

The Ethics of Foreign Policy

THE ARCHITECTS OF FOREIGN POLICY, THROUGHOUT THE ages, have frequently asserted that morality plays an important part in their official planning and conduct.

This dubious claim has received much partisan support, but relatively little objective examination.¹ The failure to exercise the critical faculty towards the acts of one's own government, while readily believing the worst in respect to the acts of other governments, is a tribute to the virtue of patriotism rather than to the quality of scientific analysis. The law of averages alone would indicate, without reference to cases, that in the countless number of disputes between sovereignties, no single government is likely to have demonstrated superior morality consistently, except in the opinion of its own adherents.

The logical assumption would be that the foreign policy of any government is seldom completely "good", in the sense of being a perfect exponent of the moral code of its time and place, and equally seldom absolutely "evil", in the sense of being wholly oblivious to current moral standards.

¹ Thucydides was one notable exception to this generality. Another is Charles A. Beard: *American Foreign Policy in the Making, 1932-1940* (New Haven: Yale University Press; 1946).

From the ethical viewpoint the complexion of foreign policy would seem to be a habitual, though not uniform, gray. Specific cases of the larger admixture of white or black, in this or that instance, can be and are continuously cited in the special pleading of nationalistic historians.

It is therefore the more desirable to indicate precisely why moral considerations, while seldom altogether ignored, are nevertheless of wholly secondary importance in determining the relations of governments, one to another.

2.

MEN, or most of them at any rate, are endowed by their Creator with a moral sense. They possess an intangible organ, to which we give the name of "conscience", that distinguishes between the more and the less admirable choices in all the countless occasions of decision that occur in the lifetime of an individual.

Conscience may be strong to the extreme of obduracy, or weak to the point of impotence, but it is seldom or never altogether non-existent. Men have this inborn sense of "knowing with", or being privy to, a code of moral conduct. Without conscience, all aspects of social life would be far more chaotic than is actually the case. To the degree that men will not obey natural law it is therefore reasonable to subject them to the artificial law that the State imposes.

But the State, which is the most complicated product of social development as yet fully achieved, has no moral sense and, in spite of its law courts and enforcement agencies, possesses no organ that can be compared with the human conscience. The Church, as distinct from the State, is of course deeply and continuously concerned with moral issues. The Church, however, no longer dominates the State, even in countries where a particular religion is legally "established". It is, for better or worse, the other way round.

Of course the State as an instrument may be utilized to forward morality, and to oppose immorality. And in doing this, whether by legislative action or executive fiat, it reflects both the influence of the individual conscience and the prevalent morality of a particular time and place. Nevertheless it remains true that the State can achieve good only by the application of coercion to its subjects. It substitutes the rigid compulsion of man-made law for the less well codified but morally more impelling influence of natural law. And a community is certainly better governed when citizens help each other because they want to do so than when, as subjects, they perform these duties to avoid fine or imprisonment.

The State, in short, is the repository of physical rather than moral power. While this physical strength can be used for moral ends it can equally well be, and often has been, placed at the service of an immoral philosophy. The American case against Soviet Russia rests on the evidence that this distortion is currently dominant there. We have no case against the Russians for seeking to protect them-

selves against invasion of their territory. We do the same ourselves.

Although the State has no conscience its so-called "welfare" aspects substitute for the function of this organ in the social activities of the individual. To the extent that the Welfare State deprives the individual of power to do good or evil as he sees fit there is, of course, encroachment on the sphere of personal morality, in behalf of governmentally defined morality.

In Soviet Russia, where God is virtually outlawed,² this encroachment of positive law on natural law has reached the stage of almost complete substitution. In the United States there is still a valiant and partially successful effort to oppose Socialism, which may be accurately defined as the political system that seeks to take the right of moral decision from free individuals in order to vest it in officials serving the State.

3.

It is frequently and often persuasively argued that the increasing complexity of human life, and the growing interdependence of men in modern society, makes the expansion of State authority inevitable and indeed imperative.

² Lenin wrote: "We do not believe in God" and therefore "repudiate all morality that is taken outside of human class concepts". Nikolai Lenin: *Selected Works* (New York: Universal Distributors Company; 1947). Vol. XVII, pp. 321-22.

Much that is specious can be detected in this argument, but even if it were wholly conclusive an issue of great political and moral moment would still remain to be reconciled. Whenever and however the State assumes the power of decision there must be an equivalent surrender of power on the part of the subjects. Encroachment may be on the freedom of the market, in the economic sphere; on the freedom of worship, in the religious sphere; on the freedom of criticism, in the political sphere. But fundamentally the encroachment is always on freedom, in one or another aspect of this condition for which the human being has not merely a biological but also an often passionate and deeply spiritual yearning.

