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**IILJ International Legal Theory Colloquium Spring 2009:
Virtues, Vices, Human Behavior and Democracy in International Law**

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NYU Law School

Pollack Colloquium Room, Furman Hall 9th Floor, 245 Sullivan Street
Thursdays 4pm-5.50pm

[student seminar also meets separately, Tuesdays 4pm-5.50pm]

Note: speakers' topics listed are indicative of areas, not final titles, and may change

- January 15** - Derek Jinks, University of Texas Law School
Topic: *Humanization and Individualization in the Enforcement of International Humanitarian Law*
- January 22** - Anne van Aaken, University of St Gallen Law School, Switzerland
Topic: *International Investment Law and Rationalist Contract Theory*
- January 29** - **Craig Calhoun, NYU Institute for Public Knowledge & President, SSRC**
Topic: ***The Idea of Emergency: Humanitarian Action and Global (Dis)Order***
- February 5** - Paolo Carozza, Notre Dame Law School and Chair, IACmHR
Topic: *Global Values, Local Virtues – Human Rights, Democratic Self-Governance and International Justice*
- February 12** - Leigh Payne, Oxford University Sociology (Latin American Societies)
Topic: *Neither Truth Nor Reconciliation in Confessions of State Violence: Unsettling Accounts and Colombia's Justice and Peace Law*
- February 26** - William Miller, University of Michigan Law School
Topic: *Messengers and Intermediaries: Insights from Ancient Law*
- March 5** - Moshe Halbertal, NYU Law School and Hebrew University
Topic: *Pre-Conditions for Forgiveness*
- March 12** - Joseph Weiler, NYU Law School
Topic: *Europe Against Itself: On the Distinction between Values and Virtues (and Vices) in the Construction and Development of European Integration*
- March 26** - Armin von Bogdandy, NYU Law School, Director MPI Heidelberg
Topic: *Problems of International Public Authority*
- April 2** - Pierre Rosanvallon, Collège de France
Topic: *The Metamorphoses of Democratic Legitimacy*
- Tuesday, April 7**- (SPECIAL SESSION, 4:00 pm to 5:50 pm)
Faculty Club, D'Agostino Hall, 110 West 3rd Street
Alexander Somek, University of Iowa
Topic: *Democracy-Enhancing International Law: The Argument for Transnational Effect*
- April 16** - Conference in Honor of Professor Andreas Lowenfeld
(For more information, go to www.iilj.org – all welcome!)
- April 23** - tbc
Topic: *Virtues, Vices, Human Behavior and Democracy in International Law*

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**The Idea of Emergency:
Humanitarian Action and Global (Dis)Order¹**

Craig Calhoun

The humanitarian emergency is an awkward symbol, simultaneously of moral purity and suffering, of altruistic global response and the utter failure of global institutions. The humanitarianism of response suggests a world united by common humanity; the emergencies themselves reveal a world divided by deep material inequality; by violent conflicts; and by illicit, exploitative trade.

Humanitarianism and humanitarian emergencies have assumed spectacular prominence in the last thirty years. This is partly because of housing built in floodplains and swept away by typhoons and tsunamis, and perhaps behind this a reflection of expanding global population and continuing poverty. It is partly because of wars in which civilians have been targets of violence as well as “collateral damage”, themselves in turn reflections of past colonialism, continually shifting global hegemonies, and sometimes new markets that make diamonds or drugs both stakes of some struggles and financing for others.

But it is not clear that the last thirty years have seen more natural disasters, more death from wars, or simply more human suffering than earlier eras. There may be more floods with global warming, but less widespread famine. That bad things are happening is not, then, sufficient explanation for the prominence of humanitarian action or thinking in terms of humanitarian emergencies.

Both “humanitarian” and “emergency” are cultural constructs and reflections of structural changes. They come together to shape a way of understanding what is happening in the world, a social imaginary, which is of dramatic material consequence. Behind the rise of the humanitarian emergency lie specific ways of thinking about how the world works and specific if often implicit moral orientations. Humanitarianism flourishes as an ethical response to emergencies not just because bad things happen in the world, but also because many people have lost faith in both economic development and political struggle as ways of trying to improve the human lot. Humanitarianism appeals to many who seek morally pure and immediately good ways of responding to suffering in the world. But of course the world is in fact so complex that impurity and mediations are hard to escape. Recently, to the horror of many humanitarians invested in non-state, purely ethical approaches to mitigating human suffering, the United States presented its invasion of Iraq as a “humanitarian intervention”. And indeed, the notion of a

¹ I have benefitted from comments by audiences at NYU, Yale, Manchester, the University of California at San Diego and the American Sociological Association, and especially from Pamela DeLargy of the UN Population Fund.

humanitarian justification for wars has become widespread though to the extent there is a field of humanitarian action most of its leaders are set sharply against this notion. I focus here on that field, where war is a problem and not a solution. But I also try to show how hard it is to keep immediate ethical response sharply separate from entanglements in politics and development and indeed, security.

The Emergency Imaginary

Think for a moment of Rwanda and Congo, Liberia and Sierra Leone, Colombia and Peru, Israel and Palestine, the former Yugoslavia, Afghanistan and Iraq, the December 2004 tsunami, the inundation of New Orleans by Hurricane Katrina, the deadly earthquake days later in Pakistan, the cyclones in Myanmar, the earthquake in China. These are emergencies. They are also countries, conflicts, occasions, and events; they can be grasped in other ways. But on the evening news, they are emergencies.

“Emergency” is now the primary term for referring to catastrophes, conflicts, and settings for human suffering. It has rough cognates like disaster and crisis (with their half-hidden references to astrology and turning points). But the word emergency points to what happens, without reference to agency, astral misalignments or other causes, or any specific outcomes. The emergency is a sudden, unpredictable event emerging against a background of ostensible normalcy, causing suffering or danger, and demanding urgent response. Usage is usually secular. Use of the word focuses attention on the immediate event and not its causes. It calls for humanitarian response not political or economic analysis. The emergency has become a basic unit of global affairs like the nation. “Darfur” is as much the name of an emergency as the name of a place.

What makes emergencies possible? Obviously there are material conditions. Bad things happen: natural disasters, technological failures, wars and other conflicts. But these are not the whole story. There is also a history. The Lisbon Earthquake of 1755 was not an emergency in the same sense as the Asian Tsunami of 2004 or the Sichuan Earthquake of 2008. The difference lies not in the magnitude of suffering, but in (a) decline in the extent to which suffering itself and especially mass suffering is seen as inevitable (perhaps because divinely ordained); (b) 350 years of development of international law, including Geneva Conventions and treaties about refugees; (c) cultural transformation in the way humanity itself is understood and with it new public sympathy and concern for distant suffering; (d) development of massive new capacity to respond to distant suffering (much of which is rooted in infrastructural capacities created for war itself, as well as for economic activity, colonization, and political rule, but which also includes the development of organizations and institutions focused specifically on humanitarian action); and (e) mass media which make possible a new immediacy of awareness of distant events and suffering.

The Lisbon Earthquake was widely viewed as a divine act, perhaps of retribution or at least of warning. Such reckonings have not vanished, as evidenced by the actress Sharon Stone’s suggestion that the Sichuan Earthquake resulted from “bad karma” produced by Chinese occupation of Tibet or the suggestions of some American evangelists that Hurricane Katrina was retribution for the tolerance of homosexuals in New Orleans. But if God is seen as a causal agent today, it is more often as an agent of

salvation: “there but for the grace of God go I”. Some combination of nature, technological failure, and human action is generally blamed for the events that cause emergencies. Where causality has a clearly identifiable human face this may be seized as a focus of blame or of action to reduce suffering – as in the indictment of Sudan’s General Beshir, who certainly bears responsibility for his government’s abuse of its power and its people – but for many humanitarians that is beside the point. And for those seeking explanation, focusing on an individual may distract from structural and systemic causes.

Usually, however, international response focuses on the suffering itself, along with displacement and other results, and on what to do about it. And suffering is old, even though the humanitarian emergency is new. The humanitarian emergency is constituted, made available for a distinctive form of response, by a specific social imaginary.² This is circulated in the media but also informs the work of UN agencies, NGOs, religious organizations and other actors. The emergency imaginary has a substantial history but usually feels natural or at least modern.

The core features of the emergency imaginary come in two clusters. First, there are those about emergencies themselves. These are understood to be sudden, unpredictable, brief or at least very urgent, and exceptions to some sort of normal order. Second are those features related to humanitarian response: the idea of neutrality, the notion of humanity as a mass of individuals equivalently entitled to care, the sense of ethical obligation based on common humanity rather than citizenship or any other specific loyalty.

