

Why Humanitarianism Needs a Pacifist Ethos

Jeremy Moses

**Department of Political Science and International Relations
University of Canterbury**

**** This is a very early draft version of this paper. It is in parts incomplete and there are likely to be many errors. Please don't cite. Thanks! ****

Abstract

Debates concerning the relationship between humanitarianism and the use of force are by no means a new phenomenon, yet humanitarian rationales for waging war have become more and more commonplace over recent decades. The commitment to humanitarian intervention, in particular, raises deep theoretical and practical questions about the foundational principles of political neutrality espoused by many humanitarian aid organisations. In this paper I will provide an overview of the literature on the relationship between humanitarianism and the use of force before advancing the argument that a genuine humanitarianism must necessarily be premised upon a pacifist ethos. A pacifist ethos, in this context, is presented as a commitment to non-violence and anti-war activism even while recognising the limits of such an aspiration. Such an understanding of pacifism in practice, inspired in part by realist ethics, allows humanitarian actors to take strong, principled stands in support of universal values of peace and human well-being without losing sight of the material challenges posed by the very real violence of the arenas in which they operate. It also seeks to provide a new path for thinking about pacifism without the retreat into hard, 'unrealistic' idealism or the slippage into the permissiveness of just war theory.

Introduction

The fundamental principles of 'humanity', 'impartiality', and 'neutrality' espoused by the International Committee of the Red Cross (ICRC) are viewed by many as being essential touchstones for the maintenance of a humanitarian agenda. Yet while any organisation that premises its work on humanitarianism must necessarily at least pay lip service to aiding 'humanity' as its object, there remains contention over the importance of the principles of impartiality and neutrality both in theoretical and practical domains. These controversial principles, which are aimed at maintaining a gap between the politics of states and the provision of basic human needs to those affected by conflict, have become increasingly strained as states have adopted humanitarian language to support both their decisions to wage war and their conduct within war. The problematic consequences of this conflation of humanitarian action and the human rights movement became the subject of much critical analysis and debate in the late 1990s and early 2000s, as humanitarian rationales for waging war became more and more commonplace, placing a reformist political agenda at the centre of the work of many humanitarian NGOs. Thus, as David Chandler (2001) argues, while "humanitarian aid started out as an expression of empathy with common humanity, it has been transformed through the discourse of human rights into a lever for strategic aims drawn up and acted upon by external agencies." In the years that have followed, the use of force for humanitarian purposes has become more and more controversial, particularly due to the disastrous consequences of both action and inaction in the cases of Libya, Syria and Yemen. It is in this context that this paper aims to renew the call for an abandonment of the temptations of military force on the part of humanitarian NGOs, arguing instead for the commitment to a pacifist ethos to ensure that the good name and value of humanitarian work is not further eroded.

In approaching this problem, this paper seeks to address two core questions: first, why are the principles of impartiality and neutrality important to humanitarian ethics, and how have they been sidelined over recent decades?; and, second, in what ways might a renewed emphasis on a pacifist ethos be of benefit to the future prospects of humanitarianism, in both theory and practice? I will answer each of these questions in turn, starting with an overview of the debates around humanitarian impartiality and neutrality. I will then look at claims that the loss of impartiality and neutrality, through the collision of the post-Cold War human rights and humanitarian agendas, has poisoned the well of humanitarianism in practice, handing too much influence to state interests and weakening the trust that might otherwise have accrued to humanitarian NGOs. This section will particularly focus on the ways in which states have manipulated international humanitarian law and humanitarian intervention in order to legitimise and sustain their deployment of force in various places around the globe. The final part will then suggest that the decay of the humanitarian ideal and the challenges this has presented for those pursuing humanitarian goals can be arrested only by a return to the principles of impartiality and neutrality, which in turn necessitates the embrace of a pacifist ethos. This, I will argue, is the only way to prevent the universal aspirations of humanitarianism from collapsing into the violently-pursued interests and aspirations of the great powers in international politics.

