

Eberwein, Wolf-Dieter

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Realism or idealism, or both? Security policy and humanitarianism

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P 01 – 307

**Realism or Idealism, or both?
Security Policy and Humanitarianism**

Wolf-Dieter Eberwein

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Leiter: Prof. Dr. Wolf-Dieter Eberwein

Tel: (030) 25 491 564

Fax: (030) 25 491 561

E-mail: eberwein@medea.wz-berlin.de

Internet: <http://www.wz-berlin.de/ip>

Zusammenfassung

Im Mittelpunkt der Analyse steht die Beziehung von Sicherheitspolitik und humanitärer Hilfe, zwei Politikfelder mit unterschiedlichen Aufgaben. Im Falle innerstaatlicher Gewalt nimmt die Nähe zwischen ihnen zu, wo sie – zumindest aus humanitärer Sicht - doch am größten sein sollte. Dieses Argument geht von der Komplementaritätsbeziehung aus, die das Verhältnis zwischen den staatlichen und gesellschaftlichen Akteuren im Politikfeld der humanitären Hilfe kennzeichnet. Das Kernargument ist, dass die „Politisierung von oben“, die kennzeichnend für die Entwicklung der letzten Jahre im humanitären Bereich war, unvollständig ist. Bislang sieht es so aus, als würden sicherheitspolitische Erwägungen diesen Prozess der Unterordnung der humanitären Hilfe begünstigen. Notwendig ist die „Politisierung von unten“, d.h., die gesellschaftlichen Akteure müssen zu dieser Tendenz von oben ein Gegengewicht bilden. Das Ziel ist ein sog. auf Recht basierender Ansatz im humanitären Bereich. Der entsprechende Wandel in der internationalen Ordnung ist sowohl aus der sicherheitspolitischen wie aus der humanitären Perspektive wünschenswert. Allerdings begünstigen die im Politikfeld der humanitären Hilfe vorherrschenden Strukturbedingungen diesen Prozess nicht.

Abstract

The paper focuses on the relationship between security policy and humanitarianism, two policy fields with different roles. In the case of violent domestic conflict they get inevitably very close where distance between them – at least from the humanitarian perspective - should be greatest. This is the argument based upon the model of complementarity characterizing the relationship between the state and non-state actors in the policy field of humanitarian aid. The core argument is that the politicization process which has characterized the developments in humanitarian affairs is incomplete. Thus far, security concerns seem to favor this process by subordination of humanitarianism. What is required is the “politicization from below”, the societal actors, as a counterweight to the “politicization from above”, the state actors. The goal is a rights-based approach to humanitarianism. Such a normative change in the international order is desirable both from a security policy perspective as well as from the humanitarian perspective. The structural conditions characterizing the policy field of humanitarian aid are not such as to favor such a development.

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Table of Contents

1. Introduction	1
2. Conceptual Clarification.....	2
3. The Policy Fields of Security and Humanitarian Action	7
4. Humanitarian Action and Security Policy - How are they related?	10
5. Humanitarian Order and Change - A Political Humanitarianism as a Solution?	15
6. Summary and Conclusions	23
7. References	24

1. Introduction

State actors, as common sense suggests, decide and behave on the basis of what they perceive as national interest. Humanitarian actors, as they argue, operate on the basis of idealism. State actors want to reduce or eliminate the threats to their survival. Humanitarian actors want to alleviate if not eliminate the suffering of individuals, a consequence of the disasters they were victims of. This extremely simplified interpretation of security policy on the one hand, humanitarian action on the other, is the topic of the following paper. At first glance it may seem that envisaging a relation which may come close to something like a partnership is totally beside the point. Humanitarian action being “nonpolitical” should be as distant from the realm of politics in order to be fully effective in the interest of the victims. This is certainly true from a normative perspective. Over the last decade or so, it has become obvious that what ought to be is not what is. A politicization process has taken place threatening to undermine humanitarianism. Humanitarian intervention seems to have been used if not misused as the conceptual bridge to link the two, a concept from the realm of security policy using as its last resort military power.

The central proposition of the paper is that in the case of violence as the major cause of disasters the distance between security policy and humanitarian action should be greatest, but it is actually closest in contrast to other types of disasters such as floodings or earthquakes. Such a close relationship is inevitable because violence is a core security issue. For those reasons the risk increases that the greater the emphasis of humanitarian goals by the security policy community the greater the probability that such a “humanitarian security policy” will undermine the very basis of humanitarianism. This paradox can only be circumvented if a fundamental change in the foundation of international order takes place, i.e. a fundamental change in the institution of sovereignty. How likely such a change is and which form it should take in allowing for the adaptation of the presently existing partial humanitarian order is an open issue.

The argument to be elaborated is that the changing nature of disasters and the context in which they occur have confronted both the state actors as well as the humanitarian actors with new problems. The strategies pursued thus far do not, however, seem to be terribly promising for such a new partial humanitarian order. This is why the paper has to be speculative. This speculative approach will nevertheless be grounded in a set of theoretical arguments and some empirical evidence.

We will first clarify the core concepts used, i. e. what we mean by security, humanitarianism and partial international order. We will then describe the changing nature of the disasters that have brought security policy and humanitarianism together. This will become clear when describing the specific attributes of the policy fields of security and humanitarian action and the complementarity relationship that ties both together. We will finally identify some of the reasons as to why it seems so difficult if not impossible for such a new humanitarian order worthy that name to develop.

2. Conceptual Clarification

What do we mean by security, what does humanitarianism imply, how can one define the relation between the state and nonstate actors in the policy field of humanitarian aid? And what does the concept of partial order imply? These four concepts will be elaborated in a first step.

The concept of security has undergone considerable changes. During the Cold War, at least in the Northern Hemisphere, the overwhelming preoccupation has been with the specter of nuclear war. Over the years, especially with the growth of transnational relations it has become increasingly clear that deterrence, the corner stone of security at least in the West, did not fully capture the variety of threats nations are faced with. The oil crisis in the early 70s demonstrated clearly an energy vulnerability. Theoretically these real world developments found their correspondence in the discussion how narrow or broad security should be defined. The proponents of a broad conceptualization (cf. Buzan, 1991; Mathews, 1989; Ullmann, 1983) try to capture the various levels and dimensions of security, ranging from individual security to international or global security (cf. Eberwein, 1997; Kolodziej, 1992). The narrow conceptualization (see Walt, 1991, for example) remains committed to the more traditionally oriented notion of state survival respectively threats to state survival.

