When the Music Stops: Humanitarianism in a Post-Liberal World Order

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Abstract

The modern global humanitarian system takes the form it does because it is underpinned by liberal world order. Now the viability of global liberal institutions is increasingly in doubt, a backlash against humanitarianism (and human rights) has gained momentum. I will argue that without liberal world order, global humanitarianism as we currently understand it is impossible, confronting humanitarians with an existential choice: how might they function in a world which doesn't have liberal institutions at its core? The version of global humanitarianism with which we are familiar might not survive this transition, but maybe other forms of humanitarian action will emerge. What comes next might not meet the hopes of today's humanitarians, however. The humanitarian alliance with liberalism is no accident, and if the world is less liberal, its version of humanitarian action is likely to be less liberal too. Nevertheless, humanitarianism will fare better than its humanist twin, human rights, in this new world.

Keywords: humanitarianism, human rights, liberal world order, post-liberalism, rise of China

The modern global humanitarian system takes the form it does because it is underpinned by liberal world order, the post-1945 successor to the imperial world of the nineteenth and early twentieth centuries and the global political and economic system the European empires created. Humanitarian space, as we have come to know it in the late twentieth century, is liberal space, even if many of those engaged in humanitarian action would rather not see themselves as liberals. To the extent that there is something constitutively liberal about a majority of humanitarian practitioners, we can define it as a commitment to three things: the equal moral worth of all human lives (i.e. non-discrimination on principle), the moral priority of the claims of individuals over the authority claims of any collective entity – from nations to churches to classes to families – and a belief that as a *moral* commitment (one that transcends any sociological or political boundary) there is a just and legitimate reason to intervene in any and all circumstances where human beings suffer (even if practicality prevents it). This is the same foundational commitment that animates human rights work. The humanist core to both of these forms of social practice is a similar kind of belief in the ultimate priority of moral claims made by human beings *as human beings* rather than as possessors of any markers of identity or citizenship.

What differences exist between humanitarianism and human rights are largely sociological – the contextual specifics of the evolution of two different forms of social activism. I have argued elsewhere, for example, that the ICRC is really the first human rights organisation (Hopgood, 2013: chap. 2). We can point to different emphases – the law versus medicine, justice and accountability versus crisis and need – but common to both these strategies for normative action is a commitment to the physical and mental integrity, the existential moral dignity, of all human beings whoever they are and whatever they have done. This is distinctively modern, and liberal, and still something of a heresy in many Western societies let alone beyond. It is only if one shares this worldview – where the suffering of strangers is a matter of concern, and a legitimate ground for principled intervention, for everyone – that humanitarianism and human rights enjoy full legitimacy. They are both morally grounded by the same ends, ends that have thrived under US-led liberal order for four decades (reaching their zenith from 1991 to 2011).

During this time, both humanitarianism and human rights have provided a seemingly non-political (or perhaps 'political' not 'Political') outlet for religious and secular activists, many from the left disillusioned

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with the truncated horizons of the New Left and resigned to the triumph, for a generation or two, of welfare capitalism (Meiksins Wood, 1995). Before this, global humanitarianism had been a largely religious exercise, an extension of Christian ministry (Barnett, 2011), while human rights barely registered on the world stage (Moyn, 2010). From the 1970s on, the humanist international became a place where disillusioned rebels could continue to work, albeit in a new idiom, for those who suffered. They ceased working to any great extent on their own societies, especially as reformists of the centre left and right (Clinton, Blair) came to dominate the party-political scene after Thatcher and Reagan embedded the neoliberal revolution of the 1980s. After the Cold War, in other words, the liberal world order was a fact of life. In Margaret Thatcher's immortal words, 'there is no alternative'.

The consequences of this focus on private enterprise, mobile money, weakened unions, reduced state welfare and regulation and lower taxes are all too visible today in areas like wealth inequality and looming environmental disasters. Domestically, the liberal social contract is coming apart in many Western states as the coalition of those who have not benefited from the decades of wealth accumulation after 1979 turns to populist politicians and looks for scapegoats, with experts, immigrants and Muslims seen as prime targets. The commitment to liberal institutions that create limits to the scope of political competition – rights, the rule of law, freedom of the press – and to the basic level of respect due to all persons, be they citizens or refugees, is eroding. Both the right and the left have come to see in these liberal mechanisms barriers to the realisation of their most desired preferences (more aggressive chauvinism, more effective redistribution). Politics at the national level in the West has been shocked back into life after decades of malaise. The insistent questions are no longer technocratic but substantive, with attitudes to 'the other' a pivotal part of these conversations globally. In 2018, Freedom House recorded its twelfth consecutive year of decline in freedom worldwide, with 71 countries registering a reduction in political rights and civil liberties (Freedom House, 2018).

