U.S. Foreign Policy in the Middle East: Ten Years after the Gulf War

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CONTENTS

The conference, U.S. Foreign Policy in the Middle East: Ten Years after the Gulf War, sponsored by Carnegie Council on Ethics and International Affairs and the Begin-Sadat Center for Strategic Studies at Bar-Ilan University, was held in New York City on February 15, 2001. Conference report by Anthony F. Lang, Jr., Carnegie Council on Ethics and International Affairs.

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Conference Overview

In 1991 the United States ended the Gulf War without removing Saddam Hussein from power. At the same time, U.S. Secretary of State James Baker cajoled and convinced Arabs and Israelis to enter into a sustained negotiation process concerning the future of the region. Both events sprang from a set of long-term commitments and beliefs shared by those responsible for formulating U.S. policy in the region. Both events also led to long-term processes that have had both negative and positive results in the region. What motivations drive U.S. policy in the region? What ideas and interests shape U.S. policy? Can those interests and ideas be assessed within a normative framework? Also, what are the consequences of this engagement? Has the U.S. contributed to the creation of a prosperous, peaceful, and stable Middle East? Or have its polices led to greater instability, lack of economic growth, and continued violence?

This conference was designed to bring together experts on U.S. foreign policy in the Middle East and those with a background in the normative analysis of foreign policy in order to answer some of these questions. Panelists were asked to assess U.S. foreign policy in the region in terms of realpolitik reasons for action, and also to analyze the normative underpinnings for that engagement. Moreover, panelists were asked to provide an overall evaluation of the past ten years of U.S. foreign policy in the region.

Sponsored by the Carnegie Council on Ethics and International Affairs and the Begin-Sadat Center for Strategic Studies, this conference was intended to provide some bearings for those interested in understanding the region. In the months since the conference was held, much has changed, both in the Middle East and around the world. Some of the analyses and exchanges that occurred during the conference offer helpful ways to think about more recent events. We hope that by encouraging dialogue between those with different perspectives, the conference—and this report—enhance understanding of both U.S. foreign policy and the results of that policy in a highly charged region.

Now we can see a new world coming into view, a world in which there is the very real prospect of a new world order. In the words of Winston Churchill, a "world order [in which] the principles of justice and fair play. . . protect the weak against the strong. . . ." A world where the United Nations, freed from cold war stalemate, is poised to fulfill the historic vision of its founders, in which freedom and respect for human rights find a home among all nations. The Gulf War put this new world to its first test, and, my fellow Americans, we passed that test.[1]

George H.W. Bush

Moral Justification and Foreign Policy

When the Gulf War ended in March 1991, then-president George H.W. Bush suggested that the U.S. role in stopping Saddam Hussein had inaugurated a "new world order." The arguments marshaled by Bush and his administration to justify U.S. policy toward Iraq—and toward the region in general—drew on discourse rich in moral justification. Indeed, American foreign policy discourse on the Middle East has been infused with a moral element since then-president Harry S. Truman went against the wishes of the State Department and recognized Israel in 1948. Widespread American public perceptions of the Middle East as a place where religion is more important than politics have continued to shape a U.S. foreign policy that has tended to be more moralistic than moral; U.S. policymakers and analysts tend to explain, justify, and expound U.S. foreign policy in moral terms.

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In February 2001, the Carnegie Council on Ethics and International Affairs convened a group of scholars, policy analysts, and opinion makers to consider the ethical elements of U.S. foreign policy in the Middle East. In a conference cosponsored by the Begin-Sadat Center for Strategic Studies at Bar-Ilan University, participants brought an ethical perspective to bear on both the means and the ends of U.S. foreign policy in the region. This report provides a summary and an interpretation of those discussions.

The report begins by highlighting the significance for the second Bush administration of the Palestinian-Israeli peace process and of U.S. policy toward Iraq. Next, it explores some of the normative issues in the overarching goals of U.S. foreign policy, focusing on moral relativism in foreign policy and the moral bases of alliances. It then examines some of the means used in or proposed by U.S. foreign policy, including economic aid, military intervention, regime change, and assassination. The report offers some general conclusions, few of which would be shared by all of the participants but which together express the spirit of the conference. Perhaps the broadest point of consensus was that while ethics is central to foreign policy, attempts to impose morality by means of foreign policy are doomed to failure. Finding a middle ground between ethical analysis and moralistic rhetoric was the goal of the conference, and that spirit animates this report.

