

### Humanitarianism's Contested Culture in War Zones

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**Thomas G. Weiss**

# **Humanitarianism's Contested Culture in War Zones**

With commentaries by

**David Chandler and Dennis Dijkzeul**

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## Contents

*Thomas G. Weiss*

<b>Humanitarianism's Contested Culture in War Zones</b>	<b>5</b>
The Dominant Culture, the Good Samaritan	5
Militarization	7
Politicization	8
Marketization Part 1: Outsiders in the Humanitarian Business	12
Marketization Part 2: Insiders in War Economies	14
Toward an Evidence-Based Culture	16
Consequentialist Ethics	19
Conclusion	23
References	24

*Commentary by David Chandler*

<b>Rethinking the Limits of the Humanitarian Emergency Paradigm: Response to Tom Weiss</b>	<b>28</b>
Introduction	28
Epistemological Limits	29
Ontological Limits	30
Conclusion	32
References	32

*Commentary by Dennis Dijkzeul*

<b>Rethinking the Limits of Humanitarian Critiques: Response to Tom Weiss</b>	<b>34</b>
Introduction	34
Culture or Political Economy?	34
On Evidence	35
On Ethics	36
On Academic Solutions	37
References	38

## Abstract

Humanitarians are no longer simply seen as selfless angels. Their motivations and mastery, their principles and products are questioned from within and from without. Understanding the ongoing transformations in contemporary humanitarianism requires examining the nature and evolution of humanitarian culture away from an agreed culture of cooperation to a contested one of competition. The latter reflects militarization, politicization, and marketization. What is required is a learning culture for practitioners and a consequentialist ethics more oriented to responsible reflection than rapid reaction.

## Keywords

*Humanitarianism, humanitarian business, ethics, marketization, militarization, international relations, globalization, development cooperation, global cooperation*

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# Humanitarianism's Contested Culture in War Zones

Thomas G. Weiss\*\*

Humanitarian action in war zones was never easy but has proved especially daunting in the post-Cold War era. Although there never was a golden age, David Rieff and others nostalgically lament today's 'humanitarianism in crisis' (Rieff 2002). This is hardly a 'mid-life' version, however, because most observers date the birth from the mid-nineteenth-century creation of the International Committee of the Red Cross (ICRC) (Forsythe 2005; Barnett 2011). Whatever the vintage and Steven Pinker (2011) notwithstanding, humanitarians no longer are necessarily on the side of the angels—their motivations and mastery, their principles and products are questioned from within and from without.

Understanding the ongoing transformations in contemporary humanitarianism requires examining the nature and evolution of humanitarian culture—its values, language, behavior. This essay begins with the dominant traditional one as a metric to explore the move away from an agreed culture of cooperation to a contested one of competition as a result of militarization, politicization, and marketization. It concludes with a plea for a 'learning culture' oriented to responsible reflection rather than rapid reaction.

## The Dominant Culture, the Good Samaritan

The 'H' word is rooted in morality and principle—the parable of the 'Good Samaritan' often comes to mind. The objective is noble, to help vulnerable populations, irrespective of who they are, where they are located, or why they are needy. Aid agencies are interested in the welfare of those in their care and unaffected by political and market factors in the countries that provide or receive assistance. Humanitarian action consists of delivering life-saving emergency relief to and protecting the fundamental human rights of endangered people. Both tasks are meant to catch in the global safety net individuals trapped in the vortex of human-made disasters. The two tasks are supposed to be mutually reinforcing

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although many humanitarians specialize and try to insulate one from the other lest by making life-saving succor subservient, emergency relief is held hostage to human rights.

The very word 'humanitarian' retains great resonance, but one searches in vain for an unequivocal definition. Provided an opportunity in the *Nicaragua v United States* case, the International Court of Justice (ICJ) waffled. It stated that humanitarian action is what the ICRC does—by inference the independent, neutral, and impartial provision of relief to victims of armed conflicts and natural disasters.

The *Oxford English Dictionary*—whose 1819 edition had the first citation—uses tautologies: humanitarian is 'having regard to the interests of humanity or mankind at large; relating to, or advocating, or practising humanity or human action.' In common discourse, humanitarianism (noun) consists of actions to improve well-being or welfare; a humanitarian (noun) is a person who actively promotes such improvements; and humanitarian (adjective) usually means philanthropic or charitable.

The ICJ's definition requires parsing the ICRC's gold standard. The politics of helping when a natural disaster strikes are relatively simple because every country, no matter how sophisticated, can encounter a disaster resembling the 2011 tsunami and Fukushima nuclear meltdown; and it would be peculiar to decline outside help. Asking for assistance in the midst of wars is another matter, however, far more fraught. Governments in the throes of armed conflict—especially in civil wars—often view help as an all-too-visible indication of weakness. Moreover, aid and protection represent fungible resources that are part of the calculations of winning a war, and belligerents are not averse to manipulating assistance and civilian lives as part of their arsenals.

The ICRC occupies an unusual position and customarily is treated as *sui generis*. It is the oldest international humanitarian organization and the largest outside the UN system. A private organization with a board of governors of prominent Swiss citizens, the ICRC resembles nongovernmental organizations (NGOs) in that it receives both private and public contributions. However, governments provide 90 percent of its annual budget, about \$ 1.2 billion, to cover some 11,000 staff in 80 countries. Nonetheless, it occupies a category by itself as the custodian of the Geneva Conventions—it is a hybrid, neither an intergovernmental organization (IGO) nor an NGO.

Unlike most humanitarian agencies, the ICRC has elaborated core principles, and its disciplined staff is committed—always on paper, and often in reality—to respecting them. Unlike most NGOs and IGOs that mount a range of activities from relief to reconstruction and development, the ICRC works only in active war zones. The ICRC's ground rules focus on what humanitarianism is supposed to do, and how it is supposed to do it. In his famous desiderata, Jean Pictet (1979) identified seven defining principles: humanity, impartiality, neutrality, independence, voluntary service, unity, and universality.<sup>1</sup>

The first four arguably constitute the core. Humanity (or human dignity) is uncontested and commands attention from all whereas the other three key principles are debatable and debated. Impartiality requires that assistance be based on need and not discriminate on the basis of nationality, race, religion,

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<sup>1</sup> See Weiss 1999: 1–22.

gender, or political affiliation. Neutrality demands that humanitarian organizations refrain from taking part in hostilities or any action that either benefits or disadvantages belligerents. Independence necessitates that assistance not be connected to any party with a stake in the outcome of a war; accordingly, there is a general rule to refuse or limit reliance on government funding from those with interests in the outcome.

The ICRC derived these principles based on decades of practical experience with what works best. Although many observers now treat them as sacrosanct—indeed, the essence of humanitarian culture—these principles began as pragmatic judgments. Simply put, traditional principles helped guide humanitarians to reach people under duress in inter-state conflicts and natural disasters. If aid agencies are perceived by combatants as allied with the opposing side, or having a vested interest in the outcome, they have difficulty in getting access; or they may become targets. If principles are religiously respected, so the argument goes, both aid workers and recipients benefit from a sanctuary. Operating according to these principles and being perceived as apolitical has been crucial during wars.

In short, the culture of humanitarianism reflects the desire and ability to provide life-saving assistance while honoring neutrality, impartiality, and independence. But how pertinent is that tradition in today's war-torn societies? Remaining above the fray and respecting principles is virtually impossible in the face of rampant militarization, politicization, and marketization. The questionable relevance of traditional humanitarian culture in many contemporary contexts requires that we revisit their impact on humanitarianism's SOPs (standard operating 'principles' or 'procedures').

## Militarization

The routine involvement by third-party military forces in humanitarian efforts is a remarkable phenomenon of the post-Cold War era—especially for Africa where three-quarters of UN or UN-authorized forces are deployed (Center on International Cooperation 2013; Adebajo 2011). Yet using military forces for such purposes is not new because a quantum expansion took place after World War II, when occupying Germany and Japan as well as reconstructing their economies required new types of personnel within the armed forces: administrators, planners, and logisticians. The military often possess a cornucopia of resources in the shortest supply when disaster strikes: transport, fuel, communications, commodities, building equipment, medicines, and provisions. The military's 'can-do' mentality, self-supporting character, rapid-response capabilities, and hierarchical discipline are assets amidst catastrophic turmoil. Most dramatically, humanitarian benefits can result from the military's direct exercise of its primary war-fighting functions and superior force to overwhelm hostile forces. Such deployments should be distinguished from those after natural disasters or in tandem with traditional peacekeepers. Military humanitarians can gain access to suffering civilians when insecurity makes it impossible or highly dangerous, and they can foster a secure-enough environment to permit succor and protection by others. Such interveners can also change the regime responsible for suffering, admittedly a more contested outcome of their efforts.