All of which puts the viability of global liberal institutions increasingly in doubt. This idea of a protected place where, regardless of one's identity (ethnicity, nationality, religion, gender, sexuality, but also whether or not one is a dissident), one's basic rights are secure is constitutively liberal. As fewer and fewer governments, and more and more people, view the existence of such a sanctuary within society as fanciful, illegitimate and even hostile to wider norms and interests, attacks on civilians, IDPs and refugees and aid workers have grown. Fears of scarcity, feelings of injustice, lack of recognition and enervating insecurity have all taken their toll.

The room for humanism has reduced as a result. We can see this in the backlash against human rights and the erosion of humanitarian space. Indeed, in what follows, I will suggest that without liberal world order, global humanitarianism as we currently understand it is impossible. Governments of rising powers, increasingly important in a world whose rules they did not write, allege that human rights and humanitarianism represent the soft-power version of Western modernity, another vector for the transmission of liberal-capitalist values and interests that threatens their hold on national power and resources. China, with its muscular conception of sovereignty and its no-questions-asked relationship with other authoritarian states, leads the way. These non-Western states can hardly be blamed for their scepticism given the degree to which humanitarians often attend crises that the major Western powers have been complicit in creating (think Vietnam, Congo, Cambodia, Iraq, Syria, to name just a few).

All of which confronts humanitarians with an existential choice. How might they function in a world which doesn't have liberal institutions at its core? Human rights activists struggle given they rely on broad international agreement – treaties, customary law, courts, Western foreign-policy support – to do their work. Is humanitarianism any different? The version of global humanitarianism with which we are familiar might not survive this transition, but maybe other forms of humanitarian action will emerge, or thrive where they already exist, especially once the canopy is opened up because the ecosystem's tallest trees have been felled. Of course, what comes next might not meet the hopes of today's humanitarians, especially because the degree to which it can be truly a *global* humanitarian system must be doubted if no international consensus can be forged to support it. The humanitarian alliance with liberalism is no accident, and if the world is less liberal, its version of humanitarian action is likely to be less liberal too.

Modern Humanism and Liberal World Order

Could anyone working in good faith in the field of global humanitarianism today argue that only some lives *should* be saved, and only some suffering curtailed, because one class of persons is more important than another? It was possible to make this claim openly once, when one's fellow nationals and co-religionists were the target of 'humanitarian' actions, but it hasn't been permissible to make it legitimately in the global humanitarian system for at least eighty years.

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Consider, for example, the canonical statement of modern humanitarianism, the seven fundamental principles of the International Red Cross and Red Crescent Movement: humanity, impartiality, neutrality, independence, voluntary service, unity and universality. Under 'humanity', the Red Cross talks of 'assistance without discrimination' and of its purpose as being 'to protect life and health and to ensure respect for the human being'. The 'impartiality' requirement says: 'It [the Red Cross] makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress' (ICRC, 2016). Other humanitarian codes of conduct contain similar principles. Discrimination in humanitarianism is restricted to triage – where the most effective intervention can be made on the basis solely of need.

Humanitarians might, of course, be less than assiduously moral in treating those whose lives they are supposed to be saving, as we have seen with recent #MeToo scandals (BBC, 2018a). Also, their commitment to aid might be superficial and based around a narrow idea of life as basic subsistence, for example, rather than of the quality of the lives of those they have saved. But few modern humanitarians are likely to make a moral claim that they will save only the lives of those who look or think like them, a common occurrence in the nineteenth century. All beneficiaries have prima facie equal value.

But humanitarians' reliance on liberal world order goes much deeper than this core liberal principle about the equal worth of all human lives. Liberal space is constitutive of the international political system as a whole. Consider the second Red Cross principle, 'neutrality': 'In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature' (ICRC, 2016). This *liberal* space exists above and beyond *political* space, a space where, regardless of one's identity, nationality, ethnicity, religion, gender, sexuality or citizenship, one retains a set of private rights and personal freedoms that no collective authority can interfere with legitimately. In Judith Shklar's words, liberalism's dominant aim is 'to secure the political conditions that are necessary for the exercise of personal freedom' (Shklar, 1989: 21). Or as Michael Sandel argues, 'whether egalitarian or libertarian, rights-based liberalism begins with the claim that we are separate, individual persons, each with our own aims, interests, and conceptions of the good, and seeks a framework of rights that will enable us to realize our capacity as free moral agents, consistent with a similar liberty for others' (Sandel, 1984: 4). What this means in

relation to the liberal state is clear. As John Gray puts it: 'The *sine qua non* of the liberal state in all its varieties is that governmental power and authority be limited by a system of constitutional rules and practices in which individual liberty and the equality of persons under the rule of law are respected' (Gray, 1986: 75).[1]