The Debate over Humanitarianism and Political Neutrality

The attachment of the ICRC to principles of impartiality and neutrality was always motivated by both practical and theoretical concerns. On the practical side, these apolitical principles were and are intended to ensure that the group 'continue[s] to enjoy the confidence of all' parties to conflicts in their attempt to provide relief to the suffering. On the theoretical side, the refusal to discriminate on the grounds of 'nationality, race, religious beliefs, class or political opinions' is seen as an 'imperative element of humanity' reflected in founder Henry Dunant's call to 'care for the enemy wounded as friends' (Pictet, 1979).

These commitments are also reflected, albeit in a more circumscribed form, in the principles of Medecins Sans Frontieres (MSF) where independence, impartiality, and neutrality also appear but in less absolute forms than those espoused by the ICRC. While 'MSF refuses to serve or be used as an instrument of foreign policy by any government', they also maintain a principle of *temoignage* (or witnessing), which includes raising public awareness of humanitarian crises and allows for 'the possibility to openly criticise or denounce breaches of international conventions' as a 'last resort' (Medecins Sans Frontieres). Arguments over the relative weight to be accorded to these principles was the cause of a well-known split between two founders of the organisation, Claude Malhuret and Bernard Kouchner, with Kouchner preference for greater political activism and interventionism leading to his departure from MSF and the formation of a more explicitly politically active NGO, Medecins du Monde. Given this history, it is perhaps unsurprising to see strong concerns expressed around the politicisation and militarisation of humanitarian aid in MSF's International Activity Reports, one of which claims that 'attempts to push the humanitarian actor to one "side" abrogate the basic right of people in need to get assistance regardless of their political or other affiliation. Moreover, being identified with a belligerent can have devastating consequences in terms of security and access to victims in volatile contexts' (Medecins Sans Frontieres, 2003).

More recently, the attempt by the multi-agency Core Humanitarian Standard on Quality and Accountability (CHS) to design a set of principles to be applied across humanitarian NGOs, echoes the commitment to principles of humanity, impartiality, independence and neutrality but, as a consequence of differing views on these principles within the NGO community, contains the rider that '[s]ome organisations, while committed to giving impartial assistance and not taking sides in hostilities, do not consider that the principle of neutrality precludes undertaking advocacy on issues related to accountability and justice' (The Sphere Project, 2015).

It remains a reality, therefore, that the ways in which humanitarian actors engage in the political realm are complex and contested. As Bruno Pommier puts it in his analysis of the conflation of humanitarian aid and military intervention:

the main risk for the traditional humanitarian worker is having his or her perception blurred by the confusion of interests, objectives, and mandates of a plurality of actors, putting access or safety in jeopardy... the term 'humanitarian' [should be reserved] for a strictly humanitarian action, namely one which is impartial, neutral, and independent (Pommier, 2011).

While it can certainly be argued that the challenge of political impartiality and neutrality has been an ever-present one for humanitarian organisations, including the Red Cross (Rieffer-Flanagan, 2009), there is a strong perception that the post-Cold War era represented a high point in the politicisation of humanitarian values and that this was ultimately expressed through the normalisation of military humanitarianism and state domination of the humanitarian agenda from the 1990s onward. Michael Barnett (2011), for example, argues that 'whereas at the beginning of the [1990s] aid agencies tried to recruit states for their cause, by the beginning of the next decade they had discovered that states had already co-opted humanitarianism for their interests.'

The primary cause of the emergent state domination of humanitarianism in the 1990s was, according to critics such as Rieff and Chandler, the collapsing of the proactive, transformative human rights agenda into the more relief-focused humanitarian agenda. No longer was it sufficient to treat the worst symptoms of military conflict, it was now incumbent on the human rights/humanitarian community (comprised of states and NGOs working together) to address 'root causes' of conflict, most often through economic development and democratisation but also, where necessary, the application of military force. In this context, Rieff (2003, pp. 323, 292) is critical of figures such as Michael Ignatieff, who he accuses of adopting a 'triumphalist attitude' concerning the victory of the human rights movement and, mirroring the post-Cold War theoretical excesses of Fukuyama, fails to recognise or accept the dangers and limitations of this approach. Through this discursive combination, the humanitarian agenda came to be associated more with expansive ideals of justice and accountability, well beyond the tradition of relief of suffering and much more amenable to manipulation for the purpose of advancing state interests.

