Ethical concerns have always been part of international affairs. "I will grant the Ammonites no reprieve, because in their greed for land they invaded the ploughlands of Gilead," the Lord says in Amos 1:13, and his anger is perfectly intelligible to us. There are times when such judgments are out of fashion, but disdain for them is never permanent. Current judgments of the rights and wrongs of foreign policy are affected by past efforts to articulate the legitimate claims of political communities, to lay down rules for civilized diplomacy, to distinguish just and unjust wars, and to establish procedures for the peaceful settlement of international disputes. Even the issue of distributive justice, though new to the international agenda, has a long history in political thought. When we argue about international affairs we draw directly or indirectly on established traditions of ethical discourse.

The premise of this volume is that our understanding of the ethical dimension of international affairs would be enlarged by a better understanding of the traditions of conduct and inquiry that shape debate in this field. What are these traditions? How do they understand the proper ends and means of foreign policy and the moral basis of international order? What can we learn by comparing them? Can we identify areas of convergence? What differences persist both within and between traditions? By asking questions like these, we focus attention on the intellectual heritage that underlies our arguments about the ethics of international relations.

The moralist may want to reclaim a forgotten or corrupted tradition in order to use it, while the historian can be satisfied with nothing more (or less) ambitious than a better understanding of the past. In neither case, however, is the heritage to be recovered something we must regard with uncritical deference. One can be interested in a tradition without being a traditionalist. Ethical traditions are traditions of argument, not uniform and unchanging doctrines. This is as true of the traditions of inquiry that shape moral philosophy—like utilitarianism or natural law—as it is of the practical traditions of moral judgment.
Ethical judgment and ethical inquiry

We usually think of ethics as a branch of philosophy, but other eras and civilizations have treated ethical concerns as an aspect of law or theology. Medieval thought, for example, did not make the sharp distinctions Westerners later established between ethics, law, and religion, and such distinctions are still alien to Islam. In seventeenth-century Europe, ethical books were often manuals of religious casuistry; a century later, readers in search of ethical guidance could turn to the epistolary novel. We must not confuse the narrow understanding of ethics that prevails in modern Western societies with the full range of ethical concerns. And we should be particularly careful to avoid defining ethics as moral philosophy.

Moral philosophy is systematic. Philosophers want to put the precepts of received morality into some sort of consistent order. They interpret morality as a system of general principles and try to discover a rational foundation for this system. Ethics, in the hands of the philosopher, turns into ethical theory. To some extent this is the unavoidable consequence of thinking methodically about ethical experience, and the present volume offers many examples of this process at work. But it is nevertheless an error to think that an ethical outlook or tradition is, in essence, a theoretical system of general principles. Like the law, ethics involves principles, but it also involves the interpretation and application of these principles by particular persons in particular circumstances. Philosophers are not, of course, unaware of this; on the contrary, the point is central to the arguments of Aristotle, Aquinas, Kant, and many other moral philosophers. But it is in the nature of philosophy to be more interested in the general than in the particular, and so it is not surprising that ethics often becomes a search for moral principles rather than a study of how such principles are applied in particular cases.¹ Nor is it surprising that philosophers are seldom interested in describing and classifying ethical traditions, as a linguist or ethnographer might classify languages or cultures. The contributors to this volume are concerned with the sort of philosophical analysis just mentioned, but they are also concerned with the historical circumstances and characteristics of the traditions they examine.

Ethical traditions are resilient but not immutable practices that are constantly modified in use. To think ethically is to move back and forth between the general and the particular – to draw upon general principles in reaching particular judgments and decisions and, at the same time, to revise those principles in the light of the particular circumstances in which they are used. Ethics involves principles but it also involves interpretation, choice, and action. And this points toward the importance of judgment in interpreting principles and in choosing and acting on the basis of these interpretations. Let us therefore consider what is involved in making an ethical judgment, without assuming that focusing on judgment is the only approach to the subject of ethics.

What does it mean to call a judgment “ethical”? Why speak of “ethical judgments” rather than, say, “moral judgments”? It is probably pointless to demand that these expressions be consistently distinguished, partly because the words “ethics” and “morality” are in fact used in many different ways, often as synonyms, and partly because philosophers, like parliamentarians or diplomats, fear that the resolution of substantive issues will be determined by the vocabulary in which the issues are framed. For the sake of clarity, however, I will mostly use “ethics” to refer to a wide range of considerations affecting choice and action and “moral” for the more limited realm defined by rules of proper conduct. In many contexts, “morality” is in fact the narrower term, for, unlike “ethics,” it refers to a distinct institution, one that “demands a sharp boundary for itself” (Williams 1985, 7). The institution of morality is particularly concerned with duties that arise from the rules or precepts that constitute it, whereas

¹ For an argument that the analysis of cases is fundamental to ethics, see Jonsen and Toulmin (1988). Fullinwider (1988) argues the advantages of the case approach for teaching ethics.
the ethical realm also includes a concern with ideals and ends that go beyond these duties, and especially with the outcomes of action. This concern with outcomes, which is forward-looking, pulls against morality's concern with existing rules and duties. By adopting an inclusive definition of "ethics" I mean to include within the range of ethical concerns much that is important in politics and international affairs that would not, in my definition, count as moral.

