

THE MORALITY OF U.S. POLITICS IN THE AGGRESSION AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA IN 1999

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Abstract

The author examines the morality of U.S. policy in the aggression against the Federal Republic of Yugoslavia (FRY) in 1999, using criteria for evaluating the morality of the U.S. president's policy proposed by Joseph Nye (Joseph S. Nye Jr.). The aggression against FRY is controversial, particularly its a priori determined moral character and the designation of humanitarian intervention. Our main goal is to demonstrate the unsustainability of the assessment of the moral justification of the aggression precisely according to his criteria. Therefore, our hypothetical starting point is that if morality is present in the foreign policy of the U.S. president, the criteria by which Joseph Nye evaluates each president will also show whether the policy that is directly related to the aggression against FRY is also moral. After explaining the theoretical-methodological approach, and presenting the attitudes towards morality of the most important theories of international relations, the paper presents an analysis of the morality of aggression conducted on the basis of intentions, means, and consequences. In relation to this, we examined the deontological and consequentialist sustainability of the morality of aggression according to the proposed criteria and questions. It was concluded that there is no ethical justification for aggression, unless achieving political interests is valued as morally acceptable in the spirit of consequentialist ethics.

Key words: NATO aggression, Federal Republic of Yugoslavia, U.S. policy, moral perspective.

МОРАЛНОСТ ПОЛИТИКЕ САД У АГРЕСИЈИ НА САВЕЗНУ РЕПУБЛИКУ ЈУГОСЛАВИЈУ 1999. ГОДИНЕ

Апстракт

Аутор разматра моралност политике САД у агресији на Савезну Републику Југославију (СРЈ) 1999. године према критеријумима за оцену моралности политике председника САД које је предложио Џозеф Нај (Joseph S. Nye Jr.). Агресија је кон-

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троверзна по више основа, а посебно по њеном *a priori* одређеном моралном карактеру и називу хуманитарне интервенције. Наш основни циљ је да укажемо на неодрживост оцене о моралној оправданости агресије управо према његовим критеријумима. Зато је наше хипотетичко полазиште претпоставка да ће, ако је у спољној политици председника САД моралност присутна, и критеријуми по којима Џозеф Нај оцењује сваког председника показати да ли је и политика која је непосредна повезана са агресијом на СРЈ такође морална. У раду је након објашњења теоријско методолошког приступа и приказа односа према моралу најважнијих теорија међународних односа извршена анализа моралности агресије према намерама, средствима и последицама. У оквиру њих је према предложеним критеријумима и питањима разматрана деонтолошка и консеквенцијалистичка одрживост моралности агресије. Закључено је да нема етичке оправданости за агресију, осим ако се остварење политичких интереса не вреднује као морално у духу консеквенцијалистичке етике.

Кључне речи: НАТО агресија, Савезна Република Југославија, политика САД, морална перспектива.

INTRODUCTION

Although international relations cannot be explained and understood solely from the perspective of leadership, the importance of their virtues or flaws is as great as that of important decision-making subjects. The argument that the role of individuals must be respected lies in the fact that states or other subjects of international relations cannot be attributed with consciousness, emotions, or morality, but those who make decisions can.

Our subject of interest is the morality of U.S. policy towards FR Yugoslavia, which led to the NATO aggression in 1999. Although it is clear to every citizen of Serbia that there were no humanitarian or moral reasons behind the aggression, our intention is to point this out from a different theoretical perspective.

The aim is to assess the morality of the policy that the U.S. pursued immediately before and during the aggression against FR Yugoslavia according to the criteria for evaluating the morality of U.S. presidential policy proposed by Joseph Nye (Joseph S. Nye Jr). In the book and essay in which he presents a methodological approach to assessing morality, he stated that morality has been present to a greater or lesser extent in all US presidents from the end of World War II to the present day. Therefore, our hypothetical starting point is that if morality is present in the foreign policy of the US president, the criteria by which Joseph Nye evaluates each president will also show whether the policy directly related to the aggression against FRY is also moral.

The paper employs hypothetical-deductive, descriptive, comparative, and analytical-synthetic methods.

The aggression against Yugoslavia in 1999 opened up many topics of discussion in international relations, including the morality of politics. The war in Ukraine, through the same criteria, intentions, means, and

goals, has a different moral assessment only because one power has replaced another. In addition to the culture of memory, this is another reason to address this topic.

THEORETICAL-METHODOLOGICAL APPROACH

Joseph Nye¹ does not question the importance of morality in international relations. He believes that its role depends on the contextual situation and the contextual intelligence of the decision-maker. According to his opinion and the opinion of other authors, morality has always played an important role in U.S. politics, especially after World War II. Amstutz states that “our government has consistently sought to base its foreign policy initiatives on both material interests and moral values” (Amstutz, 2019), without delving into the proportion of interests versus morals.

Given that there is a strong personal component in the definition of morality which identifies morality “as doing things because you feel you ought to” (Nye, 2020, pp. 29-30), it is necessary to establish criteria for its evaluation that would reduce subjectivity and make the morality of the policies of different presidents comparable.