Militarization has proved problematic for humanitarians, and critics have lambasted the security function. They view 'humanitarian intervention' or 'humanitarian war' or especially the 'humanitarian bombing' of Kosovo or Libya as an oxymoron (Roberts 1993; Rieff 2002; see also Bass 2008). Moreover, the use of the military to do what only military can do—provide security—complicates protection and delivery by civilian organizations because the military dominates priority-setting. 'Humanitarian intervention' is truth-in-packaging that preceded and perhaps more accurately depicts military humanitarianism than the more recent and politically palatable 'responsibility to protect.'<sup>2</sup> Adam Roberts (2002) is clear: 'coercive action by one or more states involving the use of armed force in another state without the consent of its authorities, and with the purpose of preventing widespread suffering or death among the inhabitants.' Military interventions with substantial humanitarian justifications—against the wishes of a government, or without their genuine consent—figure prominently in the post-Cold War era and make action possible in areas where it previously had not been.

Intervention is not involved when an action is based on a freely given request from, or with the unqualified consent of, a state. All foreign policy aims to persuade or cajole other states to change behavior. The absence of consent is required to merit the label 'intervention' because otherwise any outside involvement or attempt to influence another political authority would constitute intervention. If it covers everything, the term loses salience. In a world of asymmetrical power, what constitutes genuine 'consent' also may be questionable. Nonetheless, consent has a distinct international legal character; and its expression is a conceptual distinction for military measures against a state as well as for political and economic sanctions, arms embargoes, and international criminal prosecution.

Consent is an essential building block in the foundations of traditional humanitarian culture, but militarization removes it. Humanitarians cannot be independent when they rely on the military and its priorities; and coercion requires taking sides, thereby robbing neutrality and impartiality of meaning.

## Politicization

The use of the military anywhere reflects high politics, of course. However, the last quarter-century has witnessed a witches' brew of intensely politicized decisions that have substantially altered humanitarian culture. There are four ingredients in the recipe.

The first is the switch from inter-state to intra-state armed conflict. Civil wars are transformative for the culture because humanitarians are no longer dealing with authorities of separate governments but a host of armed belligerents. Advanced by such scholars as Mary Kaldor (1999) and Mark Duffield (2001) as well as by such journalists as Robert Kaplan (2000), the catchy moniker of 'new wars' can lead to

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<sup>2</sup> International Commission on Intervention and State Sovereignty 2001. Interpretations by commissioners are Evans 2008; and Thakur 2006. See also Bellamy 2009; Orford 2011; and Hehir 2012. The author's interpretation is *Humanitarian Intervention: Ideas in Action*, 2<sup>nd</sup> edition, 2012.

confusion. It is less that totally new elements have appeared than elements thought extinct or tangential have come to the fore or been combined in ways that were heretofore unremarkable (Newman 2004; Kalyvas 2001). Hence, change often is so quantitatively high, or the elements are combined in such previously unfamiliar ways, that numerous wars effectively merit the shorthand 'new' (see Hoffman and Weiss 2006).

Many countries have central governments whose existence takes the form of UN membership and control of the capital city or the main exports. They scarcely resemble their stable Westphalian counterparts (see Badie 2000). They exercise little or no authoritative control over populations and resources; and they certainly do not have a monopoly of the use force. Such states suffer from the 'unbundling' of territory from authority—a negation of the exclusive authority as states (Ruggie 1993: 165). Drug-crazed child soldiers who hack off the limbs of terrorized civilians in Sierra Leone capture some of the horror, as does seeking agreement from the forty or so 'main' armed opposition movements in the Democratic Republic of the Congo (DRC). 'Weak' and 'failed' and 'fragile' states—various observers have preferences and problems with all the adjectives, but the reality is clear—are the scene for most contemporary humanitarian action. Traditional humanitarian culture has meant the continued application of tactics that worked well in the past for interstate armed conflicts but are less useful in today's civil wars. Neither organized violence nor humanitarianism is any longer beholden only or even mainly to state authorities, and the de-institutionalization of sovereign central authority means a diminished impact of international humanitarian law.

The second manifestation of politicization is that government donors have moved away from investing in untied multilateral disbursements through the UN system—especially through the big three of the Office of the UN High Commissioner for Refugees (UNHCR), UNICEF, and the World Food Programme (WFP)—toward tying resources to particular groups or conflicts, particular agencies, or particular priorities. Bilateral or collective European assistance is more vulnerable to politicization than is UN or NGO assistance. With the end of the Cold War, bilateral aid agencies increasingly provided resources to IGOs and NGOs, but that did not mean the disappearance of political concerns by governments. Donors are not bashful about exercising control over funds channeled through intergovernmental and nongovernmental agencies. Earmarking is clearly manipulation, and the priority of donor agendas is hardly subtler within agencies that depend on voluntary funding because the power of the purse is correlated with enhanced power in decision making.

Instead of setting the agenda as the independence of the traditional culture would dictate, aid agencies often are sub-contractors for donors whose preferences are clear and affect the bottom line whereas those of recipients are tough to gauge and can be less consequential for the resource base (Hammond 2008). Particular donor countries can apply leverage and dictate either to a multilateral organization how money should be spent, or how it should be subcontracted to local or international NGOs; they have geopolitical interests to protect and domestic constituencies to satisfy. Providing a Volvo to a recipient of Swedish aid is easier than a Toyota or Ford; channeling resources to favored locales, belligerents, or target audiences is an easier sell than unrestricted grants. Only the naïve would ignore the tune and the preferences of donors that pay the piper.

The shift away from unrestricted multilateral toward bilateral aid as well as away from untied (or core) grants to multilateral organizations toward earmarking or multi-bi grants is unsettling for humanitarians (Barnett and Snyder 2008). In 1988 states provided roughly 45 percent of humanitarian assistance through UN agencies (Randel and German 2002: 21); and over the last five years about 50 percent of such aid was disbursed through multilateral organizations (Global Humanitarian Assistance Report 2013: 6).<sup>3</sup> As most aid is earmarked for specific crises, only a small percentage can be used wherever a multilateral agency wishes—the last time such a figure was calculated, it was about 11 percent, or some \$913 million of multilateral funds in the total of \$8.7 billion in 2007's humanitarian contributions from countries members of the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) (GHA 2009: 8).

Whereas multilateral funding once permitted greater flexibility to pursue agency-determined priorities, it is now customarily tied to specific activities or locations identified by funders even when channeled through multilateral and nongovernmental organizations. The shorthand 'bilateralization' essentially means earmarking or coopting multilateralism as government donors unabashedly pursue more compatibility between their contributions and national priorities. Figures vary by agency, but UNDP's core budget is now around 20 percent and the UN's own development activities about 30 percent, a mirror image of twenty years earlier when untied resources were by far the norm (Weinlich 2014). While some argue that little harm is done by tying aid to such internationally agreed goals at the Millennium Development Goals and the UN's Consolidated Appeal Process (CAP) (Jenks, forthcoming 2015), programming is increasingly linked to donor- rather than agency-determined priorities; and risk-taking and experimentation are virtually excluded under such conditionality.

Accordingly, the needs of affected populations may be secondary in determining allocations and programs. For instance, of the top 50 recipients of bilateral assistance between 1996 and 1999, the states of the former Yugoslavia, Israel/Palestine, and Iraq received half of available resources (Randel and German 2002: 27). By contrast in 2000, the DRC ranked as the country with the lowest level of needs met—a mere 17.2 percent of its CAP; four years later it was Zimbabwe at 14.2 percent. In 2012 the total shortfall was \$3.3 billion with only 63 percent of identified needs met—Zimbabwe the highest at 86 percent of unmet needs and Liberia the lowest at 38 percent (GHA 2013: 5). The impact of 9/11 already was obvious in 2002 as nearly half of all funds given by donor governments to the UN's 25 appeals went to Afghanistan (Smillie and Minear 2004: 145; Oxfam 2003: 2). A decade later, the appeal for Afghanistan remained among the best-funded in proportion to estimated requirements. Unsurprisingly, in the wake of the 2011 intervention that ousted Muammar el-Gaddafi, Libya immediately assumed a position among the better-funded CAPs while Sudan, Sri Lanka, and Haiti rounded out the top five. The most underfunded included the countries of West Africa, Zimbabwe, and Djibouti (OCHA 2011: 13). By 2012, Pakistan, Somalia, and the Occupied Territories headed the list (GHA 2013: 6).

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<sup>3</sup> Hereafter GHA 2013, available at <http://www.globalhumanitarianassistance.org/wp-content/uploads/2013/07/GHA-Report-20131.pdf>.

There is virtually no difference between the motivations of Western and non-traditional donors; geopolitics often trumps humanitarian values. For instance, non-DAC humanitarian funds increased dramatically from 2011 to 2012 as Turkey almost doubled its contribution—most going to its neighbor Syria, which accounted for half a million refugees in the host country and disruption of Turkey's economy and domestic politics (GHA 2013: 4, 36).