If the domain of ethics is so large, it is not surprising that no ethical theory is able, for long, to sustain its claim to provide a comprehensive account of this domain. One should be particularly suspicious of efforts to define ethical judgments as judgments that balance all the various kinds of considerations — moral, prudential, utilitarian, legal, religious, aesthetic, and so on — that might bear on practical choice. According to this approach, a sound ethical judgment is one that reflects the most comprehensive view we can manage regarding our practical choices, as if there were only one such view. Fewer questions are begged by the suggestion, adopted here, that ethics includes many different kinds of concerns and that these concerns are not necessarily reconcilable.

If we adopt this inclusive conception, then ethics is not limited to judging acts to be morally right or wrong. Some ethical judgments are "moral" in the restricted sense that they involve the application of principles of right conduct, but others are concerned with acts as desirable or undesirable according to the outcomes they produce, or as virtuous or vicious according to the character they display. All these judgments can be either prospective or retrospective, and can be made from the perspective of the agent or the spectator. And, as the various chapters of this volume make clear, one can judge policies, institutions, and ways of life, as well as individual actions and character.

Furthermore, ethics is not limited to making judgments. We not only make ethical judgments, we try to understand them. So another kind of activity that is part of ethics involves studying various kinds of ethical judgment and the considerations underlying them. If we do this, we are engaged in ethical inquiry rather than in ethical evaluation. We are engaged with ethics as a branch of knowledge. We are not doing only "moral philosophy," however, both because ethics is concerned with other things besides morality, and because it pursues these concerns by a variety of methods, of which philosophy is only one. We can study the moral practices of particular communities or civilizations, and thus set out to write a history or ethnography of morals. Or we can study moral beliefs in relation to factors like age, gender, or social class, thereby becoming sociologists of morals. Some disciplines are particularly concerned with the rationality of ethical judgments (economics, philosophy, political theory), others with their authority (jurisprudence, moral theology).

There is a strong tendency in some of these disciplines to challenge the view that ethical judgment involves interpretation. One of the advantages of the idea of tradition in the study of ethics is that it focuses attention on the interpretive dimension of ethical judgment. This is salutary, for judgment does indeed entail interpretation. The arguments supporting this claim are straightforward. First, in judging one necessarily applies standards of judgment and this application involves interpretation. Second, in making ethical judgments we judge conduct, and conduct is meaningful. It exhibits intelligence and embodies intention and choice. Intention and choice in turn presuppose a conception by the agent of the act to be performed and of the ends sought in choosing and acting, as well as a social context within which these choices are made and have consequences. In other words, conduct involves concepts and concepts have meaning. And meaning implies interpretation.

Although the metaphor can be pushed too far, in some respects human conduct is indeed like a text: it must be interpreted to be understood and it can be interpreted in different ways. Like biblical hermeneutics, jurisprudence, literary criticism, and other disciplines concerned with textual interpretation, ethics resists reduction to a single story or method. In all the interpretive fields, we need to pay close attention to our "text" (whether it is the words on a page or the actions and practices of real people), but we cannot decode that text in a way that is authoritative in all contexts. Even in a given context it is often hard to agree for long what authoritative decoding would mean: interpretations are regularly challenged and often modified if not overthrown. We should realize that, in ethics as in literature, asking different questions will produce different answers and that it makes sense to ask as many questions as seem relevant to us. We don't have to be critical purists, either as judges of conduct or as readers of narratives. We can be eclectic, and we can be individual. We should know when the questions we ask reflect personal concerns, but that need not stop us from asking them.

In ethics and political theory, and perhaps in literature too, this kind of talk invites the charge of "relativism." Although no reading of a text is unchallengeable, and every text worth thinking about will probably continue to generate new readings, this does not mean that all readings are equally good. Likewise, although actions can be interpreted and evaluated in many different ways, it does not follow that
judgment is completely subjective. On the contrary, the clash of different judgments raises rather than banishes the question of their relative merits. Disagreement invites inquiry into the claims for each position and, indeed, where conduct is at issue, demands it. In both literature and ethics, judgment is linked to rational inquiry within the traditions of interpretation and debate that give shape to literary and ethical experience.