Emergency thinking appears well beyond the realm of humanitarian action, as for example a sudden financial upset – loss of liquidity in the market for mortgage-backed securities, for example – appears as an emergency, an exception to stable market functioning, that requires a response from central bankers or others concerned with financial order. Likewise, the build-up of troops on a neighbor’s border or moves by “rogue states” to acquire nuclear capabilities may be interpreted as emergencies, and state responses may be expected.³ Humanitarian emergencies typically become visible through refugees or the internally displaced whose movements, perhaps accompanied by bodies beside a road, signal some upset to normal existence.

In all cases, there are usually early warnings and at least some observers see enough long-term patterns to make emergencies predictable. Some financial analyst decried as a pessimist warns of pending market collapse; some public official decried as

² On the idea of social imaginaries, see Taylor, *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004) and the introduction by Dilip Gaonkar and various contributions to the special issue of *Public Culture*, on “New Social Imaginaries,” vol. 14 (2002) #1. For more on the history of the social imaginary of the humanitarian emergency, see Craig Calhoun, “A World of Emergencies: Fear, Intervention, and the Limits of Cosmopolitan Order,” The 35th Sorokin Lecture, *Canadian Review of Sociology and Anthropology*, 41.4 (November 2004): 373-95.

³ Although there were efforts to provide reliefs to victims of natural disasters and conflicts in the 19th and early 20th centuries, the notion of emergency was used mostly to refer to market crises, governmental collapses and actual or threatened wars – the sorts of things that led to declarations of a state of emergency and sometimes the suspension of normal laws or operating procedures.

an alarmist warns of impending conflict; some UN observer dismissed as an over-reacting do-gooder warns of killings, population movements, and hunger. The warnings may or may not be heeded. But what is crucial is that they don't really change the dominant sense of the emergency as something sudden that overtakes the country or region or world by surprise. This sense of suddenness and unpredictability is reinforced by the media, especially television. The continuous stream of reporting on gradually worsening conditions is minimal and usually consigned to the back pages of newspapers and specialist magazines; it doesn't make the cut for headlines – let alone half-hour broadcast news programs. So when violence or vast numbers of people lining up at feeding stations do break through to garner airtime, they seem to have come almost from nowhere.

Yet we need to remind ourselves that this is the way in which we imagine – and thereby help constitute – emergencies, not simply an accurate description of their character. After all, the situation of displaced Palestinians is still termed an emergency after more than 60 years. The horrific emergency of the partition of India and Pakistan played out almost in slow motion over months and years, debated in the midst of the Indian independence movement, pressed and resisted in marches and meetings. Yet one of the first significant articles about the demographic impact of partition begins with the sentence “The advent of independence in the Indian subcontinent caught the experts by surprise”.⁴ And so it did, just as the end of the Cold War and the collapse of the Soviet Union caught the experts by surprise. As did the Ethiopian famine of 1984-85, though the Sahel drought had been growing more severe and the Ethiopian government more authoritarian for years. The 1984-85 emergency came at the end of a drought cycle that extended back into the 1960s. The revolutionary Ethiopian government, the Derg, had begun sharply to increase its exploitation of rural areas in the same period as its 1977-78 Red Terror. But then displacement from Ethiopia's villages became massive and interacted with draught to produce famine of “Biblical proportions”. And internal displacement combined with growing numbers of international refugees, especially those fleeing wars of national liberation in Eritrea and Tigray. So, the world took note. And so it is in most emergencies. They are shocking. They feel sudden. But they are less sudden than they feel to those who learn about them only when they finally reach the evening news.

Both news and entertainment media circulate a flow of images that help to define humanitarian emergencies.⁵ Men appear on tanks, crowded with guns and machetes into trucks, and in rows of dead bodies. Children appear with hands outstretched and often naked. Women appear lined up at feeding stations, holding babies, walking in long queues with bundles on their heads, or gathered around meager supplies. Scenes of physical devastation are prominent in pictures of natural disaster, pictures of bodies figure more in conflict-related emergencies. Tents appear in rows suggesting the rationalization as well as the material support brought by the humanitarians. But though

⁴ Kingsley Davis, “India and Pakistan: The Demography of Partition,” *Pacific Affairs*, vol. 22 #3 (1949), pp. 254-64.

⁵ As Luc Boltanski has argued, in an important sense the global image of humanitarianism is about neither the suffering nor the NGOs seeking to relieve it but the media itself. See *Distant Suffering*.

the pictures are “real” they also help construct an imagined picture, because they are selected from among tens of thousands available to newspaper and magazine editors and the marketers who prepare fundraising appeals for humanitarian organizations. And they are commonly selected in ways that conform to iconic templates and norms – not least about what men should be shown doing and women should be shown experiencing, of how to represent violence, suffering, and need.

The images are usually of strangers – not just people one happens not to know but people paradigmatically distant. Anonymous sufferers stand against hard to place backdrops. There are commonly no symbols of national or other allegiances; sometimes there are religious markings; but the images are remarkably interchangeable. They depict the state of emergency more than they depict particular places. And thus they are readily recognizable as emergency images when they appear in magazines or on television in Europe, America, or Japan. The photos produce sympathy despite difference and distance.

Humanitarian action focuses paradigmatically on strangers. Refugees are the prototypical face of the emergency, strangers in their new lands as well as to those distant people who may try to send help. Humanitarian action deals with humanity at large, those to whom we have obligations precisely because they are human, not because we share some more specific civic solidarity with them. This is one of the reasons for impartiality and neutrality, basic features of the humanitarian stance. And humanitarian action addresses strangers suffering for reasons beyond their control (and in important senses beyond the immediate focus of the humanitarian). Suffering means not only pain and death but also loss of dignity and any form of dehumanization. But there is a tendency for counting deaths and conversely lives saved to become the metric of action in humanitarian emergencies, reflecting a calculus of bare life, the minimum of human existence.⁶ But this biological minimum is, perhaps, below the real minimum of the truly human, the capacity for speech and shaping social life.⁷ Where any specific response to emergencies falls along the continuum between dealing only in lives saved, and nurturing the human capacity to create life together by building or rebuilding institutions, is a basic question.

Crucial to the emergency imaginary is a distinctive idea of the human. This is not unique to thinking about emergencies; it is part of a widespread modern understanding, especially but not only Western. The category of the human seems self-evident and unproblematic as part of the background to thinking about emergencies and humanitarian response. But the category is not self-evident. In most usage it involves thinking about humanity as a set of individuals, and of individuals as equivalent to each other, all deserving of moral recognition. This is a historically distinctive, mainly modern way of thinking. To imagine human beings in the abstract, as it were, in their mere humanity, disembedded from kinship, religion, nationality and other webs of identity and relationship is not universal. Replacing ties among people with a notion of equivalence among strangers is linked not only to ethical universalism, though, but also to the notion

⁶ See Agamben, *Homo Sacer*.

⁷ Compare Arendt, *The Human Condition*.

of “bare life” and to the administrative gaze of states, and to thinking in terms of populations.⁸

That the global media deal so substantially in images, not only analyses, adds to the capacity to nurture sympathy (though this of course has a modern history not uniquely dependent on visual images, but also on shifting sensibilities and imagination). The instant global circulation of images makes distant suffering seem immediate; it appears in real time as a simultaneous part of our reality. Of course, the ubiquity of images is not always a spur to action. It can encourage us simply to treat emergencies, however ironically, as a background constant of our global condition. The images can breed “compassion fatigue” as well as action. Nonetheless, they are deployed not just by news media but also by NGOs seeking to raise money and they do seem to attract attention. On balance, they add impetus to humanitarian response.

But it is not imagery alone that makes action seem mandatory. It is crucial also that effective action seem possible. It wasn’t comparably possible when the Lisbon Earthquake struck. There was charity through the Church and some aid came from England. But it took weeks, even months to arrive. Charity was mostly alms for survivors, not an attempt to change the survival rate. The aid from abroad was help in reconstruction as much as an attempt to ease suffering. But of course there was also profiteering (hardly unknown today) and a particularly severe version of blaming victims in that era of Inquisition. Voltaire’s famous portrayal in *Candide* takes the earthquake as an opportunity to demonstrate man’s inhumanity to man. Still there was sympathy – and shock. The modern sensibilities were already developing in 1755. But actual capability to act on such sensibilities was limited. Capacity to respond is provided by new transportation and communications technologies, by the sheer wealth of the more developed world, and by the range of organizations which have been created to deliver services on a global scale. The capacity to act at a distance is demonstrated daily by markets and military operations. It not only enables people to put good intentions into material practice. It encourages people to think in terms of an emergency imaginary that suggests not only that there are sudden, unpredictable events that cause massive suffering but also that urgent response is mandatory.