Various authors have rightly criticized the fact that the more comprehensive the concept of security is, the greater is the risk that it ends up becoming almost meaningless in that it includes everything from micro-level psychological elements (individual fears, for example) to macro-level structural properties. The narrow version, however, is equally limited because it remains within the boundaries of the traditional or classical concept of national security which relies in the end on the use of force as the “last” resort to protect the survival of a na-

tion. This narrow definition is not satisfactory. First, that of notion is definitely declining in importance and second, there are many threats where the use of force is more or less useless even though the survival of a nation is in jeopardy.

Haftendorn (1991) proposed a classification of security which consists of three types: national security, international security and global security. National security comes closest to the traditional concept in that this means the ability of a state to defend itself against external threats, i.e. provide for its territorial integrity. International security, in contrast, means, that only collective arrangements (including also regional security arrangements) can protect a group of nations from given threats. The East-West-confrontation with the two antagonistic alliances was such a situation, with deterrence as its foundation. Haftendorn adds global security as the third category. Global security refers to the absence of threats that are non-directive, nobody does anything specific to anybody but everyone's behavior leads to threats that can only be reduced if not eliminated by collective agreements or to what she refers to as global governance. That is, only a collective change in behavior based upon an agreed upon set of norms can lead to reduce or eliminate such threat. Global climate change represents one of such threats, water scarcity another (see Eberwein/Chojnacki, 2001a). This category seems to be unrelated to the use of force. A closer look reveals however, that global climate change in general, water scarcity in particular are related to violence. Scarcities lead to increasingly critical distributional conflicts that governments or any other group can be tempted to resolve by using force. This seems to be the more likely, the more widespread for the right or the wrong reasons the perception is that increasingly scarce resources are the result of socially or politically induced inequality¹.

The two components of security suggested by Haftendorn have as a common denominator the actual or potential occurrence of violence within or between nations which we take to represent the core element of any definition of international security. The two elements do nevertheless differ significantly. Whereas national and international security are endangered by identifiable individuals or groups of people (actors), thus presupposing an enemy, in global security in contrast an enemy is not identifiable, thus does not presuppose threats originating from a specific individual or a specific group of people. They are the unintended consequences of collective behavior.

¹ See the collection of articles in Suliman (1999). As well as Eberwein/Chojnacki (2001a) with an overview.

What do we mean by humanitarian action or humanitarianism? Brauman, one of the former presidents of Médecins sans Frontières, has made the suggestion to consider humanitarian action as an activity “intended to save peoples’ lives without discrimination and with pacific means in respect of human dignity so that the individual will recover her capacity to freely make decisions. The intention is not to change society but to help its members to overcome a difficult crisis” (Brauman, 1995, transl. by the author).

Brauman argues that states can impossibly be humanitarian actors because they always pursue specific goals, that is political goals. Therefore humanitarian action is at best an instrument of policy. Only nongovernmental actors can be humanitarian actors, presupposing that they are in fact committed exclusively to humanitarianism as he has defined it. One can easily accept this particular position but it is analytically not fully satisfactory. Because it seems to imply that governments, that is politics, should be kept away from humanitarian action? The answer is clearly no. The distinction made by Leader (1998) into humanitarian principles and principles of humanitarian action helps to clarify this issue. Humanitarian principles refer “to the principles underlying international humanitarian law” (Mackintosh, 2000:4) and which are therefore commitments by the states themselves. The core of these principles has been laid down in the Geneva Conventions and the two Additional Protocols in particular, international humanitarian law in general. The principles of humanitarian action, in contrast, embody the norms that should guide the behavior of the humanitarian agencies. As Mackintosh (2000:4) argues, “it cannot strictly be said, therefore, that the Geneva Conventions confer rights or impose obligations upon humanitarian agencies”. But these principles are definitely consistent with Brauman’s definition and can be derived from the Geneva Conventions (Mackintosh, 2000:13).

The principles of humanitarian action have been reaffirmed by major humanitarian aid donors in their Madrid Declaration from 1994². This declaration is interesting from the conceptual point of view for a number of reasons. First, it subscribes to the principle that humanitarian aid should not be misused as a political instrument, thereby supporting the notion that humanitarian aid is intended to exclusively help the victims. Second, the declaration also stresses that providing humanitarian aid is within the responsibility of the humanitarian actors, the nongovernmental organizations which are entitled to the support of the donors. That

² ECHO, the European Union Humanitarian Office, USAid and the ICRC were among others signatories of that declaration.

means, thirdly, that the donors seem to agree that they have to provide the means for the humanitarian organizations so that they can adequately perform.

In international humanitarian respectively disaster relief activities the relationship between national and international governmental as well as nongovernmental actors is one of mutual dependence. This specific relationship binding the state and the non-state actors together can be considered as constitutive for humanitarianism. The nature of this relationship is best captured by the concept of complementarity. What does complementarity imply? Humanitarian aid is an internationally recognized area of activity. It has found its codification in international humanitarian law. This means that the states formulate specific rules or principles regulating the activities within the particular policy field, whereas the nongovernmental actors are responsible for the relief activities in the narrow sense (medical care, food, sanitation, water). International humanitarian law is binding for the state actors and entitles the non-state actors to some privileges as long as they comply with the corresponding norms. Quite a different matter is how this complementarity relationship is actually structured. It could be symmetric, i. e. an egalitarian relationship in which the dominance of one type of actor is absent, but it could also be asymmetrical, characterized by the dominance of either the state or society.