Ethical tradition

Let us look more closely at the idea of an ethical tradition. The word “tradition” comes from the vocabulary of law. It once referred to the act of handing over—delivering, transferring—a material thing to another person. The idea of relaying or communicating nonmaterial things like stories, beliefs, and customs is a generalization of this more limited legal concept. And what can be handed over can also be handed down from generation to generation. If tradition is the process of handing down then, by extension, a tradition is the thing handed down, the belief or custom transmitted from one generation to another. And this leads us to the conception of a tradition as a long-established practice possessing something like the force of law, a practice that is authoritative precisely because of its status as a tradition.

More needs to be said about two aspects of the idea of tradition. First, we need to consider the defining attributes of tradition. What does it mean to call a practice a “tradition”? Are all practices traditional? If not, what makes a particular practice traditional? And, second, what is the relation between tradition and judgment? Is ethical judgment necessarily a matter of tradition? Are all ethical perspectives to be understood as traditions, or would it be more accurate to say that some are traditional, while others are not traditional or even antitradiotional? The first set of questions is discussed in the remainder of this section, the second later in the chapter.

The ordinary understanding of tradition as an inheritance has been summed up by Martin Krygier as involving the authoritative presence of a continuously transmitted past. There are three elements in this definition. The first is that tradition looks to the past: “the contents of every tradition have, or are believed by its participants to have, originated some considerable time in the past.” The second element is the authority within some community of an inherited practice or belief: its traditionality “consists in its present authority and significance.” And, finally, there is the element of continuity in transmission:

A tradition “must have been, or be thought have been, passed down over intervening generations” (Krygier 1986, 240).

Notice that the definition emphasizes subjectivity: a practice can be traditional within a community if members of that community believe it to be an ancient and continuously practiced inheritance, and if its present devotees acknowledge its authority. It allows possibilities that would be excluded by a more objective definition of tradition stressing the actual antiquity and continuity of a belief or custom. As Eric Hobsbawm has suggested, “‘traditions’ which appear or claim to be old are often quite recent in origin and sometimes invented” (Hobsbawm and Ranger 1983, 1). This raises the possibility of “invented tradition”—practices revived or even fabricated, that have emerged rapidly or have even been formally instituted, to which ancient origin and continuous transmission have been mistakenly or disingenuously attributed.

The concept of invented tradition is particularly important for the study of nationalist movements, which often encourage the construction of a past to fit currently favored political conceptions and programs (Hobsbawm and Ranger 1983, 13; Kedourie 1970). Historical criticism has repeatedly revealed the traditions of nations to be fictional. But there is probably an element of invention in every tradition that draws authority from its past, for such traditions characteristically legitimate change by minimizing it. At the same time they may exaggerate the discontinuity between the foundation of the tradition—Moses coming down from the mountain, or Romulus slaying Remus—and what is thought to have come before. By finding precedent in the past for new doctrines and practices, the tradition assimilates them to conventional opinion and reconciles them with other, more slowly changing elements in the tradition. For devotees of a tradition the discovery that an ancient rite or doctrine is in fact a recent innovation can be shattering: many a nineteenth-century Christian lost faith as historical investigations undermined one after another of the traditions of Christianity, while today the Maoris must assimilate the news that their legends were largely invented by European anthropologists (Wilford 1990).

The dogmatic elements of tradition are the most vulnerable to rational criticism. The identification of tradition with the unquestioned authority of inherited beliefs—which can lead to the refusal to question such beliefs and to the persecution of those who challenge them—is certainly connected with the low esteem in which both tradition and authority have been held since the Enlightenment. A tendency to see an opposition between dogmatic religion and
enquiring science, between obscurantism and enlightenment, and between repression and liberation, is part of our own inheritance today. But such thinking reflects a limited and simplistic conception of tradition, for at least two reasons.

First, authority of belief is only one kind of authority a tradition may have. It is important in religion, but there are other areas of life, such as law, in which it may play hardly any role at all. In modern societies, the authority of the law is a matter of procedure, not belief. The idea of civil or positive law becomes important in societies marked by deep religious and ideological disagreement. Where they exist, shared beliefs may bind the members of a community together. But where there is disagreement, social unity must rest on something else, even if it is something as unsatisfying as allowing those whose beliefs are disagreeable to live by them. The authority of civil law is required where the authority of once-shared beliefs has come into question, and is indeed the only sort of authority on which a liberal or pluralist order can be established (Friedman 1973, 1989). In short, while some traditions rest on dogma or the authority of a body of shared beliefs, others rest on the authority of a common framework of laws and procedures.

