Introduction

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Though our brother is on the rack, as long as we ourselves are at ease, our senses will never inform us of what he suffers. ... It is by the imagination only that we can form any conception of what are his sensations. ... It is the impressions of our senses only, not those of his, which our imaginations copy.

Adam Smith (1759/2002: 11–12)

The Boundaries of Humanitarianism

Why have individuals been concerned with the suffering of others, especially distant others who are not members of their own family, race, gender, social class, or religious community, people with whom they share no apparent social connections or moral obligations? Historically, a number of world religions have encouraged assisting others in dire need; Judaism, Christianity, and Islam, for example, justify helping others based on charity and their belief that all humans are created in God's image. That people have joined in large numbers on expressly secular[1] grounds to alleviate the suffering of others near and far, and sought to coordinate relief by establishing local, state, and transnational institutions, is recent in world history, a phenomenon that only emerged fully in Europe and the Americas in the late eighteenth century.

[1] A rigorous distinction between secular and religious often breaks down empirically, and has been extensively criticized as the basis of Western exclusion by writers such as Talal Asad (2003). Nevertheless, it ought to be recognized that secular liberal humanism's approach to suffering, particularly in the eighteenth century, does have unique attributes that distinguish it from religious doctrine up to that point.

This volume is drawn from a University of Connecticut conference on
"Humanitarian Narratives of Inflicted Suffering" that charted the history
of secular and religious humanitarian and human rights movements
from the late eighteenth century to the present day in order to com-
prehend the ethical principles that propel them forward, the political
interests they attempt to realize, and the narratives and representations
they employ to mobilize empathy for distant others. The conference and
this volume aim to promote comparative and interdisciplinary insights
into the operation of the ethic of humanitarianism in modern history by
bringing together anthropologists, historians, humanitarian practi-
tioners, lawyers, political scientists, sociologists, and scholars of com-
parative literature.

We begin by explaining our understanding of this fundamental shift in
public consciousness as it emerged in the eighteenth century and by
describing the boundaries between humanitarianism and the adjacent,
overlapping concept of human rights. Faced with the suffering of others,
humanitarians maintain that their ethical response arises from emotions:
compassion, sympathy (in the nineteenth century), and, more recently,
empathy.[2] In its secular form, humanitarianism usually asserts the ideal of
the realization of individual potential, often derived from Immanuel Kant's
moral philosophy.[3] For Richard Rorty (1993: 124–5), Kant's foundational
argument for respect between rational agents and against the domination
of one human being by another amounted to a secularizing of the Christian
doctrine of universal brotherhood.

Humanitarian sentiments have motivated a variety of manifestations of
pity, from nineteenth-century movements to end slavery to the creation of
international humanitarian law. While humanitarianism is clearly political
in its implications of solidarity, this volume addresses the ways in which it
is also an ethos embedded in civil society, one that drives secular and
religious social and cultural movements, not just legal and political insti-
tutions. As an ethos, humanitarianism has a strong narrative and repre-
sentational dimension that can generate humanitarian constituencies for

[2] Sympathy refers to the recognition of another's emotional state, in this discussion, a state of
suffering. Empathy inhabits a site further along on the emotional register and refers to a
projection of one's own mental state into that of another. Whereas in a state of sympathy one
says "I recognize your pain," in empathy one says "I feel your pain." For a discussion of the
cognitive aspects of empathy, see Monroe (2004: 248–50). See Richard Rorty (1993: 128–9) for
a discussion of sympathy in the context of human rights stories and sentimental education.
[3] Berlin (2000: 71) indicates that there is not a great deal before the eighteenth century and
before Kant that maintains that the exploitation of one human by another is an evil.

particular causes. The emotional nature of compassion is closely linked to visual and literary images of suffering and innocence, as we explore in a later section of this Introduction and throughout this collection of essays.

In Chapter 2 in this volume, David Forsythe defines international humanitarianism as "the transnational concern to help persons in exceptional distress," and argues that humanitarianism's declaration of secular universalism allows it to transcend boundaries such as race, class, religion, gender, and nation. As the director of the World Food Program Josette Sheeran declared, "When you see a hungry child, you feel you represent all humanity" (Rosenthal 2007: A4). We are not dealing here with hesitant values characterized by passive contemplation, but a belief that promotes immediate action to end suffering across the globe. As Luc Boltanski (1999: xv) writes, "when confronted with suffering all moral demands converge on the single imperative of action. Commitment is commitment to action, the intention to act and orientation towards a horizon of action. But what form can this commitment take when those called upon to act are thousands of miles away from the person suffering?"