Nye’s method of assessing morality takes impartiality as the starting point, which denotes the same criteria for assessing all interests. After that, “good moral reasoning should be three-dimensional: weighing and balancing the intentions, means, and consequences” (Nye, 2019/2020, p. 98). These dimensions are, in fact, the exponent of three ethical perspectives: virtue ethics, deontological ethics, and consequentialist ethics. In doing so, presidents use “three common mental maps of world politics - realism, cosmopolitanism, and liberalism” (Nye, 2019/2020, p. 98). The way they use them is by combining their relationship to morality, i.e., to intentions, means, and consequences. Combining them is a good and pragmatic way of using morality in foreign policy, and we would say it is efficient in explaining it, but it also provides broad opportunities for justification, manipulation, and the application of double standards.

Realists dispute the importance of morality in international relations. One reason is that the structure of the international system is anar-

¹ Joseph Nye is one of the most well-known international relations theorists, an emeritus professor, a member of the academies of sciences in both the United States and Great Britain, the creator of the theory of soft power, one of the most influential scholars of American foreign policy, and one of the top 100 global thinkers. He served as the chairman of the National Intelligence Council, which coordinates intelligence assessments for the President of the United States, and in the Clinton administration between 1994 and 1995 as the Assistant Secretary of Defense for International Security Affairs (Profile Joseph S. Nye Jr., 2023.);

chic and there is no supreme authority, which forces states to use all means necessary to survive.

Nye believes that realists oversimplify and generalise their approach to morality. There are few situations in which the survival of a state is threatened, which means that in most cases of political decision-making, moral values can be taken into account without harming the vital interests of the state.

Cosmopolitanism holds that all people in the world are equal and have the same rights, and that moral values are universal in nature and application. Therefore, the politics of implementing those values are universally acceptable and highly moral. Cosmopolitans ignore the fact that the boundaries of moral altruism are relative and that they change with the level of cohesion within a community. Since the international community is of a very weak cohesive nature, the values that arise from the family, group, society, or state will surely take precedence over those of cosmopolitanism. This hierarchy of values in foreign policy leads to moral inconsistency, which also relativises morality.

Liberals believe that various forms of liberalism, ranging from individual, economic, social, and institutional, create a certain level of cohesion in the international community, despite its anarchic nature. This is why certain moral norms arise, and lead to moral choices and condition certain moral behaviours in international relations. The mechanisms of norm influence are “the conscience of decision makers, domestic public opinion, international reputational pressures” (McElroy, 1992, p. 30). Moreover, they go even further, where institutionally defined moral values for liberals are placed above states and sovereignty, thereby opening the way for ‘humanitarian interventions’.

In the essay titled “What Is a Moral Foreign Policy?”, Nye provides more specific criteria for the moral evaluation of policy, based on which the role of morality in the foreign policy of individual U.S. presidents could be compared and assessed. Within each dimension of intention, means, and consequences, he identified several criteria, totalling seven. Based on these criteria, he formulated certain questions whose answers should evaluate their fulfilment, i.e. the moral impact of the U.S. president’s foreign policy. We will not focus on scoring, but we will analyse the morality of the policy implemented directly and during the aggression on Yugoslavia led by the U.S. and its president based on the criteria and questions given in the aforementioned essay (Nye, 2019/2020, p. 106).

THE MORALITY OF U.S. POLICY IN THE AGGRESSION AGAINST FR YUGOSLAVIA

Intentions: Motives and Goals

Intentions are usually what is publicly proclaimed as the goal of a certain policy. Two criteria – *moral vision* and *prudence* – are mentioned in relation to the analysis of intentions, which includes motives and goals. Declaratively, the intentions in the aggression would be the need to act humanely and justly, with the motives being the protection of human rights, the prevention of a humanitarian catastrophe, and the protection of the human rights of Albanians in Kosovo and Metohija.

1. Moral vision

The evaluation of the moral vision of the president is determined by the following questions:

- Did the president express attractive values, and did those values determine his motives?
- Did he have the ‘emotional IQ’ to avoid contradicting those values because of his personal needs?

The U.S., with its President Clinton and his associates, played a decisive role in gaining the support of other countries and in deciding to carry out the aggression against Yugoslavia. It can be said that the U.S. president, along with other NATO leaders, emphasised attractive values, such as preventing a humanitarian catastrophe and ethnic cleansing in Kosovo, and protecting the human rights of Albanians. This is why the nature of the intervention was defined as humanitarian. In all his speeches, especially since 23 March 1999, he emphasised humanitarian reasons first, which, along with appropriate rhetorical skills, had a favourable effect both domestically and internationally.

On the eve of the war, he sought the support of the American people “to oppose ethnic cleansing” (CNN, Transcript: 23 March 1999). The next day, in his address to the nation, he emphasised that “Ending this tragedy is a moral imperative” (CNN, Transcript: 24 March 1999,) and that there is a “humanitarian catastrophe” (CNN, Transcript: 5 April 1999) that must be prevented. Accordingly, on 31 May 1999, he said: “Our objectives in Kosovo are clear and consistent with both the moral imperative of reversing ethnic cleansing” (Washington Post, 1 June 1999). Therefore, according to Nye, “President Clinton made the difficult decision to use military force to resolve the conflict in Kosovo, but he did so with a clear vision of protecting human rights and preventing further ethnic violence. This was an example of applying moral principles to foreign policy” (Nye, 2020, p. 215). These are intentions that are supposed to confirm his moral credibility. Clinton claims that, through the humanitarian intervention, “we are upholding our values, protecting our interests,

and advancing the cause of peace” (CNN, Transcript: 24 March 1999). It is clear that American values and the values they fight for, as well as the values of the international community, are the same, and therefore indisputable; the same applies to the intervention. Their own interests come into play only after these values, which can be interpreted in two ways – first, as interests in preserving moral values, which no reasonable person can dispute, or second, which is much more likely, as the interests of a superpower and Western countries, which are not clearly proclaimed. Their own interests are masked by their contribution to world peace, humanism, and the vision of a free Europe.

