

Introduction

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Our topic is entitled “The Road Ahead.” Now I suppose if Yogi Berra were in my place he would just say, when you get to the fork in the road, take it. Say what you will about Yogi, but he’s right to imagine that the road ahead is one with many forks. Legal and ethical dilemmas necessarily imply that choices must be made. I hope that this colloquium and this particular panel can help us to see these choices clearly and help us articulate the principles upon which we make our decisions.

The organizers of this colloquium sensed that the Kosovo campaign brought to the surface several inconclusive legal and ethical issues stemming primarily from rapid geopolitical and technological changes. This point has been made throughout proceedings. For example Professor Dinstein points out in his paper that the *jus in bello* cannot afford to lag behind the changing conditions of combat. Colonel Graham asked us when did we change our perspective from the law of armed conflict to international human rights law? We have seen some new language and new concepts, and we’ve seen some old concepts put under new strain. We are all here because we know that these changes affect our thinking about the road ahead.

The organizers also understand that in order to investigate the world between law and ethics, we would need to call upon an eclectic group. So that is why in this colloquium are included judges, philosophers, military officers, historians and even lawyers. We hope we’ve created a stimulating and fruitful discussion that has been interdisciplinary, inter-professional and international. Yesterday historian Barry Strauss cautioned whether we can or should even try to learn lessons from history. The organizers take that admonition seriously, but we’re also confident that we can profitably reflect on the Kosovo experience in ways that might not amount strictly to lessons learned but might nevertheless shed some light on the road ahead.