Advocates of humanitarianism express profound indignation towards those who renounce responsibility for the fate of others, especially state officials who reject concerted action to end suffering. There are many modern instances of state calculation of interest that leads to inaction or disregard for the suffering of distant others. The 1994 British television documentary on East Timor, called *The Death of a Nation*, included an interview regarding the sale of ground attack aircraft to the Suharto regime with the minister responsible for defense procurement in Margaret Thatcher's cabinet. The notoriously controversial Alan Clarke remarked, "Does anyone know where East Timor is?" adding, "I don't really fill my mind much with what one set of foreigners is doing to another" (Pilger 2007). Yet hundreds of millions of pounds of British-made arms, the documentary reported, were used by the Indonesian military in the invasion of East Timor and the massacre of approximately 200,000 Timorese.

The late Alan Clarke, one of the more grandiloquent antihumanitarians, is not alone in his forthright defense of state interests, narrowly defined. German foreign minister Volker Rühe declared in December 1992, "I am not willing to risk the lives of German soldiers for countries whose names we cannot spell properly."[4] The USA's Clinton Administration studiously avoided a humanitarian campaign to end "distant

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[4] As cited in David Edgar's *Pentecost* (1994: 55).

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suffering"[5] when it repudiated applying the term "genocide" to the mass slaughter of Tutsis in Rwanda in 1994. Instead it referred to "acts of genocide"[6] in order to evade its obligations to prevent genocide under the terms of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. Samantha Power (2002: 362–3) maintains that in Rwanda "the case for a label of genocide was the most straightforward since the Holocaust," yet the US State Department shirked the concomitant obligation to intervene and put an end the killing.[7] Ironically, by their selective use of language, US government officials implicitly recognized the compelling nature of the humanitarian duty they chose to evade.

In defining what humanitarianism stands for and against, we must be careful not to oversystematize this loosely bounded ethic of moral and political action. While secular humanitarianism has clear roots in the politics and philosophy of eighteenth-century liberalism, humanitarian movements are remarkably diverse and may be motivated by radically different principles. Some have favored a rights-based approach that asserts that all individuals are, for example, entitled to an education by right, whereas others hold the colonial idea that non-Westerners are to be educated as part of a Kipling-like "white man's burden." Such competing views can be found within the same humanitarian organizations, as we see in Kellow's discussion of the United States' anti-slavery movement in Chapter 5 in this volume. Humanitarianism, as an ethic, cuts across political orientations and can be associated with religious and political projects as diverse as Quaker pacifism, Protestant evangelicalism, Great Power imperialism, Catholic social democracy, and grassroots democratic socialism. The array of activities included under the label "humanitarian practices" are similarly diverse and range from food aid to refugee resettlement from immigration reform laws to full-scale military intervention.

Humanitarianism and Human Rights

In addition to the internal diversity of humanitarianism, there are moral-political concepts that lie alongside and interact with it, the most

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[5]   A term used extensively by Boltanski (1993).
[6]   See Power (2002: 363).
[7]   Recognizing that, while US military intervention might have ended the immediate killing, it might also have had other damaging and unintended consequences.

fundamental of which is human rights. Human rights and humanitarianism share many attributes and emerged from the same intellectual origins in liberal political philosophy of the eighteenth century. Both have common origins in natural law thinking[8] and Ruti Teitel (2004: 225) weaves these strands into a common category of "humanity law" – "an amalgam of natural law, the law of human rights, and the law of war." Human rights and humanitarian law share a view of humanity as a unified legal community when crimes are committed that offend not only a nation or country, but the entire human race.

