

The Current Bombing

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][Kosovo: The Empire at War]]

The United Nations Charter bans force violating state sovereignty; the Universal Declaration of Human Rights (UD) guarantees the rights of individuals against oppressive states. The issue of “humanitarian intervention” arises from this tension. It is the right of “humanitarian intervention” that is claimed by the US/NATO in Kosovo, and that is generally supported by editorial opinion and news reports.

We may also bear in mind a truism: the right of humanitarian intervention, if it exists, is premised on the “good faith” of those intervening, and that assumption is based not on their rhetoric, but on their record, in particular their record of adherence to the principles-of international law, World Court decisions, and so on.

That is, indeed, a truism, at least with regard to others. Consider, for example, Iranian offers to intervene in Bosnia to prevent massacres at a time when the West would not do so. These were dismissed with ridicule (in fact, ignored); if there was a reason beyond subordination to power, it was because Iranian “good faith” could not be assumed.

A rational person then asks obvious questions: is the Iranian record of intervention and terror worse than that of the US? And, other questions, for example: How should we assess the “good faith” of the only country [the US] to have vetoed a Security Council resolution calling on all states to obey international law?

A Humanitarian Catastrophe

What about US’ historical record? Unless such questions are prominent on the agenda of discourse, an honest person will dismiss it as mere allegiance to doctrine. A useful exercise is to determine how much of the literature—media or other—survives such elementary conditions as these.

How do these apply in the case of Kosovo? There has been a humanitarian catastrophe in Kosovo in the past year, overwhelmingly attributable to Yugoslav military forces. The main victims have been ethnic Albanian Kosovars, some 90% of the population of this Yugoslav territory. The standard estimate is 2000 deaths and hundreds of thousands of refugees.

In such cases, outsiders have three choices: (I) try to escalate the catastrophe; (II) do nothing; (III) try to mitigate the catastrophe. The choices are illustrated by other contemporary cases. Let’s keep to a few of approximately the same scale, and ask where Kosovo fits into the pattern.

Escalate The Atrocities

(A) Colombia. In Colombia, according to State Department estimates, the annual level of political killing by the government and its paramilitary associates is about at the level of Kosovo, and refugee flight primarily from their atrocities is well over a million.

Colombia has been the leading Western hemisphere recipient of US arms and training as violence increased through the 1990s, and that assistance is now increasing, under a “drug war” pretext dismissed by almost all serious observers. The Clinton administration was particularly enthusiastic in its praise for President Gaviria, whose tenure in office was responsible for “appalling levels of violence,” according to human rights organizations, even surpassing his predecessors. In this case, the US reaction is (I): escalate the atrocities.

(B) Turkey. By very conservative estimate, Turkish repression of Kurds in the 1990s falls in the category of Kosovo. It peaked in the early 1990s; one index is the flight of over a million Kurds from the countryside to the unofficial Kurdish capital Diyarbakir from 1990 to 1994, as the Turkish army was devastating the countryside.

1994 marked two records: it was “the year of the worst repression in the Kurdish provinces” of Turkey, Jonathan Randal reported from the scene, and the year when Turkey became “the biggest single importer of American military hardware and thus the world’s largest arms purchaser.”

When human rights groups exposed Turkey’s use of US jets to bomb villages, the Clinton Administration found ways to evade laws requiring suspension of arms deliveries, much as it was doing in Indonesia and elsewhere. Colombia and Turkey explain their (US-supported) atrocities on grounds that they are defending their countries from the threat of terrorist guerrillas. As does the government of Yugoslavia. Again, the example illustrates (I): try to escalate the atrocities.

(C) Laos. Every year thousands of people, mostly children and poor farmers, are killed in the Plain of Jars in Northern Laos, the scene of the heaviest bombing of civilian targets in history it appears, and arguably the most cruel: Washington’s furious assault on a poor peasant society had little to do with its wars in the region.

The worst period was from 1968, when Washington was compelled to undertake negotiations (under popular and business pressure), ending the regular bombardment of North Vietnam. Kissinger-Nixon then decided to shift the planes to bombardment of Laos and Cambodia. The deaths are from “bombies,” tiny anti-personnel weapons, far worse than land-mines: they are designed specifically to kill and maim, and have no effect on trucks, buildings, etc.

The Plain was saturated with hundreds of millions of these criminal devices, which have a failure-to-explode rate of 20 to 30 percent according to the manufacturer, Honeywell. The numbers suggest either remarkably poor quality control or a rational policy of murdering civilians by delayed action. These were only a fraction of the technology deployed, including advanced missiles to penetrate caves where families sought shelter.

Murder Civilians by Delayed Action

Current annual casualties from “bombies” are estimated from hundreds a year to “an annual nationwide casualty rate of 20,000,” more than half of them deaths, according to the veteran Asia reporter Barry Wain of the *Wall Street Journal* in its Asia edition. A conservative estimate, then, is that the crisis this year is approximately comparable to Kosovo, though deaths are far more highly concentrated among children—over half, according to analyses reported by the Mennonite Central Committee, which has been working there since 1977 to alleviate the continuing atrocities.