The third factor in increased politicization results from the policies of humanitarian agencies, which have decided that band-aides are insufficient, that they should alleviate the causes of suffering by addressing poverty and human rights. The shift from emergency relief to attacking root causes and post-conflict peace-building is ambitious. No longer satisfied with saving individuals today to place them in jeopardy tomorrow—the infamous 'well-fed dead' is a memorable framing about aid in the former Yugoslavia<sup>4</sup>—many humanitarians now aspire to nothing less than improving the structural conditions that endanger vulnerable populations. Their help also should somehow be supportive of negotiations and peace processes. Rather than applying salve, they wish to use assistance and protection to spread development, democracy, and human rights and to create stable, effective, and legitimate states (Donini 2004; Fox 2001).

Neutrality and impartiality can be obstacles to promoting human rights. Reciting the humanitarian mantra is of little avail; traditional principles provide no or even bad guidance. As David Rieff (2011: 254) tells us, 'humanitarian space is a sentimental idea, neutrality a bogus one, and impartiality an abstraction...The sooner they are given a decent burial, the sooner we can all move on.'

The fourth factor is post-9/11 politics. Since the attacks on the United States in September 2001, many countries have viewed counter-terrorism and humanitarianism as crime-fighting partners—with conflict-prone states as sanctuaries and staging platforms for terrorists. Humanitarian organizations, in this view, are part of wider 'hearts and minds' campaigns, attempting to convince local populations of the goodness of armies invading in the name of stability and freedom. US secretary of state Colin Powell (2001) told a gathering of private aid agencies that 'just as surely as our diplomats and military, American NGOs are out there [in Afghanistan] serving and sacrificing on the frontlines of freedom. NGOs are such a force multiplier for us, such an important part of our combat team.' Whether or not humanitarians are opposed to elements of Western, and especially US, foreign policy, in the field they often are perceived as supporters.

In a related fashion, governments have discovered that humanitarian action could be instrumental in postponing or avoiding more costly political decisions and actions, a 'humanitarian alibi.' UN high commissioner for refugees Sadako Ogata (2005: 25), for one, became an outspoken opponent of such contrivances: 'There are no humanitarian solutions to humanitarian problems.' The major powers authorized UNHCR to deliver relief in Bosnia in part because they wanted to relieve the growing pressure for a military intervention. Yet to the extent that aid became a substitute for politics and a sop to hopeful publics, according to Alex de Waal (2001: 221), it led 'Western governments and donating publics to be deluded into believing the fairy tale that their aid can solve profound political problems, when it cannot.'

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<sup>4</sup> Fred Cuny's phrase was popularized by Cohen and Deng (1998a: 10; 1998b: 15).

## Marketization Part 1: Outsiders in the Humanitarian Business

'Humanitarian' and 'business' are juxtaposed for two reasons: provocation and accuracy (Weiss 2013). Jarring for those who idealize the humanitarian enterprise, the adjective has essentially uncontested positive connotations while the noun usually is associated with wheeling and dealing and at odds with the values and self-image of true-believers. If humanitarian action claims the moral high ground, business is customarily seen to occupy less lofty territory. In contrast to humanitarians, those in the market operate where deals are cut, money buys access, the common good is ignored, talk is cheap, and decisions about profit margins ignore human costs.

Of course, outside humanitarians coming to the rescue and, in Nicholas Wheeler's words, 'saving strangers' (Wheeler 2000) are not divorced from but rather steeped in politics; and they operate in the marketplace. The day-to-day functioning of all aid agencies intersects in myriad ways with home and host governments, with armed forces and armed insurgents as well as military peacekeepers and local populations; and most crucially, it confronts the priorities of funders. As agents engaged in resource acquisition and distribution, where they get their resources and how and to whom they deliver relief can have significant consequences on aid personnel in headquarters and in war zones. Staff cannot ignore bottom-lines; they are not apolitical.

The Good Samaritan characterizes the aspirations and expectations of numerous aid workers. This idealistic embrace is understandable because humanitarian organizations are required to project this image to Western publics as part of a marketing logic: contributions emanate from donors whose heart-strings and purse-strings are tugged in tandem with a story and image of a single suffering child (two reduce the dramatic effect) caught in the crosshairs of war who can only be saved by generous donations. Contributors want to be assured that their inputs are directly helping to improve lives. Fund-raising brochures depict relief workers wearing T-shirts with a recognizable logo posing beside seemingly happier and better-nourished kids.

Like entrepreneurs, humanitarians are concerned with image and marketing in an expanding and competitive global business in which suppliers vie for market shares. While funding is more abundant than ever, resources are still 'scarce' in light of the magnitude of the needs—as indicated, less than two-thirds of such needs were met in the most recent year for which data are available. For die-hard humanitarians who claim to be apolitical and are offended by the allegation that they are not, the term 'business' will unsettle. True-believers will be uneasy about being analyzed as part of a marketplace because marketing involves four 'P's': product, price, place, and promotion. Yet the entire business, as Hugo Slim (2012) writes, begins with 'selling the idea of restraint and compassion in war.' Marketization in the globalizing world of the twenty-first century means that everything has a price—from access, to moral authority, to lives.

Institutional innovations usually occur after wars when conscience-shocking horrors expose the inadequacies of existing response mechanisms. Henri Dunant's revulsion with Solferino's carnage led to creating the ICRC in 1865. The bloody

aftermath of World War I and the Russian Revolution led to founding the International Office for Refugees and Save the Children. Similarly, World War II led to a host of agencies—Oxfam, Catholic Relief Services, World Vision, and CARE along with members of the UN family, including UNICEF and UNHCR. The French Doctors Movement—beginning with Médecins sans Frontières (MSF)—emerged when dissident staff revolted against ICRC's dysfunctional orthodoxy during the Nigeria-Biafra War.

The end of the Cold War resulted in no transformation of international law or institutions but rather new conflicts and crises, along with the eruption of long-simmering ones held in check during the era of acute East-West tensions; and it also resulted in the proliferation of humanitarian agencies and opening resource floodgates. The budgets of humanitarian organizations had a five-fold increase from about \$800 million in 1989 to some \$4.4 billion in 1999, with an additional quadrupling to \$16.7 billion in 2009—after peaking at just over \$20 billion in 2010, the figures drifted downward to \$19.4 billion in 2011 and \$17.9 billion in 2012 (the last year for which data are available) (GHA 2013: 4). Some individual agencies (like the International Rescue Committee) or federations (like Oxfam and Save the Children) are big enterprises while others are smaller, many even artisanal. While the number of UN organizations has not grown, their budgets have (accounting for about two-thirds of total DAC humanitarian disbursements). At least 2,500 international NGOs are in the business even if only a tenth of them are truly significant. There could be 37,000 international NGOs with some relevance for what Linda Polman (2010) calls 'the crisis caravan.' On average a bevy of some 1,000 international and local NGOs flocks to a contemporary emergency.

Over the past decade, governments have disbursed some \$110 billion for humanitarian assistance. In 2010 and 2011, they provided some \$14 billion per year and almost \$13 billion in 2012; and private voluntary contributions reached a peak of \$6.3 billion in 2010 (roughly \$5 billion in 2012), up from \$3.0 billion in 2007 (GHA 2013: 20, 30). Moreover over the last half-decade UN peace operations have added between \$8 and \$10 billion annually, with most soldiers deployed in the same target countries. More and more governments are responding to disasters of all sorts, and the numbers have expanded beyond the West to the Rest. Whereas 16 states pledged their support to Bosnia in the mid-1990s, mostly from the West, a diverse group of 73 attended the 2003 pledging conference in Madrid for Iraq, and 92 responded to the December 2004 tsunami. While OECD governments almost doubled their assistance between 2000 and 2010 from \$6.7 billion to \$11.8 billion, non-OECD governments increased their contributions from \$35 million to \$623 million—an 18-fold increase, albeit from a much lower base. In 2011 and 2012, DAC donors decreased from \$13 to \$11.6 billion whereas non-DAC donors increased from \$.8 to \$1.4 billion (GHA 2013: 4).

What about the number of aid workers worldwide? Abby Stoddard and colleagues hazard a guess of over 200,000 (Stoddard, Harmer, and Haver 2006). But Peter Walker and Catherine Russ are undoubtedly closer to the mark: 'We have no idea what size this population is.' Estimates include everyone from cleaning personnel and drivers in field offices to CEOs in headquarters. Walker and Russ extrapolate from Oxfam data and estimate some 30,000 humanitarian professionals (both local and expatriate) worldwide (Walker and Russ 2010).

One need not agree with Naomi Klein's (2007) characterization of the business model for emergency relief as 'disaster capitalism' to appreciate the extent to which the global bottom-lines of some \$18–20 billion in recent years with personnel spread across the planet helping 75–100 million people would, on the face of it, strike most observers as a substantial business. The culture of humanitarian cooperation has been replaced by one of humanitarian competition. James Ron and Alexander Cooley point to 'the scramble' for resources, which channels the priorities and programs for humanitarian agencies—public and private, large and small, religious and secular. The result is a 'contract culture' among outsiders that is 'deeply corrosive' of the humanitarian soul (Cooley and Ron 2002: 13).

## Marketization Part 2: Insiders in War Economies

The contestation of traditional humanitarian culture also reflects the ugly reality of local economies in war-torn and conflict-prone countries. Two kinds of local market forces influence contemporary humanitarian culture: economic interests that directly profit from armed conflict, and peculiar political economies.