Human rights and humanitarianism share a common view of the essential characteristics of human welfare and human dignity. When individuals experience the same abject conditions, they suffer in more or less the same way, regardless of their gender, cultural or religious identity, or political persuasion. As a rule, humanitarians, like human rights advocates, reject the relativist view that suffering is acceptable when it is part of an established way of life. At certain junctures they have advanced a vision of a universal human subject protected by the universal jurisdiction of the "law of humanity." The idea of humanity can furnish the legal grounds and legitimacy for a new type of political sovereignty – one that can be exercised across national borders. Without this idea of humanity, humanitarians cannot advocate laws with universal jurisdiction or prohibit crimes so heinous that they violate the sensibility of all humanity.

While the modern human rights system arose in the same post–World War II moment as key international humanitarian conventions (notably the 1949 Geneva Conventions), the modern human rights system we see in place today is an extension of an older framework of humanitarian law that sought to limit the exercise of violent state power and, more specifically, the amount and type of damage that could be inflicted in war. The concept of "crimes against humanity" that appeared in the Nuremberg trials drew legal sustenance from nineteenth-century conventions that invoked the

[8]   Hugo Grotius (1625/1949: 277) in *On the Law of War and Peace* made extensive use of natural law to justify the legal regulation of war "from motives of interest of humanity," arguing that prisoners of war may not be put to death. See Neff (2005: 224) on the connection between natural law and sympathy towards the concept of humanitarian intervention. See Michael Freeman (2002: 14–26) on the natural law origins of human rights. Janis (2005:767) notes that, in the famous antislavery case in Britain of *Somerset v. Stewart*, June 22, 1772, "Francis Hargreave and Alleyne, attorneys for Somerset, argued not only that slavery was illegal in England but that it violated natural law."

"laws of humanity."[9] These and other conventions sought to proscribe the "excessive" cruelty of modern war and gained legitimacy from emerging understandings of the "laws of humanity," the "law of nations" and the customary practice of "civilized nations."[10] Human rights law rests on the same conventions, and restricts how states treat accused persons in their custody, though it generally binds rights more closely to individuals than states. One thinks of the recent US detention of suspected terrorists in Guantanamo Bay and the concerns expressed by human rights organizations regarding torture, habeas corpus, the right to counsel, and other common due process standards.[11]

Human rights and humanitarian law have taken a similar course in recent years, with the bearer of rights increasingly shifting away from states and towards the individual. While the right to humanitarian intervention was originally a right asserted by the intervening *state*,[12] in the post–Cold War era this right became progressively transferred to the victims of abuses. In the 1990s, international human rights and humanitarian law moved even more closely together and, in the NATO military operation in Kosovo, it became difficult to distinguish between them, especially as the liberal conception of military humanitarian interventions was often grounded in the human rights of innocent persons.[13] In this way, modern humanitarianism has come to draw increasingly from the model of human

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[9] Including the 1864 Geneva Convention for the Amelioration of the Wounded, the 1868 St. Petersburg Declaration Renouncing the Use, in Time of War, of Certain Explosive Projectiles, and perhaps most famously, the "Martens Clause" contained in the 1899 Convention With Respect to the Laws and Customs of War on Land (Hague II). The clause, drafted by Hague subcommittee chair Frederic de Martens, extended protections to those who did not clearly conform to standard criteria of the time for combatant status (See Neff 2005: 210). It states: "Until a more complete code of the laws of war is issued, the High Contracting Parties think it right to declare that in cases not included in the Regulations adopted by them, populations and belligerents remain under the protection and empire of the principles of international law, as they result from the usages established between civilized nations, from the laws of humanity and the requirements of the public conscience." See Teitel (2004: 226) for additional references to "laws of humanity" in nineteenth-century humanitarian law.

[10] For a discussion of how Nuremberg's understanding of crimes against humanity drew upon the concepts of civilization and civilized practice, see Douglas (2001: 83–4).

[11] See Duffy (2005) and Wilson (2005).

[12] Drawing here from the work of legal historian Stephen Neff (2005: 223). Neff later (224) refers to the military action taken by Britain, France, and Russia on behalf of the Greeks in their struggle against the Ottoman Empire as arguably the first major instance of humanitarian intervention.

[13] See Fernando Tesón (2003: 114–15) for a lucid discussion of humanitarian intervention, human rights and the rights of innocents.

rights in its conferral on individuals of rights hitherto reserved for states. The two aspects, state and individual, are integrated in Holzgrefe's (2003: 18) definition of humanitarian intervention as the "threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied."