“Considering that moral rules are not just a tool of usefulness, but also an expression and dictate of impartial public reason” (Pešić Z. R., 2014, p. 762), public opinion in NATO countries and the entire international community was manipulated and set against the Serbs, through references to events in Bosnia and the use of strong words such as genocide, Holocaust, ethnic cleansing, rape, and so on. The historical context was completely ignored, discarding the notion that “fundamentally, the conflict between Albanians and Serbs in Kosovo revolved around political control of that territory, rather than violations of human rights, political repression, or unjust, discriminatory policies” (Amstuc, 2008, p. 47).

At the international level, during the aggression against FR Yugoslavia and on the occasion of the 50th anniversary of the NATO alliance, it was claimed that the focus was on “building a global consensus on economic, social, and security policies” (Clinton, 2004, p. 790) in the name of the common good and after his term. The success of these efforts can be seen in the terrorism, new ‘humanitarian interventions’, militarism, and NATO expansion that followed his tenure, leading to a war in Europe and a ‘new Cold War’ in the world today.

Given that one should not rely solely on declarative values, but also on other motives, primarily personal ones when considering the intentions of individuals, it is necessary to identify them. The president of the United States at the time was under investigation and faced the possibility of impeachment throughout 1998, and until February 1999, due to his real estate dealings, affairs with intern Monica Lewinsky, and sexual harassment of other women. More precisely, President Clinton faced the possibility of impeachment for perjury and obstruction of Congress.

Our opinion is that this was not decisive in organising for the aggression against Yugoslavia to begin on 24 March 1999, just one month later, but the intervention and its moral justifications were a good way to divert attention from the president’s eroded moral credibility. On the other hand, can we trust a person who lied to the public, the legislative body of the U.S. government, investigative authorities, and his own family to advocate for lofty moral values and goals? Therefore, we are inclined to believe that personal interests determined his motives to protect Albani-

ans from a humanitarian catastrophe and ethnic cleansing, not only lofty moral values.

The answer to the second question is that there was clearly enough emotional intelligence to avoid contradictions arising from the moral values that he advocated and violated in his personal life, and in decision-making and responsibility assessment. The assessment is that the results indicate high emotional intelligence, which implies moral abilities, eloquence, and skills to deal with various situations. The unpleasant affair and morally unacceptable situation at all levels were overcome, so his approval rating in public opinion immediately before the aggression was 67%, and 65% at the end of his term in January 2001, which is the highest of all U.S. presidents in the last fifty years (BBC News in Serbian, December 20, 2019). However, during the NATO aggression on Serbia and Montenegro, confidence in his ability to solve the Kosovo problem had dropped to 57% by the end of March, with a further declining trend. At the same time, two months after the beginning of the aggression, the number of Americans who believed that the conflict should be resolved through peace negotiations increased to 47% (Gallup News Service, 26 May 1999). However, what he is remembered by are not his achievements in foreign or domestic policy, but the moral lapse of the 'Lewinsky affair'.

2. Prudence

- Did he have the contextual intelligence to wisely balance the values he pursued and the risks he imposed on others?

Prudence as a virtue refers to the ability to make rational and logical assessments and decisions based on careful consideration of the situation and facts, rather than emotions or impulsive urges. In the context of intelligence, it refers to "the ability to understand an evolving environment and capitalize on trends" (Nye, 2019/2020, p. 107).

Initially, the U.S. was cautious. It was only when it was in the interest of the U.S. that all means were used, an unacceptable "unprecedented ultimatum" was issued (Kissinger A. H., 1999), facts were fabricated, and an immediate pretext for intervention was found (Račak).

Prudence requires being well-informed, and the ability to assess gains and risks, and make appropriate choices. From the perspective of one's own goals and desired outcomes, as consequentialist ethics implies, the actions taken were rational and prudent. However, it is unlikely that the president of such a powerful nation did not have access to accurate information – that there was no ethnic cleansing or humanitarian crisis, or that there were no other alternatives. This would also call into question his contextual intelligence. We believe that this is not the case, and that he acted prudently according to the interests of his own country, and his personal interests. This, then, raises questions about the moral correctness

of the policy and decision to use aggression, and about prudence as a moral virtue.

Through emphasising their universality, moral values, although inferior to political interests in foreign policy, were dominant and used in the right way to justify the aggression against Yugoslavia. The neoliberal trend of developing free markets and capital, through the development of democracy and human rights, has been used as a current trend that puts state sovereignty and non-interference in internal affairs in the background, and morally justifies the actions of the sole superpower.