Ethics, the Middle East, and the Second Bush Administration

Unlike his father, George W. Bush came to office with little experience in foreign policy. His campaign statements and appointments indicated that he would seek ways to distance his administration from that of Bill Clinton. One difference would be policy toward the Middle East. Whereas the Clinton administration spent an enormous amount of political capital seeking an Israeli-Palestinian peace agreement and was aggressively engaged in the containment of Iraq, Bush's team began their tenure in office proclaiming that they would not engage in a similarly active diplomacy in the region.

But, as is often the case with the Middle East, the players in the region soon forced the new administration into more direct engagement. The election of Ariel Sharon as prime minister of Israel and the continuation of the "second *intifada*" prompted the administration to seek with greater determination a cease-fire and possibly a peace settlement. Although the administration continues to caution against any hopes for full U.S. engagement in the peace process, the appointment of William Burns, former ambassador to Jordan, as a special envoy raised hopes that the United States might once again bring its power and influence to bear on this seemingly intractable conflict.

Underlying these policies are a series of complex moral dilemmas. Does the United States have a responsibility to continue its engagement in the Palestinian-Israeli conflict?[2] If so, can it

act as an "honest broker" in the conflict? Equally important, can the United States be perceived as an honest broker? Should its policies be guided by an attempt to be neutral, or should it seek to back the side that has the more legitimate position in the conflict? If the latter, how should such legitimacy be determined?

In the case of Iraq, a British proposal to refocus sanctions forced the United States to reconsider its support for the sanctions regime.[3] Questions about the sanctions have been debated semi-publicly among the principal players in the administration. Secretary of State Colin Powell supports "smart sanctions" that tighten the flow of arms and money to the Iraqi regime while easing sanctions that affect ordinary Iraqis. Conservatives in Congress, along with Secretary of Defense Donald Rumsfeld, support arming the Iraqi opposition in the hope of overthrowing Saddam Hussein.[4]

As with the Israeli-Palestinian conflict, U.S policy toward Iraq raises substantive ethical questions. What is the status of a policy that seeks to accomplish a moral good by punishing a recalcitrant member of the international community, if in the process the policy devastates that country's civil society? In the case of a dictator as heinous as Saddam Hussein, should the international legal norm of sovereignty preclude a policy of "regime change"? When it comes to specific policy responses, why has the U.S. government sought to arm opposition groups rather than seeking to target the Iraqi leader himself? Wouldn't the latter policy lead to less chaos in the society, while doing more to provide hope for Iraq and the region?

Ethics and U.S. Foreign Policy Goals

Moral Absolutes or Moral Relativism?

Egyptian President Anwar Sadat and Israeli Prime Minister Menacham Begin had to balance power, interests, and morality when they negotiated the peace between Israel and Egypt. Similarly, any attempt to interpret and evaluate U.S. foreign policy in the region requires consideration of how political aims and moral assessments should come together.[6] One fundamental question is, to what extent is the Middle East responsive to whatever normative goals U.S. foreign policy might have in the region?

Can the United States act as an "honest broker" in the Israeli-Palestinian conflict? Equally important, can the United States be perceived as an honest broker?

The argument that the Palestinian-Israeli conflict is resistant to U.S. intervention raises the larger normative question of cultural and moral relativism. Some regard moral and cultural relativism as part of the realist approach to international politics: that is, states should not engage in moral universalizing both because it will damage their positions in the international system and because such crusading is likely to do more harm than good. George Kennan, a realist who has sought to address these questions, cautions that in attempting to be moral, states will often end up being "moralistic" in their approach to foreign policy.[7] Kennan asserts that states should be cautious about imposing their moral frameworks on others, especially in the realm of foreign policy. Instead, the best test of a foreign policy is how well it conforms to the national interest.

Cultural relativism has important moral implications, and many oppose viewing morality in relativist terms. If, as Shibley Telhami of the University of Maryland asserts, "there is nothing inherently different about the culture of the Middle East," then perhaps the United States should be prepared to frame its policies in the rhetoric of moral absolutes. But this is not easy: when a state decides on policy, the moral implications are not always clear. Competing moral claims have a tendency to obscure what may in hindsight appear to be a "good" or a "bad" policy.