The concept of order implies that some basic norms, principles and rules exist which guide the behavior of individuals or collectivities. One could certainly argue that norms are always guiding the behavior of individuals or groups. Risse (2000) has reduced the variety of approaches or concepts that deal with this issue to two basic positions: the rationalist and the constructivist position. These two stand for different meta-theoretical approaches to international politics. They do not represent substantive theories of international relations as Risse (2000:2) rightly points out. Rationalists concentrate on preferences and utility maximization, whereas for the latter social structures in which individuals are embedded are more important. This is why norms matter to the latter not only because they contribute to regulate behavior but also to the identity formation of the actors (Risse, 2000:3). Therefore the problem is not whether norms are important but rather whether and how they are treated theoretically. If they are introduced explicitly this implies the notion of order which in turn is based on the assumption that regularized behavior can be observed which follows certain normative standards. This leads to two follow-up questions. The first issue is related to the effectiveness of such an order, which, by definition, is always partial (see March and Olson, 1998). Some authors have argued that effectiveness is a function of sanction mechanisms (cf. Zangl, 2001), others have

argued that the observance of norms is related to utilitarian considerations, i.e. externalities (Botcheva/Martin, 2001) The other equally, if not even more, interesting issue is, how orders are established respectively how orders change. In the first case norms respectively partial orders are treated as a given or as an explanatory set of variables. In the second case, order respectively the basic norms are treated as dependent variables when change is postulated to be underway. The latter seems to be the adequate perspective for humanitarian action in that the changes have been considerable.

Let us briefly summarize the discussion thus far. First, security policy represents a wide area of state activities intended to secure the survival of the state. In order to avoid too broad a definition of security we have reduced it to the notion of threats to state survival. The concept of security has been subdivided into two components, a *traditional* one (national or international security) based upon the use of force where the relationship between two or more states is one based on enmity and where the use of force is likely. The second component (global security) could be designated as a *modern* one where enmity is no longer present but where the collectivity becomes its own enemy so to speak because the consequences of its behavior threatens the survival of all. In that case only collective regulation which means cooperation will help to remove such threats (i. e. water scarcity or global climate change effects at large) by formulating norms binding all parties. The common denominator, as we have argued is that global security issues imply increasing scarcity affecting all. Scarcity may lead to violence. At the same time some security issues today are global governance issues.

Humanitarian action, as we have defined it, is an institutionalized activity in the international system, in which both national and international governmental and nongovernmental actors are involved, bound together by an explicit complementary relationship. The role of the state actors consists in formulating and possibly adjusting existing norms, i. e. humanitarian principles. The nongovernmental actors themselves are bound by the derived norms, the principles of humanitarian action, which are intended to regulate their behavior. These two sets of principles constitute what we have called a partial international order, the humanitarian order in the international system. But whereas states are committed to stick to this customary international law, the nongovernmental actors are more or less autonomous in defining the principles of humanitarian action³. Of general interest is the resulting question what happens if the conditions for humanitarian action change. We would expect a delayed norm change as well.

³ As Leader (1998) has shown, the codes of conduct specifying these principles are actually interpreted differently by the different humanitarian agencies.

This means that any international order, partial or not, is not a constant but a variable. How the norms change will be the result of the strategies pursued by the various actors to adjust to these new conditions. The outcome will not necessarily be identical with what the actors intended to achieve with their strategies.

Theoretically as well as empirically the problem consists in explaining the interrelationship between security and humanitarianism. A first answer will be given by first describing the changes in the frequency of occurrence of disasters and the changes across the different types of disasters. We will then discuss the specifics of the two policy fields, the policy fields of security and of humanitarian action and how they are related.

3. The Policy Fields of Security and Humanitarian Action

Is there a relationship between security and humanitarian action at all? It should not come as a surprise that there is no simple answer to this specific question. There is a direct relationship if humanitarian action is related to collective violence. The empirical evidence shows that collective internal violence has increased considerably over the last 40 years, with the increasing duration of such conflict events being their main property, thereby establishing an uncomfortable relationship between humanitarian action and security policy.

One can fundamentally distinguish three if not four types of disasters. Natural disasters, technical disasters and human made disasters. A fourth type are complex emergencies, i.e. the combination of a human made disasters with some natural disaster, a civil war in conjunction with a drought or famine for example. Under normal conditions natural and technical disasters do not pose any major problem for the humanitarian community in that access is willingly granted and that security/protection problems do not arise. The problems are quite different with those disasters that involve collective violence where access may be challenged. And even if the victims can be reached severe security and protection problems threaten both the relief workers as well as the victims.

To clarify this issue we have to briefly elaborate on the incidence and trends of human made disasters (see tab. 1). Before 1945 interstate violent conflicts and wars occurred more frequently than domestic violent events. That relationship was reversed in the post-World War II period. In the last decade of the last century collective violence overwhelmingly took

place within states. Initially, domestic violence was related to the decolonization process, e.g. wars of liberation and revolutionary wars. These internal wars were characterized by organized collective violence with more or less clearly defined groups, combatants according to international humanitarian law, fighting each other. The respective goals were to stay in power or to gain access to power. Only in recent years did a new type of internal form of violence emerge in so-called weak or failed states. Jackson (1990) has argued that basically all the former colonies are quasi-states whose survival is primarily guaranteed by the interstate system. This is what he calls negative sovereignty in contrast to positive sovereignty which means that states are able to survive on their own. This characterization is not fully adequate in that it implies what Hasenclever et al. (1996) among others has called empirical sovereignty, what Thomson (1995) has defined as sovereignty in terms of state control or Krasner (1999) as interdependence sovereignty⁴. All these different concepts imply that states differ - in some cases dramatically - in terms of their actual level of interdependence on the one hand, their ability to control the various transborder relations on the other and thus their ability to minimize the interdependence effects on their own political, economic and social system.

But the core problem is not one of control. For Jackson (1990) the concept of negative sovereignty means the commitment of the state-system to guarantee the existence of those states unable to do so themselves. Weak states are those states that do not have the necessary internal sovereignty, i.e. governments which do not fully command the legitimate monopoly of power within their own boundaries. Failed states, in contrast, are those, where functioning governmental institutions no longer exist. Instead a variety of groups pretend to represent the internationally still existing state. During the Cold War the dominant interest was to guarantee by all means the existing territorial arrangements as they had emerged after World War II and as a result of the decolonization process. That a number of these states was nothing but a virtual reality was more or less ignored.