Thus the gravest danger to the traditional humanitarian agenda came from the emergent 'new interventionists' (Stedman, 1993) in the post-Cold War era. Through the highs and lows of purportedly humanitarian military interventions in Somalia, Bosnia, and Kosovo, alongside the failure to militarily respond to the Rwandan genocide, the refrain 'we must do something!' had become common currency by the end of the decade, representing the normalisation of a more militarised humanitarianism. For Rieff (2000), this trend was most clearly manifest in Kosovo where, he argued, 'we have returned to the worst version of the humanitarian idea - aid as fig leaf'. As Alan Woolfolk (2003) summarises it in his insightful review of Rieff's *A Bed for the Night*:

In their eagerness for 'humanitarian military intervention' (Rieff, 2003, p. 210), humanitarian activists (let alone the general public) were tone deaf to the conflation of humanitarianism and human rights as well as the confusion of humanitarian and political-military roles. Relief workers simply preferred not to acknowledge that they had become 'a moral warrant for warfare', while NATO appropriated the rhetoric of human rights, especially the critique of state sovereignty employed by Human Rights Watch (Rieff, 2003, pp. 201, 210)... Humanitarianism became an instrument of foreign policy, not simply for instrumental reasons but because neither humanitarians nor politicians could distinguish humanitarian ends from political ends.

This conflation of humanitarian values and the political ends of the state has also flowed over into the way in which international humanitarian law (IHL) is called upon in the context of war. The traditional purpose of IHL, encapsulated primarily in the Geneva Conventions, was to restrain the conduct of states in war and reduce the suffering of combatants, prisoners, and civilians caught up in violent political conflict. Yet the instrumental use of IHL by states in order to discredit and delegitimise their enemies in war is a further indication of the capture of humanitarianism by states themselves. The invention and increasing use of the term 'lawfare' to describe this instrumentalisation of IHL is indicative of the depth of this problem. Legal theorists such as Nathaniel Berman (2004) and David Kennedy (2004, 2006) have written extensively on this issue, tracing the historical instrumentalisation of just war theory and IHL by states. The merger of war and humanitarian law forces us to ask questions, as Kennedy (2006, p. 14) argues, such as: 'What does it mean... to find the humanist vocabulary of international law mobilized by the military as a strategic asset? How should we feel when the military "legally conditions the battlefield" by informing the public that they are entitled to kill civilians, or when our political leadership justifies warfare in the language of human rights?'

The response to the latter question, from the point of view of Kennedy, Rieff, Chandler and others, is that we should feel very worried about the conflation of warfare, human rights and humanitarianism, not only for the ways in which it may extend and legitimise the use of force, but also for how it is impacting upon humanitarianism in general. This set of concerns sparked a return to the debate over the values of impartiality and neutrality in the post 9/11 period, as US actions in Afghanistan and Iraq led to increasing concern over the emergence of an 'integrated system' of states and humanitarian organisations, working together to ostensibly create democratic, human rights respecting states in the aftermath of war. In their 2005 International Activity Report, MSF came out strongly against participation in such a system, arguing that 'the integration of humanitarian action into a system is tantamount to the disintegration of its very humanitarian values' and that '[i]mpartiality is vital to continue providing medical assistance to vulnerable populations in need' (Medecins Sans Frontieres, 2005). Four years later, MSF president Christoph Fournier reiterated the need for independent humanitarian action in a speech to NATO, arguing that:

All these other activities [reconstructing the country, promoting democracy, and so on] might be worthy of praise. They may be even exactly the sort of activities that NATO and NATO countries should be promoting in Afghanistan. But they are goals and activities which fall outside of humanitarian ones [and] when humanitarian goals and activities are lumped together with this larger, broader, and more future-oriented agenda, the direct result is confusion and even contradiction. The indirect result is that civilians in conflict do not receive the assistance to which they have a right (quoted in M. N. Barnett, 2011, p. 211).

The concerns of MSF are reflective of a broader sense that the traditions of humanitarian action were/are indeed being eroded through the attachment to the human rights agenda and the military power of states. Thus 'humanitarian action', David Chandler argues, 'has become transformed from relying on empathy with suffering victims and providing emergency aid to mobilizing misanthropy and legitimizing the politics of international condemnation, sanctions, bombing' (Chandler, 2001).