Kennan, however, is making a point that goes beyond the value of moral relativism. His more important argument, shared by other realists, is that the United States should guard against the hubris that typically goes along with being a great power. Although written in 1986, Kennan's words are even more applicable today:

> The conduct of foreign policy is not an enterprise devoid of moral significance. That is, like all other human activities, it partakes of the judgment made by both actor and witnesses to the act when they perceive the act. To say this is perhaps to belabor the obvious. To conclude from this omnipresence of the moral element in foreign policy that a country has a mission to apply its own moral principles to the rest of humanity or to certain segments of humanity is quite something else.[5]
>
> Hans J. Morgenthau

> This situation must be understood in relationship to the exorbitant dreams and aspirations of world influence, if not world hegemony—the feeling that we must have the solution to everyone's problems and a finger in every pie—that continue to figure in the assumptions underlying so many American reactions in matters of foreign policy. It must be understood that in world affairs, as in personal life, example exerts a greater power than precept. A first step along the path of morality would be the frank recognition of the immense gap between what we dream of doing and what we really have to offer, and a resolve, conceived in all humility, to take ourselves under control and to establish a better relationship between our undertakings and our real capabilities.[8]

Kennan's suggestion that humility should guide those who seek to relate morality and foreign policy may well apply to U.S. foreign policy in the Middle East. To the extent that the United States has been more "moralistic" than moral in its policies in the region, its ideas may have lost some of their force. A return to a more modest approach toward formulating and explaining U.S. foreign policy in the region, one concerned less with spreading democracy and challenging Islamic groups and more with alleviating suffering in Iraq and acting as a truly honest broker in the Israeli-Palestinian conflict, might be more successful.

The Ethics of Relations: Friends, Allies, and Enemies

As in interpersonal relations, international relations force individuals to choose their friends and enemies. In the Middle East, the United States has had more enemies than friends. With both enemies and friends, relationships in the region are often couched in a moral rhetoric. While the conference touched on U.S. relations with Iraq, Iran, Jordan, and Turkey, many of the ethical dilemmas raised can be viewed through the particular lenses of U.S. relations with Israel and with Iran.

Israel: The Moral Foundations of an Alliance

Clearly, the strongest alliance in the region is that between the United States and Israel. Many, including U.S. government officials, have sought to explain that relationship in terms of strategic interests or power politics. But the alliance between the United States and Israel has a normative element as well.

When most people consider morality in relation to foreign policy, they focus on certain norms of behavior, standards that are embodied in international law and commonsense notions such as "fairness." Although fairness is often invoked when the United States acts as a facilitator in conflict resolution, that norm appears to be overridden when it comes to the alliance between the United States and Israel. In interpreting U.S. policy toward the Palestinian-Israeli conflict, many in the region see a lack of balance and impartiality. Such interpretations, whether or not they take U.S. intentions into account, constitute a moral evaluation of U.S. foreign policy.

Simple power politics does not explain the strong U.S.-Israel attachment.

States do not seek alliances because they want to be fair to every player in a region. Simple power politics, however, does not explain the strong U.S.-Israel attachment. If power politics were the most important factor, it is doubtful that the United States would have aligned itself with a small state lacking natural resources in a region rich with oil. What norms, then, *do* govern the relationship between the United States and Israel? U.S. policy toward Israel is not strategic but rather grounded in support for what many in the United States perceive to be a persecuted community. This is a moral element of U.S. foreign policy that is rarely characterized as such.

The U.S.-Israel alliance has other normative bases as well. Analysts in both countries often claim that Israel occupies the "moral high ground" in the region, a status attributed either to Israel's creation as a state founded for Jewish refugees or to its reputation as the only democracy in the region. The concept of the moral high ground rests on the assumption that in any given conflict there is one side whose arguments and claims enjoy more moral worth or legiti-

macy than those of the other side. Should the opposing sides adhere to different standards, however, this concept becomes problematic. And claims to the moral high ground can be tenuous, often resulting more from public relations and media-generated perceptions than from a clear understanding of historical and moral facts. Nevertheless, the concept can be helpful in understanding in the abstract some of the influences on U.S. foreign policy, especially when they are related to public opinion.

To possess legitimacy as a superpower, it is in the United States' interest to assist or side with the party that possesses the moral high ground in a given conflict. Does Israel hold the moral high ground and, if so, can it continue to claim it as the conflict with the Palestinians persists? The majority of the American public must believe that Israel retains the moral high ground, if Israel is to continue to receive support from the United States. If American public opinion were to change significantly, the United States might be inclined to alter its policies—an interesting case of how moral considerations might influence foreign-policy decisions.

Global public opinion regarding the situation in the Middle East is based largely on news coverage, especially that of CNN. In the autumn of 2000, the United States came under international criticism for its continued support of Israel when CNN broadcast images of "excessive force" utilized by Israeli police. One could argue that this footage cost Israel some of the moral high ground it had formerly enjoyed. At the same time, terrorist actions might well undermine support for the Palestinian position. Morally grounded criticism of Israeli police tactics met with a strong response from pro-Israel groups in the United States, demonstrating that policymakers' ultimate connection to their constituents must be taken into account. Such a phenomenon supports a more realpolitik view of foreign-policy formulation.