In the aggression against FR Yugoslavia, the risks for their own forces were minimised by conducting the bombing from a distance, as the U.S. President promised in his address to the nation: "I do not intend to put our troops in Kosovo to fight a war" (CCN, Transcript, March 24, 1999). The intensity of the air war against Serbia and Kosovo raises serious ethical questions about its moral correctness due to the mismatch of goals and means (Amstuc, 2008, p. 49). As Todorov explained, "By avoiding endangering the lives of their own soldiers, NATO does not hesitate to sacrifice the lives of enemy civilians, thus introducing a previous hierarchy into the price of human life" (Todorov, 2001, p. 17). For Brian Orend, this constitutes "a violation of the warrior ethos itself" (Orend, 2006, p. 280), and for Ulrich Steinworth "lives are mainly counted and compared" and therefore, fewer victims on one's own side, and more on the opponent's side, innocent or not, represents success (Maißer, 2004, p. 1). Their own forces were protected by conducting the bombing from a distance, while ground attacks were carried out by the so-called Kosovo Liberation Army, and the adverse effects on the opponent and civilian casualties were collateral damage justified by high moral goals. Therefore, "Walter Pfannkuche displays scepticism when it comes to humanitarian interventions, primarily for practical reasons: How to evaluate the lives of those at risk, threats, non-combatants, and interveners?" (Maißer, 2004, p.1).

On the other hand, contextual intelligence refers to the ability to monitor situational changes and make decisions accordingly, and to apply appropriate means. All opportunities were exploited to carry out the aggression, the international power constellation was in favour of the U.S. and the Western countries, and Russia was weakened, burdened by China and Europe, with still undefined identities. During the aggression, faced with unexpected resistance from Yugoslavia and growing demands for a peaceful solution from their own public and the public opinion worldwide, psychological, propaganda and military means were adapted to the development of the situation. All of this indicates that contextual intelligence was at the necessary level, that is, that a good assessment and understanding of the situation and the application of adequate means were present. When it became obvious that the goal could not be easily and

quickly achieved, when the attempt to enter Kosovo from Albania was thwarted, and the Yugoslav army was not significantly damaged, more drastic means were resorted to, such as systematic destruction of infrastructure and increasing the suffering of the people in every way. Morality was also set aside in this case. Preparations for a ground operation began as a form of psychological pressure, with “bringing Russia into the coalition to put more pressure on Milosevic was a characteristic achievement of the Clinton administration” (Ash, 2000). All of this had the effect of eventually resulting in a peace agreement, which the aggressor perceived as their victory in every sense - military, political, and moral.

Means

According to Nye, the use of means is determined by two criteria, where one evaluates the use of force, and the other evaluates the respect for liberal values.

3. Use of force

- Did he use force while paying attention to necessity, discrimination in the treatment of civilians, and the proportionality of benefits and harm?

The effectiveness of means in politics often depends on how much they contribute to achieving goals. How leaders treat their own people and opponents, and how they choose means of coercion is evaluated for the morality of their actions. From the perspective of consequentialist ethics, all means are allowed if they contribute to achieving goals, including the use of force and the means that manifest it. “The rules in bello can be summarized in the principle of proportionality between the means of war and the goals of war” (Steinvorth, 2004, p.21), which justifies the use of all means against the Serbs because of serious crimes: denial of human rights, expulsion, rape, murder, etc. Of course, this does not apply to the other side – the persecution of Serbs, especially in the year when this text was written. The second question is who determines proportionality and in what manner. Does this responsibility fall to politicians, Great Powers, soldiers, media, the public, or philosophers? According to statements, it was necessary to use military force because all other means of solving the problem in Kosovo and Metohija were exhausted, which is absolutely untrue. There was no willingness to solve the problem peacefully, as evidenced by the fact that all conditions were accepted by the Serbian side, except for the condition that Yugoslavia “be occupied by NATO”, which no country would agree to (Badiou, 2011, p. 68). H. Kissinger believes that this part of the Rambouillet Agreement text “was a provocation and

an excuse for the commencement of bombing” (Bancroft, 1999), as can also be seen from the agreement itself². On the other hand, the acceptance of the agreement, as it later turned out, posed fewer security risks for Serbs in Kosovo, which cannot be said for the country as a whole, according to Krstic (2016, p. 117).

Military force was used without sparing civilians, as evidenced by data on the casualties of civilians, including women and children. In addition, the bombing of petrochemical complexes and transformer stations caused an environmental catastrophe – depleted uranium and banned cluster bombs were used and dropped even on cities. This means that from the perspective of the aggressor, the use of all means is possible if they serve the desired outcome. However, that does not mean that they are *a priori* moral.

Considering the proportionality of benefits and harm, it seems that it was well established. The intervention was legitimised as humanitarian, the public was sufficiently indoctrinated, the opponent was militarily inferior and dehumanised, so excessive use of force, civilian casualties, indiscriminate bombardment, the duration of the aggression, and some verbal condemnation from international organisations could not seriously harm the aggressors.

We can rightfully conclude that force was not necessary in resolving the Kosovo issue, and that civilian casualties were not taken into account, which is not in line with moral values. However, from the perspective of benefit or consequentialist ethics, it was fully justified for the aggressor.

4. Liberal concerns

- Did he try to respect and use institutions at home and abroad?
To what extent did he consider the rights of other peoples?

