

## *Introduction: International Paternalism: Framing the Debate*

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We live in a world in which the international community vigorously protects and promotes the quality of human life. Within twenty-four hours of a natural disaster, emergency relief organizations deploy armies of aid workers to provide medical care to the survivors. The International Committee for the Red Cross visits prisoners of war and political prisoners to ensure that their basic rights, as listed in the Geneva Conventions, are honored. The international community now has a “responsibility to protect” populations who are victims of genocide, war crimes, and crimes against humanity. Peacebuilders in post-conflict countries aspire to help societies remove the root causes of conflict and to create the conditions for a full, just, and lasting peace. Organizations, such as the United Nations Commission for Refugees and Refugees International, provide direct assistance to refugees and other displaced peoples. Thousands of rights-based organizations, including Fédération Internationale des Ligues des Droits de l’Homme and Amnesty International, struggle to protect children, women, gays, and other vulnerable populations. Labor and rights-oriented monitoring agencies organize to improve the conditions of workers. Often operating in the shadow of major global initiatives, such as the Millennium Development Goals, development organizations provide all manner of aid, including job training, micro-financing, and technical assistance. The World Health Organization, the Gates Foundation, and other global health organizations cover all dimensions of physical and mental health, from reproductive health, to trauma counseling, to the containment and eradication of disease. Educators in the West collect textbooks for internationally funded schools in sub-Saharan Africa. Health and human rights organizations monitor and report on organ trafficking, including trying to stop the world’s rich from treating the world’s poor as a supermarket for body parts. Everywhere we look the international community is committed to the protection of people from unfavorable conditions, from others, and from themselves.

These practices of care are inspired by, and are the realization of, a growing sense of humanity. Historically speaking, it was not too long ago that compassion was largely circumscribed by boundaries of family, residence, and religion. Certainly there were real material limitations placed on the lengths that individuals and communities could go to help distant strangers. Until there were advances in communication technologies, it was impossible to know about the hardships experienced by others in faraway lands when it was happening. Until there were advances in transportation technologies, it was nearly impossible to do something about it. Yet the limits also were set by the moral imagination – whether individuals and communities felt a sense of obligation to these suffering strangers. Connections are not just physical; they also are emotional. And it was only when those experiencing hardship were near and dear to them that communities became sufficiently moved to act.

Beginning in the late eighteenth century, both material technologies and moral imaginations began to expand, propelled by independent forces but combining to create what Didier Fassin calls a “humanitarian reason,” the belief that we can and should do something when others are in danger, in need, and experiencing deprivation.<sup>1</sup> By the nineteenth century, the notion that all humans were of equal worth and concern became increasingly voiced, reflecting and feeding into a new discourse of humanity. It became a mark of our humanity that we cared about distant strangers, and a mark of our own inhumanity if we did not. Not only humans were expected to demonstrate humanity, so too was the “international community.” How the world treated the most marginalized and vulnerable populations now became a sign of its moral progress, or lack thereof. By the beginning of the twentieth

<sup>1</sup> Didier Fassin, *Humanitarian Reason: A Moral History of the Present* (Berkeley: University of California Press, 2012); Thomas Haskell, “Capitalism and the Origins of the Humanitarian Sensibility, Part 1,” *American Historical Review* 90 (1985): 339–61; Steven Pinker, *The Better Angels of Our Nature: Why Violence has Declined* (New York: Penguin Books, 2012); Lynn Hunt, *Inventing Human Rights* (New York: Norton, 2008); Michael N. Barnett, *Empire of Humanity* (Ithaca: Cornell University Press, 2011); Andrew Linklater, *The Problem of Harm in International Relations* (New York: Cambridge University Press, 2011); Thomas Laqueur, “Mourning, Pity, and the Work of Narrative in the Making of ‘Humanity’,” in *Humanitarianism and Suffering: The Mobilization of Empathy*, eds. R.A. Wilson and R. Brown (New York: Cambridge University Press, 2009), 31–57.

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century, this widening of the moral imagination became institutionalized in a growing global architecture of care, as the world began to first add categories of people that deserved special protection – such as fallen and captured soldiers, refugees, children, women, religious minorities – and second, tackle the causes of suffering – such as war, poverty, and disease. These practices and sentiments have accumulated into a “humanitarian government ... [T]he administration of human collectivities in the name of a higher moral principle that sees the preservation of life and the alleviation of suffering as the highest value of action.”<sup>2</sup> In the present moment in much of the world, the state’s welfare net for its citizens is being moth-eaten, but the international community still maintains an aspiration to create and distribute all kinds of nets.