And yet, there are ways in which human rights and humanitarianism are historically distinct and require careful disentangling from one another.[14] In their earliest historical manifestation, they arose in diametrical opposition to one another. Legal historian Stephen Neff (2005: 223) cites the August 27, 1791, Declaration of Pillnitz by Emperor Leopold II of Austria and King Frederick-William III of Prussia in response to the revolutionary events in France as the first articulation of the modern principle of humanitarian intervention, insofar as it contained two conceptual elements that continue to characterize it: "a statement that seemingly internal or domestic events could be a matter of common concern to the world at large even in the absence of any direct material interest; and a willingness to use force to set the situation aright." While the Pillnitz Declaration failed to sway the British and was never acted upon, it was a clarion call to European powers to stem the tide of republicanism and human rights and to shore up the monarchical system.

We can identify other conceptual discrepancies that emerge from the disparate legal justifications for human rights and humanitarianism. Whereas human rights are pre-existing legal protections of individuals, humanitarian action by states is often justified less by a legal claim than a moral one. This is in part because humanitarianism is less firmly grounded in international law than is human rights. The principle of humanitarian military intervention by states has never been decisively or unambiguously accepted in international law, and weaker states are often wary of the ways in which stronger states have appropriated and pursued this right, especially because humanitarian military interventions often occur without permission from the governments within whose territory the intervention is taking place.[15]

Even when considering humanitarian assistance that stops short of military intervention, such as a right to humanitarian assistance in the form

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[14] See Moyn (2007) for a critical view of humanitarianism and a statement of the view that human rights and humanitarianism have completely different historical lineages.

[15] The editors thank David Forsythe for emphasizing this point to them. See Farer (2003) for a discussion of how the debate on humanitarian military intervention has shifted since 2001.

of refugee resettlement, such a claim is not widely recognized. According to Kristin Sandvik in this volume, officials of the United Nations High Commission for Refugees make clear to African refugees that "resettlement is not a right." A state or international institution defining its actions as humanitarian may not accept an inalienable right to resettlement that would compel it to assist refugees. Within the human rights system, some victims of human rights violations can expect their cases to be taken up by an array of international criminal tribunals, including the International Criminal Court.[16] But there is no obvious legally constituted international setting for those in dire need of humanitarian assistance to pursue their claims against a potential state provider, even if such a claim could be acknowledged as a right. Consequently, potential recipients are more reliant upon the moral impulses of those who provide assistance or aid, often as a gift without the implied reciprocity of many forms of gift-giving.

These distinctions result from a different view of the "agency" of recipients of human rights or humanitarian assistance. Writers have commented upon the antipathy of human rights activists to the language of humanitarianism, a language often perceived as laden with outmoded notions of charity, protection, sentiment, and neocolonial paternalism.[17] Human rights, it is argued, confer a modern inventory of entitlements, where the obligation to victims arises not from the heart, but from the head – from legal-bureaucratic duties. Pursuing or defending one's human rights presupposes an assertive political agency on the part of rights-holders. Individuals may require assistance in order to claim their rights, but the assumption is still one of self-directed individuals vigorously pursuing their claims, immunities, privileges, and liberties.

In the context of humanitarian assistance, on the other hand, the recipients are less likely to actively determine their own fate. Because beneficiaries of humanitarian aid are more likely to appear as passive recipients, critics have asserted that humanitarianism may, in its quest to be seen as "apolitical," draw attention away from the political reasons for victimization, disempower individuals, and strip them of agency.[18] Cultural anthropologists such as Miriam Ticktin (2003: 41) have been among the

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[16] And including the International Criminal Tribunals for Rwanda and for the former Yugoslavia, and the Special Court for Sierra Leone.

[17] See Rajaram (2002).

[18] See Wilson (1997: 148). More recently, Miriam Ticktin (2003), writing about the treatment of *les sans-papiers* in France, refers to the "violence" of the humanitarian framework, and see Ruti Teitel (2004), writing about the depoliticizing consequences of international humanitarian law.

most critical of modern humanitarianism's creation of new "political subjects, albeit with limited political choices." Such arguments resonate with Flora Keshgegian's account in Chapter 6 of this volume of early twentieth-century American Christian groups and their portrayal of Armenians subjected to genocide by the Ottoman Empire as powerless and backward, and with Laura Suski's chapter on the denial of the agency of children by humanitarian organizations (Chapter 9).[19]

Clearly, there is no easy resolution to the tension between rights-based and humanitarian approaches; this is one rationale for this book, which explores directly how human rights and humanitarianism connect, overlap, and disconnect in specific historical, political, and cultural contexts of suffering.