The “humanitarian intervention” was approved by the U.S. Congress. (See Clinton, 2004, p.787). Predictions were publicly made that the war, euphemistically referred to as an intervention, would last for a ‘relatively’ short period. Congress, and even the military were not presented with the real possibilities that the ‘intervention’ could last longer and that the use of ground forces might be necessary, which neither Congress nor allies of the U.S. would have approved. As Ash concludes, “Politics means being economical with the truth. But what are we to conclude if they didn't even tell their own military?” (Ash, 2000).

² More about Annex B of the Rambouillet Agreement in: Dušan Proroković, The Process in Rambouillet – Political Pretext or the Nato Aggression on the Federal Republic of Yugoslavia, page 48, National Security Policy, Year X, vol. 16, issue 1/2019, pages 237-252 DOI: <https://doi.org/10.22182/pnb.1612019.11>;

On the level of foreign policy, there was no support from Russia or the wider international community, meaning that no decision was obtained from the UN Security Council. Disrespecting the authority of international institutions, their rules, and international law is inherently an immoral act. Therefore, “neoliberal hegemony with its aggression against Yugoslavia and later interventions in other countries exposed all the hypocrisy of Western politics, morals, and relationships with others” (Pešić, 2021, p. 419).

The question of considering the rights of other peoples can be interpreted in different ways: through respect for the right of a national minority to secede and form its own state; through the endangerment of human rights as a pretext for intervention; but also as the denial of the rights of some in favour of others, and support for the ethnic cleansing of Serbs after the arrival of peacekeeping forces. The West and NATO produced a secondary effect through intervention “because they support the policy of ethnic cleansing [of Serbs] and the constitution of ethnically pure states (Kosovo, Croatia - remarks of Z.P.)” (Todorov, 2001, p. 13). Of course, interventions to protect human rights towards friendly countries or great powers is unacceptable and not in the interests of the United States. In any case, ethical norms – the deontological requirement that it is a duty to respect rules and their universal importance and application without selection, in all situations and towards all nations and people – are not respected.

What Nye calls ‘liberal concerns’ is indeed a good reason for concern, as the fundamental theoretical and moral postulates of liberal ideology and theory, that is, international institutions, international law, and moral values are not respected.

Consequences

Nye provides three criteria for evaluating the morality of a policy based on its consequences: trusteeship, cosmopolitanism, and educational effects of the policy. Trusteeship refers to acting in the best interest of one’s constituents and all citizens of the United States. Cosmopolitanism refers to understanding and respecting the interests of others, and being impartial in judgment and conclusion. The educational effects criterion has several questions, but fundamentally relates to what is left behind as a legacy of the policy. The questions provide a more detailed explanation of the criteria.

5. Fiduciary

- Was he a good trustee of America’s long-term interests?

Based on real interests such as preserving NATO unity and purpose, geopolitical reasons in the Balkans, confirming American leadership and neoliberal hegemony disguised as humanitarianism, and sending

a message to the international community, other superpowers, Islamic countries, and their own allies, it seems that long-term American interests were taken into account. This was followed by new interventions under similar humanitarian pretexts, which alarmed many countries and sobered up two major powers – Russia and China. The result was a slow transformation of the international order from unipolar to multipolar, which increased distrust in the good intentions of the U.S. and Western countries, something they certainly did not intend. Over time, it has also become clear that the precedent of intervention has turned into a rule invoked by some states, while it was denied to others, which speaks to legal and moral inconsistency. Here we limit ourselves only to interests related to the aggression against FR Yugoslavia, because the assessment of success in both mandates of President Clinton is very high. It seems that the aggression served the short-term interests of the U.S., but it has been shown that it did more harm than good to the international reputation and interests of the U.S. in the long run.

6. *Cosmopolitan*

- Did he consider the interests of other peoples and minimise causing them unnecessary harm?

When considering the interests of others, aside from the interests of the allies of the U.S., the most important interests for us are those of Albanians and Serbs.

Every consideration of interests requires impartiality, which is the ability to make objective judgments without giving preference to any side in the conflict. If “human rights and freedoms are the most sensitive area and the ultimate measure of democracy in a state and society” (Dimovski, 2021, p. 1057), how is it that highly valued democratic countries like the U.S. and Western countries do not have an understanding of the negation of the rights of Serbs during and after the aggression? The answer is simple: because it is not in their interest, because the Serbs deserved it, and because universality is selective, and therefore the aggressor’s responsibility.

The U.S. and Western countries immediately sided with the Albanians as victims, and all other facts that spoke to the contrary, or in favour of the Serbs were ignored. Even after the intervention, it was established that “there is no genocide or anything similar” (Todorov, 2001, p. 12), but this did not change the opinion about the exclusive guilt of the Serbs.

For a good ethical assessment, it is necessary to consider all relevant facts, including the historical context. Theoretical debate revolves around the question of “Just how far back into the ethical history of a conflict does... There clearly needs to be some point at which past wrongs are allowed to fall into obscurity” (Frost, 2009, p. 66). The author argues that for Serbs, mentioning the 14th century is excessive, with which we can agree. But what about the following centuries, and the last fifty

years? He concludes that “ignoring relevant history is an obvious mistake and that balance needs to be established” (*ibid.*). The problem with balance is that it has been on the side of the aggressor’s interests and the nation they advocate for due to double standards. In fact, balance exists only to the extent to which the interests of one of the parties coincide with the interests of the United States.