Second, the criticism of tradition as inherently dogmatic overlooks another important distinction by regarding all knowledge as information that can be reduced to a set of propositions. This kind of knowledge — “technical knowledge” — is not an embodiment of tradition but, on the contrary, its antithesis. The kind of knowledge inherent in tradition is knowledge one acquires by being apprenticed in a trade or serving as an intern in a hospital or congressional office. Here one learns not facts and doctrines but rather how things are done and how to behave. A person who knows the trade or discipline is one who has absorbed its traditions and made them his own. Those who really know a tradition are not, however, necessarily uncritical. On the contrary, only the person who has acquired an intimate firsthand working knowledge of a tradition is really in a position to criticize it; the outsider will have only a dim notion of what it is all about. The effective reform of a tradition is most likely to come from those who have been educated in it.

“Enlightened” criticism of traditions as repositories of ignorance and prejudice is not, however, entirely misconceived. The mistake is in thinking that the evil is inseparable from tradition itself, and that it can only be purged by rejecting all tradition. As historian of Christianity Jaroslav Pelikan has cogently argued, what must be rejected is not tradition as such but the ideology of traditionalism, according to

which a tradition becomes an end in itself requiring “an idolatrous submission” to the authority it asserts. But we must also reject the rationalist view that general truths can be entirely isolated from the particular traditions in which they are embedded. For a tradition is not merely an accidental and distorted expression of truths knowable in ways that are independent of the historical manner in which they came to be known. A tradition, properly understood, can show us “the way that we who are its heirs must follow if we are to go beyond it ... to a universal truth that is available only in a particular embodiment.” There is no need to accept the choice, on which so many debates about tradition seem to insist, between the universal and the particular, the rational and the historical. “A living tradition,” Pelikan argues, “must be both” (1984, 55-57).

Common morality and international law

The interplay between the rational structure of a tradition and its historical embodiments is nicely illustrated by the debate over whether there exists a universal or common morality and, if so, what its principles are. If “common morality” is a tradition, it is one identified at a fairly high level of generality for, as the substantive chapters of this volume demonstrate, the idea of common morality has received a variety of interpretations. It is, in other words, an abstraction from an immensely complicated accumulation of historically specific ideas and practices. Furthermore, it is an inherently controversial abstraction, for any tradition or family of traditions can be reconstructed in different ways depending on the questions, controversies, periods, or texts the interpreter thinks most important. And yet it is only by abstracting, by articulating recurrent patterns and continuities, that anything resembling a “tradition” can be identified at all.

Following Alan Donagan (1977, 1–9), I will use the expression “common morality” to refer to a point of view that was first articulated by the Stoics, became an important element in Jewish and Christian ethics, and is central to the great syntheses of Aquinas and Kant. The most significant philosophical interpretations of common morality, those of natural law and the Kantian tradition, understand it to be an ethic transcending the moral practices of particular communities. This ethic is sometimes called, simply, “morality,” a name to which it lays claim by virtue of its superior rationality and universality. Its defining characteristic is that it depends neither on custom nor on divine authority, but on reason. Its principles must therefore be distinguished
from what Jews or Christians assert to be “moral,” much of which is concerned with defining a full Jewish or Christian life, as they understand it. Common morality is the part of these communal moralities that applies to everyone. It is a universal code — “the moral law” or “natural law” — whose principles apply to human beings as rational creatures and is known to them through the exercise of reason.

This code has a complex structure that is not yet fully understood. But an account like Donagan’s conveys its main lines and spirit. The precepts of common morality may be divided into those that concern the permissibility of acts considered objectively (right or wrong acts) and those that concern the subjective spirit in which a person acts (what a person may or may not be held responsible for). Intentions make a difference. Duties to oneself (such as the prohibition of self-injury) may be distinguished from duties to others (such as the precepts forbidding lying or cruelty). All the precepts of common morality are united by a fundamental principle, often identified as “the golden rule,” which Kant formulates as the principle that one should always act so as to treat other human beings as an end and never as a means. This is by no means a self-evident principle, and both moralists and philosophers devote much effort to interpreting it.

Theorists of common morality assign great importance to the distinction between negative prohibitions and positive commands, though this distinction has more to do with the kinds of conduct governed by each than whether the duty is expressed negatively or positively. Our negative duties stem from the golden rule: we must not act in ways that treat human beings as objects, for example by enslaving them. On any interpretation of common morality, there are going to be a fair number of “thou shalt nots.” Positive duties, in contrast, have to do with promoting good rather than avoiding harm. We ought to develop our own capacities and we ought to act so as to increase other people’s well-being, insofar as we can do this without disproportionate difficulty and without violating any moral prohibitions. These qualifications are critical. We have a duty to act, if we reasonably can, in ways that have good consequences, but we must not use morally impermissible means in doing so. The prohibitions of common morality are absolute; the acts they forbid are wrong even if they are done for the sake of a good end. One must avoid acting wrongly, whatever the consequences.

