“Let us make mankind in our image; and let them have dominion over all the earth…” Called to share the Divine likeness, human beings were made to exercise rule in the form of dominion: delegated, providential care—responsibility—for the conditions of history, in history. Such care is characterized by other-centered acts of self-donation. This contrasts sharply with domination. Since the Fall in the Garden of Eden, human beings have been afflicted by the libido dominandi—we have been ruled by the lust to rule. Domination is characterized by self-centered acts of other-donation that feed our hunger for power, advantage, and glory through the forced submission of the powerless to our will.

The political-theological patrimony of the Christian intellectual tradition, including just war casuistry, helps guide human beings back to the just exercise of our governing vocation. In our private and public lives, including through the work of government, human dominion is approximate, limited, and imperfect. Following after God’s work of creating, sustaining, and liberating all of creation, human beings exercise power with the aim of peace, characterized by the presence of justice and order as oriented toward genuine human flourishing.
REINHOLD NIEBUHR & THE PROBLEM OF PARADOX

Marc LiVecche

The tension between order and justice, between stability and human rights, between states and individuals, lies at the heart of Niebuhr's internal conflicts. He wrestled with his own theological and ethical conceptual dilemmas. Immediately behind Niebuhr is an amphibious assault, with warfighters disembarking a landing craft and wading toward a shoreline already engaged with the fire, smoke, and din of battle. Above him, bombers swarm in deadly formation. Below are rendered scenes depicting the hated guard towers and dreaded gate of Auschwitz-Birkenau and the atomic bombing of Hiroshima, Japan. Taken together, these scenes begin to describe the reach, the moral and political complexity, and the devastation of human conflict.
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One of the main elements of soft power is the expression of moral condemnation or approval. Although a realist may argue that nations act to promote their self-interest and are moved only by tangible considerations such as the size of another nation’s military, economy, or other such “real” factors, nations in effect do respond to the moral voices of other states, non-state entities, and the “international community.” Thus, even totalitarian and authoritarian states do not simply ignore criticisms of their human rights records, but rather seek to justify their actions by arguing, say, that socioeconomic rights are more important than legal or civil ones. Alternately, they might insist that their human rights records are in reality better than outside observers claim, or that they will attend to legal or civil rights once they have achieved a higher level of economic development. Nor, in turn, do these same states hesitate to criticize liberal democracies; for example, Russian President Vladimir Putin has chastised the United States for its own human rights record.1 Leaving aside consideration that motives might include genuine concerns of conscience, nations are inclined to raise their moral voices, even if the impact on other nations is limited, if for no other reason than simply because many local and transnational groups expect it. Taking a moral view may serve the domestic politics or diplomatic agendas of those in power. As a result, nations and non-state actors might raise their moral voices readily and quite often. However, such overexposure serves only to undermine the moral voice and squanders the moral capital states have. Nations, and the world, would be much better served if they
exercised their moral voices much more sparingly—and in particular if they focused in on those situations in which they can do the most good. Discernment, and the framework to allow this, is what’s needed. In short, moral triage is called for.2

The term triage is usually used in the context of emergency medicine to describe standard operating procedure when a medical team is faced with a number of injured people that far outstrips the team’s resources. Simple triage calls for sorting the injured into three categories: those who will likely die regardless of immediate treatment; those whose injuries seem comparatively light; and those whose injuries are severe but are likely to survive and recover if treated rapidly. In most cases, this last group gets first attention. (Of course, the ratio of those treated to those neglected depends on the resources available and the number of people who would greatly benefit from immediate intervention.)

The same should hold for moral triage. At any given point, a state could readily chastise scores of other nations for one reason or another—or, more often, for several reasons. However, if a nation issues scores of condemnations, they quickly lose their effect. This is particularly true if states or non-state actors that ignore moral condemnations do not face concrete consequences for their continued abuses.

Evaluating the utility of my proposal may be difficult. Because moral triage is a new concept, it is not possible to point to an agent that has self-consciously applied this approach in the past. Nor do there seem to be states or other actors that have applied policies that generally correspond to my proposal’s basic tenets. Nevertheless, there follows two cases in which a moral voice was applied, with good effect, to situations that seem to fit the triage criteria for immediate attention. These are followed by a study of a scattergram approach in which condemnations were issued with decidedly less discernment. I cannot stress enough that in each case factors other than the moral condemnation were at play, though the rebuke nevertheless seems to have played a decisive role in the first two cases, and hardly any in the others.