Charity

An older ideal of charity informs the newer emergency imaginary. Both general norms of mitigating human suffering and norms of honorable conduct of war are ancient and widespread. For the most part, the idea of charity, as the saying suggests, “begins at home”. That is, it is about care for poor within a community. But charity is sometimes extended to strangers. Consider the Biblical parable of the Good Samaritan: members of the sufferer’s own group refuse to help, but an outsider does. Christianity has particularly notable injunctions to a kind of cosmopolitan charity, rooted in love of God and God’s love for all people. Various injunctions to charity in other religions also open up a wider potential reach, for example the Islamic notions of *Zakat* and *sadaqa* which suggest different kinds of virtuous behavior – an obligation to give for the glory of God, or

⁸ James Scott, *Seeing Like a State*; Foucault on population thinking

simply because it is commanded, being different from a considerate or sympathetic response to suffering. But - again for the most part, since it is hard to generalize about such ideas on a global scale - charity is a norm about individual action in giving – whether care or food or money. Only sometimes is it extended into the development of institutions – like charitable hospitals. And only inconsistently is it linked to the idea of universal ethics.

Charity is typically seen as a moral way to relate to people who suffer, but not necessarily a way to end suffering. Here again there are sayings to make the point, like “the poor shall always be with us”. Charity is often embedded in more hierarchical understandings of humanity, as part of the obligations those with resources and standing owe to those without. It constitutes a relationship of dependency not equivalence. This is one reason both Enlightenment and Romantic thinkers often decried it, seeing it as damaging to human dignity.

Charity was transformed by humanitarianism in the modern era, especially from the mid-1700s – the very time of the Lisbon Earthquake. The great example of this was the anti-slavery movement, which in turn strengthened and reinforced the trend. Largely organized in religious terms, this drew on a transformation within parts of Protestantism. From a focus on the internal rectitude and purity of religious communities, evangelicalism brought a new outward orientation. It addressed a world of strangers as potential converts. It saw slavery not simply as a personal issue for slave owners but as a national sin. And it combined a more traditional charitable orientation with a new humanitarian emphasis. A prominent image of the anti-slavery movement showed an African in chains with the motto “Am I not a man and a brother”. In this there is an assertion both of the new logic of human equivalence and of an older religious notion of connection, brotherhood. At its outset, the anti-slavery movement (among Europeans and Americans, as distinct from among slaves) was primarily a matter of charity, of the moral rectitude of those who would give slaves their freedom and end the scourge of the slave trade. But increasingly, charity mingled with a new logic of rights, an insistence on freedom as a human entitlement.

Religion figured prominently as well in the 1863 founding of the Red Cross and the more general movement for humane treatment of those injured in war. Britain’s Florence Nightingale (who came from a prominent Christian abolitionist family) and the Swiss Evangelical Henri Dunant both drew on religious motivations and arguments as well as symbolism in seeking to provide care for those who suffered. This was especially important at a time when civilian armies became more common and inflicted massive civilian casualties and suffering.

From the religious traditions of its roots, humanitarianism drew an ideal of witness. This meant being in solidarity with those who suffered even when their suffering could not be ended. The International Committee of the Red Cross provided life-saving medical assistance when it could, but it is important to note that much of its early work focused on mitigating the suffering of the dying. Medical care was rudimentary. But dying wasn’t instant. And in addition to water and clean bandages, nurses helped the dying write home, pray, and achieve what in the middle of the 19th century was praised as a “good death”. This was bound up with confession and faith. But the idea of extending care to the injured and dying was embraceable on more secular grounds as well. And it

extended after death. America's Clara Barton, the "Angel of the Battlefield" who would go on to found the American Red Cross, was active in enumerating the dead, notifying families, and securing proper burial. At one point she employed 42 headboard carvers.

Witness also meant helping to make suffering manifest to the world – and the ideal remains an important theme in humanitarian organizations like Médecins Sans Frontières today. This didn't mean that there was no message for political leaders. Publicized suffering could be an implicit accusation. Nonetheless, the founders of the Red Cross sought to reduce suffering through politically neutral means. In an era of revolutionary politics, the changes they sought and the services they provided were conceived as nonpartisan. By the Franco-Prussian War the ICRC provided its care under a flag of neutrality. This flag, of course, appropriated a Christian religious symbol. Care, charity, was provided not only out of religious motivation but also on the basis of a religious understanding of what common humanity meant beyond national identities.⁹

In a context like World War I, this sort of humanitarianism was distinct from campaigning for peace. In the first place, humanitarianism focused on the direct expression of God's love – or human conscience – through care for the suffering. One could also be a humanitarian in this sense without passing judgment on the justice of a war, whereas the pacifist condemned the military conflict itself. Charitable humanitarians pursued mitigation of suffering rather than transformation of institutions.

The same sort of distinction would separate humanitarian action from human rights activism in the second half of the 20th century. Though humanitarianism drew on some of the same sources as advocacy for human rights – notably the notion of common humanity – the theme of neutrality separated the two. The human rights movement sought to universalize the rights of citizens, and insisted that these were not gifts but entitlements. It was also more secular than humanitarianism. But even the notion of human rights implied rights that obtained before politics, in humanity as such, even if it required state action to secure them.

Political neutrality did not, of course, mean religious neutrality. Religion figured importantly in the motives of individuals who responded to the suffering of strangers, and helped to give meaning to their struggles. It also helped to provide organizational purpose and practical structures. Not only did religious communities raise money for humanitarian action, its development overlapped that of religious missionary work. This was not always or only proselytizing – though it often was. It included hospitals that ministered without regard to confession as well as schools and orphanages in which particular faiths were taught.

But an important feature of missionary work is precisely that it is undertaken in order to reach people outside the faith community and commonly outside the national community. Needy humanity is its typical object. This makes it different from religious work undertaken primarily to serve co-religionists. Of course some religious charities did

⁹ Initially, this was a clearly Christian understanding of common humanity. But it is significant that the Red Cross could fairly readily be complemented by the Red Crescent and eventually by an idea of religion as such offering a basis for recognizing common humanity behind the divisions of nations or even civilizations.

– and some still do – seek primarily to serve members of their own faith. But in a certain basic sense, these are less humanitarian than those that seek to serve humanity at large.

Ideas of charity continue to inform humanitarian action. Not only does providing care remain central – as distinct from seeking to change causes, bring peace or pursue development. Charity also underwrites an exemption of humanitarian action from the usual utilitarian calculus of efficiency and modernist reckoning of success. This dimension of humanitarianism is different from that centered more on progress, which we shall consider in a moment. An ideal of charity is linked to an important dimension of particularism in the humanitarian project. Each suffering person is individually its object. There is no calculus by which to compare two hours spent with one dying patient and two hours spent giving antibiotics quickly to twenty. Faced with the enormity of suffering in emergencies, humanitarians are torn between the more particularistic ministry that eases some suffering and acknowledges that it can't end all, and the more universalistic but instrumental attempt to budget resources and refine procedures to achieve maximum effect.

Imperialism

Missionary work was, of course, closely related to colonialism and imperialism. And these same sources have been influential in the genealogy of humanitarianism. To start with, imperialist ventures occasioned important rethinking of the category of the human.

The famous Valladolid debate of 1550-1551 was especially intellectually serious and influential but not totally unique in the story of European struggles to decide how to think of non-Western peoples and in particular indigenous inhabitants of the New World. At Valladolid, two Dominican friars, Bartolomé de las Casas and Juan Ginés de Sepúlveda, presented opposing arguments that remain instructive. Both drew on Aristotle, Aquinas, and the humanist tradition – thus relatively mainstream theology - but where Las Casas saw Amerindians as free men in the natural order, Sepúlveda saw them as natural slaves. The material issue was how the Indians would be treated, but behind it the question of not their humanity but the nature of humanness. For Las Casas – whose arguments carried the debate and swayed the Spanish King, at least in the abstract – humans were theologically equivalent bearers of souls. This idea of humanity as a series of conceptually equivalent individuals increasingly influenced modern thinking, including eventually the conception of human rights. And of course even in this early incarnation, these issues were not narrowly theological alone. The King supported Las Casas' position partly because it strengthened central state power; colonial landowners more often supported Sepúlveda's idea of natural slavery which suggested that their exploitation of the indigenous population could proceed with greater autonomy.¹⁰ Las

¹⁰ Among the first sociological generalizations about emergencies (or catastrophes as they were termed) is that response would typically centralize social power. The argument was offered by Herbert Spencer in *Principles of Sociology* (3 vols. Westport, CT: Greenwood Press, 1975; originally 1876-96) and affirmed by William Graham Sumner, Emile Durkheim and others including Pitirim A. Sorokin, "Impoverishment and the Expansion of Governmental Control," *The American Journal of Sociology*, Vol. 32, No. 2 (Sep., 1926), pp. 206-216 and *Man and*

Casas' perspective was informed by that of Francisco de Vitoria and the School of Salamanca which had not only pursued development of natural rights theory, but also economic analysis that encouraged new degrees of commercialization based on private property. This reinforced the notion of the equivalently entitled human individual, potential bearer of property as well as of a soul. Nascent humanitarian thought thus could underwrite simultaneously new forms of commercial organization resistant to slavery and direct criticism of slavery as morally repugnant. The terms in which it did so were consonant with the broad modern reliance on the idea of ideally autonomous and conceptually equivalent individuals.

