatch from Moscow, George Kennan wrote: "Russian political leaders have usually operated against a background of uncertainty and anxiety with respect to domestic political and economic conditions which heightened their congenital sense of insecurity and caused them to wish for a larger margin of numerical safety in armed strength than would be thought necessary elsewhere." Kennan, G. F., 1972, *Memoirs 1950–1963*. New York: Pantheon Books, p. 335. See also Mastny, V., 1979, *Russia's Road to the Cold War*. New York: Columbia University Press.
23. For a brief but substantial discussion of the theme of national interest and its ethical implications, see Donnelly, J., 1993, "Twentieth-century Realism", in Nardin and Mapel, note 7 above, pp. 91–93.
24. Quoted in Donnelly, *ibid.*, p. 93.
25. It seems interesting to note that the concept of sovereignty has been utilized by thinkers, from Nietzsche to Bataille, who have radically challenged moral constraints imposed on the individual: like the sovereign state, the sovereign individual is self-referential and recognizes no limitation in the pursuit of self-appointed ends.
26. "To say that a state is sovereign does not commit us to saying that it is wrong or pointless to discuss what norms it ought to follow in its dealings with other states. Any suggestion that it is probably rests on some confusion about the relationship between power and moral norms." Frost, note 2 above, p. 91.
27. Halbertal, M. and Margalit, A., 1992, *Idolatry*. Cambridge, MA: Harvard University

Press; Halperin, J. and Levitte, G., eds, 1985, *Idoles, Actes du XXIV colloque des intellectuels juifs de langue francaise.* Paris: Denoel. See in particular Riveline, C. ("Les differentes formes de l'idolatrie dans la Bible et aujourd'hui"), who writes that "idolatry is not the worship of a false value. Idolatry is a disproportionate importance given to one of the components of truth" (p. 26).

28. Pascal, 1954, "Pensées, 244", in *Oeuvres complètes.* Paris: Gallimard, p. 1153.

29. Lynch, C., 1994, "Kant, the Republican Peace, and Moral Guidance in International Law", *Ethics and International Affairs,* Vol. 8, p. 39.

30. True believers in globalization have fallen in love with a certain "TINA" (acronym for "there is no alternative"). According to a pamphlet published by Royal Dutch Shell, globalization has created a world without alternatives, the world of TINA. See Royal Dutch Shell, 1997, *Global Scenarios 1995–2000.* Geneva: Royal Dutch Shell.

31. "Cold War politics was such that there seemed little point in studying international ethics." Frost, note 2 above, p. 5.

32. *Ibid.,* p. 53ff.

33. Though "fundamentalism" is the most common definition of the phenomenon in the English language, at times it seems better to use the hardly translatable French expression, *intégrisme.* Fundamentalism, in fact, etymologically refers to a strict adherence to the fundamental, traditional tenets of a religious doctrine, whereas the peculiar essence of the contemporary "fundamentalist" phenomenon consists in the denial of every and each sphere of individual and social autonomy with reference to a global, integral religious/moral precept that allows no separate "domain of discourse", no distinct "sphere" or "order".

34. From Eichmann to Papon, there exists a disturbing coincidence, whatever the specific culture and ideology within which each individual operates, among this kind of *fonctionnaires* who ask no questions (especially of a moral nature) but just perform whatever is required of them.

35. It is important to recall that at the Nuremberg trial the argument of "superior orders" claimed by the lawyers of the Nazi defendants was rejected by the court as a cause for non-responsibility, and retained only as a mitigating circumstance. See Best, G., 1994, *War and Law Since 1945.* Oxford: Oxford University Press; see in particular pp. 188–206. Most relevant to this discussion is the case of Ernst von Weizsaecker, state secretary of the German Foreign Ministry from 1938 to 1943. On trial at Nuremberg, von Weizsaecker was eventually acquitted on the first count of his indictment ("crimes against peace"), but convicted on the second ("crimes against humanity") because, according to the court, his silence on the policy of extermination of the Jews amounted to "consent to the commission of murder". Walzer, M., 1977, *Just and Unjust Wars.* New York: Basic Books, pp. 292–296.