OUT OF THE BOATS

The United Nations has called Myanmar’s Muslim-minority Rohingya people “the most persecuted minority in the world” and at risk of genocide.3 In flight from this violence and persecution, as many as 20,000 Rohingya, or one in ten, have fled the country in small boats and are now living on the waters of the Andaman Sea.5

In May 2015, despite the Rohingya’s plight, neighboring Indonesia stated that it would deny the threatened people permission to land on Indonesia territory.6 Thailand and Malaysia did the same.7 The United Nations’ human rights chief declared himself “appalled” at the news that the three nations had turned their backs on Rohingya.8 A spokesperson for the United States Department of State expressed grave concern, calling the situation an “emergency” and, accompanied by a bevy of non-governmental organizations such as the Arakan Project9 and international religious leaders such as Pope Francis10, “urged” neighboring states in the region to offer the Rohingya refugee status and safe haven11. The United States, for its part, further offered to settle about 1,000 Rohingya refugees. More impressively, Gambia offered to shelter all of the Rohingya boat people, saying, “As human beings, more so fellow Muslims, it is a sacred duty to help alleviate the untold hardships and sufferings these fellow human beings are confronted with.”12

In specific response to this international outcry, Indonesia and Malaysia shifted their policy13 and extended assistance and temporary shelter to 7,000 of the nationless refugees,14 with Malaysia also offering its navy and coast guard for rescue operations15 Thailand, too, announced that it would stop preventing boats carrying Rohingya refugees from landing on its shores,16 and Bangladesh,
arranged to offer Chen a special student position at its law school. Chen was allowed to leave China for the United States.

Things, of course, do not always work out so well.

**SQUANDERING THE MORAL VOICE**

Considerable debate has centered on whether the United States should, or does, act as the world’s policeman. Traditionally, the US has seen itself as the guarantor of major international norms; for example, it assertively enforces the freedom of maritime navigation. However, in my studied view, when it comes to statements of moral censure the US often overextends itself and applies its moral voice without consideration for its likely effectiveness. In many cases, the United States behaves much like a grouchy, retired uncle who sits at the edge of a playground and verbally snipes at the children playing there by telling them to run less, clean up their language, play nice, and so on; all the while being roundly ignored.

One reviewer has posited that the primary problem here is not so much the incessant moral censure—assuming that the uncle’s complaints are in fact legitimate—but that there is no force backing up his words. While granting that “neither the uncle nor America should be nitpicking nags,” the reviewer maintained that ignoring children’s petty playground voces is not quite the same thing as, say, remaining silent after ISIS hacks off someone’s head. This remains true even if it’s granted from the start that ISIS will not desist. In response, I can only say, well, yes. But it’s important to note that the scope of this article is limited to acts of moral censure; it does not encompass an analysis of any other possible action or the lack thereof. Furthermore, the specific purpose of this article is to highlight why moral censure should be used sparingly. Without question, the US and the international community should condemn brutal acts by ISIS. However, if it will issue similar condemnations on a too-frequent basis regarding the other acts of terrorism happening across the globe on any given day—of which are deserving of such censure but which may not be deemed actionable—there will be a declining marginal utility of the effect of such condemnations.

Let’s consider Burundi President Pierre Nkurunziza’s April 2015 announcement that he would seek reelection, a declaration which sparked a failed coup, months of protests, and acts of brutality against the protesters by police and the ruling party’s Imbonerakure youth militias. The United States not only called on the Burundian government to “condemn and stop the use of violence” by government proxies but demanded as well that all who used violence to intimidate protesters “be held accountable.”

It further issued a statement condemning any attempt to gain power through violence or other extraconstitutional mechanisms, and urging all parties to the fighting to stand down and “commit themselves to a constructive dialogue.”

The American ambassador-at-large for war crimes weighed in, insisting: “We are sending [the] strongest message we can that those that commit [acts of violence]—in particular, those that incite them, order them, arm and deploy the forces that are
committing these crimes—will be held to account.”27 All these condemnations were issued to no effect.

By noting that these demands went unheeded, one may ask about alternatives: “Is the brutality to be simply ignored? Is there no kind of moral censure that remains valuable without making demands that no one intends to enforce?” To use a musical analogy, yes, moral outrage can be expressed in different registers. All the while, the higher registers (i.e. the more severe), in particular, should be used sparingly.