The idiosyncratic economies of contemporary war zones represent alternative ways to make a profit. Carl von Clausewitz's celebrated dictum that war is the continuation of politics was adapted by David Keen (2000: 27): 'war may be the continuation of *economics* by other means.'<sup>5</sup> When states are falling apart or putting themselves back together, peculiar opportunities for profit abound. Balance sheets have always been important in fueling war, and certainly captains of industry from Krupp in the Third Reich to Halliburton in Iraq have been more than willing to help the national cause as well as enrich corporate and personal coffers.

However, the local economy in contemporary wars plays a quantitatively and qualitatively different role than previously (Reno 2000: 44–5; Mehlum, Moene, and Torvik 2002). There is little production, mainly destruction. The economy and society as a whole suffer while isolated individuals benefit. With cash, arms, and power flowing into their hands, warring factions have no incentive to proceed to or remain at the negotiating table; instead, their interests are served by prolonging war and the accompanying economy that is of direct benefit. Local actors can concentrate their energies on controlling and illegally or legally exporting a few key resources like diamonds or tropical timber. Much spoiler behavior—before, during, and after wars—can be explained by perverse economic incentives and rewards.

Conventional international relations theory emphasizes the control of territory as essential to maintain authority, but contemporary wars compel actors to concentrate their energies on controlling commerce in key commodities. Commercial activity in many wars is premised on the continuation of violent conflict or is used to fuel it, or both. A form of criminal, distorting, and debilitating trade is often the product of the exploitation of natural resources by private interests. Sometimes the formal economy of the state is manipulated for private

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<sup>5</sup> Emphasis in original.

gain, an 'economy of plunder' (Hibou 1999: 71, 96). At other times, criminals, especially those operating as part of transnational networks, foster the erosion of state power to prevent governmental regulation and taxation (Shelly 1995; Williams 1994). The opportunities to pursue personal gain and to finance war lead many non-state actors to emphasize access to and control over natural resources, frequently resulting in heightened violence and humanitarian needs. In short, contemporary wars present opportunities for personal enrichment (protection and plunder) in addition to the prospects of an infusion of resources from outsiders.

The latter constitutes the second local economic distortion in today's wars. The provision of external resources designed to help the helpless drives local 'aid economies.' More violence means more suffering and more aid with more opportunities for local profit for the lucky few.

Unpacking the politics of war-torn societies reveals three problems for aid workers within that local marketplace. First, it is virtually impossible not to work with 'spoilers' (Stedman, Rothchild, and Cousens 2002), but humanitarians have to pay particular attention to minimize the chances that they may inadvertently enhance the legitimacy of illegitimate actors. Formal relations with spoilers implicitly acknowledge their authority; and improving their ability to provide relief can bolster claims to legitimacy.

Second, humanitarian aid is fungible and can relieve belligerents of some burdens of waging war, effectively increasing their capacity to continue fighting by diminishing the demands of governing and cutting the costs of sustaining casualties. Perhaps the most significant manifestation of what would usually be called 'corruption,' but is now labelled the 'cost of doing humanitarian business,' consists of purchasing access through payments to those who control territory. Central government authorities and warlords try to siphon off as large a portion of aid supplies as they can. Estimates range from 15 to 80 percent. A 25-30 percent 'tax' seems to be a working average, which was actually the documented figure for the share claimed by Indonesian soldiers from the tsunami relief in Aceh, where a guerrilla group had been operating; and the figure was comparable throughout the former Yugoslavia where the UNHCR regularly surrendered comparable portions to Serbian soldiers (Polman 2010: 96-9).

Third, outside agencies may constitute virtually the entire formal monetized sector. International salaries paid regularly in foreign exchange are attractive not only to skilled workers, technicians, and those with language skills but also to drivers, guards, gardeners, and maids. With remuneration that is 10-to-30 times as high as the equivalent position in the local economy, hundreds of applicants appear for any vacancy posted by aid agencies. Moreover, hyper-inflation often afflicts the economy along with the accompanying costs of prostitution, drugs, counter-band, and social mores. Moving from the 'economics of war' to the 'economics of peace' in conflicts like those in Afghanistan and Liberia is, according to Graciana del Castillo (2009), perhaps the toughest challenge in post-conflict peacebuilding.



## Toward an Evidence-Based Culture

Usually soldiers and humanitarians are seen as different species; in particular, their respective cultures emphasize distinct values toward and perspectives on violence and the use of force. Although approaching war from differing philosophical positions, their respective organizations share at least one characteristic: thriving ones learn and adapt. Yet the dominant humanitarian culture discounts if not disparages in-depth research. Many aid officials are impatient with the culture of inquiry, which they see as the antithesis of their own.<sup>6</sup> Analysis is a luxury, an investment in problem-finding not problem-solving. For the most part, humanitarians and their fiduciary boards have neglected or at least relegated to a tertiary or even symbolic status within their organizations the tasks of formally identifying problems, gathering data, drawing conclusions, and translating lessons into new policies and actions—a cumulative process known as ‘learning.’

Much experience since the 1990s demonstrates that reactions to crises are routine, but serious reflections are too infrequently part of job descriptions. For example in his detailed look into UNHCR, Gil Loescher (2001) points to the institution's conservative culture, which is resistant to change and inhospitable to the infusion of new ideas and outside criticism. This organizational pathology is not a UNHCR monopoly but a widespread malady.

The value of learning is not necessarily apparent to practitioners if links to policies and programs are absent. ‘Adaptation’ occurs when an organization identifies short-term modifications to solve problems. But ‘change’ takes place after substantial reflections about the premises of particular modalities for humanitarian action and the most desirable ways to alter policies, to adapt principles, and ultimately to redesign and conduct a subsequent generation of operations. ‘Transformation’ refers to profound change.

While the international humanitarian system certainly has adapted over the years, the challenges of new wars and new humanitarianisms are momentous enough to necessitate bold changes, even transformations, in strategic thinking and acting. However, aid agencies are far more likely to tinker modestly than to change substantially let alone to transform dramatically.

A comparison of military institutions and humanitarian agencies—and their respective cultures—is instructive. Critics customarily castigate a hierarchical and over-funded military, but the soldierly pursuit of order and discipline is the expected result. SOPs reflect an approach to managing and executing tasks under centralized authority. One might expect such a culture to be rigid and unreceptive to learning. But success and promotion are contingent on flexibility and openness to change in strategy and tactics, as well as discipline in carrying out new procedures that result from analyzing past successes and failures. And new technologies and investments in them are routine.

Recognizing a need to innovate is not cheap, and significant budgetary resources are normally dedicated to evaluation and analysis. National defense occupies a privileged position in governmental battles for resources. The potential costs of

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<sup>6</sup> This section draws on Hoffman and Weiss 2008.

falling behind—defeat—are high enough to ensure allocations for research, training, and investment. The material incentives for the military to succeed on the battlefield typically guarantee parliamentary largesse toward budgetary requests. There is no question of going out of business, or being second-best.

The contrast with the culture and expenditures of the vast majority of humanitarian organizations could hardly be greater. They normally beg for what may be inadequate resources to react and provide relief and protection in war's wake; budgets are not guaranteed but reflect perpetual fund-raising. Aid agencies almost always work with other actors. In mobilizing resources, agencies rely on donors. In providing relief and protection, their work hinges on access facilitated by a host of other agencies, including soldiers. In short, the challenges of fundraising and securing access often make humanitarian action contingent on an alignment of donor wishes and the whims of interlocutors. Individual aid agencies are essential cogs in a much larger international machine. This case is especially evident in the non-permissive operational environments of today's armed conflicts.

Despite the ever-changing institutional environment and character of different war zones, humanitarians have no boot camps or laboratories for experiments to help overcome bureaucratic inertia and operational difficulties. Other than an occasional master's program, there are no specialized academies. And virtually no resources, at least as a percentage of overall budgets, are allocated to understanding current and previous operations with a view toward changing tactics and strategies. Indeed, a virtue has often been made from what in other organizations would be seen as a grave shortcoming—namely, moving as quickly as possible to the next crisis without having gathered data and digested the evidence from the last catastrophe, evaluated it, and attempted to formulate alternative policies and approaches. Bragging rights and the highest ratings go to those spending the least on training and evaluation and other overhead expenses that supposedly indicate waste.

Why is it so difficult, as the annual report from the International Federation of Red Cross and Red Crescent Societies asked over a decade ago, to exercise 'humanitarian judgment to analyze context' (IFRC 2003: 36)? David Kennedy provides the answer: 'When data are uncertain, humanitarians are guided by hunches, inferences, and conceptions of best practice.' In the rush to respond, humanitarians repeat 'pat answers' that may have once made sense. But instead of mindless repetitions and reactions, hard-headed reflections should guide agencies: 'A pragmatism of consequences runs into difficulty when expertise of this type substitutes for careful analysis of long- and short-term consequences.' And the humanitarian culture should change because humanitarians 'tend to be uncomfortable thinking of themselves making the kind of distributional choices among winners and losers which seem required by a pragmatism of consequences' (Kennedy 2005: xxiii–xxiv). Based on her searing experiences with Médecins sans Frontières, Fiona Terry (2002: 44) uses her book's title to ask an obvious rhetorical question: *Condemned to Repeat?* She and others detail missed opportunities for learning since the 1990s, which led Ian Smillie and Larry Minear (2004: 224) to recommend 'a more holistic approach . . . that puts learning at center stage.'