⁴ He suggest three additional categories: international legal sovereignty, domestic sovereignty and interdependence sovereignty.

Table 1: Disasters and Violence, 1950-1999

Disaster Type	1950-1959	1960-1969	1970-1979	1980-1989	1990-1999	Total
Technical Disasters	51	102	264	1.078	2.082	3.577
Natural Disasters**	360	698	1.197	2.420	2.799	7.474
Internal Wars begun	12	13	19	15	23	82
Internal Wars underway	42	109	142	245	246	784
Complex Emergencies ***	2	16	37	82	89	226
Interstate Wars underway****	7	12	10	20	4	53

* transportation accidents, industrial and chemical accidents, other accidents

** Droughts, earthquakes, landslides, extreme temperatures, fires, floods, storms, volcanos, insect infestation

*** civil wars in conjunction with long lasting disasters (drought, famines) and/or a series of natural disasters with severe social consequences.

**** The Uppsala Conflict Data Project (CDP) defines an interstate war as a contested incompatibility which concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 1.000 battle-related deaths per year.

Sources: for natural disasters CRED (EM-DAT), for conflict see Eberwein/Chojnacki, 2001b.

This became apparent after the breakdown of Communism when the major powers had lost interest in a number of their former clients. They suddenly found themselves left alone. The loss of external support in combination with secessionist movements whose legitimacy could no longer be denied given the support for democratization explains why violence in weak and failed states erupted. But in the failed states violence was no longer used as a means to gain access to power but as a means for the fighting parties to enrich themselves (Berdal/Malone, 2000). These new types of wars represent both a challenge to security policy and humanitarian action. As one can see from table 1, the average number of internal war years (internal wars under way) rose dramatically from 42 in 1950-59 to 246 in 1990-1999. In these violent events the civilian population has become a major target leading to internal displacements and transborder refugee flows (Eberwein, 2001). One of the reasons is that in these violent conflicts the fighting parties do not need the support of the population. In contrast, in revolutionary wars or wars of liberation gaining the support of the population is crucial for success. In addition, the parties to these conflicts are not necessarily interested in neutral, independent and impartial relief activities of the humanitarian organizations if they have ever heard about it at all. As a consequence the humanitarian principles are constantly violated because the access to the victims and their protection as well as the security of the humanitarian actors is permanently jeopardized. As it turns out, in these kind of disasters the existing partial humanitarian order is inefficient. Humanitarian principles are referred to in the various declarations by the Security Council as well as the General Assembly of the United Nations among others, but little is done to enforce them.

This new type of war is of importance not only for the humanitarians but also for international security. The humanitarians take care of the victims, for security policy the issue is whether the occurrence of internal violence is, to put it in the terms of the UN Charter, "a threat to international peace". Whereas violence brings the two policy fields into close contact with one another, the way how the actors from these two policy fields respond differs considerably. For the humanitarians the imperative to help is unquestioned⁵. For the security policy decision makers the issue is whether violence represents a threat, either to international stability or to their own strategic interests or to both. These events are evaluated according to different logics in the corresponding policy fields. Politically, however, it seems safe to assume that security issues will dominate. Unless clear boundaries exist between the two policy fields that allow for complementary strategies, humanitarian action will be subordinated to security policy concerns as a means rather than a goal in and by itself. Before suggesting a number of propositions as to how both issue areas are related we will have to characterize both and identify their specific attributes.

4. Humanitarian Action and Security Policy - How are they related?

Providing individual or collective security is a core function of the state, helping people in distress in third countries is not. Security policy has a well defined purpose which is legitimized in terms of the national interest, i. e. in terms of the interests of a well defined collectivity: Humanitarian aid has such a well defined purpose as well but it is legitimized in terms of individual needs or rights unrelated to any specific nation or state. Humanitarian aid can also be characterized as a policy field in that it has been recognized as a legitimate area of activity. All the OECD countries, the major donor countries, are active in this area, all of them have institutionalized organizational structures to deal with humanitarian issues.

What do we mean by a policy field? Initially designated as issue areas a policy field can be characterized by a set of goals, means, practices and actors. Policy fields not only differ with respect to their own internal functioning, but also in terms of their dependence from external developments and the ability of the actors of a policy field to shape their external environment as well. As a consequence, each policy field has more or less well established boun-

⁵ This is not to say that all the humanitarian agencies pursue the same strategies. They may accept the prevailing conditions, they may make use of advocacy or not, or they may withdraw or not.

boundaries which determine its degree of autonomy. We will briefly compare the two policy fields along some of these dimensions.

For security policy the long-term goal of maintaining or improving security is crucial. Whether the focus is national, international or global security, the goal of security policy is - or should be - a preventive type of activity designed not only to create a more secure environment but also to prevent undesired events to occur in the first place. Humanitarian action in contrast, has in principle a short-term perspective. It can but react to disasters by responding with relief activities. This is why a preventive humanitarian policy can not exist⁶. This follows logically from the conjecture that humanitarian action can not or should not pursue any other goal than those as Brauman has defined them⁷. Victims are always the effect due to some cause. Humanitarian action can not deal with the causes of victimization. This does not necessarily mean that humanitarian action is in fact apolitical. As Slim (2001) has argued, a rights-based approach implies the politicization of humanitarian action, an option for a political humanitarianism. If specified properly the victims become entitled with rights, thereby more or less automatically assigning responsibility to the states to protect these rights. This rights approach is a classical governance issue.

Security policy is a classical policy field in that the dominance of state actors is uncontested, notwithstanding that this domain also includes a variety of other state and non-state actors, nationally and internationally. The structure of the political system, as Risse-Kappen (1991) has shown with respect to defense expenditures, determines the degree to which the different political actors can dominate and the degree to which the societal actors can actually influence the political decision-making process. The policy field of humanitarian aid differs considerably in that respect because one of its characteristics is the complementary relationship between the state and non-state actors. Both need one another. For humanitarian action that establishes a fundamental asymmetrical relationship in the first place. Major developments in this policy field are determined by the donors and not the various actors on the recipient side. This is in fact consistent with the philosophy of charity or philanthropy. As a consequence complementarity in the sense of the division of labor between governmental and nongovernmental actors is a phenomenon predominantly established nationally as well as internationally on the donor side. The role of the state actors consists in collectively defining

⁶ This does not mean that disaster preparedness is not a preventive action. But by prevention we mean activities designed to prevent an event from occurring.