This realm of care is venerated in part because it represents a sacred space for ethics in a world that is overwhelmed by the profanity of interests and power. And thanks to the tireless struggles by moral entrepreneurs, transnational activists, and all types and stripes of crusaders, ethics has won enough battles with state power over the decades to create a greater expanse for humanitarian governance. Humanitarian governance, in short, provides something of a sanctuary and staging ground for ethics. Consequently, it has a reputation of being a “power free” zone. Yet no form of governance is without power, and this includes humanitarian governance. And this form of power goes beyond the “power to” use ethics in the service of humanity. It also includes “power over” – power over the very individuals, societies, and states that are the objects of concern.

The examples of global care in the opening paragraph neglected the existence of power, but power is often a major, but hidden, part of the story. If peacebuilders want to help states move from war to peace, then they usually must be prepared to take matters into their own hands and to act according to their own instincts; to listen to the “wishes” of the (most powerful segments of) society would simply reproduce the status quo and its war-inducing properties. From the perspective of the local populations, their presence can become

<sup>2</sup> Didier Fassin, “Humanitarianism: a Nongovernmental Government,” in *Nongovernmental Politics*, ed. Michael Feher (New York: Zone Books, 2007), 151. Also see Michael Agier, *Managing the Undesirables: Refugee Camps and Humanitarian Government* (Maden, MA: Polity Press, 2012).

oppressive. In nearly every post-conflict operation the local population is heard to wonder when they are going to be liberated from the rule of the NGOs. Refugee organizations do not just try to take care of the needs of refugees, they also often decide for them what those needs are and what solutions would be in the refugees' interests.<sup>3</sup> It is not just refugee organizations that deliver first and ask questions later, if ever – the same can be written about the entire humanitarian sector.<sup>4</sup> Human rights activists often descend on countries to try and fight for those rights that they believe are most pressing; yet, quite often, these are not the rights that local populations feel would potentially make the greatest impact on their lives. Voting rights are desirable, but from the perspective of many local groups, they pale in comparison to land tenure rights. International development experts are widely purported to be dismissive of local knowledge.<sup>5</sup> Western-based health organizations frequently run mandatory immunization programs and drugs trials in the Third World that violate the rights possessed by patients in the West.<sup>6</sup> The world of care might present itself as an antidote to the world of power and interest, but it is not as innocent as it pretends to be.

There is a concept that captures this mixture of care and control that runs throughout much of humanitarian governance – paternalism. Precisely what counts as paternalism is a matter of debate, both in this volume and in the broader academic and policy community. The continuing existence of this intense debate, though, speaks to the significance of the issue at hand: how is power intertwined with practices of compassion? Those of us who study humanitarian governance have been keenly aware that even the most basic “gift” and heart-felt

<sup>3</sup> Barbara Harrell-Bond, *Imposing Aid: Emergency Assistance to Refugees* (New York: Oxford University Press, 1986).

<sup>4</sup> Richard Garfield *et al.*, “Common Needs Assessments and Humanitarian Action,” Network Paper no. 69 (Overseas Development Initiative: Humanitarian Practice Network, 2011), [www.odihpn.org/documents/networkpaper069.pdf](http://www.odihpn.org/documents/networkpaper069.pdf) (accessed July 23, 2014).

<sup>5</sup> See David Mosse, *Adventures in Aidland: The Anthropology of Professionals in International Development* (New York: Berghahn Books, 2013); William Easterly, *The White Man's Burden: Why the West's Efforts to Aid the Rest Have Done So Much Ill and So Little Good* (New York: Penguin Books, 2007); and William Easterly, *The Tyranny of Experts: Economists, Dictators, and the Forgotten Rights of the Poor* (New York: Basic Books, 2013).