Unfortunately, slowing down to reflect is doubly problematic. Not only are too few resources devoted to reflection, but the incentive structure rewards those at the head of the response queue. Comparing the military's approach to learning

with that of humanitarians results in a gross disparity, the low priority accorded by the latter in understanding and adapting to the dynamics impairing effective action in war zones.

The lack of a learning orientation is structural. Randolph Kent (2004: 9) noted a decade ago that 'Strategy formulation requires at a minimum the involvement of all the main components within the organization—in other words, an unusual degree of intra-organisational cooperation among those responsible for emergencies, policies, development and budgeting.' Thus, strategizing involves two steps: first, learning and adapting behavior; and second, disseminating such knowledge and ensuring coherent implementation. For humanitarian strategic thinking to become strategic doing, agencies desperately require a program to develop and strengthen in-house and system-wide analytical capacities.

Improvements are necessary throughout the system, but individual agencies should begin to develop and nurture three analytical capabilities as part of a different humanitarian culture. Better intelligence is the first. A severe obstacle for agencies operating in the field or planning future efforts is an absence of timely and accurate information (see Stanley Foundation 2003; Weiss and Hoffman 2005). Without it, humanitarians can blunder into aiding manipulative parties and participating in other counterproductive endeavors. Information about the intentions and conduct of actors in a theater can help in selecting tactics, negotiating access, and sequencing other aspects of operations that ultimately contribute to success.

Aid agencies often enter theaters without even the most basic knowledge about belligerents and the history and dynamics of the area in which violence is raging. Not only is such knowledge inadequate, rarer still are personnel devoted to monitoring local politics once an operation is underway in order to inform policy- and decision-makers. Knowledge of local societies and languages are obvious lacunae, and many practitioners have lamented their absence long before the standard bill-of-fare became Islamic countries for which Western expertise is in especially short supply. But there are less-obvious shortcomings, namely, how several sources of humanitarian intelligence—data and analyses of belligerents, local conditions, indigenous humanitarian resources, and the impacts of assistance—can be developed and utilized.

The second capacity is not unrelated, namely the need to improve institutional memory, to document activities and the resulting repercussions. George Santayana's warning that 'those who do not know the lessons of history are doomed to repeat them' has too little resonance among humanitarians. What business analysts would call a 'flat learning curve' characterizes the humanitarian enterprise, in which participants compare notes mainly with those who reside in the same echo chamber. Understanding the scope and nature of problems and critically evaluating options are keys to avoiding previous mistakes and grappling with alternatives. Agencies should establish formal documentation and research units. Institutional memory could draw on graduate students in history and the social sciences for technical support in fact-finding and analysis, a process that could also help future recruitment and nourish the next generation of practitioners.

The third capacity is communications and networking, which should accompany improved intelligence and institutional memories to collect and process data for those about to enter new positions or theaters. The discussion of the marketplace

suggested the structural and cultural difficulties in promoting coordination and coherence within the international humanitarian system. Completely eliminating these tensions is unrealistic, but certainly better communications are more feasible and essential for better coordination or even modest coherence. An important step in the right direction would be long-term relationships between key research institutions—both universities and think-tanks—and operational agencies.

## Consequentialist Ethics

At bottom, the change in culture requires recognizing a single first-order principle—the sanctity of life or human dignity—but relegating the three operational ones that form the core of traditional humanitarian culture—*independence, neutrality, and impartiality*—to second-order status. They are means, not ends; they may be helpful but are not moral absolutes. They necessarily take a backseat to more consequentialist calculations about specific inputs based on better knowledge about specific armed conflicts and their likely operational outcomes and impacts.

The age of innocence, if there ever was one, is over (see Weiss 1999; Wood, Apthorpe, and Borton 2001). Instead of rushing, humanitarians urgently need to slow down and move beyond the dominant cultural trait of 'we need immediate action' (Levine and Chastre 2004: 19). Wars are not tsunamis or earthquakes, and humanitarians should approach them differently. The required cultural change is dramatic: to navigate the shoals of the troubled waters in contemporary war zones, humanitarians must reflect before acting. 'The remedy is a more thoroughgoing pragmatism,' David Kennedy (2005) suggests. 'By rooting out bias, disenchanting the doctrines and institutional tools which substitute for analysis, insisting on a rigorous pragmatic analysis of costs and benefits, we might achieve a humanitarianism which could throw light on its own dark sides.'

Thoughtful and informed strategic humanitarianism is more appropriate than the rigid application of traditional, second-order principles for at least four reasons: Goals often conflict. Good intentions can have catastrophic consequences. Ends can be achieved in multiple ways. And choices are necessary even if the options are less than ideal.

Humanitarians should thus set aside ideology, weigh alternatives, and consider longer-term outcomes. In short, judgments should not be derived a priori from second-order principles. Empirical assessments are essential because the darker sides of virtue can overwhelm the benefits of humanitarianism; the availability of resources is an insufficient argument for action. There are always winners and losers, virtuous outcomes and horrendous costs. Humanitarianism provides an idealistic vocabulary and institutional machinery; but it should be judged by consequences and not intentions, by the quality of results and impacts and not merely inputs and outputs.

It would be unfair and inaccurate to imply that nothing has changed in the post-Cold War era. Efforts over the last two decades point to a gradually increased appetite among practitioners for social science research. Oxfam-UK has long led the way with paid staff for research and evaluation. Seasoned observers are

familiar with the ICRC's *Avenir* efforts, the International Federation of Red Cross and Red Crescent Societies' Sphere Project, and the Active Learning for Accountability and Performance in Humanitarian Action (ALNAP). Research from the Humanitarianism & War Project (first at Brown and later Tufts University), the Overseas Development Institute, Global Humanitarian Assistance, and the Centre for Humanitarian Dialogue along with university researchers in many other places have helped generate data and metrics.

A significant indication of the need for changing the dominant culture was the Emergency Capacity Building Project (ECB), a decade-long effort financed mainly by the Bill and Melinda Gates Foundation.<sup>7</sup> In 2004 the emergency directors from seven of the largest NGOs—CARE International, Catholic Relief Services, International Rescue Committee, Mercy Corps, Oxfam GB, Save the Children and World Vision International—focused on persistent challenges. An initial ECB report on capacity identified key gaps constraining the ability to provide timely, effective, and quality responses. Between 2005 and 2013, 20 publications (both research and guides) resulted.

Better information and base-lines certainly are a step in the right direction, but successful learning requires not only diagnoses and prescriptions (by outsiders and insiders) but implementation. Yet the dominant culture of humanitarian agencies resists cures for what ails the system. Three well placed analysts note that since the trauma of Rwanda, 'the humanitarian sector has witnessed an (incomplete) trend toward professionalization' (Dijkzeul, Hilhorst, and Walker 2013: s4).<sup>8</sup>

'Incomplete' is indeed a generous depiction. As a result of their frenzied fervor to react to crises and strong commitment to saving strangers, humanitarian organizations devote far too little energy and far too few of their own discretionary resources to understanding the nature of a particular disaster and tailoring their responses accordingly. Doing something or doing nothing may be acceptable options. What Larry Minear and I wrote two decades ago retains salience: 'Don't just do something, stand there' (Minear and Weiss 1993). Reflection is required as a prerequisite for action and will amortize investments better than hasty reactions however heartfelt and well-intentioned.

Whereas 'humanitarian' has the tone of selfless caring, 'strategic' has the ring of cold-hearted calculation, at least in too many humanitarian ears. Strategic thinking is not merely for specialists in foreign policy or international security but for humanitarians as well. Strategic thinking would be amortized by strategic doing. Saving lives is a not only a question of the heart but also of the mind. Tempering idealism with improved analytical capacities will enhance the tensile strength of the international humanitarian system, an approach that the late Myron Wiener (1998) long ago dubbed 'instrumental humanitarianism.'

Evidence-based humanitarian action must also be context-driven. Social science can be helpful in tailoring activities to local sensitivities and in monitoring ongoing operations. Alternative sources should be drawn on, including journalists who may have access to political leaders and politically marginal and neglected areas, or truck and taxi drivers who have insights into local logistics. The participation by

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<sup>7</sup> See <http://www.ecbproject.org>.

<sup>8</sup> The authors are guest editors for a special issue devoted to this topic.

users and target groups is part of an essential partnership in research (Hammond 2008).

Practitioners should be more receptive toward social science whose strength is its ability to gather, organize, interpret, and disseminate evidence-based and context-driven findings, policy recommendations, and tailored guidelines. This recommendation is not a self-serving justification by a researcher but a conviction that more reflection and less reaction would not only help improve the efficiency of the humanitarian enterprise but also better assist vulnerable populations.