Properly speaking, there is no such thing as freedom *from* something. "Freedom from fear" is a meaningless expression which, as coined by President Roosevelt, presumably means "Security from fear". Freedom, being the political condition in which the individual retains his natural power of choice, must always be *for* something. The choice of the free individual may be neither intelligent nor moral, but it is always a definite choice—in behalf of some selected course out of the many that are usually available.

It is the belief of the Socialist that it is socially advantageous when the State assumes the power of choice for the individual. Sometimes the argument is that the average person has no opportunity, and sometimes that he has no capacity, to choose wisely and well. But whether the emphasis in the argument is humanitarian or autocratic, the net result of its successful application

is the same. The power in the people is contracted and the power of the State is enlarged.

Much more is involved here than the amount of spending power left to the taxpayer after Big Government has taken its ever-increasing slice. The power of the individual to act as his conscience dictates is also taken from him by the State. Government may, because of the heritage of freedom, be patient and relatively gentle with the conscientious objector. It may, when the political heritage is tyrannical, dispose of him by firing squad. But either way his right to follow the dictates of conscience is called in question.

Since the State does not and cannot possess the organ of conscience, and since the individual conscience alone gives human life a moral direction, it follows that the enlargement of State power is necessarily at the expense not only of freedom, but also of morality. This means that the Socialist, whether he realizes it or not, has actually a very low regard for the human race. The criticism that he lavishes on "Wall Street" or other products of the free enterprise system is basically a criticism of the concept of freedom. Only those who do not really believe in human decency can possibly argue consistently that the freedom of individuals should be contracted by enlarging the power of officialdom. Only those who regard the human conscience as a wholly ineffective instrument would lessen its authority in behalf of a political organism that has no conscience. Only those who have no faith in the efficacy of natural law would displace, rather than fortify, the divine code by governmental action.

And only those Americans who misunderstand or dislike their own political system could argue for monopolistic enlargement of the Federal Government in the face of James Madison's unchallengeable explanation that we "rest all our political experiments on the capacity of mankind for self-government".³

4.

ALL THIS consideration has a very real bearing on the subject of foreign policy, in every age and at any place.

Although the State is an amoral instrumentality, without a conscience and with no inherent sense of right and wrong, its actions towards its subjects are always to some extent restrained and guided by the prevalent morality of the people. The most complete autocrat must give consideration to the inborn sense of justice and decency among those over whom he rules. Even so profligate an emperor as Frederick II sought by every means available in the Thirteenth Century to win support in his struggles with the Papacy.⁴ And the efforts of Dr. Goebbels' "Ministry of Enlightenment" in behalf of Hitler were merely a contemporary illustration of the tyrant's ever-

³ Alexander Hamilton, James Madison, and John Jay: *The Federalist* (New York: The Macmillan Company; 1948), No. 39.

⁴ The effect of moral considerations on the actions of this atheistic dictator is examined in a recent novel centering on St. Thomas Aquinas, *The Quiet Light*, by Louis de Wohl (New York: J. B. Lippincott Company; 1950).

present anxiety for popular recognition of moral purpose.

In dealings with other sovereignties, however, political rulers have never been and are not now much influenced by ethical considerations as such. Rulers raise no taxes from those outside the area of their control and therefore have no politically compelling reason to treat the subjects of other sovereigns with respect. It is not that the ruler is less humanitarian in his instincts or more immoral in his behavior than any other individual. But having the responsibility of the state on his shoulders, the tendency is to put what seems to be its immediate interest above all other considerations, including those of an ethical nature.

In time of war this subordination of ethical considerations is of course especially pronounced. Stalin merely phrased it a little more bluntly than is customary when on April 12, 1943, he wired Winston Churchill: "I wish you to kill the enemy and capture as many prisoners and trophies as possible."⁵

A year later, on May 24, 1944, Churchill himself was informing the House of Commons that: "In one place we support a King, in another a Communist. There is no attempt by us to enforce particular ideologies. We only want to beat the enemy . . ."

On August 12 of the same year President Roosevelt, speaking at Puget Sound Navy Yard, informed the American people that: "The word and honor of Japan cannot be trusted. . . . But with the end of a Japanese

⁵ Quoted in Winston Churchill: *The Hinge of Fate* (New York: Houghton Mifflin Company; 1950), p. 757.

threat, soon we hope, there is an excellent outlook for a permanent peace in the whole of the Pacific area."

In contrast with these heated observations, by members of the great wartime triumvirate, one may profitably study the dispassionate and prescient statement made during the same period by Pope Pius, to the College of Cardinals, on June 2, 1944:

"In any war where one of the belligerents succeeded only through the power of the sword and other means of irresistible coercion, in reaching a clean and unquestioned victory, it would find itself in the position of being physically able to dictate an inequitable peace imposed by force. But it is certain that nobody, whose conscience is illumined by the principles of true justice, could recognize in such a precarious solution the character of assured and prudent wisdom."