There is no talk of cosmopolitanism here, which hides aggression through humanism and the protection of human rights, simply because it is selective justice and morality, as Albanian rights are given precedence over Serbian rights.

With unnecessary material damage, the consequences of the excessive use of force indicate that “the main victim of NATO’s punitive expedition in Serbia was the civilian population” (Todorov, 2001, p. 15). The civilian population was, in fact, used as a means to force Serbia to accept the conditions imposed by the U.S. and NATO, which is contrary to the basic postulate of Kant’s deontological ethics that man should never be used as a means, but solely as an end. However, in the spirit of consequentialist ethics, Steinvoth believes that “it is not motivation that determines the legitimacy of wars, but the consequences” (Steinvoth, 2004, p.21?). This means that duty, humanism, human rights, interests, or other reasons for intervention are irrelevant if success is achieved – in this case, the protection of Kosovo Albanians. The negative consequences for the innocent, or Serbs who are a priori considered guilty, are not taken into account.

7. Educational

- Did he respect the truth and build credibility? Did he respect facts? Did he try to create and broaden moral discourse at home and abroad?

From the aggressor’s perspective, the truth about the humanitarian catastrophe and the protection of human rights was completely fabricated, and the participants, including the U.S. President, built their high moral credibility and the reason for aggression on these foundations. The facts were not only disregarded but also fabricated – the number of refugees, ethnic cleansing, rapes, and finally, the pretext for the aggression (Račak). Orend believes that a just cause is sufficient for humanitarian intervention, and that is when the state “turns savagely against its own people, deploying armed force in a series of massacres against large numbers of its own citizens” (2000, p. 4), taking the example of Kosovo in the 1989-1999 period. This intervention is morally justified, which is not difficult to agree with, provided that the assertion is accurate. According to the report of the German Ministry of Foreign Affairs to German Courts, a year before and at the beginning of the aggression, “there is no mention of alleged persecution of Kosovo Albanians, ethnic cleansing, genocide against the Albanian population, humanitarian catastrophe, ... and it is

noted that the measures taken by security forces in Kosovo were directed against terrorists, not against the Albanian population” (Krivokapić, 2014, p. 360). Noam Chomsky also cites reports from the British government that indicate that the majority of killings in Kosovo before the aggression were committed by the KLA, with the aim of provoking an excessive Serbian response which would prompt a NATO intervention (Chomsky, 2018: 190). Heinz Loquai³, a member of the OSCE mission for the Balkans, claims that “none of the situation reports, whether from the Foreign Office, the Ministry of Defense, NATO in Brussels, or the OSCE in Vienna, before March 24th, mentioned the mass expulsion in a systematic or planned manner” (according to Moritz, 1999, p. 16). The Human Rights Watch (HRW) report attests to crimes, murders, rapes, and the displacement of the population by Serbian forces immediately before the aggression and during the NATO aggression, which cannot be a justification for the aggression. Before the intervention, there were concerns that it would lead to a humanitarian catastrophe and crimes on all sides, but these were ignored and considered an acceptable cost or collateral damage. In the same report, those same crimes committed by the so-called Kosovo Liberation Army are also mentioned, as is the fact that there is no evidence that NATO committed war crimes, and that it merely violated international humanitarian law.

The historian who provided the White House with the facts that were given to the press admitted, “Of course, I did not publish all the facts, only those that favored our portrayal of the war” (Moyn, 2020). After such a selective approach, all subsequent knowledge of truth and evidence were not respected, and facts were ignored and anathematized. And the most important argument – that humanitarian reasons are not the primary reason for the aggression – is revealed by the fact that plans for the aggression were made much earlier, and only a favourable situation and pretext were being searched for. Intelligence data, actions, analyses, and the opinions of many authors speak to this. It can be seen that the actual reasons of aggressors differ from each other. The main argument in defence of their moral credibility and unlawful aggression were biased judgments of the International Court of Justice in The Hague. However, there are different opinions. Steinvorth, in the German debate on the war in Kosovo and Metohija (Steinvorth, 2004, pp. 19-30), considers that NATO’s intervention in Kosovo and Metohija was legitimate, even if

³ Heinz Loquai has written a book on how the war could have been avoided by presenting facts and truth, which is why he was criticized by the German Minister of Defense Rudolf Scharping (Loquai, 2000). Together with the German Minister of Foreign Affairs Joschka Fischer, Scharping knowingly lied to the German public about the existence of the secret Serbian plan “Horseshoe” in 1998 for the expulsion of Albanians.

there was not a humanitarian catastrophe. He explains this through four arguments that he does not have to prove conclusively. They are based on the facts that there were crimes in the past, that they could have been prevented through interventions, and that crimes committed by Serbs that hypothetically might occur necessitate intervention even at the cost of violating the rules of war. The problem for defenders and critics is the availability of information, and the uncertainty over which information is credible. But an even greater problem, he believes, is the choice of which facts and values we consider important for legitimacy. We agree with that and, as for the argument about crimes that Serbs might hypothetically commit, the crimes might just as well not happen, hypothetically. The conclusion of the debate is that participating philosophers find it difficult to break out of established frameworks and have high expectations regarding facts, which is both logical and more moral. Authors of philosophical provenance constantly criticise the 'poor accessibility of facts' as an obstacle to relevant moral conclusions, without considering how truthful the facts about Kosovo presented to them by their governments and media really are. Not even the most renowned German philosopher, Jürgen Habermas, resisted the seduction of official information. Habermas referred to the NATO aggression in Kosovo for humanitarian reasons and human rights as an "authorized mission of peace" and noted that its "surgical precision in aerial bombardment and sparing civilians grants it high legitimacy" (Habermas, 1999: 1), placing it on the border between law and morality. Interestingly, after Russia's aggression in Ukraine, he holds the opposite view – not about the aggression, but about the importance of human rights (Habermas, 2022). At the end of the debate on Kosovo and Metohija, "a self-critical question remains, what is the actual role of a moral philosopher when sitting at a table in Germany and writing about under which conditions it is right or wrong for other people somewhere in the world to wage war" (Stoecker, 2004, p. 178).