More generally, missionaries and other humanitarians often called attention to abuses of colonized peoples – both indigenous people and transported slaves. Sometimes the abusers were directly the colonial powers, sometimes they were landowners and others whom the missionaries wanted the colonial powers to restrain. At the same time, though, humanitarian ideas appeared also as part of the rationale for colonialism. Humanitarianism was often part of the “civilization” colonial powers sought to bring to the peoples they conquered.

The “civilizing” powers brought education and medical care as well as spiritual services to the colonies. These missions contributed to the development of a “welfarist” notion of human flourishing which was also gaining ground in Europe and helped to underpin new doctrines of state legitimacy. Kings ruled in order to make the lives of their subjects better. But while “conversion” most directly informed the spiritual work of missionaries, it was not absent from their more material projects and those of colonial powers. The *mission civilisatrice* sought to convert “wild” natives into better people, the prisoners of unfortunate traditions and superstitions into modern, rational human beings. Europeans commonly saw nonwestern others the way Enlightenment *philosophes* saw backwardly superstitious Catholics.

Evidence of the barbarity and backwardness of others was put forward in support of the argument that they would benefit from European rule – at least if Europeans lived up to their moral responsibilities. If nonWestern people were savages, their savagery was reflected in inhumane treatment of other people. European projects of improving the natives were often played out in controversies over women's bodies. Colonial civilizers sought to save women from sati, footbinding and other traditional practices. As Partha Chatterjee has shown, this encouraged anti-colonial nationalists to claim women and traditional gender practices as particularly important to national culture.¹¹ The link to contemporary human rights debates over female genital mutilation should not be missed – nor one reason why ‘helpless women and children’ figure so prominently in stereotypical images of emergencies.

More generally, the notion that the natives couldn't govern themselves was a vital legitimation for colonial rule. Not surprisingly, European encroachments into other regions came often amid considerable disarray – the prior weakness of empires often exacerbated by European led capitalism and warfare. Europeans chose not to look at

Society in Calamity (New York: Dutton 1942).

¹¹ Chatterjee, *Nationalist Thought and the Colonial World: A Derivative Discourse?* Atlantic Highlands, NJ: Zed Books, 1986.

larger geopolitical factors that weakened political structures so much as to assume these were simply backward. Where there was fighting among the natives, or where seemingly cruel and inhumane practices were prevalent, so much more did it appear that European rule would be beneficial. This sort of rationale remains prominent into the 21st century, of course, underwriting various neo-imperial ventures including the American invasion of Iraq. It also underpins the idea of humanitarian intervention – particularly the idea that one might use military force abroad to achieve humanitarian objectives. The military is more and more actively involved in humanitarian action, even where regime change isn't the goal – partly because of the effectiveness of military logistics, partly to provide security (where humanitarian neutrality is no longer effective).

Colonial projects were often exploitative, of course, but they were also efforts to stabilize and administer regions marked by conflicts and disruptions. Ideologically, colonial powers ascribed the disorder to the backwardness of local populations. But in fact, it was often as much the result of earlier Western “explorations” and armed trading projects. It was, after all, the East India Company not the British state more directly, that launched the colonial engagement in India. And throughout the world, a variety of less centrally organized ventures paved the way for colonial rule: conquests motivated by the search for gold; plantations displacing local farmers or hunters, exploiting local or imported labor, and producing specialized export crops on land that once fed local populations; shipping in which each voyage was a capitalist venture with the ship's captain trying to secure his own profits as well as returns on the investments of merchants. While sometimes colonial administrations were directly exploitative, thus, often they sought to keep the peace and manage “public” affairs while private businesses undertook their commercial, extractive or productive activities. In other words, colonial states were not entirely unlike states in general – but with much farther flung domains and without the notion that those ruled were fellow nationals.

Colonial rule helped to occasion the growth of managerial professions such as public health, the development of public statistics, and disciplines such as anthropology. Colonial governments were also pioneers of disaster response (even while they helped to create the disasters). Disasters in the colonial era were not only nightmares for the local populations, they were managerial problems for colonial states. Crises had to be managed by colonial rulers relatively directly – without the range of NGOs and international agencies that exist today to do similar work. Famines and epidemics were prominent as colonial challenges, therefore, perhaps most famously the global influenza epidemic of 1918-19 and the famines in Bengal in the early 1770s and again in 1943 after Britain lost Bengal to the Japanese.

Humanitarian action was generally contained within the relations of single metropole to its colonial possessions; it was not generically global or oriented to all of humanity at large. It was also productive of the kind of “population thinking” invoked by Foucault in his accounts of state formation more generally.¹² One result was that colonial

¹² This is a concern spread through a variety of Foucault's texts and lectures from the 1970s on; see Foucault, *Résumé des cours, 1970–1982*. Paris: Julliard, 1989 for a sampling. See also the helpful review article by Bruce Curtis, “Foucault on Governmentality and Population: The Impossible Discovery,” *Canadian Journal of Sociology* 27, 4 (Fall 2002): 505-53.

powers were typically much more systematic in collecting statistics and monitoring the effectiveness of their work than later humanitarian actors. This reflected the dominance of practical administration rather than moral expression in their work. But modern humanitarians too are increasingly called on to adopt a managerial orientation.

Centrally, colonial projects shaped a “first world” consciousness. They divided the world into actors and those acted upon. This was not merely a European phenomenon, it extended to the United States and in varying degrees to other colonial and imperial powers (as for example the Japanese supported anti-footbinding movements in colonized Taiwan). The division was almost always racially marked. It was usually organized in terms of a progressive view of history, emphasizing the march of civilization. If India and China were at least recognized as having other (allegedly inferior but competitive) civilizations, others - especially Africans - were typically seen as outside of progressive history except when incorporated by Europe.¹³ They were especially in need of the European *mission civilisatrice*; they were objects of action more than its subjects. This remains an uncomfortable feature of humanitarian action.¹⁴

Humanitarian action is sometimes described as the nice face of a new colonialism. This is mainly an accusation from outside, but those who carry out humanitarian relief sometimes worry that there is a grain of truth to it. Those who work by entirely civilian means are especially anguished by humanitarian interventions that use force to try to end emergencies or violent regimes. And there are even proposals to divide the world into “humanitarian spheres of influence” which would give certain world powers the responsibility to intervene in emergencies in their regions.¹⁵ But even where militaries are not involved, humanitarian action has a managerial orientation, minimizing the threats displaced populations pose to the otherwise smooth operation of global economies. Effective humanitarian action may reduce population flows that threaten the population welfare of richer countries (or it may reassure those anxious about immigration generally that they are nonetheless responding to human need). Of course, humanitarian action is not merely managerial, it is also moral. But, like missionary activity and the *mission civilisatrice*, the moral message is double-edged.

Progress

In the 19th century, the idea of humanitarianism was deeply bound up with that of progress. It was not just colonial subjects who were to be improved but humanity in general. Through reform of poor relief, education, prisons, mental hospitals and a host of other institutions, humanitarians sought indefinite improvement in the human condition.

¹³ See Eric Wolf’s classic account in *Europe and the People without History* (Berkeley: University of California Press, 1982).

¹⁴ While the mass media portrayal of humanitarian action is overwhelmingly positive, even celebratory, reflections by those who have worked in humanitarian relief are commonly self-critical and sometimes agonized. See for examples Kennedy, Terry, and Cain, Postlewait and Thompson.

¹⁵ See, e.g., Gary J. Bass, *Freedom’s Battle: The Origins of Humanitarian Intervention* (New York: Knopf 2008).

As Thomas Haskell writes, “An unprecedented wave of humanitarian reform sentiment swept through the societies of Western Europe, England, and North America in the hundred years following 1750.”¹⁶ Ending slavery was, as we saw, one instance. Projects like the founding of the Red Cross also participated in this broader sense of humanitarianism as well as the narrower one of emergency response. But it was not just suffering from war that beckoned to humanitarians. It was any suffering that seemed avoidable.