The reason for putting limits on our duty to promote good is clear. Without such limits there would be no end to our duties to help others or promote other kinds of good outcomes.2 We would lose our identi-

2 On this principle and its international implications see Fishkin (1986).

3 Daube’s (1965) discussion of the parallel principle in Jewish law has much significance for international ethics.
choice and action. These considerations can be expressed as rules only at the price of simplification. It is hard even for a grammarian to formulate rules that capture the complexity of linguistic usage. Moralists face an analogous difficulty. Because morality involves judgment in terms of moral considerations expressed as rules, interpreting what these rules mean in the particular circumstances of action is at the core of moral reasoning; moral reasoning is interpretive, not computational.

Common morality applies to international relations as well as to everyday life. But, as Chapters 6, 7, and 13 on natural law, Kantian ethics, and biblical argument demonstrate, there are different views on how it applies. One understanding of the tradition holds that the moral principles governing individual conduct apply with little modification to public and international affairs. A contrary tendency emphasizes the special principles governing international relations: treaties must be observed, diplomatic immunity respected, aggression resisted, and war crimes punished. Once called “the law of nations” and more recently labeled “the morality of states,” these principles represent an interpretation of common morality in the circumstances of international affairs, one reflected most prominently, if incompletely, in the tradition of international law.

It may seem odd to speak of international law as an ethical tradition. If so, the problem cannot be that international law does not constitute a tradition. Like all law, it is explicitly traditional in its reliance on precedent. What seems problematic is the claim that international law is an ethical tradition. We are used to thinking of law as one thing and morality as another. Law is an institution about which we make ethical judgments, not itself a source of such judgments.

Yet if we consider law in light of the definitions of ethical judgment with which we began, it is hard to find any grounds except stipulative ones for concluding that legal judgments are not ethical. Law involves the application of principles to conduct. Like morality, it is concerned with duties and obligations. The topics covered in textbooks on international law do not differ greatly from those discussed in the literature on international ethics. Questions concerning treaties, diplomacy, and the use of force can be looked at from the lawyer’s perspective as well as from the perspective of the realist, the Kantian moralist, or the utilitarian. For all these reasons, international law belongs on any short list of traditions of ethical judgment in international affairs.

Nonetheless, a number of doubts have been raised about international law that, if valid, would undermine its status as an independent ethical tradition possessing its own internal coherence. Some of these resemble the criticisms leveled against common morality and,

indeed, the two traditions are combined as a target in the realist attacks of Kennan and others on “legalism-moralism.” As the realists emphasized, politics has to do with the pursuit of interests and is therefore primarily concerned with results, whereas law, like common morality, imposes limits on that pursuit. Many are impatient with what appears to be the unrealistic and impractical character of legal as well as moral judgment, and are tempted to assimilate both into a more comprehensive ethic of consequences.

Other doubts about international law focus on its unique and problematic character as a system of law. Every student of international affairs has encountered the view that international law is “not really law” because it lacks effective institutions for making and applying laws, and that it is therefore of negligible importance in international affairs. Stated in a less extreme way, these observations are in fact well founded. Significant areas of foreign policy are excluded from judicial examination by such devices as the act of state doctrine, the principle of sovereign immunity, domestic jurisdiction clauses and self-judging reservations in treaties, and judicial deference to the executive on so-called “political questions.” Furthermore, cases involving international law are often settled in national courts, or in international tribunals composed of representatives from various states; this undermines the credibility of the reasoning behind many international law decisions. As a result, few international disputes are adjudicated, while those that are may appear to have been decided politically rather than on the basis of international law.

Because adjudication is the chief method by which legal systems establish the precedents that transform adversarial interpretations of law into a coherent tradition, the paucity and inconsistency of judicial precedents in international law results in a high degree of uncertainty. Controversies about the application of international law cannot be authoritatively and consistently resolved in the absence of reliable procedures for ruling on particular disputes, and for enforcing these rulings. Despite these difficulties, however, international law remains an important source of principles for judging the conduct of states. Indeed, its defects increase the resemblance between international law and the other ethical traditions we have considered, which rely even less on authoritative interpretation.

But moralists are likely to criticize international law from a different angle. Those who see it from the perspective of common morality, for example, think the real problem with international law lies in the ethical defects it reveals when judged by the standards of common morality. The existence of alternative standards raises the question of
which standard should prevail in cases of disagreement. Some critics argue that international law is justified only to the extent that it contributes to the pursuit of important national or international goals, while others regard it as an imperfect reflection of a more important "higher law" whose duties take precedence over those of positive law. Most of these traditions, while conceding that international law can be a valuable means for realizing ethical ends, sometimes justify disregard for the law where it interferes with achieving those ends.