Shortly following the Burundi debacle, the United States issued yet another moral criticism, this one concerning developments in Sudan, which also went largely ignored. This in turn was followed by an expression of moral outrage by the US about actions of Boko Haram. Before and after, there were several critical statements by various American authorities concerning human rights abuses in Russia, China, and elsewhere in the world. Most to little effect.

Still looking for a place for even that kind of moral censure that we know will go unheeded, another earlier reviewer pondered a situation in which we don’t, initially, publicly condemn an action because, per the framework of moral triage, we realize our condemnation won’t directly cause behavioral change—as might have been the case with China building artificial islands with military installations. But what if the scenario is serious enough that, if it continued apace, we knew we would eventually be required to react militarily if we deemed the actor had finally crossed a—hitherto unspoken—red line? How could our adversary have avoided military action if we never communicated that we might consider such action necessarily? Especially if we consider war a last resort, isn’t a verbal condemnation a step in avoiding conflict? This reviewer’s concern is not directly related to the concept of moral outrage. A distinction can be made between moral censure and the drawing of a red line, which comes into play especially when the national interest is at stake. Limiting pronouncements of moral censure would not limit, for example, the United States’ ability to make its interests known, or its intended method of recourse should those interests be compromised. In other words, publicly made moral condemnation is not the only way for nations to communicate the existence of red lines.

But one may then ask: “Isn’t there space for something between doing nothing and generating red-lines we don’t intend to defend? Surely there is a public condemnation that doesn’t carry demands—that need to be backed by force—but still makes a moral proclamation and, if so, isn’t that kind of thing valuable? Wasn’t there power in Reagan’s declaration of the Soviet Union as an ‘evil empire’?” In response, I note that I am not arguing that moral outrage has no effect but only that it needs to be sharply focused. President Reagan used the term in reference to one country. A future administration would refer to just three nations as an axis of evil. If instead that characterization would be made of all the countries that violate human rights—several scores—the label is likely to lose much of its effect.

The use of highly evocative terms, such as evil, raises another issue, which is beyond the scope of this article but deserves brief discussion. One does not deal or negotiate with evil; one seeks to vanquish it. Hence, once the leaders of one nation characterize another nation as evil, and that nation is not subject to regime change or major reforms, it is difficult to work with it, yet doing so is often unavoidable. Thus Reagan sat down with Gorbachev and made a very important arms deal long before Russia was truly reformed (it still is not), and John Kerry arranged the removal of a major pile of chemical weapons from a war zone, in which they were employed, by negotiating with an “evil” nation. I suggest that it would be morally more appropriate and politically savvier to follow the line of hating the sin but loving the sinner, of criticizing policies but not nations, and of assuming that all are redeemable.

After all this, what can we conclude a triage-based approach would look like? A state such as the United States should say comparatively little about the moral conduct of states and non-state actors, such as North Korea or ISIS, that are extremely unlikely to be affected by its censure or its approbation. It should also refrain from chastising the occasional missteps of states that by and large maintain a high standard of human rights. Instead, it should focus its moral voice on censuring the egregious moral violations of those nations it is possibly able to sway. This would necessarily include being prudent about which kinds of violations might be open to influence by moral opprobrium. No nation is likely to be malleable when it comes to what it perceives as vital interests. China, for example, is much more likely to consider criticism of its treatment of the environment than
of the limitations it imposes on free speech.

The United States took such an approach toward Germany and other members of the Eurozone over the Greek debt crisis. In February 2015, President Obama called for reasonable leniency, saying, “You cannot keep on squeezing countries that are in the midst of depression.” Meanwhile, other American officials called for compromise from both Greece and the other members of the Eurozone. In July 2015, the White House reiterated its position that Germany must compromise with Greece in order to salvage the latter’s position in the Eurozone and offer opportunities for Greek economic growth. On July 17, the German parliament voted in favor of a proposal to negotiate a bailout with Greece. The United States asserted its position, but refrained from issuing moral condemnations against any of the parties involved; instead, it has preferred to comment only when necessary and in more utilitarian terms.

None of this is to suggest that the conditions of nations for whom the United States might assign, based on a framework of moral triage, a lower priority must compromise with Greece in order to salvage the latter’s position in the Eurozone and offer opportunities for Greek economic growth. On July 17, the German parliament voted in favor of a proposal to negotiate a bailout with Greece. The United States asserted its position, but refrained from issuing moral condemnations against any of the parties involved; instead, it has preferred to comment only when necessary and in more utilitarian terms.

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