36. In assessing "how the theory of political duty applies to foreign policy", Rawls, in a chapter titled "The Justification of Conscientious Refusal", writes: "Given the often predatory aims of state power, and the tendency of men to defer to their government's decision to wage war, a general willingness to resist the state's claims is all the more necessary." Rawls, J., 1983, *A Theory of Justice.* Oxford: Oxford University Press, pp. 377–382.

37. Arendt, H., 1963, *Eichmann in Jerusalem. A Report on the Banality of Evil.* New York: Viking; Zuccotti, S., 1987, *The Italians and the Holocaust.* New York: Basic Books.

38. See in particular Steinberg, J., 1991, *All or Nothing. The Axis and the Holocaust 1941–43.* London and New York: Routledge.

39. The heroic role of the Swedish diplomat Raul Wallemberg in Hungary is well known. But – and allow this author, a diplomat, to interject a passionate "luckily" – there are many other stories of diplomats who, facing the monster of the Holocaust, put ethics

first; for instance Chiune Sugihara, Japanese consul in Lithuania during the Second World War. As is true also in the case of Italian diplomats in the Balkans, there are legitimate historical debates on the real nature of the instructions that individual diplomats may have received in those complicated times, and doubts have been voiced on the real nature and motivations of Sugihara's action in favour of the Jews. In any case, one hears a ring of truthfulness from the Japanese diplomat when he writes, with typical diplomatic understatement: "People in Tokyo were not unified ... So, I made up my mind not to wait for their reply. I knew that somebody would surely complain to me in the future. But I myself thought this would be the right thing to do. There is nothing wrong with saving many people's lives." Quoted in Sayle, M., 1997, "Sugihara's List", *New York Review of Books,* 4 December, p. 46. This author, second secretary at the Italian embassy in Santiago at the time of the 1973 coup, can testify to the fact that, even before instructions could be received from capitals, many diplomats thought that "there was nothing wrong with saving many people's lives" and took the initiative to give refuge in their embassies to Chilean citizens pursued by the *golpistas.*

40. Der Derian, note 1 above, p. 2.

41. It is interesting to note that George Soros applies this sort of distinction when explaining his own behaviour as an operator in the international financial system, playing by the existing rules out of self-interest while advocating, on the basis also of ethical considerations, a change of those very rules: "I think one should distinguish between competing by a given set of rules and the process of making and improving those rules. When it comes to making the rules, I'm guided by the common interest. And when it comes to competing, I'm guided by my self-interest." Soros, G. and Madrick, J., 1999, "The International Crisis: An Overview", *New York Review of Books,* 14 January, p. 40.

42. Quoted in Lynch, note 29 above.

43. Welch, D. A., 1994, "Can We Think Systematically About Ethics and Statecraft?", *Ethics and International Affairs,* Vol. 8, p. 35.

44. Nardin and Mapel, note 7 above, p. 13.

45. Jones, D. V., 1993, "The Declaratory Tradition in Modern International Law", in *ibid.,* p. 42ff.

46. Quoted in Donnelly, note 23 above, p. 94.

47. Nye, J. S., 1990, *Bound To Lead. The Changing Nature of American Power.* New York: Basic Books. Nye rejects the very distinction between values and interests in foreign policy, stating that "values are simply intangible interests". "Being Tough To Be Kind", *Financial Times,* 27 May 1999.

48. Martin Wight writes: "Powers have qualitative differences as well as quantitative, and their attraction and influence is not exactly correlated to mass and weight. For men possess not only territories, raw materials and weapons, but also beliefs and opinions. It is true that beliefs do not prevail in international politics unless they are associated with power. But it is equally true that power varies very much in effectiveness according to the strength of the beliefs that inspire its use." Quoted in Der Derian, note 1 above, p. 4.

49. Jones, note 45 above, p. 44–45.

50. Walzer, note 35 above, xvii.

51. Article 2.7 of the UN Charter reads: "Nothing in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter."

52. Article 2.7, in fact, goes on to say: "... but this principle shall not prejudice the application of enforcement measures under Chapter VII".

53. Since we are speaking of Africa, we can note that the principle of non-intervention has never been considered by European countries as an impediment to military action

carried out periodically to rescue nationals (and not only nationals) in cases of internal chaos and military confrontation.

54. "No human nature is capable of governing alone things human without being filled with injustice and *hubris*." Plato, *The Laws*, IV, 713 c–e.