Over a decade ago Larry Minear (2002: 7) argued that 'humanitarian organizations' adaptation to the new realities has been for the most part lethargic and phlegmatic.' Humanitarians still are learning disabled—they possess neither the capabilities nor cultural inclinations to process information, correct errors, and devise alternative strategies and tactics. Delivery and protection, not analysis, properly preoccupy them, but aid officials should recognize the value-added of social scientists. A partnership would be beneficial for aid agencies and academics as well as the denizens of war-torn societies.

Part of changing the dominant humanitarian culture will involve the humanitarian equivalent of military science. For too long, aid workers have talked about becoming more professional but have been unwilling to accept the discipline and costs that necessarily would follow.<sup>9</sup> While data and research are more prevalent than in the early post-Cold War period, too much relief and protection is driven by anecdote and Angst, by intuition and instinct rather than by evidence, strategy, and outcomes. Seed money from the Gates Foundation and other donors is welcome and helpful, to be sure, but agencies themselves should devote more core resources to improving their knowledge base and training staff.

While humanitarians will undoubtedly bristle at the comparison, professional militaries—unlike professional humanitarians—have a culture that values learning and invests substantial human and financial resources in the institutional infrastructure to assemble and act on lessons. Military academies epitomize how this works; previous and on-going operations are dissected, new procedures are tried and tested, and student-soldiers are educated about best practices and adapting tactics to field specifics. Career development requires time-off for study and reflection before new assignments. Ongoing operations have historians. While critics could ridicule these orientations as a result of institutional 'fat' and overly generous allocations from parliaments, they are better viewed as an essential cultural difference that humanitarians should emulate. It is overly simplistic to summarily dismiss the military for fighting the last war. They devote substantial professional energies to learning lessons; humanitarians virtually never do but sprint to the next emergency.

Humanitarian culture should switch from reaction to reflection-and-action, from being not simply strong and sincere but also smart. The trademark of humanitarians is responding from the heart. However, an equal dose of well-informed tough-mindedness is required. Why? Humanitarian personnel are specific targets of warring parties; insignia no longer afford protection; and emergency

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<sup>9</sup> For a discussion of internal clashes, including among founding and subsequent generations, see Vallaey's 2004; and Hopgood 2005.

responses are but one element of complicated processes of conflict resolution and peacebuilding. With humanitarians competing on two fronts—for resources from donors and for access from belligerents—they also should devote more energy to thinking about goals and roles, ends and means, results and impacts; and to pursuing new strategies, tactics, and tools for contemporary wars.

Reconsidering independence, impartiality, and neutrality has led to a collective identity crisis. In an increasingly competitive marketplace, the proposition here is straightforward: those who are clear about the costs of deviating from guiding principles will be more successful in helping affected populations than those with no principles (opportunists) or with inflexible ones (ideologues).

Modesty is a virtue for aid workers *and* social scientists. Yet many of the most committed humanitarians would have us believe in the humanitarian 'imperative' (see Weiss, forthcoming 2015), the moral obligation to treat affected populations similarly and react to every crisis consistently. No two crises are the same, however, and this notion flies in the face of politics, which consists of drawing lines as well as weighing options and limited resources to make tough decisions about doing the greatest good or the least harm because there invariably will be more humanitarian demand than supply.

A more accurate description of coming to the rescue in today's wars would be the humanitarian 'impulse'—sometimes we should and can act, and sometimes we can but should not. Humanitarian action is desirable, not obligatory. The humanitarian impulse is permissive; the humanitarian imperative is peremptory. Altering the slope of the curves for demand and supply necessitates hard-headed analysis and not the rigid application of moral absolutes. Although fashionable, one humanitarian size, particularly as it was tailored from the cloth of a different epoch, no longer fits.

Frequently, the word 'dilemma' is employed to describe painful decision-making, but the word 'quandary' is more apt. A dilemma involves two or more alternative courses of action with unintended, unavoidable, and *equally* undesirable consequences. If consequences are equally unpalatable, remaining on the sidelines is a viable and moral option. Humanitarians find themselves perplexed, or in a quandary, but they are not and should not be immobilized by contemporary wars. The key lies in making a good-faith effort to analyze the advantages and disadvantages of any military or civilian course of action and opt for what may be the least-worst option.

The calculations are agonizing but inescapable for those working in today's humanitarian business. The cost of spurning lessons is more than the expense of learning them. Consequentialist ethics are essential.

## Conclusion

Approaching contemporary humanitarian action as a deeply militarized and politicized activity that is also commercial will be scandalous to those who see a healing profession based exclusively on values and principles. Most people become humanitarians or donate to aid agencies because they care about alleviating suffering, not because they want to be involved in military and political manipulation or make a profit. But it is myopic to ignore the military and political overlay of contemporary efforts in war zones and the market dynamics of the multibillion dollar business—supply, demand, competition, market distortions, monopolies, cost, price, efficiencies, and investor bias influence how money flows in emergencies, and how aid agencies respond.

Militarization, politicization, and marketization are not the whole truth of the humanitarian project, but they are essential components. It is crucial to understand how the international humanitarian system functions if one hopes to improve its operations and attenuate, if not eliminate, the culture of competition and counter-productivity. Evidence-based and context-driven social science can ameliorate the performance of the humanitarian enterprise. The culture should move away from input- and output-based decisions towards outcomes and impacts. The transformation of war and the marketplace requires the transformation of humanitarianism as well.

Politicization no less than militarization calls into question the independence, neutrality, and impartiality that previously were the solid foundations for humanitarian culture and action. These two factors alone would have undermined the dominant, traditional humanitarian culture. But the third and less obvious influence, the humanitarian marketplace, combines with the other two so that today's war zones are distinctly different from earlier ones. Humanitarianism ain't what it used to be, but it could approach its lofty ideals if strategic-thinking were routinely a prelude to strategic-doing.



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# Rethinking the Limits of the Humanitarian Emergency Paradigm: Response to Tom Weiss

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## Introduction

In the 1990s, the end of the Cold War heralded the birth of international 'humanitarian' intervention, thus blurring the lines between political, military and ethical spheres of policy-making. Intervention was conceived of as a necessary exception to the norms of international politics, justified by 'emergencies', which threatened the peace and security of international society itself (Chesterman 2002). This emergency framing was central to the ontology of humanitarian intervention: firstly, because intervention as emergency was understood as an exception; and, secondly, because, in these exceptional circumstances, intervention was legitimised by assumptions of the superior knowledge and resources of the policy-intervener. The 'emergency' framework was therefore heavily reliant on modernist assumptions that knowledge and power operated in universal, linear and reductionist ways.

It was believed that humanitarian and human rights interventions, even including regime change and post-conflict management, could be successful on the basis that a specific set of policy solutions could solve a specific set of policy problems. This framework of intervention reached its apogee in international state-building in the Balkans, with long-term protectorates established over Bosnia and Kosovo, and is reflected in the RAND Corporation's reduction of such interventions to simple cost-benefit formulas that could be universally applied (Dobbins et al. 2007). This set up a universalist understanding of good policy making—the idea that certain solutions are timeless—like the rule of law, democracy and markets.

This universalist, linear and reductionist approach to emergency intervention assumed that international intervention was the prerogative of leading Western states and that Western international specialists had the knowledge, technology and agency necessary to fix the problems. The militarization, politicization and marketization of humanitarianism, flagged up by Tom Weiss in his paper, should therefore be understood in this context. The coercive politicization of humanitarianism—the 'humanitarian militarism' of the 1990s (Chomsky 1999)—was not necessarily an oxymoron, but, in fact, highlighted a crucial aspect of continuity in the production of the binary divide between the subject and object of intervention and the asymmetrical assumptions behind the role and duties, power and knowledge of policy-interveners and the capacities and rights of those subject to emergency policy-intervention.

Today, as Tom Weiss succinctly puts it, in his very useful paper, 'humanitarians no longer are on the side of the angels'. Something seems to have gone wrong with

the humanitarian intervention paradigm, so that 'their motivations and mastery, their principles and products are questioned from within and from without'. The issue at stake is the analysis of this sea-change in understanding. Whilst Weiss argues that the problems can be addressed through an increased professionalization of humanitarian actors, in my response, I will seek to draw out the broader shifts in both policy practices and conceptual discourses, which reflect much deeper ontological concerns over the traditional hierarchical models of power and linear epistemes of knowledge presupposed by the humanitarian emergency paradigm and which go entirely unchallenged in his discussion of it.

## **Epistemological Limits**

In Weiss's analysis, the problem is essentially one of epistemology: the need to acquire more and better forms of knowledge in order to make humanitarian intervention more efficient in terms of consequentialist outcomes. According to his analysis, humanitarianism has been too politically and strategically naïve. As we know, 'the road to Hell is often paved with good intentions': good intentions can easily lead to bad outcomes in a world of contestation and conflict. However, there is little that is new in the critique of humanitarianism for being precisely what it is not: a politically strategic form of intervention, concerned with ends rather than means.