⁷ As will be shown below, this specific view of humanitarian action has come under pressure from several angles.

and enforcing humanitarian principles. State actors on the donor side provide individually the overwhelming proportion of the resources necessary for relief activities. Depending on their political interests will they also have a stake in the observation of the humanitarian principles. Implied in this statement is the proposition that changes in the humanitarian system, nationally as well as internationally, will originate within and between the donor countries.

This leads to the issue as to how the relationship between the two types of actors, the state and nonstate actors is structured. We suggest the state-appropriation hypothesis of the humanitarian policy field. State appropriation can take two forms. The weak or benign form is that the state actors consider humanitarian aid as an integral part of public policy. At the same time the state actors stick more or less to the ideal type division of labor. The strong form of that proposition reads that the state actors dominate the humanitarian agencies and turn them into governmental contracting agencies. One could interpret this appropriation act from a power political perspective. Equally if not more plausible is the interpretation that this is the inevitable consequence of the democratic process. If governments appropriate considerable sums for humanitarian aid then they are held accountable. The way how these expenditures are legitimized becomes crucial. It can be done so from a national interest/security point of view but it could also be legitimized on the basis of humanitarian if not basic democratic or human rights norms. The result would still be the same: The donor states define where and how humanitarian aid will be distributed, the humanitarian agencies distribute it. The implication of this is a supply-driven model of humanitarian aid as opposed to a demand-driven model. The latter is the ideal type model derived from the classical humanitarian perspective.

The potential vulnerability of the humanitarian agencies to state actor dominance is structurally due to the dependence on governmental funds on the one hand and on private donations on the other. If the humanitarian agencies do not share the same basic humanitarian philosophy or, to put it differently, if the humanitarian agencies as a collectivity are characterized by a great degree of heterogeneity in terms of size, philosophy, professional skills etc. this will inhibit a common position towards the governmental actors in that policy field. In addition, the greater the number of humanitarian agencies the greater the competition among them for the scarce resources. This seems to be the case. That leads to counterproductive effects. The humanitarian agencies are collectively in a relatively weak position to put pressure on their respective government in forcing it to formulate a coherent humanitarian policy. In other words, the humanitarian agencies as such are competitors both with respect to their differing philosophies, the nontangible aspect, as with respect to their material interests. This

makes them vulnerable to criticism from the outside (politics and the media). Self-criticism from within the humanitarian community is limited because of the competition among themselves. Criticism could harm them collectively⁸. Thus, even though nongovernmental organizations have increased in numbers this has not weakened the states as such but rather, potentially strengthened their position. The consequence is a potentially low degree of autonomy of the societal or non-governmental actors.

Looking at the dependence from external developments the role of security policy, as was argued above, consists in shaping the external environment in order to prevent undesired events or developments to occur and to achieve or strengthen desirable conditions. Generally speaking one could say that in principle both on normative grounds as well for political reasons collective violence between or within states is no longer taken as an acceptable form of behavior. On normative grounds human rights violations have become an important concern in the internal and external security discourse. In some cases the states are willing to consider internal violence nowadays as a potential threat to international peace and security so that intervention is no longer excluded. The principle of non-intervention in the internal affairs of a state is no longer sacrosanct. The security policy agenda has therefore been enlarged by including a humanitarian dimension. The corollary is that humanitarian intervention or military force is no longer excluded as an instrument to deal with this type of problem.

One can distinguish three strategies of the states to react to these environmental conditions, ignore the conflict, intervene in the conflict, or act “as if”. The East Timor conflict led to a humanitarian tragedy which was systematically ignored for more than two decades before the UN intervened. NATO intervened with the air strikes against Yugoslavia hoping thereby to end the humanitarian tragedy that took place in the Kosovo. The Balkans are of strategic interest to the West which finally led to the decision to intervene. The humanitarian tragedy that has been going on for a while now in the Congo comes close to the “as if” type of approach. Humanitarian action functions as a substitute for a resolute political strategy to prevent or stop among others the killing. Even though humanitarian concerns may be an element of the overall motivation to intervene these concerns are by no means the dominant ones. These different types of responses suggest a further fragmentation within the international

⁸ One of the reasons is that stereotypes seem to predominate with respect to humanitarian agencies and their activities, at least as far as Germany is concerned.

system that has gained momentum since the breakdown of communism. Some areas in the world are still of strategic interest, others no longer are⁹.

What is true for the security policy field with respect to violence does not apply to the humanitarian policy field. Not only are the humanitarian actors unable to shape their environment but they also have only two strategies to react, abstain from action or do nothing or act. Even worse, the humanitarian agencies are caught in two dependency relationships. On the donor side they have to rely on the generosity of the private donors and on the national and international governmental agencies for funds. On the recipient side access, security of the personnel of the agencies and the safety of the victims depend on the conflict parties in the case of violent domestic conflicts. The humanitarian agencies have only limited possibilities to force the actors to comply with humanitarian principles and to honor the principles of humanitarian action (cf. Leader, 2000).