That each of these traditions should insist on the priority of its own standards is not surprising. But it appears that international law must also insist on its own priority. If it does not, it risks becoming the instrument of whatever ends are held to be superior to it. If law is regarded as a means for achieving such ends, and therefore as subordinate to the demands of prudence or morality, it can be a short step to holding that undesirable or immoral laws are not legally binding. To insist that its authority is dependent on extra-legal grounds is to challenge the autonomy and integrity of the legal tradition.

International law provides a tradition of debate not about which rules are advantageous or morally justified in the circumstances of international relations, but about which rules are valid and binding as law. International law can answer this question consistently and authoritatively only insofar as the interpretation of its rules rests on its own procedures and not on the judgments of statesmen or philosophers regarding the moral validity of these rules or the desirability of their consequences.

**Ethical judgment as judgment within a tradition**

Let us turn now to our second main question, which concerns the relation between tradition and judgment, and in particular the relation between ethical tradition and ethical judgment. Is ethical judgment necessarily traditional in the sense that it involves the application of ideas that have been handed down over time and are authoritative for those who use them? Some ethical perspectives, like the biblical traditions of Christianity or precedent-oriented international law, are traditional in this sense, but it would seem that others are not. A central claim of political realism, for example, is that political decisions should be made on the basis of prudential reason, not received tradition. This does not mean that the realist does not value tradition. But realists see tradition as a value to be preserved by prudent policy rather than as a guide to the making of policy for, as the realist points out, those with too much respect for Christian morality

or the rule of law may be overthrown by less scrupulous enemies. It will help illuminate the idea of tradition to examine the antitraditional arguments of realism, Marxism, and utilitarianism more closely.

Is realism a tradition of international ethics? As the discussions of classical and modern realism by Steven Forde (Chapter 4) and Jack Donnelly (Chapter 5) illustrate, the label "political realism" has been assigned a wide range of ideas. But a common thread running through all the realist literature is the rejection of traditional morality. Realism appears to be a reaction against tradition in at least two ways. First, it repudiates traditional morality as an adequate guide to political action. Second, realism appeals to "reason of state" rather than to the authority of an inherited body of laws or moral precepts. Its outlook is deliberately antitraditional.

The first of these antitraditional elements, the attack on morality, can reflect the skeptical judgment that moral arguments rationalize self-interest and are therefore inherently hypocritical. But though it is doubtless true that many realists have been moral skeptics, skepticism is not an essential part of the realist position. A more significant feature of realism, as an ethical outlook, is the pessimistic judgment that, sound or unsound, moral arguments have little force in foreign affairs. But it is only the more vulgar forms of realism that insist on amorality as an everyday approach to foreign policy. What, at a minimum, realism does require is that public officials be prepared to override the constraints of ordinary law and morality in the kind of emergency that puts a state in danger of foreign conquest. When a state's independence is threatened, foreign policy is constrained by necessity - and necessity knows no law.

Realism thus relies on the distinction between ordinary and extraordinary situations and on the concept of necessity. Statecraft is properly regulated by morality and law up to the point at which necessity intervenes and attention to consequences starts to outweigh deference to ordinary morality. Realists often disagree, however, about when that point has been reached.

Realists also disagree about the relation between morality and prudence. The realist argument that ordinary morality must yield to necessity generates different conclusions depending on whether this argument is thought to have moral or merely prudential force. 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 (Strauss 1953, 160; Morgenthau 1973, 10). In short, this kind of realism moralizes prudence by arguing that policies required to protect national independence are morally justified.

Other realists reject such efforts to reconcile ordinary morality with political expediency. Instead of appealing to higher law or moral ends, they follow Machiavelli in arguing that if they are to protect the community, public officials must often act in ways that not only seem, but really are, immoral. Prudence simply overrides morality. This strand of realist ethics draws a sharp distinction between prudential and moral considerations and resists justifying the pursuit of national interests in moral terms. It may be desirable to violate ordinary morality to preserve the political community, but it is not just. The argument here is instrumental rather than moral: if we take preservation of the political community to be the supremely important good, then there will be times when prudence rather than morality must guide foreign policy. It is in this spirit that Michael Walzer (1977, 255–63) defends British bombing raids on German cities in the supreme emergency created by the Nazi conquest of the Netherlands and France as necessary murder—that is, as indispensable for Britain to remain independent, but not “just,” given the meaning of that word in ordinary moral discourse. Walzer, though not usually classed as a realist, here invokes the classic argument of reason of state.

The writings of Walzer and others who have tried to articulate an ethic of foreign policy that gives weight to both ordinary morality and prudence illustrate the difficulty of finding room for traditional principles within an essentially consequence-oriented framework. For if moral principles can be overridden for the sake of consequences, then the latter are fundamental. As Alan Donagan has argued, in any system of moral principles that contains a consequentialist escape clause for extreme situations, “whatever validity ordinary morality has, it has conditionally, within the scope of a more embracing consequentialist system” (1977, 184).