Power differentials in the Middle East both affect and are affected by U.S. foreign policy. The weaker party in an asymmetric division of power must bear a greater burden in order to achieve what it thinks is fair, paying a higher price than its more powerful opponent. As a function of the might and resources at its disposal, the more powerful side has, in Shibley Telhami's phrasing, a lower threshold of pain: because it does not need to sacrifice as the weaker side must, it is not willing to bear burdens as great as the weaker side's. Given the strength of the Israeli defense forces and the absence of a Palestinian state or army, the Palestinians' threshold of pain is significantly higher than that of the Israelis. Although the Palestinians are bound to continue to lose militarily in the *intifada*, their persistence signals their rejection of the status quo and their desire to attain a fair resolution. The notion of fairness in this context has an international moral component and is linked to international norms of legitimacy promulgated by the UN, as well as to principles of sovereignty.

Moral considerations are but one factor in the formulation of foreign policy.

While moral arguments make sense in the abstract, making them part of concrete policy can be fraught with difficulties. When the United States does take a moral stance, it is often accused of projecting its Western values on the Middle East. Policymakers, meanwhile, think in terms not of Kantian or other moral principles, but of the next election. In other words, moral considerations are but one factor in the formulation of foreign policy.

Perceptions and the media construction of those perceptions clearly play an important role in developing, critiquing, and thinking about the moral dimensions of U.S. alliance policy. Israel remains a democracy and continues to provide a homeland for a community that was persecuted throughout the world. At the same time, Israel is confronted with moral claims made by the Palestinians, claims only now being heard in the wider Western media. The U.S. government must negotiate between these claims of moral high ground in a way that neither disparages the position of either side nor undermines its own moral commitments. Attempts by the Bush administration to bring the parties closer together will have to take into account not only the narrowly defined national interests of the United States, but its moral commitments as well.

Iran: Changing Norms, Changing Relations

Prior to 1979, Iran was America's other close ally in the region. After the Iranian revolution, the hostage-taking episode, and other conflicts (real and imagined), the two states settled

into a relationship of mutual animosity. Over the past five years, however, Iran has moved progressively away from outright hostility toward the United States. Mohammed Khatami's two consecutive elections to the presidency and his attempts to court the American media have forced U.S. policymakers to consider whether the hostility between the two states should continue. Even though its resistance to the Israeli-Palestinian peace process and its support for more radical Islamic groups in Lebanon continue to raise concerns in Washington, Iran's political system has become more stable.

In the summer of 2001, Congressional debate over the renewal of the Iran-Libya Sanctions Act (ILSA) highlighted areas of U.S. concern.[9] ILSA, first passed in 1996, bars U.S. companies from investing more than $20 million in either Iran or Libya. Proponents of renewing the legislation argued that it keeps the pressure on Iran and Libya to abandon their revolutionary policies, including their support for terrorism, and their opposition to the peace process. Opponents argued that it prevents American businesses from tapping into the oil wealth of both states and allows European and Asian companies to gain an advantage over their American counterparts.

A moral evaluation of these issues is difficult not only because of their complexity, but also because moral language is often used in divergent ways. For example, Lawrence Kaplan presented the debate between the two sides in an article in the *New Republic* as a battle between "good guys" (supporters of ILSA, including the American Israel Public Affairs Committee and "the American families whose relatives were murdered by the countries with which the oil companies now wish to do business") and "bad guys" (opponents, especially the oil business). The Bush administration, which had favored overturning the legislation, backed down because of pressure from various sources. Kaplan summarized these developments: "In short, the good guys have won."[10]

Kaplan's framing of the issue certainly fits the format of a political magazine. But does it contribute to our understanding of U.S. foreign policy toward Iran and our ability to evaluate it morally? More broadly, what does it mean to morally evaluate political policies and outcomes? One avenue for analysis is to attempt to deconstruct some of the ways in which rhetoric is used to shape and explain U.S. foreign policy in the region.