Humanitarianism took root in the modern world not only as a response to war or ‘emergencies’, but also as part of an effort to remake the world so that it better served the interests of humanity. This reflected a variety of different changes in social order, ethics, and cognition. It reflected the rise of modern industry, the development of modern states, and the early achievements of modern science and technology, all of which encouraged the notion that human action could be mobilized to transform conditions long taken as inevitable.¹⁷ It reflected a new value on everyday life that enabled people to weigh ‘the good’ in the well-being of ordinary people and not only extraordinary achievements or spiritual values pointing beyond this world.¹⁸ It reflected a new sense of the interconnection of actions, including actions at a substantial distance from each other, that may have been rooted in capitalism and colonialism but that encouraged not only self-interested response but also new understandings of responsibility.¹⁹

Advances in caring for the unfortunate were seen as evidence of advances in civilization. Of course, so too was development (understood initially as a package of economic, political, cultural and social factors – not simply economic growth – and pursued by socialists as well as capitalists). Advances in development were expected to reduce the frequency and intensity of emergencies.

This sort of thinking was in tension with the notion that “the poor shall always be with us” which informed traditional thinking about charity. Increasingly poverty was viewed as a solvable social problem. The same went for emergencies – effective forecasting, planning, and administration should reduce them. Epidemics were the model for the 19th century, to be managed effectively in the short term and eliminated in the long term by sanitation and science. The new humanitarianism was largely secular. Even when motivations and conceptual frameworks were religious, it was firmly oriented toward this-worldly improvements and results measurable in human time. It is no accident that Florence Nightingale was a pioneer of statistics as well as nursing care. Humanitarianism became associated with advancing human welfare. There was change in what seemed possible as well as in values and evaluations. Enlightenment, industrial

¹⁶ Thomas L. Haskell, “Capitalism and the Origins of the Humanitarian Sensibility,” Parts 1 and 2, *The American Historical Review*, vol. 90 #2 (1985): 339-361 and #3 (1985): 547-566. See also Shelby T. McCloy, *The Humanitarian Movement in Eighteenth-Century France* (Lexington, KY: University of Kentucky Press, 1957).

¹⁷ For two contrasting treatments see Robert A. Nisbet, *History of the Idea of Progress* (New York: Basic Books, 1980) and Christopher Lasch, *The True and Only Heaven* (New York: Norton, 1991).

¹⁸ See Charles Taylor, *Sources of the Self* (Cambridge, MA: Harvard University Press, 1989).

¹⁹ See Thomas L. Haskell, “Capitalism and the Origins of the Humanitarian Sensibility,” op. cit.

revolution, science, technology, and the modern state all combined to make effective action on humanity seem possible.

Evolutionary theory gave an intellectual underpinning to this project, though as often as it was rooted in Darwin it was amalgamated to a general expectation of progress. Metaphors of maturation were prominent alongside the notion of selection. The ideal of civilization was still basic. But the broad faith in and pursuit of progress guided efforts to reform all sorts of social institutions and especially to reform the lives of the poor and weak. Efforts to save lives in emergencies were drawn into this agenda. Of course, the altruistic idea of softening the roughness of the human condition was not uncontroversial. For social Darwinists it suggested action counter to the struggle for survival that drove evolution. And some humanitarians embraced the idea of improvement in the species in versions that now seem unsavory, like eugenics.

Lester Frank Ward, a polymathic geologist who became the first president of the American Sociological Society (later changed to Association in an era of acronyms), caught the spirit of putting knowledge to work as well as something of the distinctive modernity of the project:

“It must be admitted that humanitarian institutions have done far less good than either juridical or ethical institutions. The sentiment [of humanity] is of relatively recent origin ... it exists to an appreciable degree in only a minute fraction of the most enlightened populations. It is rarely directed with judgment ... the institutions established to support it are for the most part poorly supported, badly managed, and often founded on a total misconception of human nature and of the true mode of attaining the end in view.”²⁰

The end in view, as much for Ward’s version of evolutionism as for Benthamite utilitarianism, was improvement of the human condition. And indeed, as the Benthamite parentage suggests, humanitarian reform throughout the 19th century was partly a project of rationalization. Even where ills could not entirely be ended, at least not immediately, efforts to mitigate them could be made more orderly and subjected to more goal-directed action, not merely sentimental charity. As a reviewer wrote of Jane Addams, the pioneering sociologist and social worker who founded Hull House, famous for finding Christ in every person, even the drunk or destitute, her essays “breathe in every sentence the spirit of rationalized humanity”.²¹

Humanitarianism thus joined with colonial and domestic state projects and the rise of corporate capitalism in adopting a more managerial orientation. Managerial rationalization was applied to colonies, students in school, urban planning, welfare relief, factories, prisons, armies, the unemployed and eventually refugee camps. In the process, it helped to give rise to social science. For the managerial orientation involved trying to apply knowledge to problems – whether in raising factory productivity or eradicating Yellow Fever or assimilating immigrants or developing the logistical capacity to supply

²⁰ Lester F. Ward, “Mind as a Social Factor,” *Mind* 9, no. 36 (1884): 563-573.

²¹ Stanton Coit, Review of *Philanthropy and Social Progress*, by Miss Jane Adams, Robert A. Woods, Father J.O.S. Huntington, Professor Franklin H. Giddings, and Bernard Bosanquet (New York: Crowell, 1892), *International Journal of Ethics*, Vol. 4, No. 2 (Jan., 1894), pp. 241-246

aid in emergencies. This was as true of those who sought uplift and social change as of those who sought simply to protect property or power. What started as a broad engagement of the new middle class in social reform during the 19th century had become by the 20th a set of increasingly specialized projects, each with attendant fields of academic and practical expertise. For example, the founder of Columbia University's Sociology Department, Franklin H. Giddings, had wide scientific ambitions and was a pioneer of the idea of scientific sociology, but was brought there in a chair created to improve the administration of charities.

Philanthropy was to become more scientific, as Andrew Carnegie would famously put it. Private organizations would take on public purposes, putting wealth gained in capitalist enterprises to work improving the lot of humanity at large. Behind the modern foundation lay a history of religious organizations from monasteries through to overseas missions. A similar history issued in the modern Non-Governmental Organization (NGO). For many, civil society was rethought not as a realm of social connection per se, but as "the voluntary sector" in which people empowered by possession of wealth would act (or hire agents to act) to advance humanity and alleviate ills. For two hundred years, the notion of acting directly outside the state has co-existed with that of demanding more or better state action. The welfare state was a product of this history as much as the NGO. But the welfare state was (at least in part) an achievement of struggle in which ordinary people demanded – through unions, churches and social movements – that their needs be better met. The NGO and scientific philanthropy were more often top down efforts in which money and expertise empowered some to act for – or on – others.

Most of this work was organized internally to individual countries. But it also grew in colonies and in missionary work that cut across colonial and national boundaries. Organizations had been formed to assist refugees since the wars of the Protestant Reformation, and were formed anew in connection with different wars, revolutionary struggles, and efforts to support fleeing slaves. Refugees became the focus of a global emergency response in the 1930s and indeed it is from this point that the association of refugees and emergencies became consistent.

Humanitarian action as it has developed since World War Two and especially since the 1970s, represents both continuity with this tradition and a break within it. There is continuity in the continued proliferation of organizations, from the International Rescue Committee through a range of religious groups and NGOs, to the United Nations and the Bretton Woods organizations. While some would focus on development as a means to improve the human condition, many would focus on immediately alleviating human suffering. There is continuity in the mobilization of ever more people to work on behalf of humanity at large and other people at long distances. And there is continuity in a managerial orientation – still sometimes in conflict with more immediately moral commitments. Humanitarians today are called on to devise quantitative measures of "reductions in excess mortality". Funders demand evidence of cost-effectiveness, often using bureaucratic tools like the "Log Frame" devised initially to run military organizations though organizations like MSF still speak in terms of volunteers. Entrants into the field increasingly come from specialized master's degree programs and expect to pursue a professional career. Organizations undertake efforts to set and maintain "standards". Manuals of best practices are produced with guidance not just on how many

liters of water are required for each person (by sex) but on how to conduct triage. And of course humanitarian action depends not simply on moral commitment but on massive logistical capacities – to move food and medicine and other supplies around the world to regions with few roads and many dangers.

If management and operations reveal continuity with the history of pursuing progress, humanitarianism is more sharply distinguished in its purpose. Most projects for improving the human condition came to be directly political and/or economic and associated with long-term agendas. But humanitarianism came to center more clearly on alleviating emergencies. The term “humanitarian” was reserved for actions free from longer-term political or economic entanglements, actions deemed right in themselves, the necessary moral response to emergencies. It was something good to do without waiting for progress, even if you had doubts that progress would ever come. The emergency became definitive because it was understood to pose immediate moral demands that overrode other considerations.