The absence of any ethical content in foreign policy during time of war is too obvious to need much citation or emphasis. Many would be inclined to discount this characteristic, however, by saying that war represents a breakdown, rather than an aspect, of foreign policy, and by asserting further that even in wartime the chief executive of a democratic nation is under constitutional restraints which tend to check immoral conduct on his part.

Unfortunately, both qualifications are more apparent than real. The President of the United States is nominally subject to many Constitutional restraints, in time of war as well as in time of peace. However, aside from the indication that the United States can now be plunged into a major war, as in Korea, by Presidential edict, it is

also clear that during the fighting foreign policy decisions of the greatest moment will be made by the President alone. As Mr. Roosevelt said, reporting on a selected part of the Yalta Agreement to Congress on March 1, 1945, the formula for the future of Poland was "agreed to by Russia, by Britain *and by me*" (emphasis supplied). Neither the Polish nor the American—nor incidentally the British and Russian—peoples had any say in the matter.

As against the theory that war is a mere interruption of the normal conduct of foreign policy, one recalls the aphorism of von Clausewitz, to the effect that war has always been definitely an instrument of national policy and that peacetime diplomacy only fills in the chinks until the time has come for the State to strike with military force. Certainly in the Prussian tradition, from Hegel on, there is little to indicate that peace is the normal condition of a nation, war a mere unfortunate aberration. Though Prussia is destroyed, the "Prussian doctrine" of Nietzsche—that the State is "beyond good and evil", determining morals for itself—is today stronger than ever before.

5.

BECAUSE individuals for the most part possess a moral sense there has been, usually under religious leadership, a long and valiant effort to introduce an ethical content

into the theory and practice of foreign policy. This effort has taken two distinct forms. One is the long-standing attempt to make those who control foreign policy strictly accountable to elected representatives of the people. The other is the more recent endeavor to establish an enforceable international law, involving the creation of an international political authority empowered and competent to take preventive action against a government whose foreign policy threatens a breach of peace.

The latter effort was obviously impractical until nations as we know them today had taken form as disciplined political units, with governments competent to keep order at home as a preliminary to making international commitments. Also, there had to be development of communications, trade and travel on a large scale before the need for any international political authority became apparent to people as a whole.

Aside from these positive factors, two of a negative nature helped pave the way for interest in world government. One was the decline of vital religious interest, which followed the fragmentizing of the Christian church throughout European countries that once had recognized the spiritual supremacy of Rome. The other was the increasing destructiveness of war. With no universally recognized religious authority, and with all existing political authorities seriously menaced by the effects of scientific war, the argument for international organization was greatly strengthened. Its development will be considered in the two following chapters.

The effort to establish popular control over the for-

eign policy of an individual sovereign, however, had made great headway long before concerts, or leagues, or unions, of nations had become more substantial than the dreams of idealistic philosophers. Indeed the desire to regulate the foreign policy of Charles I, who conspired with other monarchs to maintain his theory of rule by divine right, was a basic cause of the English Revolution in the Seventeenth Century. The influence of that revolution in the establishment of our own American governmental system was of course pronounced.

Both because of its intrinsic importance, and because of its striking applicability to our modern constitutional problems, the historic case of "Ship Money" may be used as an illustration. In Anglo-Saxon times "shippgeld" had been levied on English coastal towns to provide a defense against piracy. Charles I, lacking funds to build a navy to support his tortuous foreign policy, attempted to revive this type of taxation, hoping thereby to avoid parliamentary restraint and inquiry.

In 1637 John Hampden, a leading Member of Parliament and cousin of Oliver Cromwell, refused point-blank to pay the Ship Money tax, calling it tyrannical and illegal. He was arrested, tried, found guilty and imprisoned. But so many others followed Hampden's example that in 1641, a year before the Civil War broke out, Parliament declared that the judgments "against the said John Hampden were and are contrary to and against the laws and statutes of this realm, the right of property, the liberty of the subjects, former resolutions in Parliament, and the Petition of Right". The legislation also ruled that no further taxation in the form of "ship writs"

should be attempted. None has been, in England, to this day.⁶

Many other instances, from many countries, could be cited from the long effort to bring the conduct of foreign policy under popular control. All of them would be found to rest on the principle that arbitrary executive authority in this field is an intolerable infringement of "the liberty of the subjects".

Liberty, of course, is an ethical concept, based on the religious belief that men "are endowed by their Creator with certain unalienable Rights", as the Declaration of Independence asserts. And it is in no way accidental that the endeavor to give an ethical content to foreign policy has made most headway under representative government, and especially in those countries where men with a deep religious faith are willing to challenge the authority of the State.

The memory of John Hampden, who later gave his life fighting for Parliament against an arbitrary king, is part of the testimony to the vitality of that challenge.

⁶ Documentation in Samuel Rawson Gardner: *Constitutional Documents of the Puritan Revolution* (London: Oxford University Press; 1906), pp. 189-192.