Historical Origins of Humanitarianism and Human Rights

Compassion is a natural feeling, which, by moderating the love of self in each individual, contributes to the preservation of the whole species. It is this compassion that hurries us without reflection to the relief of those who are in distress; it is this which in a state of nature supplies the place of laws, morals and virtues.

Jean-Jacques Rousseau (1754/1973: 68)

Long ago, biblical prophets proclaimed the equality of humans before God. But in their time and ever after, inequalities have characterized human societies. In the biblical era, claims to rights depended on hierarchies within and among families as well as rankings of power and privilege among ruling and subordinate groups. As the overlapping connection between rights and privileges suggests, the unequal distribution of rights was integral to the structure of ancient, medieval, and early modern politics in the West. The idea that here on earth human beings should actually possess rights equally – not as fathers, not as heirs, not even as citizens – is recent. To suppose that all humans may claim "their" rights as equals, and that state and society are bound to recognize and defend human rights, is a radical departure from most of history.

Enlightenment human rights ideology came into its own in the eighteenth-century Atlantic world when the United States' "Declaration of Independence" (1776) and the French "Declaration of the Rights of Man and of the Citizen" (1789) proclaimed as fact the universality of inherent, inalienable, natural rights (Hunt 2007). For revolutionaries, these assertions were inspiring, though defenders of monarchy responded

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[19] Susan Sontag (1993: 9) sees Virginia Woolf's abhorrence of war as a way of avoiding a political engagement with Spanish history, and states baldly, "It is to dismiss politics."

furiously to their challenge to traditional, prescribed, and inherited
"rights and liberties." Even nineteenth-century reformers like the utilitarian
Jeremy Bentham ridiculed "the Rights of Man" as "simple nonsense . . .
rhetorical nonsense, nonsense upon stilts."[20] And since the eighteenth-
century era of revolutions, although there have been other proclamations of
human rights, culminating in the United Nations' "Universal Declaration
of Human Rights" (1948), such claims have been contested. Rights have
been defended more often and more successfully based on nationality or
group membership – as rights belonging to citizens or members of ethnic
and religious groups – not as the inalienable possession of each person as
an individual human being.

Practical arguments support this older national- and group-based view
of rights because, as individuals, people are seldom capable of defending
their rights outside the framework of standing law. "How many legions has
the Pope?" tyrants have asked dismissively, and world history has rein-
forced the presumption that it is meaningless to assert rights without the
threat of force to back up those rights.[21] Yet there have been moments and
movements in times past when the rights of individuals have won recog-
nition even without their own state to defend them. The abolition of the
slave trade by Britain in 1807, and the permanent abolition of slavery in the
British (1833), Swedish (1843), Danish (1847), French (1848), and Dutch
(1863) colonies demonstrates that, under certain conditions, the recogni-
tion of a human right to personal liberty could be won by enslaved persons
who had no "legions" and who were nominally powerless.[22] Moreover, the
abolition movement in the British Empire, in Europe, and in some measure
in the United States, reveals that men and women, even children, whose
own rights were assured by their governments could mobilize effectively to
assert what they took to be universal human rights. In the case of slaves and
abolition, reformers succeeded in arousing sympathy and in awakening
moral qualms so powerfully as to mobilize political action which, though
certainly colored by self-interest, actually won rights for people who were
"other" in the fullest sense.

Arousing sympathy and awakening moral qualms, and connecting them
to real and imagined self-interest, appears to be the proven method for the
realization of human rights. This process has brought "legions" to enlist on
behalf of powerless ethnic and religious groups, and for children and

[20] As quoted in Hunt (2007: 125).
[21] Attributed to Napoleon and to Josef Stalin.
[22] See D. B. Davis (2006), P. Kolchin (1987), and J. P. Rodriguez, ed. (2007).