Naturally, this provisional assessment of the conditions prevailing in the two policy field ignores the many complexities that characterize each individual situation. We nevertheless believe that we have described some basic properties that prevail. What can we provisionally infer in terms of the consequences this has for the boundaries of the policy field of humanitarian action which could also be phrased in terms of autonomy? On the security policy field we still have to struggle with the problem that governments temporarily choose a “humanitarian” strategy of intervention when no strategic interests are at stake. Somalia is a good case in point. Any Realpolitik type of explanation fails in this case. The advocates of the relevance of norms in international politics do have a good point in that domestic factors do account for such a behavior. Both media reporting and the mobilization of public opinion can actually force a government to opt for a policy which it would not have chosen had this pressure been absent. The assumption that this sort of influence works in favor of the humanitarian agencies is wrong. Neither the media nor the public seem to be strongly committed to humanitarian principles as such. Philanthropy or charity seem to be the dominant but short-lived motives leading to support symbolically or materially humanitarian action. Government funding and private donations for specific humanitarian emergencies clearly reveal political selectivity. The external support is therefore threatening impartiality, neutrality and indirectly also independence. Structurally, the degree of autonomy of the policy field of humanitarian action

⁹ The “helicopter adventure” of the German government during the flooding in Mozambique was not due to the strategic importance of that country. Rather it resulted from the pressure of the media, was supported by the public, cost a lot of money but was more or less superfluous from the humanitarian point of view.

is low or, put differently, dependence is relatively high. The humanitarian actors seem to have run into a general no-win situation. Violence has favored the politicization of humanitarian action. Security policy intends to establish its hegemony over the humanitarian policy field which has devalued traditional humanitarianism without the so-called new humanitarianism offering a real alternative worthy of that name.

5. Humanitarian Order and Change - A Political Humanitarianism as a Solution?

With the predominance of internal violence in humanitarian affairs the politicization of humanitarian action has become inevitable as we have argued above. The cause for the eruption of violence and the dynamics of violence proper (see Eberwein/Chojnacki, 2001b) are potentially salient security policy issues whereas the victims as one of the effects of violence are the focus of humanitarian action. Theoretically one can separate the two, for all practical purposes this linkage can not be ignored. The problem is whether the boundaries between the two policy fields can be re-established.

Theoretically, the development of the partial humanitarian order can be interpreted from a Realpolitik perspective. The state appropriation of the policy field of humanitarian aid seems to be the logical implication of such a theoretical approach if state actors assume that this is a relevant political issue area and therefore of use for the pursuit of their national interests however defined. The presumption that power and interest can account for this appropriation strategy is further reinforced by the fact that with the support of some humanitarian agencies governments tend increasingly to include humanitarian aid conceptually in their conflict prevention and resolution as well as rehabilitation and development strategies (see Curtis, 2001). Humanitarian aid tends to become an instrument of foreign policy (cf. Warner, 1999; Roberts, 1999). As plausible as this interpretation may sound it is probably wrong (Finemore, 1996). Rather it seems that normative considerations related to the new world order or the liberal peace paradigm as Macrae (2001) has called it and which became popular after the breakdown of Communism is at the root of this merger of humanitarian affairs with political strategies. In our view the interpretation of the evolution in humanitarian affairs and the international security domain seem to be much better explained as a norm-driven enterprise where the increasing dominance of internal violence has actually brought the two policy fields

together. The adaptation process under way has not yet led to a revised division of labor between humanitarian affairs and security policy or international politics at large. This is due as we suspect to the lack of a substantive politics of humanitarian affairs by the states themselves (cf. Leader, 2001).

As limited as the emergence and evolution of international humanitarian law was with the creation of the Red Cross, this approach, as limited as it was, can not be accounted for in terms of power and interests. It was a norm-driven enterprise (Finnemore, 1996) to which an initially limited number of states agreed. Did they intend the creation of an international humanitarian order? Certainly not. The initial idea was the formulation of a number of rules and principles intended to humanize interstate war, i. e. organized collective inter-state violence. The function of humanitarian action was to protect wounded soldiers and those assisting them, no more but no less either. This humanitarian law of war did not challenge the legitimacy of the use of force but only attempted to regulate some of its aspects and thereby further legitimizing it.

As Holsti (1991:343) has shown it is only in the 20th century that the states, in the context of the League of Nations and the UN, for the first time made declaratory statements on the use of force and carefully specified under what conditions force could be used in interstate conflict regulation. Some of the League of Nations and the UN charter provisions can also be interpreted as the first timid attempts to introduce some democratic principles in international affairs or some principles of political global governance. Additional developments underline this trend such as the Universal Declaration of Human Rights, Refugee Law, the Genocide Convention or the Convention of the Rights of the Children. In parallel humanitarianism in a more narrow sense was broadened with the four Geneva conventions and later on amended with the two additional protocols. This represented a major step forward in the establishment of what we have called partial humanitarian. This *Geneva law* (Bettati, 1995) was an extension of the then existing Hague law of war. The intent was not only to limit war making but also to protect the civilian population as well thereby further limiting the behavior of the belligerents. These humanitarian principles were institutionalized legitimizing humanitarian aid but no provisions formulated which would regulate the access to the victims. With the two additional protocols this gap was closed in that the right of nongovernmental organizations such as the Red Cross, as it reads, were granted the right to provide relief. But the access of the humanitarian organizations was linked to the agreement of the conflict parties (which no longer needed to be a state actor, another new element).

According to Bettati (1995:22) this *Genevese law* was further amended by what he calls possibly much too optimistically the *New York law* created by the United Nations themselves. This new approach is in his words indicative of the new world humanitarian order. The foundations of this new approach are the General Assembly resolutions 43/131 of December 8, 1988, and 45/100 of December 14, 1990, where the states are requested to support the activities of the humanitarian organizations (first resolution) and also demanding the establishment of free access through corridors to the disaster areas (second resolution). These resolutions are not binding, but they still represent a renewed if not new interest in humanitarian action and the obligation of the governments to take appropriate action when needed. Why would the majority of states take such a step? Symbolically at least a change in perspective became obvious with Security Council Resolution 688 in favor of the Kurd tragedy at the borders to Turkey. The humanitarian justifications have since then found their entrance into a whole series of Security Council resolutions that led to “humanitarian” interventions in the internal affairs of among others Iraq, Somalia, Rwanda, Sierra Leone or Yugoslavia (see also Slim, 2001).

Domestic affairs in general (from the human rights perspective), internal violence in particular, can no longer be hidden behind the smokescreen of nonintervention. A process of institutional change is under way, the change in the institution of sovereignty or what Krasner (1999:20-25) has called Westphalian sovereignty or the norm of non-intervention¹⁰. Human rights and democratization have become common currency in the international political discourse since the end of Communism. At the conceptual level conflict prevention has become the predominant concern implying the prevention of violence in the first place, limiting its escalation and/or preventing violence to erupt again after it has come to an end. These new declaratory visions of international order are expected to be achieved through effective prevention measures. Humanitarian aid has at least conceptually been included as a potentially useful instrument in this conflict management tool box (see Chojnacki, 2001). The policy field of development has been colonized even more radically. Analogous to humanitarian aid, a new orthodoxy of aid, as Macrae (2001:33) calls it, came to the fore emphasizing the importance of achieving coherence between development assistance and foreign and defense policies.