The aggression against FR Yugoslavia raised many questions related to the hegemony of one power in the international order, and political relations and respect for international law, but moral values were especially debatable in three ways: (1) how much are humanism and human rights a priority compared to sovereignty and non-interference in the internal affairs of others; (2) how acceptable are Western countries' own values for others; and (3) how effective and morally correct is to impose them by force. NATO "has transformed the internal component of its identity" (Popović Mančević, 2021, p. 1420) by expressing it through solidarity as a highly moral value, but selectivity in its application has raised questions. This moral discourse promoted by Clinton and supported by NATO was increasingly questioned both internationally and domestically. This was predicted by Kissinger's statement that "but to implement such a policy on a permanent basis will not be nearly so simple as the

self-congratulatory rhetoric implies” (Kissinger A. H., 1999). And nowadays, from a moral point of view, aggression is unacceptable.

In the end, even Nye himself relativizes his own criteria, stating that “even when there is broad agreement on the facts, different judges may weigh them differently” (Nye, 2020, p. 185) or that morality should be viewed in terms of “effectiveness of consequences” (Nye, 2020, p. 183), which is the basic credo of American foreign policy. He does not see obstacles to foreign policy in moral norms, double standards, or ignoring facts, but believes that “the future success of American foreign policy may be threatened more by the rise of nativist politics that narrow our moral vision at home than by the rise and decline of other powers abroad” (Nye, 2020, p. 218). There is some truth in this, although the assessment of the consequences of President Trump’s policies and attitudes towards them within the U.S. is debatable.

Our goal is not to evaluate the validity of the given criteria, but to assess whether the policy was moral or not based on the criteria, in relation to its intentions, means, and effects. If we separate them, we have good intentions, bad means, and good effects, but from the perspective of interests rather than the perspective of moral correctness, which is immoral in all aspects.

If we return to the beginning of Nye’s book, the introduction argues that the morality of U.S. foreign policy is based on American exceptionalism, Wilsonian liberalism, and the liberal order after 1945. Our opinion is that the crucial role in this, at that time and especially today, was played by American exceptionalism on the basis of which foreign policy was built. This means that the same criteria, including moral ones, do not apply to everyone. America is exceptional in many ways, but in this context exceptionalism implies the permissibility of everything that is in the interest of the U.S., determining the rules for others, and arbitrating. Such an understanding prevents the consideration of facts and objectivity. And in the 2022 Russian intervention in Ukraine, Nye does not see any similarity with the U.S. intervention in former Yugoslavia. The main cause of the Russian aggression lies in Putin’s personality, his animosity towards Western intentions and values, Russia’s weaknesses and great expectations for economic aid from the West, and the denial of the Ukrainian nation and state, while the expansion of NATO and the threat to Russia’s security is a much weaker cause (Nye, 2022). Therefore, the U.S. and Western countries are almost completely innocent in this conflict. Any comment here is unnecessary, except in the context of what we have already said, that exceptionalism blinds or justifies everything.

Kissinger analysed six exceptional world leaders who contributed to their country and its reputation by choosing appropriate strategies in his latest book. For each leader, he identified and named the following strategies: the strategy of Humility, Will, Equilibrium, Transcendence,

Excellence, and Conviction. There is no universal strategy for success or, we would add, failure. Thinking about how to name the strategy of U.S. foreign policy and its president in the aggression against a small country, we concluded that it would be the 'strategy of arrogance or haughtiness', which is closely related to hypocrisy.

CONCLUSION

Analyses of foreign policy are increasingly replacing ethical concepts with national interests, as they provide more space for justifying intentions, means, and consequences.

In the case of the aggression against the Federal Republic of Yugoslavia, the moral criteria are not fully met as determined by deontological and consequentialist ethics, just as the President of the United States cannot boast of virtues.

A deontological approach analysed through intentions, motives, goals, and means indicates that aggression cannot be justified from a deontological ethical perspective on any grounds. Invoking duty and obligation to act on humanitarian grounds or universal principles is unsustainable due to inconsistency.

A consequentialist approach, which involves adjusting the rules and the act itself to the expected outcome, achieved its goal to some extent – not in connection with humanism, but with the interests of those who intervene, and in the name of those for whom they intervene. The rules of non-interference in the internal affairs of states and the denial of sovereignty were side-lined in favour of a questionable form of humanism, and humanitarian reasons were directed towards denying the human rights and the ethnic cleansing of Serbs after the intervention. The ultimate outcomes – support for secession and the creation of a new state, are illegal and immoral, and cannot be justified even from a consequentialist ethical perspective, given the civilian casualties and extensive destruction. The immorality, and thus the responsibility, of those who decided on the aggression lies in the fact that they should have foreseen its negative effects.