In the realm of world politics, we know that these principles are mainly honoured in the breach. Most vulnerable is the idea that liberal space is somehow apolitical. To take an obvious example, no self-respecting liberal state could pass a law that required its citizens to practise the same religion or to curb their freedom to dissent against the government. Private freedoms are beyond the reach of public policy (with obvious complexities, e.g. around hate speech and blasphemy). The problem here is simply put. In the words of Brian Barry (1990: 8):

> If the principle of neutrality were itself neutral between different belief systems and conceptions of the good, we would be home and dry. But that is not so. The principle of neutrality does indeed put them all on the same footing, but to accept that this is how things ought to be organized it is necessary to have an outlook that is, in broad terms, liberal.

In effect: 'What I have suggested is that there is no way in which non-liberals can be sold the principle of neutrality without first injecting a large dose of liberalism into their outlook' (Barry, 1990: 11). When faced with Trump, Xi Jinping, Orban, Erdogan, Putin, Assad, Duterte, non-liberals all, how can the argument for neutrality be successful? They see opponents not as legitimate competitors protected by a set of institutional rules that limit the scope of conflict but as threats to be eliminated. Chantal Mouffe differentiates 'the political' from 'politics': the political is the sphere of existential conflict over the nature of the state where the most basic institutions of the system itself are fought over (Mouffe, 2005: chap. 2). This is the realm of Carl Schmitt, where opposition must be eradicated not just defeated. Once the structure of 'the political' is settled, through blood and iron, everyday politics can take place safe in the knowledge that it cannot change the fundamental political structures that underwrite it.

The principle of neutrality targets 'the political' sphere. It aims to set a concrete limit on what states can legitimately do to their own citizens, most importantly in terms of ending their lives and destroying their potential to challenge state power. Neutrality asserts that killing one's opponents in this way, simply because they oppose you, is forbidden and, crucially, that all those playing the game are supposed to agree it is forbidden. Not killing your opponents is one of the rules. However much this has been ignored in practice, by almost all

states at one time or another, the fact remains that for liberal world order this has been a foundational rule. Without a consensus on respect *in principle* for each individual human life and for that person's own interests and projects, the appeals of humanitarians become mere arguments, opinions, preferences, not obligations anchored in fundamental and shared moral rules.

Those who challenge legitimate authority can now be painted as anti-social elements who fragment society and threaten political stability, who undermine moral probity and who are a danger to the community, which has an overwhelming collective interest in stopping them. And they can be stopped even with the use of lethal violence (Presidents Assad in Syria and Duterte in the Philippines being extreme examples). It is not humanitarians who created this 'neutral' space but liberal-capitalist states. And the scale of private and state violence in our world shows us that it is far from a universally held view that all lives have equal worth (think of the Black Lives Matter campaign, for example, to tackle the widespread killing of African-Americans by the US police). But without this principle, humanitarianism ceases to be a demand for rights, justice and the observance of the law, and becomes an appeal to pity, charity, mercy and sentiment. We are teetering on the edge of this precipice now.

Lest this argument looks like a paean to liberalism, liberalism itself has, of course, as much of a dark side as other ideologies (as does humanitarianism: see Kennedy, 2005). It is just that liberalism's dark side bars in principle (again, not necessarily in practice) the deliberate killing and cruel treatment of people except under the most extreme and carefully circumscribed circumstances. To take obvious examples, liberalism could tolerate suffering and death from poverty and it could use science and technology to mould and manipulate human behaviour without the use of brute physical violence. But liberals, true to the logic of their liberalism, baulk at overt and explicit killing and suppression of dissent. In other words, they have a problem with violence and a penchant for achieving their ends by other means (in the main, by using the law). It is characteristic of our era that we have tried to tell a story about human moral progress in the last two hundred years that drives a wedge between norms of legitimate care and norms of legitimate violence, but the reality is the liberal era manifested suffering, cruelty, killing and deprivation on a huge scale alongside extraordinary productivity and progress. This juggernaut of modernity opened up societies, constructed a field for exploration and experiment, delivered copious casualties, human brutality and cruelty and so brought with it, as the accompaniment to liberal-capitalist progress, an array of ministers who would tend to the souls, the bodies and the aspirations of the casualties of

the attempt to create one world in the image of liberal freedom. Resistance was often futile or at least hugely costly (think of Vietnam). Wars were waged for decades to ensure no part of the system could harbour an economic model or an ideological commitment that was antithetical to the liberal capitalist consensus or refuse to open up its resources to the needs of the international market (Robinson, 1996).