<sup>6</sup> Jessica Ho, “The Quest for an HIV Vaccine,” [www.vaccineethics.org/issue\\_briefs/HIV\\_clinical\\_trials.php](http://www.vaccineethics.org/issue_briefs/HIV_clinical_trials.php).

expression of care can also be entangled with forms of domination. Certainly not all acts of humanitarianism are laden with paternalism; there are plenty of instances in which forms of assistance are given freely, with no expectations, and no reciprocal obligations. But a fair amount is. Different contributors pick up the trail in different places. For some, paternalism can be an attitude of arrogance and high-mindedness, best detected by the recipients whose dignity has been injured. For others, paternalism exists when outsiders presume that they know what is best for others. And others want to reserve paternalism for when some form of coercion is used to impose one's views on another on the grounds that it is in her best interests. Paternalism, just like care and power, comes in many different forms.

This volume explores paternalism beyond borders, the mixture of emancipation and domination that inhabit everyday practices of humanitarian governance. We have several goals. The most fundamental is to convince readers that paternalism is alive and well in global affairs and that the concept can illuminate critical and enduring features of global order. Because of its toxicity, there are few sober analyses of paternalism in global affairs and, more often than not, it is hurled as an accusation and allegation.<sup>7</sup> Accordingly, a first step toward resurrecting the analytical utility of the concept is to distinguish between paternalism's diagnostic and normative dimensions. This exercise, we hope to show, delivers conceptual, historical, and ethical payoffs.

Second, because paternalism is a composite of care and control, it forces a consideration of how power is implicated in relations of care.<sup>8</sup> It is impossible to understand fully the power that exists in relations of

<sup>7</sup> For three important and recent exceptions, see David Long, "Paternalism and the Internationalization of Imperialism: J.A. Hobson on the International Government of the 'Lower Races,'" in *Imperialism and Internationalism in the Discipline of International Relations*, eds. David Long and Brian Schmidt (Albany: SUNY Press, 2005), 71–93; John Hobson, *The Eurocentric Conception of World Politics: Western International Theory, 1760–2010* (New York: Cambridge University Press, 2012); and Thomas McCarthy, *Race, Empire, and the Idea of Human Development* (New York: Cambridge University Press, 2009).

<sup>8</sup> For statements on an ethics of care as it relates to global relations, see Fiona Robinson, *Globalizing Care: Ethics, Feminist Theory, And International Relations* (Boulder: Westview Press, 1999); Fiona Robinson, *The Ethics of Care: A Feminist Approach to Human Security* (Philadelphia: Temple University Press, 2011); Joan Tronto, "Care as a Basis for Radical Political Judgments," *Hypatia* 10, 2 (1995): 141–9; Virginia Held, *The Ethics of Care: Personal, Political and Global* (New York: Oxford University Press, 2005).

care without a consideration of power in all its dimensions. At times paternalism occurs from direct imposition and coercion. Nineteenth-century civilizing missions routinely threatened, and often deployed, violence to force native populations to abandon those cultural practices the colonizers and missionaries found to be sinful and detrimental to the moral development of the local population. At times paternalism works through institutional arrangements. For instance, UNHCR has manipulated food rations to encourage refugees to leave their camps and return home to situations of continuing danger on the grounds that their return will only become more dangerous over time. There are more hidden forms of power, as well. Global discourses of gender, race, and primitive/modern, uncivilized/civilized, and backward/advanced often produce self-identified “rational” actors who believe that they have a responsibility for the welfare of actors who are unable to act in their own best interests. Scholars influenced by the critical thought of Michel Foucault often twin his concepts of governmentality and pastoral power to consider how those with moral, legal, and political authority enact new rationalities and mechanisms of self-control that dispose the multitudes to develop the responsibility to exercise their freedom on their own.<sup>9</sup> Like power, paternalism is perhaps at its most potent when it is least visible.

Third, this conceptual work points to paternalism’s historical dimensions. It is widely accepted that paternalism was a defining characteristic of the age of empire and colonialism, yet paternalism did not begin or end with Western imperialism. Indeed, because practices of care are widely understood to have expanded over the last century, and because practices of care are often accompanied by forms of power, paternalism might be as healthy as ever – even if it has a “light footprint.” If paternalism’s practices changed with the times, then the obvious follow-on question is: why and how? Because of the spread of values such as liberty, consent, equality, and self-determination? Because

<sup>9</sup> Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977–1978* (New York: Palgrave, 2007), 127–9; Michael Merlingen, “Governmentality: Towards a Foucauldian Framework for the Study of IGOs,” *Cooperation and Conflict* 38, 4 (2003): 361–84; Ole Jacob Sending and Iver Neumann, “Governance to Governmentality: Analyzing NGOs, States, and Power,” *International Studies Quarterly* 50, 3 (2006): 651–72; Stephen Campbell, “Construing Top-Down as Bottom-Up: The Governmental Co-optation of Peacebuilding ‘From Below’,” *Explorations in Anthropology* 11, 1 (2011): 39–56.