This, of course, is why the critique sounds plausible and why it has been argued many times before. As Weiss powerfully restates the problem, humanitarianism has been too easily turned into a fungible resource: used by Western governments to promote military adventurism or to buy allies; used by warlords and dictators to shore up their political authority; and turned into a multi-billion dollar business sector by the aid industry with its media marketing and fund-raising. The history of humanitarianism appears to be full of the unintended consequences which occur when universal desires to 'help the helpless' meet the concrete realities of power inequalities and desperation.

The solution Weiss proposes is to 'skill-up' humanitarianism by giving it a new ethical framework and arming it with the latest in scientific social understandings. Rather than starting with the de-ontological ethics of Jean Henri Dunant and the Red Cross—operating in a 'humanitarian space' supposedly immune from power and politics and assisting all in need regardless of their aims and affiliations—'consequentialist' ethics can help to ensure that the outcomes are positive ones and that the right people will be assisted in making the right choices. Out (or rather relegated to 'second order status') go 'independence', 'neutrality' and 'impartiality' and in comes rigorous cost-benefit analysis. Consequences and the quality of outcomes should count, not 'good intentions'.

This is a call for the professionalization of the aid industry. Thus, 'skilled-up' humanitarianism can be less passionate and more intelligent, focusing on strategic learning and the development of analytical capabilities. While Weiss dislikes the militarization, politicization and marketization of humanitarianism, it seems that humanitarians can only compete and hold their own separate 'space' by taking up the professionalised and dispassionate learning and organisational cultures of these other sectors.

In my view, analyzing the 'humanitarian crisis' as a problem of knowledge and its application—as an epistemological problem—has counterproductive results. Firstly, I feel that it is far too dismissive and disparaging of the humanitarian field for its alleged lack of capacities and cultural problems. The idea of 'learning disabled' humanitarianism can come across as just the sort of patronizing 'ivory tower' analysis that does little good when it comes to bridging gaps between academia and the field. Secondly, it is far too dismissive of the humanitarian ethos, tradition and principles themselves. I do not think that throwing out the principled de-ontological ethics of helping on the basis of human needs, rather than strategic outcomes, is likely to reclaim an ethical space for humanitarian action.

More to the point, the passion to assist others and to envisage social change and transformation is sadly missing in today's world. To remove the voluntarist 'naivety' of humanitarian activism and replace it with dispassionate cost-benefit analysis on the basis of possible short-term and long-term consequences is thereby unlikely to revive the humanitarian ethos. In our current climate, of 'worst-case' scenarios, risk-averseness and precautionary policy-making, the desire to galvanise humanitarianism on the basis of (an impossible) 20-20 future vision and to hold humanitarians responsible for the future acts and indirect consequences of their assistance is, in fact, more likely to put the final nail in the coffin of the humanitarian spirit.

## **Ontological Limits**

The problem with Weiss's analysis is that it underestimates the broader problems underlying the moral crisis of international humanitarianism. I do not think that the crisis of humanitarianism is a problem generated or determined by the lack (or presence) of correct capacities and learning cultures in the humanitarian field itself. In fact, there is a danger that the argument becomes rather insular—as if the moral crisis of humanitarianism was a problem of humanitarianism per se, rather than a reflection of the broader crisis of 'policy intervention' regardless of the policy actor or the field of policy concern. Unfortunately, placed in the larger context, it becomes clear that this crisis cannot be solved by 'skilling-up' policy interveners in the framework suggested by Weiss and others.

Increased professionalization and less passion and commitment are unlikely to help humanitarians deal with the problem of the unintended consequences of intervention in a complex and interconnected world, which seems much less amenable to traditional projections of power and policy-influence (Naim 2013; Ramalingam 2013). If Western militaries and Western governments, with all their alleged organisational learning skills, are seen as incapable of international intervention without creating problematic unintended consequences, it is clear that this approach cannot assist humanitarian actors facing exactly the same criticisms of their moral authority to intervene.

The humanitarian industry is caught up in much broader shifts in how state-society relations and social and political 'problem-solving' are understood to work. And these shifts indicate a shift away from the internal focus on organisational professionalism, learning cultures and capacities and instead a greater relational engagement with the societies and communities being governed or intervened in.

This relational engagement does not just mean interveners knowing more about the local context or enhanced 'knowledge of local societies and languages' as suggested in Weiss's paper. These shifts, in fact, challenge the ontological assumptions upon which he sets out the problems of humanitarian intervention and its alleged modes of resolution.<sup>1</sup>

We are witnessing nothing less than a revolution in international policy-thinking, with a shift from imagining that international policy-makers or humanitarian agencies can solve problems through the provision of knowledge or resources or the export or transfer of policy practices (or even their imposition, through conditionality or coercion). It is increasingly understood that problems should be grasped as emergent consequences of complex social processes, which need to be worked with rather than hubristically over-ridden by external actors (Byrne and Callaghan 2014).

Many critics suggest that the claims of Western knowledge and power are false and hubristic and that Western modernist understandings of knowledge as context free and universally valid are problematic (Shilliam 2011: 13). Policy-interventions taking an 'emergency' form are therefore criticised increasingly on the ontological grounds of complexity rather than seeking to build further upon rationalist and linear frameworks. Rather than articulating policy-intervention in terms of emergency and exception, with assumptions of external knowledge and control over policy outcomes, the ontological critique tends to reframe problems as emergent outcomes of complex processes. Crises are no longer perceived as discrete problems amenable to linear and reductionist policy-interventions.

This process is well articulated by Michael Dillon, in terms of a shift in policy concerns from governance over territory to biopolitical concerns over the circulatory and contingent processes of life. For Dillon (2007:13):

*It is precisely here in the ground of life itself that contemporary biopolitics of security therefore intuit a pure experience of order, and of its mode of being, radically different from the Newtonian physics of a mechanistic and positivistic real that once inspired the west's traditional state-centric territorial geopolitics of sovereign subjectivity.*

Crises are thus increasingly less likely to be construed as amenable to humanitarian forms of top-down understanding and emergency intervention but instead as complexes of interconnected processes. In this systems-perspective of complex processes of emergence, emergent effects cannot be governed through reductionist cause-and-effect understandings. Rearticulating emergencies in terms of emergent outcomes enables responses which no longer need to be understood as humanitarian exceptions. In this framing, conflict, poverty and humanitarian disasters become normalised rather than exceptional and instead of calling forth emergency responses appear to be amenable forms of policy-intervention building upon local responses.<sup>2</sup>

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<sup>1</sup> See, for example, Chadwick, Debiel, and Gadinger 2013, available at: <http://www.gcr21.org/publications/global-dialogues/>.

<sup>2</sup> See, for example, Drabek and McEntire (2003: 97–112); and Kaufmann (2013: 53–68).



## Conclusion

In the shift from an emergency paradigm to an emergent one, a different framework for understanding problems and the policy responses elicited by them becomes clear. The 'emergency' form of policy-intervention can thereby be seen as a coercive and top-down response articulated within a liberal modernist paradigm, founded upon linear and reductionist understandings of policy-intervention. The systems- or process-based understanding of emergence suggests that policy-interventions need to work with rather than against organic local practices and understandings and suggests solutions designed to enhance autonomous processes rather than undermine them. These forms of intervention cannot be grasped within the liberal modernist paradigm central to the discourse of humanitarian emergency.

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# Rethinking the Limits of Humanitarian Critiques: Response to Tom Weiss

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## Introduction

An unmarried and childless friend of mine has a magnet on her fridge that says, 'Once I am done raising my husband, I'll be a perfect mother.' Unfortunately, raising husbands or becoming a perfect mother is hampered by the involvement of others in such efforts, who are unlikely to fully cooperate and see perfection similarly. The reactions by others to our behavior regularly lead to our goals being thwarted and unintended consequences. These dynamics of human interaction are always—but never in exactly the same way—extremely difficult to control; they unravel the best designed plans, frustrate (presumed) ideological purity, and undo principled approaches. Understanding these dynamics is an issue in all social sciences. Nevertheless striving to be a good mother or husband is still a laudable goal as long as one knows the limitation that one cannot impose one's good intentions on others. Purity of intention does not ensure successful interaction. And raising husbands as a prelude to something else is a lot easier than addressing humanitarian crises in a truly effective manner.

In his paper, Tom Weiss rightly challenges current humanitarian approaches and attempts to come up with solutions. Yet, his solutions can only partially address the problem of the ongoing instrumentalization of humanitarian action.