Perhaps the United States has failed to alter its relations with Iran because of a normative straitjacket, a framework that sees the Islamic political system in Iran as revolutionary, factional, and hostile to the United States. During the Cold War, the United States interpreted Iranian politics in terms of the containment of the Soviet Union, an approach that led to unconditional support for a dictator. When the Iranian revolution occurred, the United States, along with much of the developed world, could not conceive of a change for the better led by religious clerics. More recently, the election of Khatami and the changes he advocates fly in the face of a conceptual framework that posits clerics as anti-democratic and opposed to change. The United States has interpreted the movement toward a more democratic political system as "factional battles" rather than as the give-and-take of democratic engagement.[11] The norms that the U.S. foreign policy community has used to interpret Iran and its behavior have consistently hindered improvement in relations between the two countries.[12]

This is not to deny that Iran has, in fact, undertaken polices counter to U.S. norms and interests. Iranian support for opponents of the peace process in Lebanon and Israel has undermined U.S. attempts to resolve the long-standing disputes there. Iranian attempts to foment trouble in the Gulf, especially in the late 1980s and early 1990s, ran counter to U.S. interests and ideals. But the United States must not become incapable of understanding the rapid changes in Iran because historical events have supported self-perpetuating assumptions about Iran and its internal political system.

The norms that the U.S. foreign policy community has used to interpret Iran and its behavior have consistently hindered improvement in relations between the two countries.

George Kennan and other realists would question the extent to which the United States should factor other states' internal political conditions into foreign relations. From the realist perspective, U.S. foreign policy should consider only broader normative issues and not evaluate each particular state when making decisions about allies and enemies. This does not mean pursuing an amoral or immoral foreign policy; instead, the norms embodied in foreign policy should support order

and justice in the international system as a whole. The Clinton administration seemed to favor an orientation based on an evaluation of the internal politics; perhaps a focus on support for the broader goals of democratization and peace in the region would be more productive.

It is valuable to clarify some of the normative assumptions that inform the debate over U.S. foreign policy toward Iran, since the debate inevitably will continue.[13]

Ethics and U.S. Foreign Policy Means

Ethical analysis of foreign policy has traditionally focused more on means than ends, for it is here that moral dilemmas become the clearest. When states present their goals as categorically good, they tend to justify any means possible in pursuit of those ends. How should observers and commentators who are attentive to ethical principles evaluate those means? Can the means be evaluated separately from the ends of the states pursuing them? The distinction is not always clear or conceptually useful. Nevertheless, a focus on means raises some important questions. Conference participants assessed two traditional U.S. foreign-policy means—economic aid and military intervention—and debated more controversial means—regime change, economic sanctions, and assassination.

Can the means be evaluated separately from the ends of the states pursuing them?

The Ethics of Guns and Butter

One traditional tool of U.S. foreign policy is economic aid. Aid has a moral dilemma at its very core, one that tends to distort public-policy debates over its purpose. Because aid is generally targeted at public improvement projects, most people equate it with a morally good act undertaken by a government. Providing aid to feed the starving, build bridges and dams, and improve public utilities gave USAID a generally positive image, at least in the United States.[14]

Scholars have sought to remind both policymakers and citizens that one of the most important functions of foreign aid is to secure alliances and ensure stability in contested regions. Securing alliances or ensuring stability is not necessarily morally problematic, but recognizing that the purposes behind aid can vary is important.

Scott Lasensky of the Council on Foreign Relations provided useful data on U.S. foreign economic aid to Middle Eastern countries from 1970 to 2000. He divided economic aid into four policy categories: resolving international or regional conflicts, curbing weapons proliferation, bailing states out financially by means of trade and economic reform, and promoting democracy and human rights. The last category, which Lasensky called "beliefs," has the most obvious normative elements. His data demonstrate that although the United States tends to provide the most aid to democracies or developing democracies, some states, such as Syria for a short time, have received aid without promising democratic reform.

Economic aid originates as political aid and only secondarily becomes humanitarian aid. Therefore, economic aid does not always carry moral worth from the start. Also, the United States has often placed conditions on its aid packages, which can detract from the aid's supposed moral intent. This was the case with a donor project aimed at improving the economic conditions of Palestinians. Although the aid had humanitarian intent, it was also meant to promote good governance and transparency within the leadership. Of course, corruption and mismanagement are by no means limited to Palestinian authorities; those who are in need often go unaided by funding programs. Thus not only is the moral intent of economic aid questionable, so too is the practical effect of aid in ameliorating the conditions at which it is targeted.

The realization that aid begins with a political purpose but can also be humanitarian allows policymakers to assess more honestly its utility as a means of promoting foreign policy aims. Morally evaluating this foreign policy tool requires considering not only intentions, but outcomes as well.

When aid comes in the form of military assistance, its purpose must be evaluated on a different level. U.S. interests focus on stability in the Middle East, access to resources, and the security of U.S. citizens abroad. If protecting Kuwait, not invading Iraq, was the purpose

behind the U.S. decision to wage war against Iraq, then the use of military power in that conflict conformed to the norms that traditionally govern the use of force.