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it is no longer politically correct to assume that others are inferior and incapable of making their own decisions? Because it is less acceptable to use force? Because of a change in the nature of the “international community” and its felt obligations to distant strangers? Because of a change in what paternalism is supposed to accomplish? Because of the growing presence of experts and technocratic action? The process of looking for historical variation requires a consideration of the difference between a change in paternalism and a change of paternalism.

In the conclusion I will suggest that we are now living in an era of “paternalism lite” that owes, first and foremost, to the institutionalization of the liberal international order. Values such as autonomy, liberty, choice, consent, and freedom have obtained a hegemonic acceptance, and while these values are not owned and operated by liberalism, they are closely identified with it. These values not only provide a normative benchmark to judge the legitimacy and desirability of global practices, but they have become embedded in the very institutions of global governance. The age of empires was proceeded by the globalization of sovereignty, self-determination, and the principle of non-interference. The modern history of human rights can be read as a modern history of revolts against paternalism. As William Talbott emphatically states:

[T]he entire history of human rights is a history of rebellion against paternalistic rationales for oppression; the belief that that [*sic*] the commoners needed a monarch to look after their interests; that colonials needed colonialists to look after that their interests; that slaves needed a master to look after their interests; that women needed a father and then a husband to look after their interests; that people with disabilities needed custodians rather than the removal of the barriers that prevent them from living independently.<sup>10</sup>

The liberal international order, so it seems, is also an anti-paternalist order.

Yet alongside the call for self-restraint and respect of another’s choices, the contemporary liberal order exhibits impulses of interference.<sup>11</sup> Many (but by no means all) of the great campaigns of human

<sup>10</sup> William Talbott, *Human Rights and Human Well-Being* (Oxford: Oxford University Press, 2010), 308–9.

<sup>11</sup> George Sorenson, *A Liberal World Order in Crisis* (Ithaca: Cornell University Press, 2011); James L. Richardson, *Contending Liberalisms in World Politics: Ideology and Power* (Boulder: Lynne Rienner, 2001); Martin Hall and



emancipation over the last century have been conducted to the themes of liberalism. Beginning with the political thought of John Stuart Mill, liberals who otherwise railed against paternalism found room to maneuver if the goal was to help the backward peoples achieve a level of maturity that would allow them to deserve liberty and practice it responsibly. Although such thinking is rumored to have died with colonialism, strikingly similar sentiments exist in contemporary projects to promote human security and to give individuals the capabilities that they need for human flourishing. Human rights might have a strong streak of anti-paternalism, but it also has its paternalist inclinations; as captured by several of the contributions, it exhibits a willingness to limit the choices of others if those choices are seen as ill-informed, as the consequence of cultural oppression, or as an obstacle to human development. Such impulses to intervene to better humanity, a hallmark of the “international community,” have grown in intensity and scale in recent decades. In general, this liberal world order, defined by impulses of restraint and interference, has constituted a modern structure of global governance that is driven by the contradictory impulses to “live and let live” and to nurture moral progress.<sup>12</sup>

Fourth, paternalism is something of a “fun-house” mirror for reflecting on the history of global ethics. It reveals the practices of control in relations of care. It reminds us that all good things do not necessarily go together and that any sort of interventions for the good of others pits deeply held values against one another. Discussions of paternalism almost always refer to first-order values such as autonomy, power, freedom, dignity, consent, liberty, obligation, and interference. Paternalism seems to violate another’s autonomy and dignity. But what do we mean by these terms? What is the practical meaning of liberty? Are there areas in which liberty can be justifiably suspended? Are we concerned with all areas of life, including the most trivial? Paternalism frequently implies that some action is taken without the consent of the

John M. Hobson, “Liberal International Theory: Eurocentric but not Always Imperialist?,” *International Theory* 2, 2 (2010): 210–45.