## Culture or Political Economy?

Tom's title focuses on the culture of the humanitarians, but his analysis is much broader: the political economy of humanitarian crises and its interaction with humanitarian action. Central to a political economy approach is the analysis of how various actors pursue their own—often hidden—agendas. They can use humanitarian action as an instrument to further their own aims. A good political economist is able to describe the ensuing dynamics by which a diverse set of actors cause unintended, often suboptimal consequences, how and why worthwhile goals are not met, and why people cannot live by their principles alone. Noting that humanitarian action becomes a fungible resource in crises, Tom Weiss masterfully describes three forms of such instrumentalization—politicization, militarization, and marketization—which increasingly complicate humanitarian action and calls into question traditional humanitarian principles. He does not succumb to easy cynicism, but based on years of experience attempts to understand crises better and improve how they are addressed. He prefers a humanitarian culture that is

more modest in its claims that it can help successfully and details two admittedly imperfect solutions. First, he defines what an evidence-based culture should look like. Second, he wants a much stronger consequentialist ethic to be followed. Elsewhere, he also writes about accreditation of humanitarian organizations and the need for consolidation of the humanitarian system (Weiss 2013). While Weiss's prescriptions help deal with the shortcomings of humanitarian action, they cannot do so fully, because they cannot overcome the root-causes of politicization, militarization, and marketization. Hence, the solutions only partially address the problem, as they also run into the problem of the three forms of instrumentalization he describes.

## On Evidence

Let's start with a rhetorical question: did the evidence-based culture of the military matter for the decisions to intervene in Kosovo, Iraq, or Afghanistan? Obviously not, as evidence alone did not inform the political decision to intervene. A political process overtook the decision-making aspects of military culture. Leaders and decision-makers often use evidence that fits a direction usually decided on other grounds. Even if they would like to use evidence, it is rare that evidence is specific enough to be actionable. Some of the evidence to justify the intervention in Iraq—the presence of WMDs—was actually made up. It is not entirely clear how much then US Secretary of State, Colin Powell, knew or wanted to know about the quality of the evidence. Which other actors in the Bush Administration had specific interests or convictions to justify the intervention? How much did Dick Cheney, Donald Rumsfeld and President Bush or the CIA actually know that Colin Powell did not know? Which other goals did they feel they could realize through the intervention? Ending the unfinished work of the former Bush presidency, raising the Administration's popularity, promoting Halliburton, winning elections, projecting an image of strong US power, or restoring justice after 9/11? The point is that it is not easy to come up with a clear answer. On the one hand, political scientists rarely to never have direct access to such decision-making. On the other, those involved are rarely open about all their intentions; they may have a hidden agenda next to their open one.

I am not in any way negative about the potential advantages of using evidence<sup>1</sup>, but I am skeptical about the extent to which it can shape political or humanitarian decision-making. Instrumentalization of action, be it politicization, militarization, or commercialization, is an every-day political phenomenon. Even the solutions to this instrumentalization are likely to be used by actors to further their own purposes. It is here that humanitarian (and human) interaction become hard to track for scholars and practitioners alike.

To give one example, a former head of a government agency charged with disaster response, said that he did not want to know everything his trusted staff or tested and responsible NGOs did on all occasions, because then they could implement their own solutions, within understood parameters and without

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<sup>1</sup> See the 2013 Special Issue of *Disasters* on Evidence-based Humanitarian Action by Dennis Dijkzeul, Dorothea Hilhorst, and Peter Walker.

unproductive interference. He also did not tell his superiors everything he knew when it would only produce a round of less than useful discussion. At the same time, he tried to attend as many general meetings as possible: 'to be present,' so as to share in understanding the overall direction of his organization. He worked hard on gaining information, understanding the dynamics of political action, which varied in every situation, including the levers of power and how these influenced humanitarian action. In the process, he was sometime able to create an organizational space complementary with humanitarian space, but not entirely based on the traditional humanitarian principles—so that humanitarian action could proceed, responding to local circumstances, instead of primarily political directives.

In sum, evidence is important. It should be used more in humanitarian circles. But at best it is just one aspect of political decision-making and humanitarian leadership.

## On Ethics

Tom Weiss advocates a consequentialist ethic. He doubts the humanitarian imperative—a deontological or duty-based ethic—and wants it replaced by the 'humanitarian impulse'. He is even more scathing about the other three principles.

Yet, in practice, both ethics can interact. In the eastern DRC in the late 1990s, there were a few organizations, such as *Agro Action Allemande (Welthunger Hilfe)* and the *Life and Peace Institute* that built large networks of contacts on all sides of the conflict, in particular, with traders that worked across battle lines, traditional chiefs and family members, and local officials. They then communicated and used the humanitarian principles in their daily activities to build trust on all sides. In other words, they used a deontological ethic to facilitate the impact of their work, implementing it in a consequentialist manner. This is not easy, but some organizations pull it off in the field. MSF, to give another example, is an organization that consciously bases itself on the principles. Yet, once it decides to become active somewhere it follows a rigorous decision-making approach, in which it focuses on its (potential) health and medical impacts. In this way, it also combines both ethics (Heyse 2006).

Put differently, the two ethics are not mutually exclusive. When Weiss defends the consequentialist ethic, he uses the word "should" several times. Even when advocating a more consequentialist ethic, he does not question the practical and normative need for humanitarian action. His position implicitly combines both ethics. Yet, the difficult question when and how to combine them exactly cannot be answered a priori. It is always a judgment call. In the meantime, other actors—local or international—calculate whether they see a specific humanitarian organization or activity as an opportunity to grasp or a threat to suppress (DeMars 2005). And the humanitarian organization's staff may not be (fully) aware of this.

The basic image behind the consequentialist ethic is a *homo economicus*, who knows his interests (a.k.a. utilities or preferences), and is able to strategically calculate (all) possible consequences and select his desired option. The deontological ethic works with the *homo sociologicus*, who follows societal norms,

because that is the right, good, or appropriate thing to do. Yet, norms and interests are not separate entities. They mutually influence each other. Societal norms and individual interest constitute each other. Yet we rarely know how exactly. They are basic concepts of the social sciences that are nevertheless ill-suited to fully understanding the dynamics of social interaction, including its instrumentalization. The difficulty of understanding these dynamics was known for a long time before the modernist liberal interventions of the post-Cold War era.<sup>2</sup>

For humanitarian action, focusing more strongly on the dynamics has both positive and negative effects. Positively, a principled approach is sometimes possible. It requires hard work, and may achieve positive consequences. On the negative side, its degree of success cannot be determined beforehand, because one cannot control the behavior of (all) other actors. Sometimes other actors will hijack humanitarian action for their own benefit. Sometimes humanitarian actors will save lives. Sometimes they will fail. Yet, humanitarians are rarely completely powerless in their reactions to these actors and often may be able to come up with alternative courses of action. Tom Weiss's text helps the humanitarians to come up with at least partial approaches.

## On Academic Solutions

In sum, there is room for the humanitarian principles and the deontological ethic, but it is a limited one that requires continuous care (Slim 1997), as other actors will attempt to realize their own purposes. We do not know beforehand when the humanitarians or other actors will succeed. And I have not raised the question yet to which extent the humanitarian organizations 'instrumentalize' their own work.

There is a corollary here for scholars. Once they have finally worked out all the strategies and tactics that the various actors use to politicize, militarize, or marketize aid, these actors will have moved on to their next set of strategies and tactics. Academic solutions frequently do not have a long half-life; they in turn can also be used instrumentally.

Is there an alternative? Not really, I only have an imperfect offering: We need to make the problem of instrumentalization a central research object. The remarkable thing about humanitarian organizations is not that other actors are constantly attempting to instrumentalize them by attaching hidden agendas or even taking over their open agendas. Instead, the remarkable thing is how humanitarian organizations manage to elude becoming completely instrumentalized, or even

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<sup>2</sup> First, take Machiavelli's prince, not exactly a principled actor. But even if *Il Principe's* use of norms and values is purely instrumental, the associated hypocrisy is only possible as the compliment that vice pays to virtue. Second, classical realists were highly skeptical of military interventions and foreign adventures. Their sensitivity to the tragic aspects of political instrumentalization and the unintended consequences of good (and bad) intentions made them call for prudence in international politics. Both examples show political scholars basing themselves on their own life's experiences to become extremely skeptical of universalist, linear, reductionist, and generalizing scholarly work. David Chandler is right to protest against such universalist, linear and reductionist approaches. Yet, Machiavelli, the classical realists and Tom Weiss have attempted to deal with the complexity of the dynamics of interaction all along.

instrumentalize others (Dijkzeul 2015). We need far more empirical research on the ground in crises and within organizations active in them. There are ontological issues concerning societal change. The central problem, however, is not ontological, but more epistemological and methodological. First, what concepts (norms, interests, ethical basis of action) can we usefully apply to the study of humanitarian crises? Second, how do we find the time and resources, and identify the methods to obtain enough information on what is happening within the organizations, international decision-making bodies, and with other actors in a crisis? Only if we understand the networks of various local and international actors, with their open and hidden agendas, and how they try to instrumentalize aid, can we at least more consciously attempt to deal with humanitarian (inter-) action and its unintended consequences. Addressing these epistemological and methodological issues can also help to further determine what the most pertinent research questions are in this respect. Praxis and theory can be linked more closely. I would like to send Tom Weiss and David Chandler out into the field to carry out considerable empirical research. And I hope that I can go with them.

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