Military involvement—both overt and covert—at present, however, is much more questionable. Since 1991 the United States and its allies have flown more than 275,000 sorties over southern Iraq. The coalition support for this form of air warfare has not been as broad as support for the Gulf War was. This raises an important point within just war theory, the best-tested means of morally evaluating the use of force. A key element justifying the use of force must be "proper authority": without the "community of nations" behind these actions, they lose some moral worth.

The "rules" of legitimate warfare are arguably different in nature from those of wars against terrorism. For example, does a terrorist threat compel or justify U.S. use of covert action in response?

Important moral questions surround issues of weapons accuracy. "Accuracy" is a relative term, whose meaning changes dramatically depending, for example, on whether you are launching a cruise missile or are its target. When a state sends a cruise missile thousands of miles to its target—to a particular weapons plant, say, with the result that both the plant and a nearby store are destroyed—CNN will be quick to broadcast the hit on the plant with praises for the missile's accuracy. From the point of view of neighboring civilians, however, the action does not seem as laudable—or as accurate.

Using military force in the region is not a new policy for the United States. But the different ways in which such force has been used—from engaging in war to policing no-fly zones to countering terrorism—demand different forms of moral evaluation.

Overthrowing and Sanctioning Governments

One of the most controversial possible foreign policies is "regime change" or, to use a more colloquial turn of phrase, overthrowing governments. A policy of promoting regime change represents a direct threat to the legitimacy and sovereignty of a state. Principles of international law discourage such policy, but humanitarian concerns can outweigh such principles. In the conference, three case studies of U.S. attempts at regime change were discussed: Afghanistan, Sudan, and Iraq. The use of U.S. assistance to foment regime change was hotly debated, since such assistance would go against many of the norms on which the United States bases its foreign policy.

Most of the conference discussion revolved around Iraq. During the Gulf War, the United States did not have the duty to change the regime, even though some might have deemed it an ethical act. The 1991 uprising was due not to U.S. encouragement but rather to the indigenous fury that the Iraqi regime had generated in its wars against Iran and Kuwait, neither of which had brought tangible benefits to Iraqi citizens. In November 1998, recognizing ongoing opposition to Saddam in Iraq, Clinton openly called for a regime-change policy. The use of air power against the Iraqi regime, particularly Operation Desert Fox in December 1998, raised questions about the purpose of U.S. policy toward Iraq: Was it designed to coerce the regime to conform to UN weapons inspections, or was it an attempt to overthrow the Iraqi regime? Even after Clinton called for regime change, other administration statements seemed to imply a policy of coercion.

Legitimate moral rationales for a policy promoting regime change are possible.

The lack of clarity in U.S. policy when it comes to regime change in Iraq is perhaps the most problematic element of U.S. activity in the region. Although the pursuit of regime change must be evaluated carefully, it is important to recognize that legitimate moral rationales for this controversial policy are possible.

Economic sanctions also raise complicated moral questions: Are sanctions an immoral means because they punish whole populations for actions for which leaders are responsible? Or are they one of the most effective policies short of military force aimed at changing the behavior of opposing nations?

These questions are salient to U.S. policy toward Iraq. George Lopez and David Cortright of the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame

developed a "smart sanctions" proposal for the UN Security Council. The goals of the policy are to protect peace and security in the region by implementing relevant Security Council resolutions, and to bring an end to the suffering of innocent civilians. Lopez presented two options. One would be to encourage and induce Iraq to comply with Resolution 1284, with possible modifications of the terms of that resolution.[15] The Security Council would immediately suspend sanctions if Iraq complied.

Arguably, this form of sanctions has already failed. There are intrinsic problems with land-based monitoring: Where can it be performed? And how can it account for smuggled items?

The second option would be to develop a regime of targeted arms and financial controls that could remain in place for a long period of time.[16] Lopez carefully outlined the framework in international law that provides for sanctions. There are times when unilateral action by the United States is ethical, but U.S.-UN policy regarding Iraq needs to emanate from cooperation with the UN on some form of a Security Council sanctions package. In a parallel with just war theory, there must be a group of states, not just one, willing to make life difficult for the Iraqi leadership. Otherwise, the sanctions would be ineffective. In addition, it is important to have a plan that is dependent not on commitment from Iraq but on the shared policy of outside states.