Emergencies as Exceptions

In the emergency imaginary, emergencies arise as exceptions to otherwise normal social conditions – stable government, tolerance between ethnic groups, availability and distribution of food supplies. Whether they involve tsunamis and earthquakes beyond human control, desertification resulting from human degradation of land and water supplies, or conflicts manifestly made by mortals they appear as exceptions to the normal. Wars are exceptions to peace. Wars that affect civilians on a massive scale are exceptions to wars contained within “normal” military boundaries. Genocide, new wars and terrorist tactics that directly target civilians or blur the distinction between combatants and noncombatants are understood commonly as the results of “breakdowns” in local social relations – exceptions – rather than as the recurrent products of global markets for diamonds, drugs, and weapons that transform local disputes and alliances.

Of course aid workers on the ground often know that more is involved, are often aware that immediate emergencies have histories. Agencies struggling to feed refugees in the Sudan today remember that there have been refugees there before; those trying to help victims of fighting in the Congo are well aware that fighting has flared there before; and certainly the repetitive character of floods in Southeast Asia has not escaped either state officials or international relief organizations and these work to stockpile food and other supplies locally. Nonetheless, the very idea of the emergency emphasizes the immediacy of each occurrence and derives a significant part of its capacity to command attention and mobilize resources from this sense of immediacy.

The media reinforce this understanding on a broad scale. It is definitive for funding programs by governments and charitable organizations alike. It drives direct mail advertising. Likewise, many are recruited to work in the field by the sense of guarantee that their work will help people directly – not only if economic development eventually takes place or politicians finally make peace.

Nonetheless, the emergency depends on the normal: the peaceful, the calm, the planned, the smoothly flowing. It gains its conceptual clarity from contrast.

International and global affairs have long been constructed in terms of two core principles. First, the primary units of analysis—and of power, stability, and interest—are nation-states. These may enter into relationships—alliances, balances of power, rivalries—but they are the units. Second, there exist a range of flows across these nation-states that meet or obstruct their interests, challenge their power, and call for their action. The flows may be of goods, or people, or ideas, or even diseases. The nation-states are clearly concerned to control their borders, but usually to maximize the benefits and minimize the costs of flows across them—not simply to close them.

The system of states and flows works in an orderly fashion in an ideal realm of theory, and to some extent at least some of the time this is matched by reality. But one need not detail the world wars, massive population displacements, or great depressions of the 20th century to grasp that the phrase ‘global order’ often borders on the oxymoronic. Still, for all the upsets the language of global order has survived. It is even carried forward today into hopes for a new cosmopolitan order to replace the order of nation-states. Order is the realm of nomothetic generality; exceptions are idiographic particulars. Order is normal; disorder is exceptional, no matter how frequent.

Of course the opposition between a more or less predictable system of state relationships and flows and the putatively unpredictable eruptions of emergencies the conception of global order is deeply ideological. It clearly reflects interests in order, and the specific power relations constitutive of the existing order. Carl Schmitt famously incorporated the capacity to declare a state of exception into his concept of sovereignty (and the lineage for this idea stretches back at least to Machiavelli). Drawing on Derrida and Benjamin, Georgi Agamben has turned this idea on its head to ask whether in an era of sovereignty taken to an abusive extreme we live always in a state of exception.²² But the exception is not simply the sovereign declaration. It is also the notion of emergency itself, not only because it is the counterpart to the very idea of order, but also because it carries a demand for action.

Arguments in favor of military intervention have sometimes been made in similar terms. At various points in the 19th century European powers did intervene on more or less humanitarian grounds to try to manage crises created by the decline of the Ottoman Empire – foreshadowing debates about humanitarian intervention today – though they did not act to prevent the genocidal violence against Armenians. The Holocaust and WWII are ambiguous but formative cases for modern humanitarianism. The Holocaust did not produce the emergency response that later generations came to think it should have and so stands as an exemplary case of failure (although the mobilization in support of

²² C. Schmitt *The Concept of the Political* (Chicago, University of Chicago Press, 1996); G. Agamben *State of Exception* (Chicago: University of Chicago Press, 2004). Agamben would stress the normalization of the state of exception inherent in, for example, the “USA Patriot Act” passed by the Bush administration to grant it special powers to combat terrorism and other threats to the US population. I want to emphasize a different aspect, suggesting that we do not grasp the exception adequately simply in its declaration, as constitute act of will (the point of connection between law and violent force). We need to inquire also into the ways an emergency imaginary makes action appear necessary, but also circumscribes the sorts of action that are necessary (emergency response, for example, or preparedness for future emergencies, rather than change to the system of “order” itself).

refugees was more successful, if still very imperfect). The War itself was organized mainly as an interstate conflict and emergency response was mostly assimilated to the older approaches, by states, colonial powers, and the Red Cross. But it produced civilian death and devastation on a new scale leading to increased calls of “never again”.

The International Rescue Committee grew out of the International Relief Association active in the 1930s. And in due course the UN was formed and added agencies with their own emergency mandates. But it was the postwar processes of decolonization, national liberation movements, and struggles to draw new political boundaries that created the occasion for a specific focus on humanitarian emergencies. Postwar Europe faced emergencies as well as general need for reconstruction, exacerbated by division of West from East. But it was the partition of Palestine that created Israel and the partition of India attendant on the creation of Pakistan that produced the most powerful exemplars. Despite the upheavals, development remained the dominant global agenda - interpreted to be sure in different ways by socialist and capitalist powers but embraced by both. The ideal of sovereign nation-states, each developing greater prosperity, greater democracy, and greater standing in the community of nations was compelling. It dominated not only the perspective of rich countries on their own success and the chances for others, but the hopes associated with independence in most former colonies. Emergencies were mostly understood as setbacks on the path of development.

The failed Biafran struggle for independence and the combination of a war of liberation and devastating cyclone in Bangladesh were not only famous instances but paradigmatic in their refraction through Western and global media. George Harrison’s Concert for Bangladesh was the first in a series of massive celebrity benefits now associated with emergencies. The history of neutral humanitarian assistance to those suffering in war has been harnessed to a variety of new circumstances – a process which continues as environmental degradation and climate change figure more and more in occasioning emergencies (including many, like the crisis in Darfur, that also involve politics and armed conflict). The term “complex humanitarian emergency” was coined in the 1970s with the primary example of Mozambique in mind. It referred to emergencies created by displacements of people and other collateral suffering occasioned by armed conflict in which sides and territories were unclear, in which the primary parties were not (or at least not all) recognizable states. The implication of the term was that previous humanitarian emergencies were simpler. In any case, it was harder to fit such conflicts into a narrative of development. But they could still be contrasted with a somewhat vague image of the normal, and treated as exceptions.

The notion of keeping the humanitarian and the military sharply distinct has come under enormous stress; it is perhaps a lost cause.²³ In the context of the breakup of

²³ Especially since the invasion of Iraq, the issue of entanglement with the military has become a crucial theme in discussions of “crises of humanitarianism”. See Michael Ignatieff, *The Lesser Evil: Political Ethics in an Age of Terror* (Princeton, NJ: Princeton University Press, 2004); David Kennedy, *The Dark Sides of Virtue: Reassessing International Humanitarianism* (Princeton, NJ: Princeton University Press, 2004); David Rieff, *A Bed for the Night: Humanitarianism in Crisis* (New York: Simon and Schuster, 2003); Stephen John Stedman and Fred Tanner (eds.), *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*

Yugoslavia and of the central African wars and genocides, it seemed to many that military interventions were necessary humanitarian responses to certain sorts of emergencies.²⁴ Even those who sought to keep the work of humanitarian assistance “neutral” found this increasingly difficult, partly because they could not avoid working with armies or in zones controlled by one or another party to combat. And at the same time, campaigners for human rights were commonly unsympathetic to arguments that humanitarian assistance required neutrality. Arguments for “nonconsensual humanitarian interventions” come in two kinds. One, for which the invasion of Iraq stands as an extreme example, is that governments are so abusive of citizens that humanitarian goals will be advanced by regime change. This is closer to human rights argumentation, but draws on aspects of the idea of humanitarian progress. The other, used in arguing for implementing humanitarian assistance against the will of the Myanmar government after Cyclone Nargis, is more that aid must be delivered and that government preferences are more or less beside the point. This is much more in synch with humanitarian argumentation generally, though it can also be made readily in human rights terms.

In general, humanitarian response to emergencies has focused on the alleviation of suffering by non-military means, precisely because military action necessarily meant entanglement in longer-term political problems. Medical care, by contrast, could be understood as always right in itself (though here too questions would arise, notably in Rwanda, where doctors worried they were patching up genocidaires who would return to killing).

(Washington: Brookings Institute, 2003); and Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action* (Ithaca: NY: Cornell University Press, 2002).