The overall concern here, borne out by more recent failures in addressing crises in Libya, Yemen, and Syria, amongst others, is that the well of humanitarianism has been definitively poisoned by the excessively ambitious agendas of politically active humanitarian organisations that developed in the 'human rights era' of the 1990s. That the temptations of power and promise of final and universal achievement of human rights in concert with liberal states proved to be ultimately destructive for humanitarian ethics should come as no surprise; there were, after all, very good theoretical and practical reasons for espousing impartiality and neutrality as essential principles for humanitarian

action. The abandonment of these principles in pursuit of a more thoroughgoing universal justice and the promotion of human rights and democracy could only lead to the loss, in Rieff's (2003, pp. 232, 297) words, of the 'specific moral gravity' of humanitarianism, born specifically from its commitment to impartiality and neutrality, in treating the many horrific symptoms of war. As Woolfolk (2003) summarises it, 'in giving free reign to their spiritual hubris, humanitarians have repeated the sins of others before them: they have denied the modesty of their vocation in the name of the saving idea of the law (i.e. human rights), accepted the allurements of power, and intellectualized their engagements with 'the world' to the point that they have given up any claim to the role of spiritual preceptor in our time.'

These images of an unmoored humanitarianism, now more popularly associated more with the state, international law, and the use of military force than with the provision of aid to the suffering are easy enough to recognise and critique, but this then leads to the question: what to do about it? Answers to this question naturally tend toward the argument that humanitarian organisations need to confidently and consistently reassert their commitment to impartiality and neutrality, detaching themselves entirely from the militarised humanitarianism espoused by powerful states. Yet care needs to be taken in how such a move is portrayed in order to ensure that any return to the charitable traditions of humanitarianism avoid a recurrent slide back into militarisation. It is here, I will argue, that a carefully constructed pacifist ethos should be added to humanitarian principles and values to act as a bulwark against usurpation by the state without reducing this to a choice between acting in a political or apolitical manner.

Humanitarianism and the Pacifist Ethos

Perhaps the most obvious response to the risks of politicising and militarising humanitarianism, as outlined above, would be to more strictly delineate the debates around which humanitarian organisations can or should play a part as opposed to those that should be avoided. In particular, arguments over the need for or legitimacy of military intervention for humanitarian reasons could be an area that is entirely unsuited to the maintenance of at least a reasonable degree of impartiality and neutrality and should thus be avoided altogether, with the responsibility for such decisions being placed upon states who wish to carry them out and perhaps other non-humanitarian advocacy groups. This would not, however, necessarily require total disengagement from engaging in political contestation over the conduct of such wars; in other words, to weigh in on matters related to the upholding of international humanitarian law. In this vein, Pommier, for example, argues that there is a need to more sharply distinguish the role that humanitarians play in relation to decisions to go to war (*jus ad bellum*) as opposed to conduct within war (*jus in bello*). Hence, 'the least dangerous road for humanitarians would probably be to keep to a division of roles (*jus ad bellum* – use of force and R2P – for governments, versus *jus in bello* – IHL – for humanitarians), leaving discussions touching on the broader interpretation of the protection of civilians to politics and states' (Pommier, 2011, p. 1074).

While this approach may alleviate some of the pressures that have developed as a consequence of the politicisation and militarisation of humanitarianism, I want to suggest here that the only way to protect humanitarian values and the organisations that promote and maintain them is to make a definitive shift toward the embrace of pacifism. Such a move would hardly be radical, as the desire for a universal peace stood at the very heart of the original aims of the founders of the ICRC. As Jean Pictet (1979) points out in his classic commentary on the ICRC principles:

The founders of the Red Cross, Henry Dunant in particular, considered at the very beginning that the ultimate objective of the work they set in motion and the Convention they inspired was none other than that of universal peace. They understood the fact that the Red Cross, by pressing its ideal to its logical outcome, would be working for its own abolition, that a day would come when, men having

finally accepted and put into effect its message of humanity by laying down and destroying their arms and thus making a future war impossible, the Red Cross would no longer have any reason for being. This is the meaning of the motto, *Per humanitatem ad pacem* which stands before the Constitution of the League of Red Cross Societies, along with the traditional slogan, *Inter arma caritas*. <https://www.icrc.org/eng/resources/documents/misc/fundamental-principles-commentary-010179.htm>