The ease with which statistics on civilian Iraqi casualties can be manipulated raises further issues. Both opponents and supporters of sanctions admit that sanctions cost lives. The salient questions are how many, and who is responsible for those lost lives? Supporters of sanctions argue that the Iraqi regime is responsible for diverting food and medicines intended for civilians to black marketers and supporters of the regime. Opponents of sanctions have argued that it is the limitations put on the import of certain dual-use goods—such as fertilizer and parts for hospital machinery—and the bureaucratic delays in the system that are causing suffering. Both sides of this debate can benefit from a better understanding of how sanctions function and what options exist for continuing them.

Sanctions cost lives. The salient questions are how many, and who is responsible for those lost lives?

Debating the Inconceivable: Political Assassination as a Foreign Policy Tool

The final foreign-policy tool debated was one that has not been used by the United States in the Middle East: political assassination. Following the revelations of the Church Commission in the mid-1970s, the U.S. government outlawed assassination as a policy tool. But when dealing with leaders like Saddam Hussein, and comparing the options of regime change and sanctions, the question of assassination deserves careful consideration. More important than the assessment of its utility is a moral evaluation. Assassination of leaders differs from other tools in that most commonsense notions of moral conduct condemn it. Nevertheless, it is an important option to consider.

The United States had attempted assassination as a policy prior to its being outlawed. Israel is the only country that has openly declared its use of assassination in dealing with its opponents. One major difference between Israel and the United States in the use of assassination tactics is that the United States largely undertook its assassination plans covertly. Israel has been relatively open in its utilization of this tool.[17] Why might such tactics be adopted? Have they worked? Why is the Israeli government open about them? Most important, are they ethical?

Political scientist Ward Thomas of Holy Cross recently wrote about the norm against assassination. Although it dates back to ancient Rome, the norm did not fully evolve until the seventeenth century.[18] Historians, political philosophers, and political and military leaders began to assume that while armies could attack one another, leaders were to be left alone. Influential statesmen such as Emerich de Vattel and Thomas Jefferson viewed assassination as a "relic of an earlier, less enlightened age."[19] The great powers recognized that it was in the interest of both the state and the individual leader to develop a norm against assassination. At times, however, such a ban makes little sense in moral and ethical terms when compared to the alternatives.[20]

The erosion of this norm can be explained by three factors: the rise of terrorism, a growing belief in the personal responsibility of leaders in shaping policy, and the opinion that assassination is less morally despicable than all-out war or perhaps even sanctions. Terrorists do not play by the rules and do not have armies; thus, to combat terrorism, a different set of rules needs to be established. Certain leaders are so tied to policy that removing the leader is almost certain to result in policy change. Finally, a utilitarian moral argument is often made in defense of assassination: assassinating one leader may prevent the deaths of hundreds of other individuals.

Some argue that it is not only "morally right" to kill in self-defense but an obligation. This moral standard, however, is not a universal one. Some make a distinction between states and nonstates; Israel assassinates only nonstate leaders, which, based on international law principles, does not violate sovereignty. Whatever argument is put forward in support of assassination, however, it is important to remember that people make mistakes; innocent people have been assassinated in the past.

The United States has attempted assassination in Cuba, the Congo, and Chile, and has plotted against Osama bin Laden as well. Furthermore, American tactics imply that it would be permissible to kill a leader with a cruise missile but not with a rifle. A realist perspective allows consideration of the many factors that support—or at least partially justify—the use of assassination, especially in the context of terrorist acts.

Conflicting moral claims render policy more complicated than it first appears.

The assassination tactic, perhaps more than any other, demonstrates how conflicting moral claims render policy more complicated than it first appears. Although assassination may be taboo in policy circles, its utilitarian moral advantages might outweigh the consequences of breaking the norm of forgoing it as a policy option. Whether assassination is framed as murder, self-defense, or some sort of utilitarian morality will greatly affect the moral weight we attribute to it.

Conclusion

Over the course of the conference, many issues—only the most heatedly debated of which have been included in this report—evoked the danger Kennan wrote about, of a moralistic policy with little ethical justification. That there is a need for a policy grounded in a moral discourse presumes that the United States, as part of its national interest, wishes to present itself as a moral power. By providing a structure for moral argument, for the exchange and evaluation of competing moral claims, the conference clarified the options before us. Policymakers must choose; that is the essence of their work. It is up to us, interested citizens from all walks of life, to evaluate and judge the moral worth of those choices.

Notes

[1] George H.W. Bush, Speech to the U.S. Congress, March 6, 1991. Bush later claimed that he intended to apply the phrase "new world order" only to a rather "narrow aspect of conflict—aggression between states"; George H.W. Bush and Brent Scowcroft, *A World Transformed* (New York: Alfred A. Knopf, 1998), p. 355.