The relevance of this shocking example should be obvious without further comment. I will skip other examples of (I) and (II), which abound, and also much more serious contemporary atrocities, such as the huge slaughter of Iraqi civilians by means of a particularly vicious form of biological warfare—“a very hard choice,” Madeleine Albright commented on national TV in 1996 when asked for her reaction to the killing of half a million Iraqi children in five years, but “we think the price is worth it.”

Current estimates remain about 5,000 children killed a month, and the price is still “worth it.” These and other examples might also be kept in mind when we read awed rhetoric about how the “moral compass” of the Clinton Administration is at last functioning properly, as the Kosovo example illustrates.

Threat of NATO Bombing

Just what does the example illustrate? The threat of NATO bombing, predictably, led to a sharp escalation of atrocities by the Serbian Army and paramilitaries, and to the departure of international observers, which, of course, had the same effect. Commanding General Wesley Clark declared that it was “entirely predictable” that Serbian terror and violence would intensify after the NATO bombing, exactly as happened.

The terror for the first time reached the capital city of Pristina, and there are credible reports of large-scale destruction of villages, assassinations, generation of an enormous refugee flow, perhaps an effort to expel a good part of the Albanian population—all an “entirely predictable” consequence of the threat and then the use of force, as General Clark rightly observes.

Kosovo is therefore another illustration of (I): try to escalate the violence, with exactly that expectation.

To find examples illustrating (III) is all too easy, at least if we keep to official rhetoric. The major recent academic study of “humanitarian intervention,” by Sean Murphy, reviews the record after the Kellogg-Briand pact of 1928 which outlawed war, and then since the UN Charter, which strengthened and articulated these provisions. In the first phase, he writes, the most prominent examples of “humanitarian intervention” were Japan’s attack on Manchuria, Mussolini’s invasion of Ethiopia, and Hitler’s occupation of parts of Czechoslovakia.

Humanitarian Rhetoric

All were accompanied by highly uplifting humanitarian rhetoric, and factual justifications as well. Japan was going to establish an “earthly paradise” as it defended Manchurians from “Chinese bandits,” with the support of a leading Chinese nationalist, a far more credible figure than anyone the US was able to conjure up during its attack on South Vietnam.

Mussolini was liberating thousands of slaves as he carried forth the Western “civilizing mission.” Hitler announced Germany’s intention to end ethnic tensions and violence, and “safeguard the national individuality of the German and Czech peoples,” in an operation “filled with earnest desire to serve the true interests of the peoples dwelling in the area,” in accordance with their will; the Slovakian President asked Hitler to declare Slovakia a protectorate.

...[ellipsis in FE print original —Web archive note] It could be argued, rather plausibly, that further demolition of the rules of world order is irrelevant, just as it had lost its meaning by the late 1930s. The contempt of the world’s leading power for the framework of world order has become so extreme that there is nothing left to discuss.

A review of the internal documentary record demonstrates that the stance traces back to the earliest days, even to the first memorandum of the newly-formed National Security Council in 1947. During the Kennedy years, the stance began to gain overt expression. The main innovation of the Reagan-Clinton years is that defiance of international law and the [UN] Charter has become entirely open.

It has also been backed with interesting explanations, which would be on the front pages, and prominent in, the school and university curriculum, if truth and honesty were considered significant values. The highest authorities explained with brutal clarity that the World Court, the UN, and other agencies had become irrelevant because they no longer follow US orders, as they did in the early postwar years.

One might then adopt the official position. That would be an honest stand, at least if it were accompanied by refusal to play the cynical game of self-righteous posturing and wielding of the despised principles of international law as a highly selective weapon against shifting enemies. While the Reaganites broke new ground, under Clinton the defiance of world order has become so extreme as to be of concern even to hawkish policy analysts.

In the current issue of the leading establishment journal, *Foreign Affairs*, Samuel Huntington warns that Washington is treading a dangerous course. In the eyes of much of the world—probably most of the world, he suggests—the US is “becoming the rogue superpower,” considered “the single greatest external threat to their societies.”

Realist “international relations theory,” he argues, predicts that coalitions may arise to counterbalance the rogue superpower. On pragmatic grounds, then, the stance should be reconsidered. Americans who prefer a different image of their society might call for a reconsideration on other than pragmatic grounds.

Protection From Predatory States

Where does that leave the question of what to do in Kosovo? It leaves it unanswered. The US has chosen a course of action which, as it explicitly recognizes, escalates atrocities and violence—“predictably;” a course of action that also strikes yet another blow against the regime of international order, which does offer the weak at least some limited protection from predatory states.

As for the longer term, consequences are unpredictable. One plausible observation is that “every bomb that falls on Serbia and every ethnic killing in Kosovo suggests that it will scarcely be possible for Serbs and Albanians to live beside each other in some sort of peace” (*Financial Times*, March 27). Some of the longer-term possible outcomes are extremely ugly, as has not gone without notice.

A standard argument is that we had to do something: we could not simply stand by as atrocities continue. That is never true.

One choice, always, is to follow the Hippocratic principle: “First, do no harm.” If you can think of no way to adhere to that elementary principle, then do nothing.

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