¹⁰ Philpott (2001:310) in his review of Krasner’s book criticizes him for the organized hypocrisy proposition because he does not explain why states constantly come back to sovereignty even though constantly violating it.

Are there any alternatives at all to this seemingly security policy hegemony? Leader (200:2) has suggested three different models of humanitarianism in the future: *neutrality abandoned* which subordinates humanitarian principles to political goals, *neutrality elevated* a position which emphasizes universal legal principles, and finally a *third-way humanitarianism* which amounts to a middle way position. Leaving the middle position out of consideration, we will formulate a number of propositions related to the incomplete politicization thesis or, to put it differently, related to the normative change in the international system that could finally lead to the one or the other model.

These changes, we would expect, will be the result of a mixture of what actors do on the one hand, the approach the rationalists, as Risse (2000) calls them, prefer, or due to the structural conditions, as the constructivists would argue. More likely is change as the result of a mixture of both what actors do and the impact of structural effects in terms of norms and intersubjective meanings¹¹. If actors' interests and the structural conditions are given does the rights-based option suggested by Slim (2001; see also Curtis, 2001:15-16) present a viable option? Normatively, this type of model is close to the neutrality-elevated model. The other alternative Slim suggests would be traditional humanitarianism based upon philanthropy or charity which comes close to the neutrality-abandoned type. The rights-based approach links human rights with humanitarian law which is certainly not a terribly new idea (cf. Eide et al., 1995). That approach establishes obligations towards the victims based upon specific rights such as physical and psychic integrity, or the right to life and dignity to put it in terms of human rights.

Democratization, stability and security concerns with their normative foundations are the source of politicization of humanitarianism deplored by the humanitarian agencies. Is this due to a lack of respect for humanitarian principles and the outcome of a power-based humanitarian hypocrisy? We believe not. The major proposition is that the politicization process so far is incomplete because political collective reaction "from below" (i.e. society) as opposed to reaction "from above" (the states) is still missing. But the politicization process is inevitable because of the normative changes underway. International normative changes, as Sikkink and Finnemore (1996) have argued convincingly, originate at the domestic level. To get those changes underway requires what they call norm entrepreneurs which will lead to the diffusion of the norm or norms and later on to their institutionalization. And that means in effect a political process in which the goal is to get public support for these norms or the norm

¹¹ Risse (2001) argues in his paper for such an actor-structure mix.

change as we can observe it in the field of human rights for example or with respect to environmental issues.

The theoretical implication of that statement is that humanitarian principles need strong advocates. If humanitarianism is a major concern to the actors in the donor countries the consequence would be to make a political issue out of this normative concern. Humanitarianism is not encapsulated in an isolated policy field but embedded in a wider global order or system of governance. If domestic violence is at the core then it is clear that humanitarianism of the rights-based type or neutrality elevated is only feasible if the changes in the concept of sovereignty legitimizing intervention under specific conditions become institutionalized. From the security perspective the prohibition of violence is central. From the humanitarian perspective the regulation of behavior during violent conflicts is central. Prevention of violence vs. humanization of violence are the complementary foci of the two policy fields. The recently begun discussion in terms of legalization in world politics (Goldstein et al., 2000: 385-399) seems to be the right direction. From the legalization perspective the issue is as how to further limit the behavior of conflict parties at all and if they do not comply as how to increase the externalities so that the costs of violations may in the end deter as many as possible of the perpetrators. That also implies sanctions. We believe though that deterrence which implies also a systematic conflict prevention strategy is the most effective approach. Violations as such can probably never be eliminated completely. Parallel to such an improved system of global governance in the security domain, the rights-based approach within such a global framework establishes a corresponding system of norms and their enforcement. The latter implies a politics of humanitarian action independent of security policy. There is no reason as to why this may not be possible.

Clearly enough, these remarks are deceptively general. We are well aware that it is easy to formulate such postulates and extremely difficult if not impossible to translate from the world of the best intentions into the real world. Nevertheless, going back to the Sikkink/Finnemore (1998) propositions we will formulate a few propositions ourselves what the difficulties seem to be as to strengthen the humanitarian policy field relative to the hegemony of security policy. It seems clear that the politicization of humanitarianism is a necessary condition for a rights-based or neutrality-elevated humanitarianism. This implies a) the knowledge of humanitarian principles and the problems involved, b) political pressure on the part of the society on the political system for strengthening these principles and c) the ability and willingness on the part of the state actors to develop a politics of humanitarian aid.

The first barrier is the lack of knowledge of what humanitarian principles mean¹². As the ICRC' (1999) *The People on War Report* shows the overall knowledge of these principles is by far not as widely distributed as it should be, especially not in the donor countries. The German case which we have studied has shown quite a lack of knowledge and interest within the political system itself¹³. Slim (2001) also notes that the humanitarian organizations themselves have only recently begun to train their personnel in international humanitarian law.

The second barrier seems to be the absence of a strong humanitarian pressure group. For that purpose the notion of history dependent institutionalism elaborated by March and Olson (1998) seems to be useful as a starting point. The underlying assumption is that the actors operate on the basis of a logic of appropriateness. Their actions and decisions are based on the notion of what is right but they do not exactly know what the result of their actions will be. Could a rights-based approach actually be achieved assuming that the actors actually follow an appropriateness logic? And why a rights-based approach? From an ethical point of view philanthropy or charity may be highly valuable. Yet from a political perspective the rights approach has the advantage of explicitly formulating entitlements and obligations for all. Once specific rights are laid down it is clear what is legal and what is illegal.