A pacifist sensibility has, therefore, quite rightly taken its place in the history of humanitarian action, but has largely been lost over the years since the ICRC was founded. This loss of pacifism can perhaps be connected to the brutal, dispiriting, and challenging occurrence of genocide over that period, but it is also related to the post-Cold War expectations and ambitions of those pushing the human rights agenda, as outlined above. Alongside the conflation of human rights and humanitarianism and the association of state power with humanitarian values came the associated idea that humanitarian impartiality and neutrality – and the pacifist sentiment that underlies it – is a naïve and self-defeating approach to righting the wrongs of the world.

The ‘Hitler question’ or the ‘Rwanda question’ thus became central to the moral blackmail demanding that humanitarian organisations be more open to the use of military power for human protection purposes. Kofi Annan’s oft-quoted question, posed in the wake of NATO’s controversial Kosovo intervention, represents an example of this implicit demand for the militarisation of humanitarianism: ‘if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that affect every precept of our common humanity?’ (see, for example, International Commission on Intervention and State Sovereignty, 2001, p. 2).

The dominant response to this question has come in the form of the Responsibility to Protect, the most prominent attempt to frame the moral and legal norms around legitimate military intervention for human protection purposes. This re-framing of debates around humanitarian intervention has served only to further the ‘common sense’ of using force for humanitarian purposes, intensifying the potential challenges faced by humanitarian NGOs who find themselves in the middle of crises that give rise to debates over intervention, as well as facing the expectation that they will work to alleviate the suffering caused by the interventions themselves. In the heat of such politically intense situations, it is perhaps unsurprising that the humanitarian insistence on impartiality and neutrality can lead to accusations of naïvety, complicity, and moral delinquency. How can the underlying humanitarian commitment to pacifist values hold in such a fraught context?

The suggestion I want to advance here is that humanitarian organisations can and should resist the urge to partake in the violent politics of the state, regardless of the way in which that violence is presented and legitimated publicly. In short, humanitarian organisations should affirm their commitment to pacifist values through the cultivation of a pacifist ethos that is capable of withstanding accusations of naïve apolitical humanitarianism. This should not be seen as making a choice between politically-engaged, human rights promoting humanitarianism and politically neutral, impartial, non-violent humanitarianism. Rather, a pacifist ethos can stand for a consistent opposition to war (and other violent expressions of political conflict) without sacrificing political engagement; a humanitarianism that is attuned to and engaged with the potential violence of politics without seeking to act in alliance with the military power of the state.

In developing this line of critique, I rely upon a quite specific understanding of what is meant by a ‘pacifist ethos.’ The term ‘ethos’ is used in this context to denote a disposition or orientation toward non-violence, rather than a dogmatic insistence upon and belief in the necessity of overcoming all violent political conflict. In a recent article on Reinhold Niebuhr’s ‘tempered liberalism’, Joshua Cherniss (Cherniss, 2016, p. 60) argues that ‘Niebuhr’s reconstruction of liberalism fosters an

appreciation of the importance of a particular ethos or spirit – a combination of personal dispositions, temperament, and interpretation of life – to the sustaining of liberal-democratic politics.’ An ethos, in this sense, refers to ‘a disposition rather than a doctrine’, a ‘spirit’ or ‘temper’ that espouses moral or ethical principles ‘which must be approximated, without ever being fully realized, in imperfect earthly justice’ (Cherniss, 2016, pp. 61, 78). The pacifist ethos, as deployed in this critique, therefore, seeks to avoid the overly utopian moral commitments often associated with pacifism that might produce ‘the sanctimonious tendency to treat political action as a moral crusade’ (Cherniss, 2016, p. 63). Whilst Niebuhr himself was highly critical of pacifism for its ‘purist’ rejection of all violence (Cherniss, 2016; Niebuhr, 1940; 2013, pp. 20, 169-179, 241-254), I would argue that a ‘tempered pacifism’, or pacifist ethos, that retains a consistent anti-war position whilst recognizing that reality will not always bend to its moral injunctions, can serve as a viable standpoint for analysis and action in international affairs. There is, from this point of view, no expectation that the world can ever be fully and sustainably pacified, but at the same time there is a sense that this remains a goal toward which we should orient normative activism. Such an ethos necessarily adheres to a principle that military violence cannot be effectively used as a means to an end, thus encouraging the view that the rationalization of the use of force for human protection purposes is something to be avoided.