[2] See Anthony F. Lang, Jr., "Point of View: U.S. Responsibilities in the Middle East," http://www.carnegiecouncil.org/lib_pov_lang.html.

[3] "U.S., Allies Considering Iraq Sanctions 'Refocus,'" CNN.com/world, May 20, 2001; at http://www.cnn.com/2001/WORLD/meast/05/20/iraq.usa.reut/index.html.

[4] Jane Perlez, "Washington Memo: Divergent Voices Heard in Bush Foreign Policy," *New York Times,* March 12, 2001.

[5] Hans J. Morgenthau, "Human Rights and Foreign Policy," in Kenneth J. Thompson, ed., *Moral Dimensions of American Foreign Policy* (New Brunswick, N.J.: Transaction Publishers, 1994), p. 343.

[6] In being named for Begin and Sadat, sharers of the Nobel Peace Prize, the BESA Center reflects the position that only a combination of realist interests and idealist goals can bring peace and security to the region.

[7] George Kennan, "Morality and Foreign Policy," *Foreign Affairs* 64 (Winter 1985 - 86), pp. 205–19.

[8] Ibid., p. 216.

[9] In July 2001, both houses of Congress voted overwhelmingly to renew the sanctions for five years.

[10] Lawrence F. Kaplan, "Oil Spill: How the Oil Industry Finally Lost," *New Republic,* July 23, 2001, pp. 18–19.

[11] As an example of this approach to Iranian domestic politics, see Michael Rubin, "Into the Shadows: Radical Vigilantes in Khatami's Iran", *WINEP Policy Paper #56* (Washington, D.C.: Washington Institute for Near East Policy, 2001).

[12] So too, undoubtedly, have Iran's normative interpretations of the United States; conference participant Bahman Baktiari of the University of Maine noted that the two states have been engaged in a "mutual satanization" of each other.

[13] For example, see Puneet Talwar, "Iran in the Balance," *Foreign Affairs* 80 (July/August 2001), pp. 58–71, and Mahmood Sariolghalam, "Justice for All," *Washington Quarterly* 24 (Summer 2001), pp. 113–26.

[14] See, for example, http://www.usaid.gov/about/polls.html.

[15] This resolution, adopted by the Security Council on December 17, 1999, established a commission for the monitoring and verification of Iraq's disarmament. Among other provisions, it allowed for petroleum exports, provided that the proceeds were used only for humanitarian purposes.

[16] George Lopez and David Cortright, "Smart Sanctions: Restructuring UN Policy in Iraq," *Joan B. Kroc Center Policy Paper,* April 2001.

[17] See Tim Weiner, "Making Rules in the World between War and Peace," *New York Times,* August 19, 2001.

[18] Ward Thomas, "Norms and Security: The Case of International Assassination," *International Security* 25, No. 1 (2000), pp. 105–33.

[19] Ibid.

[20] Ibid.

Conference Participants

Prof. Bahman Baktiari, Department of Political Science, University of Maine, Orono, ME
Dr. Patrick L. Clawson, Director for Research, Washington Institute for Near East Policy, Washington, DC
Prof. Steven R. David, Department of Political Science, Johns Hopkins University, Baltimore, MD
Prof. Michael C. Hudson, The Center for Contemporary Arab Studies, Georgetown University, Washington, DC
Prof. Efraim Inbar, Director, Begin-Sadat Center for Strategic Studies, Bar-Ilan University, Ramat-Gan, Israel
Dr. Scott Lasensky, Assistant Director, U.S./Middle East Project, Studies Department, Council on Foreign Relations, New York, NY
Dr. George A. Lopez, Director of Policy Studies, Joan B. Kroc Institute for International Peace Studies, University of Notre Dame, Notre Dame, IN
Col. Jeffrey D. McCausland, Ph.D., Dean of Academics, U.S. Army War College, Carlisle, PA
Amb. Richard Murphy, Senior Fellow for the Middle East, Council on Foreign Relations, New York, NY
Prof. Barry Rubin, Deputy Director, Begin-Sadat Center for Strategic Studies, Bar-Ilan University, Ramat-Gan, Israel
Prof. Shmuel Sandler, Department of Political Studies, Bar-Ilan University, Ramat-Gan, Israel,
Prof. Shibley Telhami, Department of Government & Politics, University of Maryland, College Park, MD
Dr. Judith S. Yaphe, Senior Research Fellow, Institute for National Strategic Studies, National Defense University, Washington, DC

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