Following March and Olson (1998) one could plausibly argue that the natural carriers of such a politicization strategy in the donor countries in favor of a rights- based approach are the humanitarian agencies themselves. They probably pursue such a strategy of appropriateness daily in the field. A good illustration of that is the behavior of humanitarian agencies in North Korea. The result was that some humanitarian agencies decided to leave the country while others preferred to stay, both justifying their behavior with humanitarian considerations (see Schloms, 2000).

The logic of appropriateness, however, is flawed from the methodological if not theoretical point of view. Thus far it does not take into account simultaneous logics of appropriateness, so to speak. We suggest the proposition we already have formulated, that the humanitarian organizations are caught between several fronts. They all seem to comply with that logic when it comes to humanitarian principles, the problem being that appropriateness leads individually to different results which excludes a collective solution. There is the competition

¹² It is almost shocking to note how ignorant some high ranking officials - who we interviewed during field research on the Balkans - were with respect to international humanitarian law.

¹³ This seems to be the case for the German parliament at large as well as the parliamentary committee of human rights and humanitarian aid where the interest is mainly in human rights issues. But ignorance is also found in the media, among others. The results will be published soon.

dimension. This implies a different logic of appropriateness in that some may decide to subscribe to specific conditions set by ECHO, the humanitarian donor agency of the EU, for example or by DFID, the British organization in charge of humanitarian aid¹⁴. What is right for one organization, i.e. compliance with donors' rules, may be considered unacceptable by another organization¹⁵. The *raison d'être* of humanitarian organizations being to support the victims has led to another almost counterproductive effect in the field which can also be considered as the product of the logic of appropriateness. As Leader (2000) shows the maintenance of a humanitarian space in the field turns out to have become a major preoccupation. But the major effect is to safeguard the individual organization's action space, which is something quite different from what humanitarian space means. That also means that the humanitarian organizations take over a role which is not theirs, namely to try to safeguard as much as possible of the humanitarian principles. They thereby take over a political role which they can impossibly fulfill. The dependence from private donors tends to work in favor of a philanthropic or charity-based fund raising strategy, as Slim notes. This makes it easier to mobilize support. Therefore from a utilitarian strategy it may not be very wise to openly support a rights based approach. The latter is probably much less popular than one based on philanthropy or charity. An unintended effect which March and Olson (1998) refer to is the so-called competency trap. If organizations grow and become more and more professional the tendency to emphasize skills takes precedence over specific norms. The SPHERE project, for example has been criticized exactly for these reasons in a joint declaration by Médecins du Monde and Médecins sans Frontières.

Whereas the first four propositions point to the limitations on the part of the humanitarian organizations to find a common ground which would facilitate the politicization of humanitarianism the fifth one points to an unintended effect which further undermines the ability of the humanitarian agencies to contribute to the normative change through politicization. All these effects can be derived from the structural conditions in which these agencies are embedded. Possibly the lack of accountability further strengthens these structural effects. But all of this does not mean that these effects are causal and therefore inevitable. They are not. The actors have degrees of freedom with respect to their decisions and actions. They could change their behavior even though that would not be by itself a guarantee for success.

¹⁴ In the case of ECHO this is the Framework Partnership Agreement, in the case of DFID organizations active in Afghanistan will not get any funding.

¹⁵ Whereas Médecins sans Frontières refused to accept any funds from the NATO countries during the Kosovo war others did not see any problem in accepting funding from them.

On the political side we can first of all observe the fact that the politics of coherence (ODI, 2000) referred to among others by Macrae has definitely led to a strategy which, unintentionally or not, can actually undermine the normative foundations of humanitarianism. That is the result of a strategy which tends to instrumentalize humanitarian aid for developmental and/or security purposes such as conflict resolution. Second, and this has to be seen clearly, humanitarian aid is not a terribly relevant policy field. It is at best only of short term interest within the political system¹⁶. If the assessment is correct, then the relevance of humanitarian aid in terms of its impact for international order is underestimated unless we overestimate this role. Finally, the security policy field as well as the development assistance policy field have probably much greater weight in the political system than the humanitarian policy field. Finally, military interventions declared as humanitarian have now gained some prominence politically. As the Kosovo has shown military interventions no matter how they are justified, put the respective governments nationally under heavy pressure. This goes as far as to inhibit a militarily meaningful strategy¹⁷. As humanitarian action and humanitarian aid can be (mis)used to gain legitimacy and visibility in conflict situations it is much more comfortable from the political side to favor a neutrality-abandoned type of strategy rather than one which is much more problematic to justify publicly at home and to implement collectively abroad.

Thus, at the state actors' level the situation does not differ dramatically from the societal actors' level in that a rights-based strategy seems not easy to implement if at all.

¹⁶ A diplomat of the German Foreign Office characterized somewhat sarcastically if not bitterly the role of humanitarian affairs as the repair shop for atrocities and of low political salience.

¹⁷ The air strikes against Yugoslavia can not be considered as militarily exceptionally successful. On the contrary. But this was due to politically defined limitations, i.e. avoid by any means fatalities.

6. Summary and Conclusions

We have only begun to identify some of the complexities of the policy field of humanitarian aid. What we have basically been arguing for is the complementarity of security policy and humanitarianism. But we have also tried to make the point that both are two different types of activities. From the coherence perspective both security policy and humanitarian aid are part of some kind of global governance concept. That overall endeavor leads to different roles which should not, as we believe, be integrated at the expense of security or development, the latter being itself more and more guided by overall security concerns. The politicization of humanitarian aid is not a disadvantage even though the form it has taken is counterproductive from the governance perspective. That politicization is incomplete because the humanitarian side is still absent from the scene. Properly done this “humanitarian politicization” could try to reframe a proper definition of roles between state and nonstate actors as implied in the constitutive complementarity relationship that characterizes the policy field of humanitarian aid suggests.

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P 01-304

Wolf-Dieter Eberwein

Sven Chojnacki

**Scientific Necessity and Political
Utility. A Comparison of Data on
Violent Conflicts**

P 01-305

Wolf-Dieter Eberwein

Basil Kerski (Hg.)

**Deutsch-polnische Beziehungen zehn
Jahre nach der Unterzeichnung des
Nachbarschaftsvertrages: Eine Werte-
und Interessengemeinschaft?**

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