A return to the critique advanced by Rieff in *A Bed for the Night* provides an important anchor here, insofar as it identifies themes of tragedy and necessity, most commonly associated with Realist thought in international relations, as being a fundamental element of the humanitarian enterprise. Humanitarianism is, from this perspective, ‘by definition an emblem of failure, not success’ (Rieff, 2003, p. 21), as its very *raison d’être* is prompted by the persistence of violent crisis. In addressing this perspective, Woolfolk (2003) suggests that ‘Rieff has begun to articulate a humanitarian ethic of resistance’, premised upon ‘the defense of a humanitarianism that knows and respects the tragic limits of this impossible yet necessary enterprise.’ The ‘resistance’ of such a position lies in its acknowledgement of the tragic nature of politics *and* its refusal to countenance the use of force as a solution to the recurrence of that violence. A humanitarian pacifist ethos, in this way, steps back from an absolute, theological, teleological expectation of the final pacification of the world, yet remains committed to resistance to that violence through its very existence and activity. In this sense, it is by no means apolitical or amoral, but it remains impartial and neutral with regard to the violence competition between states. Indeed, this impartiality and neutrality and the associated commitment to non-violence *constitutes the very substance of its politics*. To again use Woolfolk’s (2003) summation of Rieff, the integrity of humanitarian action can only be retained if it maintains ‘a certain spirit of resistance towards the horrible realities of the world, anchored by a characterological discipline that rejects resignation and despair.’

Effective humanitarian action requires, from this point of view, the capacity to recognise the political and historical dynamics of conflict and to understand the limits of what humanitarianism can achieve within such situations. The ‘purist’ understanding of humanitarianism, exemplified by the expectation that the full realisation of humanitarianism will ultimately lead to perpetual peace, is necessarily tempered, but not at the expense of collaborating with the violence of the state. This accords with Rieff’s ‘assumption that contemporary humanitarians can only exercise charitable virtues responsibly... by learning how to think and make judgments, first of all, about the politics and history in which they are inextricably enmeshed’ (Woolfolk, 2003). Recognition of the politics, history and contingency of violent conflicts points toward a recognition of limits, tempering the expectation of ultimate redemption normally associated with absolute pacifism. This should not by any means lead to a sense of frustration or cynicism, as the persistence of humanitarian efforts geared toward a (perhaps unreachable) pacifist horizon still represents a powerful force for the reiteration of non-violent politics and an example of another politics that pays due respect to all, regardless of their political commitments.

There is, therefore, nothing particularly 'pure', 'absolute' or 'holier-than-thou' about this approach to humanitarianism. Rather, in rhetorically and performatively working against the symptoms of a militarized world, a humanitarianism founded upon a pacifist ethos can engage in the 'dirty' politics of representing and enacting the possibility of a world not riven by the violently divisive politics of the state. Hence, as Kimberely Hutchings (2017) has recently argued, this version of pacifism is founded upon 'a conviction that what we are ethically and politically is necessarily related to what we do, and what we do needs to be described in terms of the practices, beliefs, intended and unintended actual effects involved in our acts rather than the (purported) ends served.' What is first required, then, is a recognition that the influence of liberal human rights activism in conjunction with state power post-Cold War bred a form of humanitarianism that was far too heavily focused on ends, born of a 'desire to spread development, democracy, and human rights, and to join a peace-building agenda that aspires to create stable, effective, and legitimate states' (M. Barnett, 2005). The coordination between states and humanitarian NGOs in seeking to fulfil this agenda necessarily pulled those NGOs into providing material and rhetorical support to the 'war system'. It is only through an absolute rejection of that system and the embrace of a pacifist ethos that humanitarianism can escape those clutches, rebuild its centre of 'specific moral gravity', and practically and politically represent an opposition to that war system while continuing to impartially treat its worst symptoms.

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