²⁴ Arguments for military intervention are by no means confined to left-liberals (or erstwhile left-liberals), but it was novel for left-liberals to be among the most active advocates of military intervention. Arguments were often rooted in a humanitarian agenda, and the Rwandan genocide became a symbol of the implications of failure to act. For many “action” clearly meant military action to stop the genocide after its onset - rather than other kinds of actions initiated much earlier. For various sides in this debate, see Seyom Brown, *The Illusion of Control: Force and Foreign Policy in the 21st Century* (Washington, DC: Brookings Institution Press, 2003); Mark R. Duffield, *Global Governance and the New Wars* (New York: Zed Books, 2001); Martha Finnemore, *The Purpose of Intervention: Changing Beliefs of the Use of Force* (Ithaca, NY: Cornell University Press, 2003); Samantha Power, *A Problem from Hell: America in the Age of Genocide* (New York: Basic Books, 2002); Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford; New York: Oxford University Press, 2000). Michael Barnett, Michael Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca, NY: Cornell University Press, 2002), addresses the role of the UN in Rwanda. Among the journalistic reports that focused attention on the absence of intervention in Rwanda, see Philip Gourevitch, *We Wish to Inform You that Tomorrow We Will Be Killed with our Families: Stories on Rwanda* (London: Picador, 1999) and Linda Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide* (New York: Zed Books, 2000). Alan Kuperman, *The Limits of Intervention: Genocide in Rwanda* (Washington, DC: Brookings Institution Press, 2001), makes the case that successful intervention in Rwanda (after the killing had started) was more or less “logistically” impossible. Bass situates his support for military intervention within an account of its imperial history; Gary J. Bass, *Freedom's Battle: The Origins of Humanitarian Intervention* (New York: Knopf 2008).

The desire for direct engagement and moral purity are not entirely new. On the contrary, the field of humanitarian response to emergencies entered a phase of dramatic growth amid the waning of 1960s era protest politics. Many of the early protagonists were activists from the Left who grew disillusioned with more conventional programs for political and economic change. Humanitarianism was in a sense a way to retain the emotional urgency of 60s politics, but in a form not dependent on any political party, movement, or state. The theme of witness drawn from Catholicism and previous charity work was helpful in this regard. Humanitarians could bear witness against evil and express solidarity with those who suffered without a broader analysis or causes or program for political-economic change. This made it easier to maintain the sense of immediate affective engagement that had been important to 60s radicalism. It also provided an escape from the endless ideological arguments, the jockeying for advantage that undercut coalitions and collective action, and the corrupting influences of political power. In the wake of '68 many former activists found it all too evident how often self-interested ambition was combined with seemingly altruistic political activism, even if the activists were able to misrecognize their own ambitions as something purer. Direct action in witness and solidarity with horrendous suffering reduced the time lag between intention and result that allowed for ulterior motives to become dominant. Or so it seemed.

The gap between intention and result opens up the classic Aristotelian distinction which Weber integrated into modern social theory as the difference between value-rational and instrumentally rational action. But if instrumentality seemed to many humanitarians of the 1970s colder, less immediate, and more open to corruption, it was also the realm of causal analysis, planning, and assessment of impact. And one of the stories of humanitarian response to emergencies since the 1970s has been tension between value-rational immediacy and the need to think instrumentally introduced by funders, by the imperatives of organizational life, and by triage on a larger scale: the challenge of deciding where to expend scarce resources.

Resources remained scarce despite (perhaps partly because) of an explosive growth in humanitarian response to emergencies. There were new refugee flows, famines, conflicts and sometimes genocides through the 1970s and 80s: Vietnamese Boat People, Cambodian mass murder, fighting in the former Portuguese colonies in Africa, a series of catastrophes in the Horn of Africa linked to both conflict and climate. Then the end of the Cold War helped make for yet another wave of conflicts by simultaneously destabilizing alliances and leaving the world awash in cheap arms. The 1990s saw an enormous proliferation of conflicts and refugee movements, often dozens at a time in different parts of the world.

During this period, a variety of new organizations entered the previously small and relatively close-knit field of emergency relief. This had grown dramatically in the 1970s, and then expanded yet again in the 1990s. Some organizations were entirely new, others were longstanding development organizations that added emergency relief projects to their portfolios. Change at the UN is symptomatic. Though the founding mission of the UN was peace, and this remained prominent, the mission of most of the UN agencies created in its first forty years was development. But from the 1990s, response to emergencies became more and more basic to the UN (not least because development

became increasingly the domain of the Bretton Woods organizations). Eventually special appeals, largely for emergency response, came to generate larger amounts than the core UN budget. The Office for the Coordination of Humanitarian Affairs was set up not just because there were so many emergencies, but because there were so many different organizations working in emergency relief, seeking funds from the same donors, trying to take slightly different messages to the same public. In the field as a whole, an effort to set standards for effective work gained more and more attention (notably with the SPHERE initiatives, seeking a Humanitarian Charter as well as minimum standards in disaster response).

Alongside the codification of best practices, a variety of professional training programs have been developed. And inside humanitarian organizations, formal reporting and assessment practices are more prominent. In a world dominated by moral concerns for suffering, and still recruiting its new entrants largely on this basis, a variety of instrumental concerns structure daily practices. These includes simply sustaining organizations through fundraising, internal management, and media relations. They include also trying to rationalize the necessary choices – where to work, or how much to invest in what kinds of logistical or medical capacities. Even where the goal is only better informing necessary decisions about where to invest scarce resources, the result is to highlight the tension between the tacit particularism of an ethic which values care as right in itself, and the comparative calculi of greater or lesser goods. This instrumentalization of moral action is frustrating to some in the field, but much more worrying is instrumentalization of another kind. Humanitarian organizations themselves are often perceived as instruments of foreign policy by donor governments. And even where no single state dominates the work of an organization, there are expectations about the management of emergencies that transcend the logic of simple charity or palliative care for those in immediate need.

It is conceivable that instrumentalization in each of these two senses, along with the wave of new entrants, will spell the end of the humanitarian field of emergency response as it came to be conceived over a longish history and as it flourished especially in the four decades after 1968. Humanitarianism or response to emergencies became a “field” by virtue of establishing boundaries, hierarchies of value, a space of positions, and competition for standing. MSF represented a kind of ideal for many others in the field, able to resist both political influence and the potentially corrupting influence of donor demands (especially from state donors). MSF ranked high in a hierarchy where distinction accrued to those acting with the most clearly moral purpose, altruistically, amid danger; it was known as the organization that would go where others wouldn’t.²⁵ And of course there was a similar hierarchy in the reputations of individuals, as these moved among organizations, working in emergencies around the world, accumulating experiences like medals. The field developed a set of practices and styles to be taught to new entrants (organizations and individuals alike). If they were initially informal and taught in practical contexts (and in late night review sessions at makeshift bars) they became increasingly codified. They became the subjects of academic articles and courses. More influentially, they became objects of the humanitarian reform movement – which

²⁵ Dan Bartolotti, *Hope in Hell: Inside the World of Doctors without Borders* (Buffalo, NY: Firefly Books, 2006), p. 13.

set out to professionalize the field, raise its standards, develop norms. This meant that MSF could refuse funds that might tie it down; others were more dependent on the vicissitudes of fund-raising and donor demands. MSF benefitted from a reputational capital specific to the humanitarian field, centered on the extent, immediacy and neutrality of service to those who suffered.

Indeed, humanitarians have long felt a need to police the boundary of their field. Their first term of reference is neutrality. Humanitarians don't take sides. They do not advocate for one army to win the war, for one government against another, or even for human rights. This is not only a matter of clarity of purpose or of sticking to the moral for its own sake. It is also a practical consideration. Neutrality is the basis for access; it is the basis for the notion that no one should shoot at those flying the red cross or crescent, delivering medical assistance or food. This is one reason why the growing role of militaries in providing humanitarian assistance is so troubling. And as that suggests, the ideal of neutrality is becoming harder to sustain. When military interventions are made in the name of human rights or human welfare, this undermines the very idea that humanitarian response to emergencies can be distinctive.

The boundary with human rights advocacy is even more problematic, but follows similar principles. Many humanitarian groups reject human rights advocacy as too political.²⁶ This means not just that there is a politics behind the human rights arguments, but rather than the human rights field is oriented to lobbying campaigns, getting treaties signed, and otherwise working directly with and on states. Humanitarians, by contrast, avoid states. This is one reason for strong emphasis on the notion of "autonomy" for the NGOs working in the area (though in fact such autonomy is often much more illusive than its frequent invocation implies). They tend to see states as the sources of problems far more than of solutions. They often work in situations of state failure (though they often find themselves creating substitutes for states, for example as they work to maintain order in refugee camps). Humanitarians also argue that danger is increased and access reduced by human rights organizations that move into delivery of humanitarian services.