<sup>12</sup> Although most of the chapters operate with the backdrop of global liberalism, paternalism exists in many other political ideologies. Marxism has its paternalism. How else to interpret the dictatorship of the proletariat? Chinese Marxism and the Great Leap Forward contained a deadly paternalism. Most cultural and religious systems have paternalistic practices. Universalizing ideologies and modernist thought also have strong hues of paternalism.



person who is affected by it. What counts as consent, and can consent ever be overridden? Are values such as autonomy, liberty, and dignity so sacrosanct that they should be allowed to trump the possible positive welfare effects that result from unwarranted interference? How much are these values worth? Fights over paternalism and its justification are, indeed, fights over fundamental values and commitments.

When, if ever, can paternalism be justified? This question makes many deeply uncomfortable, especially those whose vocation and avocation is dedicated to improving the lives of the world's most vulnerable populations. For many, paternalism is a sin, pure and simple, because it violates another person's autonomy and/or insults her dignity. Yet much of humanitarian and global governance is replete with practices of control that many practitioners and scholars are prepared to defend. There are rights-based organizations that want to ban, or strictly regulate, the ability of individuals in the Third World to sell their organs to the highest bidder in the West. There are international women's organizations that want to outlaw crossing a border to engage in sex work. There are campaigns to ban the practice of female genital cutting, even for women over the age of eighteen who have given consent. In these examples, human rights organizations are often implicitly and explicitly claiming that individuals need to be protected not only from others but also from themselves. There are cases where communities that have survived a natural disaster request immediate assistance to bury their dead, but aid agencies believe that shelter and clean water should get priority in order to keep fewer people from having to be buried. These and comparable practices are justified according to a consequentialist logic – assaulted principles or bruised feelings are more than compensated by the improvement of the target's welfare. Autonomy is a wonderful thing, but autonomy that leads to deprivation or death seems wildly overrated.

This debate about when paternalism can be justified implicates liberal and critical theory in surprisingly similar ways. Both are concerned with the ability of actors to control the conditions of their existence and shape their futures as they see fit. Liberalism has a long history of fighting with paternalism. For die-hard anti-paternalists, the only justification for interfering in another person's rightful space is harm to self or others. As Mill famously declared in his defense of liberty, "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent

harm to others.”<sup>13</sup> In the same way that Mill was worried that moral busybodies might undermine individual liberty, critical theory has a long history of concern that self-anointed projects designed for human improvement might nevertheless be a stealth mechanism of control. Karl Marx famously condemned the philanthropists and humanitarians that had delusions of doing good when in fact they were only helping to maintain the system of exploitation; this line of thought has influenced students of the welfare state and humanitarianism. For both liberal and critical theorists, practices of care can be sources of domination.

Yet liberal and critical theorists appear to defend paternalism, in practice if not in name, under certain circumstances. For many liberal political theorists, there are probably times when the state (and others) can, and should, restrict another person’s liberty for his own good. For theorists of international liberalism, these normative concerns have fueled heated debates about the principle of non-interference and the conditions under which state sovereignty can be trampled or disregarded. Critical theory also welcomes interference for human emancipation. Marxists have justified the establishment of one kind of vanguard or another on the grounds that it was necessary to remove the chains of bondage that oppress people in body and spirit. Various empowerment movements are designed to rid people of their artificial identities and to allow them to embrace their “objective” interests. However, precisely when and how critical theorists are prepared to defend a top-down emancipation is a conversation that they are reluctant to hold.<sup>14</sup> There is an interesting dialogue to be had between liberal and critical theory on the justifications for paternalism.

Paternalism is no trivial matter – not conceptually, theoretically, historically, or ethically. The goal of this volume is to use the concept to catalyze a conversation regarding the intersection of care and control in world affairs. The contributors to this volume are well positioned to do so for three reasons. First, each has wrestled with the fundamental question of the entanglement of control and care in humanitarian governance in their scholarship. Second, they bring to the discussion an interdisciplinary perspective – representing and crossing

<sup>13</sup> John Stuart Mill, *On Liberty* (Oxford: Oxford University Press, 1859), 21–2.

<sup>14</sup> However, see James Ferguson, *Give a Man to Fish: Reflections on the New Politics of Distribution* (Durham, NC: Duke University Press, 2015).