I hope I have said enough to suggest not only that realism can go beyond moral skepticism to embrace a definite ethical outlook, but that this outlook has both principles and a history. Its practitioners argue about the relative importance of rules and consequences, and each has articulated his own version of a morality of rules with an escape clause for emergencies. Each is participating in an ongoing debate about where to draw the line, how to define an emergency, and other perennial topics of realist discourse. All draw upon the concepts and principles—necessity, security, vital interests, prudence, respon-

sibility—that define a particular tradition of ethical judgment, regardless of whether or not they think of themselves, or are thought of by others, as “political realists.” What they are rejecting is not tradition as such but the principles of alternative ethical traditions.

Another ethical perspective that appears to have little use for tradition is Marxism, at least in some of its important variants. For, like certain versions of realism (especially the recent movement in international relations sometimes labeled “neorealism,” discussed by Jack Donnelly in Chapter 5), Marxism emphasizes the scientific rather than the traditional basis of defensible policy-making. There are truths about society and history, about the structure of the state and the international system, that determine what is and is not politically possible. Traditions are ideologies—they reflect the realities of economics and power but do little to determine these realities. Rational policy-making must be based on the criticism of ideology and the development of objective social theory. And what is true of realism and Marxism is also true of utilitarianism and other forms of consequentialist ethics: all challenge the authority of traditional morality and law and offer new, ostensibly more rational and objective methods of ethical reasoning. This is true even of the kind of utilitarian argument that tries to show that utility and ordinary morality are substantially equivalent for, according to this argument, ordinary morality is obligatory only insofar as it is supported by utility; it has no independent authority.

Suspicion of tradition is not limited to the rationalist philosophies of Bentham and Marx, or to the doctrine of reason of state, however. Those who look for moral guidance in revelation, and study Scripture for evidence of what has been revealed, may choose to give more weight to conscience than to the tradition of a church. Natural law appeals to reason, not authority. Liberal societies may presume that one need accept only such tradition as can be shown on independent grounds to be reasonable. And moral philosophers in particular are professionally committed to discovering rules that are binding not because they are authoritative but because they are reasonable.

On reflection, however, these antitraditional ethical perspectives can themselves be seen to be traditional, at least in some ways. First, those who employ the ideas and vocabulary of political realism, Marxism, utilitarianism, Christianity, and other ethical perspectives have disagreed and continue to disagree among themselves about what prudence, science, logic, or revelation require, and their ongoing arguments have gradually constituted new traditions of debate. It is thus, Pelikan suggests, that the antitraditionalism of the Reformation
itself turned into a tradition: "after four centuries of saying... that the Bible only is the religion of Protestants," Protestants have, in this principle, nothing less than a full-blown tradition" (1984, 11). Alasdair MacIntyre (1988, 10, 335, 349) makes a similar point, arguing that liberalism, which began by rejecting the authority of tradition in the name of rational principles has, through its inability to reach agreement on those principles, grown into yet another tradition of moral argumentation.

Second, as the analogy between ethical and literary judgment suggests, all argument presupposes interpretation, which in turn implies a community of interpreters for whom the activity of interpreting literary, legal, or other texts has a point. Therefore, it is not just the oral epics of Homer that are traditional, but all literature. Not only customary and common law but also black-letter statutes are part of legal tradition, since they too depend on the vocabulary, procedures, and tacit assumptions of the legal community - in short, on tradition (Krygier 1988, 27-28). Neither in literature nor in law is it possible to escape "the tradition out of which the text speaks." (Gadamer 1975, 262). The same may be said of ethical discourse. In each case we encounter the discourse of a community of critics and judges, a community constituted by its inherited traditions of interpretation and criticism.⁴

Yet, as Joseph Boyle points out in Chapter 6, a philosophical tradition like natural law is in essence a tradition of inquiry into morality, not itself a tradition of moral practice. It might therefore be objected that it is one thing to claim that everyday ethical discourse is traditional, quite another to claim that traditions of moral philosophy are traditional in the same sense. The discussions of philosophers are premised on a determination to challenge rather than to defer to received ideas. But these discussions also presuppose agreed vocabularies and methodologies that may be thought of as authoritative, for without them it is hard to see how any sort of inquiry could proceed. While some of the necessary agreement comes at a fundamental level and is shared across philosophical traditions, these traditions are also defined and guided by more specific vocabularies and methodological commitments. No inquiry can question everything at once, and therefore every inquiry is in some ways traditional because in questioning some things the questioner must take others, however provisionally, for granted. In short, insofar as they make tacit assumptions, employ shared vocabularies, and structure debate around

⁴ Among those who have considered the ethical significance of the idea of an interpretive community are White (1984) and Walzer (1987).