Even if we were to find some deontological or consequentialist justification for the intervention, the problem lies in the violation of the sublime principle from which all others are derived, and that is truth. The starting point for the so-called humanitarian intervention was a humanitarian catastrophe and the protection of human rights, and they simply were not true, at least not to the extent that would warrant an intervention. In Kosovo and Metohija, it was about the legitimate right of a sovereign state to combat the continuous separatism and terrorism of a minority. Today, we see how the aggressor justifies Israel's legitimate right to combat terrorism, while others condemn it. Whose truth will prevail? Is

there any doubt? Considering the emotional and contextual intelligence of those who were the main promoters of the intervention in Serbia, we cannot be convinced that they were unaware of this. There is a much greater likelihood that they consciously, and thus morally impermissibly, denied facts in the name of other political interests rather than moral ones. And that fact, which can easily be proven today, denies any moral justification for the intervention.

In our opinion, the planning, implementation and effects of NATO's aggression against FR Yugoslavia are an expression of a realistic approach, which was focused on achieving the interests of the United States and its president, Western countries, and our neighbours who participated in everything.

In terms of mental maps, realism was used to justify the intervention (as a reason that all other means had been exhausted), cosmopolitanism was used to provide reasons for the intervention (not only ethnic cleansing and the human rights of Albanians but also, retroactively, the rights of all those who had been threatened by Serbs in former Yugoslavia, and as a message to those with such intentions), and liberalism was used as a way to push sovereignty and non-interference in the name of humanism into the background. In moral terms, realism abused morality to apply force, cosmopolitanism morally justified aggression, and liberalism elevated aggression to the highest moral value. Thus, liberal tendencies and cosmopolitanism were transformed into neoliberal hegemony that only exploited humanism and human rights for realistically achieving the interests and benefits of the U.S. and Western countries. This established a new pattern of behaviour in international relations reserved only for one group of countries.

The use of different mental maps in analysis contributes to understanding the intervention and its unfolding, but it does not morally justify it in any way, because adapting morality to mental maps relativises it and makes it inconsistent. Moral norms, in order to be norms at all, must have a universal character and must be consistently applied.

Therefore, the answer to our hypothetical premise is negative, meaning that the policy of the U.S. and its president regarding the aggression against Serbia was not moral and cannot be justified, according to Joseph Nye's criteria, unless interests beyond humanitarian ones are subsumed under morality. And that is already a consequentialist (mis)use of morality for pragmatic purposes.

According to Nye's question in the title of his book *Is Morality Important?*, our answer is, in a dual sense, yes – as a motive for some foreign policy, but also as a reason for its prevention. In other words, if we paraphrase Kant again, morality cannot be used as a means but as an end in itself, because it is an end in itself.

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МОРАЛНОСТ ПОЛИТИКЕ САД У АГРЕСИЈИ НА САВЕЗНУ РЕПУБЛИКУ ЈУГОСЛАВИЈУ 1999. ГОДИНЕ

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Резиме

Морал и улога појединаца у међународним односима су најчешће оспоравани концепти у међународним односима.

Аутор разматра моралност политике САД у агресији на Савезну Републику Југославију (СРЈ) 1999. године према критеријумима за оцену моралности политике председника САД које је предложио Џозеф Нај (Joseph S. Nye Jr.). Агресија је контроверзна по више основа, посебно према њеном а priori одређеном моралном карактеру и називу хуманитарне интервенције. Наш основни циљ је да је укажемо на неодрживост оцене о моралној оправданости агресије управо према критеријумима Џозефа Наја.

Његов начин процене моралности се заснива на процени изражених намера, употребљених средства и последица. Нај сматра да се лидери у употреби морала ослањају на комбиновање схватања морала три доминантне менталне мапе светске политике, а то су реализам, космополитизам и либерализам.

Зато је наше хипотетичко полазиште да ако је у спољној политици председника САД моралност присутна, онда ће и критеријуми по којима он оцењује сваког председника показати да ли је и политика која је непосредна повезана са агресијом на СРЈ такође морална.

У раду је након теоријскометодолошког приступа и приказа односа према моралу најважнијих теорија извршена анализа моралности агресије према намерама, средствима и последицама. У оквиру њих је према предложеним критеријумима разматрана деонтолошка и консеквенцијалистичка одрживост моралности агресије.

Закључено је да се агресија из деонтолошке етичке перспективе не може оправдати ни по једној основи услед недоследности. Консеквенцијалистички приступ који подразумева прилагођавање правила и самог чина очекиваном исходу је донекле остварио свој циљ, али не у вези са хуманизмом, већ са оствареним интересима оних који интервенишу и у име оних за које се интервенише. Обе перспективе се заснивају на лажним и конструисаним чињеницама, због чега се и њихова валидност у моралном просуђивању доводи у питање.

Зато је одговор на наше хипотетичко полазиште негативан, односно да политика САД и њеног председника поводом агресије на СРЈ и према критеријумима Џозефа Наја није била морална и не може се оправдати, осим ако се интереси изван хуманитарних не подведу под морал. А то је већ консеквенцијалистичка (зло)употреба морала у прагматичне сврхе.