The second term of reference in humanitarians' definition of their own field is urgency. Humanitarians respond immediately to acute need. They are thus at the opposite end of a continuum from development assistance that tries to address long-term issues of poverty or disempowerment - even though humanitarians would acknowledge that these make people vulnerable to emergencies. If the theme of neutrality has to do with the autonomy of the humanitarian field from politics, that of urgency has to do with autonomy from the economy. This is not autonomy from material conditions and constraints; it is autonomy from the pursuit of solutions by means of economic transformation. Advocates for development against other forms of aid often cite the adage that if you give someone a fish you feed them for a day, if you teach them to fish you enable them to feed themselves for life. Humanitarians are unabashedly in the fish

²⁶ See David Rieff, *A Bed for the Night* (New York: Simon and Schuster, 2003), for a strongly argued case against both combining humanitarian action with human rights advocacy and believing that human rights advocacy has in fact generated very much progress. His foil for this argument is often Michael Ignatieff, who in *The Lesser Evil: Political Ethics in an Age of Terror* (Princeton: Princeton University Press, 2000) presents humanitarianism and human rights together as part of a "revolution in moral concern".

for a day business. They stress that someone who dies today won't learn to fish tomorrow.

The theme of urgency is closely coupled with that of direct action. Humanitarianism is defined by action not consequences, and especially by action directly delivered through human contact on site. This is part of what creates the constant tension with instrumentalization. In Max Weber's Aristotelian terminology, the dominant ethos of humanitarian action is focused on "value rationality" (*Wertrationalität*) not instrumental rationality. It is focused on doing that which is good in itself, not that which is good for some other purpose.²⁷

Yet there are increasing demands for attention to longer-term implications of humanitarian action. Which humanitarian practices, for example, best promote the "early recovery" of suffering regions? How should emergency relief give way to development assistance? Can humanitarian care be provided in ways that encourages respect for human rights? Can the situation of women be improved in lasting ways, taking the very disruption of the humanitarian emergency as an occasion for remaking culture?²⁸

It is easiest to maintain the focus on value rational action in the field, on site in the middle of the emergency, and much harder in headquarters. In the field, while working directly to ease suffering, moral purpose is embodied in the suffering subjects served, and in the work itself. This gives meaning to the long hours; it gives a kind of fullness to the days and to life.²⁹ To be sure, there must be triage and it can be heartbreaking. There is burn-out, and this is a young people's line of work, in that not unlike activism. But the experience of hard work directly oriented to doing good, and to doing good for people one can see directly, is what sustains many in humanitarian action. It isn't an experience one can easily maintain at all hours. Even in the field, bureaucratic work, logistical snafus, and frustrating negotiations with other organizations intrude. But like *communitas*, the sense of intense sharing and unity evoked in Victor Turner's accounts of ritual, emotionally meaningful direct action can be recurrent enough to pull one through the more routine structures and conflicts.³⁰ This is much less true sitting in an office in New York or London. Indeed, this sense of directly moral action is distinctively absent from much of the work necessarily done in the headquarters of humanitarian organizations. It is not that people don't think they are doing the right thing, but that "rightness" is embedded in procedures, statistics, and long-range planning – and often

²⁷ Weber, *Economy and Society* (Berkeley: University of California Press, 1968), passim, e.g. vol. 1, p. 21.

²⁸ See for example the *Inter-Agency Standing Committee (IASC) Guidelines on Mental Health and Psychosocial Support in Emergency Settings* (Geneva: IASC 2007) in which the mandate to "protect" psychological and social well-being shades into the effort to "promote" it in lasting ways.

²⁹ See Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007) on the notion of "fullness" as a way of inhabiting the world, an experience in which a person's entire surrounding is imbued with meaning and perhaps moral significance, not reduced to the distanced relationships of scientific observation or instrumental use. Part of the appeal of humanitarian work in the field, despite its hardships, is that it offers a chance to experience this fullness, even in a secular age.

³⁰ See *The Ritual Process* (Chicago: Aldine, 1969).

worse: bureaucratic turf struggles, questions of conscience about what funding to take, and resentments over who got promoted. Yet of course the work doesn't get done without funding, logistics, and procedures.

Conclusion

The idea of humanitarian action continues aspects of ancient traditions of charity. These are reworked in varying degrees, with more emphasis on witness and often on enhancing the rationality and effectiveness of value-rational action. From the history of European imperialism, humanitarianism has drawn an orientation to saving, if not necessarily civilizing, the world. This combines often with the project of governing the ungovernable, though few humanitarians would embrace the managerial aspect of their work quite so unambiguously. The Enlightenment and 19th century idealization of progress has also influenced modern humanitarianism. This is particularly true where it is closest to human rights work and most engaged in the notion of seeking solutions rather than only mitigating suffering. The field is divided along a continuum from those who would only care for and witness to the suffering to those who would try to end humanitarian emergencies.

But though all these dimensions of genealogy remain formative, the project of humanitarianism that has flourished especially since World War II is also distinct. What most gives it separate identity is the idea of emergency – both simply the sense of urgency and the deeper sense that this underwrites an exception to all sorts of other rules and projects which can be deferred to more normal times or other sorts of actors.

Humanitarianism is thus kept distinct from several other projects. It is not the long-term agenda of economic development. It is not the promotion of democracy. It is not advocacy for human rights. It is the focus on immediate response suggested by the emergency imaginary with its emphasis on apparently sudden, unpredictable, and short-term explosions of suffering. And it is sustained by the experience – or at least the hope – of altruistic work, of work embedded in direct moral purpose.

But the whole field of humanitarian action is also shaped by professionalization, the effort to achieve standards, and the growth of organizations devoted to humanitarian action but embedded in a larger field where issues of development, democracy and other sorts of progress also contend. It is proving increasingly hard to keep emergency response distinct from military operations including wars justified as humanitarian ventures.

The emergency that draws people and resources into humanitarian action is a creature of globalization – but also of a particular moment in the history of globalization. It can be imagined as such because media exist to see its effects in nearly real time, because an ideological framework exists to frame a sense of connection to those suffering at a distance, because organizational capacities exist that make it possible to take effective action. At one level this is a massive moral achievement, a capacity to care for strangers in a radically new way. At another level it is a construction of events in various places – Biafra, Bangladesh, Rwanda, or Darfur – which comes not from those places but from the cosmopolitan centers of the global north.

The painful events of conflict, floods, and famine are not false. They are grinding dimensions of everyday life, sometimes they rapidly become much worse. But the emergency imaginary is frames these events not as they look to locals but as they appear to cosmopolitans. Emergencies are crises from the point of view of cosmopolis. The attention of the “international community” – the newspaper accounts, the TV news, the donors and the agencies is on the efforts of outsiders to help, to minister to strangers. Too often the story seems to be: moral white people come from the rich world to care for those in backward, remote places.

The efforts of humanitarian relief workers are remarkable and noble. It takes nothing away from the significance of their labors to say, however, that they are fraught with tensions. Indeed, humanitarian workers are a highly self-critical group, constantly struggling with the contradictions of their work. And most recognize, moreover, something the media accounts leave out. International aid workers are not the source of most care provided in emergencies; most comes from neighbors, family, friends and in general simply those who live at the scene. The cosmopolitan experts in disaster can play an important role. But it is important to remember that the story is not only about them. It is just that they are usually the only ones able to speak. And conversely, one of the most distinctive features of the emergency imaginary as it circulates in the global media is that it renders those who suffer in emergencies as voiceless masses.

“Emergency”, thus, is a way of grasping problematic events, a way of imagining them that emphasizes their apparent unpredictability, abnormality and brevity, and that carries the corollary that response – intervention - is necessary. For some, the intervention may be only care – paradigmatically food, medicine, and shelter. Close to this end of the continuum one may add witness, something short of political response yet more than turning away from the evils that occasion emergency. For others, though, the international emergency both can and should be managed. One should use the best practices, methods, and technologies to alleviate as much suffering as possible – and perhaps also to alleviate as much threat to global order as possible. But the managerial response to an emergency focuses on restoring the existing order, not changing it. And the more agendas for long-term change are incorporated into emergency response, the less it is distinguished by immediacy or escape from competing agendas and complex moral judgments. The construction of emergencies as exceptions to normal order, and humanitarianism as the special action they demand, underwrites a sort of suspension of other concerns. Thus there are responses that seek to mitigate harm (like sending food), institutions that share costs (like insurance), and “preparedness” efforts to make future responses better. But transforming the global order—say making it more egalitarian as a way of limiting future suffering—is not on the manager’s agenda. And if it is on the witness’s agenda, it is embraced without much optimism that major change can be achieved very soon.