Certain recurrent problems, even moral philosophers - those most rational of all beings - are marked by the traditions within which they work.

Traditions as languages of ethical judgment

Focussing on the traditional character of ethical discourse has many implications for the study of international ethics. For one thing, it reminds us that arguments about international affairs, like ethical and political arguments generally, have a history. Accordingly, the study of international ethics must be, at least in part, historical. The idea of tradition encourages us to ask what kinds of arguments were characteristic of particular communities at particular moments. It also suggests the importance of looking at the concepts or "languages" employed by particular kinds of argumentation. And because conceptual languages change through time, in some cases becoming transformed into new languages, the study of tradition leads naturally to the study of conceptual change.⁵

In the study of political thought a concern with political language and conceptual change has recently been pressed so far that the idea of tradition has come to seem inadequate to historians interested in discerning the subtleties that differentiate particular discursive communities. It is worth considering briefly why this might be so, and why the idea of tradition might nevertheless be preferred to that of language in the study of political and ethical discourse.

Thinking requires concepts and concepts are a matter of language: this seems to be the chain of reasoning that has led historians of political thought away from the idea of tradition toward a reliance on "language" as an organizing metaphor for their studies (Pocock 1968). This reasoning suggests that the historian should investigate modes or styles of political discourse - the idioms or rhetorics used within particular communities of discourse. While some idioms use characteristic metaphors and technical vocabularies that signal the presence of a particular language, more often there is a confusion of vocabularies, a subtlety of discourse, and an individuality of style that makes what is going on less easy to identify. This complexity requires us to be sensitive both to the diversity of political styles or vocabularies

⁵ Examples of this approach to the study of ethics and political theory are provided by MacIntyre (1966), Pogge (1987), Tully (1988), and Ball, Farr, and Hanson (1989). We should also include here the work now being done in many fields under the banner of postmodernism. Though the historical study of languages of discourse has not yet had much impact in the field of international relations, there is a growing postmodernist literature that may be sampled in Der Derian and Shapiro (1989).
and to the ways in which they influence one another. Political languages are not mutually exclusive, often coexisting not only within the same community but within the same text. Political texts are characteristically “polyglot” and can be read as examples of more than one language (Pocock 1985, 9).

While all of this might well be true of both traditions and languages, the language metaphor highlights the manner rather than the content of ethical arguments. The historian J. G. A. Pocock, for example, argues that the study of political language is the study of “the languages in which utterances were performed,” not “the utterances which were performed in them” (Pagden 1987, 21). A language of argument and the arguments it is used to make are not, however, completely independent or easily separated. Insofar as the two can be distinguished, it is probably true that more attention needs to be paid to language. But to conclude that the historian should study the languages of political discourse to the exclusion of substantive arguments is surely to go too far, even where we are able to distinguish the language of an argument from its propositional content. Those who want to understand how ethical debate has been shaped by the traditions upon which it draws will want to study both the substance and the style of the arguments in these debates. The concept of tradition facilitates this study because it includes both languages of argument and particular arguments that have been (or might be) made in these languages.

Another doubt about the idea of tradition is that, by directing attention to the past and casting doubt on the idea of tradition-independent reason, it implicitly endorses a conservative attitude. If an ethical tradition is even in part a language of argument, this fear is unfounded. The existence of a tradition does not preclude disagreement and criticism. On the contrary, disagreement is inherent in any tradition of ethical discourse, for there can be no interpretation of the tradition without disagreement. All discourse presumes the existence of at least some shared ideas, but these ideas are never beyond interpretation and criticism. Ethical traditions can provide the basis for penetrating, even radical, social criticism.

Because discourse goes on between as well as within traditions, ethical traditions are seldom entirely independent of one another. Despite the efforts of each tradition to articulate an autonomous and consistent outlook, the traditions we explore in this book are not independent, mutually exclusive ethical systems. They are interdependent, overlapping, and historically entangled perspectives on a common body of experience. As the following chapters repeatedly illustrate, each has evolved its own characteristic outlook in dialogue with other perspectives and cannot really be understood except as a response to them. So intimate are the connections and oppositions among these traditions that they might almost be said to constitute a single tradition – a tradition of disagreement and debate over the relative importance of principles and consequences, of reason and authority, of unwritten custom and written law, and of different visions of the common good.

The concluding chapter (Chapter 14) considers this larger debate among the traditions, and the reader may wish to turn to it for an overview of the main points of agreement and disagreement. The aim of the present chapter has been to introduce the concept of tradition and to suggest its importance for international ethics. Ethical traditions shape the particular controversies over right and wrong that have always been a central feature of international relations. If we want to understand international affairs, we must understand these traditions.

References