55. Kant, I., 1971, *Zum Ewigen Frieden*, English translation in Reiss, H., ed., *Kant's Political Writings*. Cambridge: Cambridge University Press.

56. Cacciari, M., 1998, *L'Arcipelago*. Milan: Adelphi, p. 21.

57. Jankelevitch, V., 1981, *Le paradoxe de la morale*. Paris: Seuil, pp. 88–90. For a more detailed analysis of this point, see Toscano, note 4 above, in particular pp. 76–77.

58. Ricoeur, note 13 above, p. 368.

59. On the nature and classification of present-day conflicts, see Toscano, R., 1998, "An Answer to War: Conflicts and Intervention in Contemporary International Relations", in Weiner, note 4 above, p. 263.

60. For a thorough examination of this issue, see Warner, D., 1991, *An Ethic of Responsibility in International Relations*. Boulder and London: Lynne Rienner. It is very interesting – but outside the scope of the present chapter – to examine the cultural and religious roots of this ethical approach, which is definitely the product of Protestant moral debate between Luther's "*Ich kann nicht anders*" (I cannot otherwise) and Kant's concept of *Zurechnung* (imputation of acts and their consequences). See also Ricoeur, P., 1995, *Le Juste*. Paris: Editions Esprit, in particular the chapter "Le concept de responsabilité", pp. 41–70.

61. Warner, note 60 above, p. 14.

62. *Ibid.*

63. "Imputation of man does not take place because he is free, but he is free because of imputation." Hans Kelsen, quoted in Ricoeur, note 60 above, p. 50.

64. On chaos theory, see Kellert, S. H., 1993, *In the Wake of Chaos. Unpredictable Order in a Dynamical System*. Chicago: University of Chicago Press.

65. Godard, O., ed., 1997, *Le principe de précaution dans la conduite des affaires humaines*. Paris: Editions de la Maison des sciences de l'homme.

66. *Ibid.*, p. 20. It should be pointed out, here, that we are not dealing only with doctrine, but also with actual legislation. For instance, a French law on the protection of the environment (Art. 1 of Law 95–101 of 2 February 1995) states: "the absence of certainties ... must not delay the adoption of measures aiming at the prevention of a risk of serious and irreversible damage". Quoted in Martin, G. J., 1997, "Précaution et évolution du Droit", in Godard, *ibid.*, p. 331.

67. Gilbert, C., 1997, "La précaution dans l"empire du milieu'", in Godard, *ibid.*, p. 323.

68. In the field of international environmental norms, the precautionary principle has been incorporated in texts from the Treaty of Maastricht (Art. 130) to the Rio Declaration (Principle 15). See Martin, note 66 above, p. 335.

69. Ewald, F., 1997, "Le retour du malin génie. Esquisse d'une philosophie de la précaution", in Godard, note 65 above, p. 115.

70. "It is not only the morally right thing for America, it is the right thing for our security interests in the long run." President Clinton's speech on Kosovo to veterans of foreign wars, 13 May 1999. The text can be found in: http://www.usia. gov/cgi-bin/washfile/display.pl?p=/products/washfile/topic/intrel&f=9905121/05/99

71. "After what was done a half-century ago to another European minority, the Jews, this intervention may even be held to have been a necessary decision by West Europeans and Americans. Morality, however, is qualified by the question of efficacy. Has NATO accomplished anything that has helped the Kosovars? [...] The only moral justification for NATO's initial intervention was the protection and the rescue of civilians. To have subsequently killed from a great distance, while assuring NATO safety at the cost of

civilian suffering, has been dishonoring." Pfaff, W., 1999, "Overlooking Kosovo's People Hurts NATO's Case", *International Herald Tribune*, 13 May. "NATO was not wrong in principle to intervene. But to be justified, in practice, its intervention had to have a good chance of improving the outcome." Wolf, M., 1999, "The Road to Hell", *Financial Times*, 7 April. "NATO's intervention is undoubtedly a just cause. But in order to judge the morality of a war, one also has to take into account two other considerations: Are the values destroyed in the war less important than the values defended? Is there, as the Christian just-war doctrine also requires, a reasonable chance of success?" Hoffmann, S., 1999, "What Is To Be Done?", *New York Review of Books*, 20 May.

72. The full text of Tony Blair's speech can be found at http://www.fco.gov.uk/news/speechtext.asp?2316