Take, for example, Henri Dunant, the patron saint of modern humanitarianism, who was actually at Solferino to beg for Emperor Louis Napoleon's help in saving his colonial investments. We can look at the use by German forces in the 1870 Franco-Prussian war of the Red Cross as a bombing target, or the contrast between The Hague Conventions and the use of poison gas during World War I, or prior to that the creation of a concentration camp system by the British in South Africa. Indeed, we can go back to the famines the British at worst engineered, and at best tolerated, in India, killing millions of people. Or the Germans and the Herero, or the Belgians and the Congo, or the British and Mau Mau, or the French in Algeria. As the Americans joined the fray post World War II (after Nazi Germany's attempt to exterminate the Jews, and after the US dropped two atomic bombs on civilians without warning), we can fast-forward to the use of nerve agents in Vietnam, the mass bombing of civilians in Cambodia, the giving of a green light to the government in East Pakistan to commit genocide in what is now Bangladesh or the political support the US gave to Pinochet and the Khmer Rouge. We can go back to the time when Hitler used US race laws as a model for the Third Reich (Whitman, 2017), or to slavery and genocide against Native Americans, or forward again to the use of mass incarceration by liberals in the US more recently (Murakawa, 2014). We can add torture by the British government in Aden and Northern Ireland and more recently, as we well know, US torture in the 'war on terror'. These are just the examples that come to mind. There are many more.

Yet, having said all of that, it remains a core liberal belief that, broadly speaking, things are moving in the right direction morally. That things are getting better, whatever better might mean. It must be right that in our era, even if we date that back two hundred years, there has been a decline in public and state-sanctioned physical cruelty and in certain forms of killing (Pinker, 2012). Humanitarianism and human rights take the core normative principle of the liberal order – that all human lives are sacrosanct – and use it to ground transnational practices of intervention. It is this existing global rule that is being challenged. The ground gained by so called 'illiberal democracy' is prodigious, not merely in terms of the number of countries where illiberal politics is alive and thriving, many of which are in the West (the US, much

of the EU, the UK) but in terms of the creeping legitimacy that attends right-wing solutions to ongoing social and political problems. This is nowhere truer than in the major new power in the international system, China, where a version of state-controlled capitalism co-exists alongside a principled rejection of liberalism.

The redistribution of power at the international level (from one dominant state since the 1980s, the US, to two now) stems from the rise of China. A kind of bipolarity – a system dominated by two centres of power – has been re-established in global politics. As in other areas – trade, environment, security, public health, transport – the return to bipolarity has had a major impact. The implications of this are simple but profound: *rules and norms that conflict in some way with the preferences of the Chinese government will no longer necessarily be enforceable at the global level*. We know what this looks like because it is how the US has behaved for much of the last eighty to a hundred years. Now we have two major powers, much like we did during the Cold War (which is not to say we are entering another Cold War, the mutual dependence of the US and Chinese economies making that unlikely). As China's influence, its diplomacy, its money and its power flow into all areas of the international political system, so it will be harder and harder to persuade either indifferent or reluctant states that they have no choice in the longer run but to follow the existing norms and rules.

The Coming World

The transformation of global rules and norms creates several possible scenarios. One is a renegotiation between the two dominant powers. A second is the rise of an alternative set of rules to those with which we have been familiar since 1945 – new rules that *reassert* more firmly the primacy of sovereignty against the claims of rights, for example. And another is that there will be a void – an interregnum, a vacuum – where no one really knows whether the rules will be enforced anymore (to the extent that they were ever really enforced). This means states at best have to hedge their bets (trying to retain the goodwill of both China and the US) and at worst can simply flout those rules with impunity.

It is far too early to talk about a renegotiated set of rules, but it is clear that the result of such a new dispensation – the forging of a set of arrangements that both sides can live with and benefit from – will by definition be further from the preferences of the US, a unipolar and even hegemonic power for much of the last three decades and the primary liberal power in the international system. In terms of alternative rules, the 'sovereignty trumps rights' discourse has never been absent. It has been very powerful in the case of the

US itself – see US ambivalence about many human rights treaties and the ICC, for example. But between the end of the Soviet Union in 1991 and the intervention in Libya in 2011, the demands of both rights advocates and those arguing for humanitarian intervention made their biggest impact of the entire post-1945 era. Faced with atrocity, crisis, danger and threat, sovereignty could be challenged, whether through R2P, the demands of the ICC, universal jurisdiction, human rights, the Genocide Convention, crimes against humanity and so on. What made this possible was the lack of a state capable of challenging the US, which was explicitly committed in principle to economic and political liberalism (even as it found ways to exempt itself from the impact of those rules). And even where intervention did not occur, and the US explicitly rejected norms around rights and intervention, the space opened for a small army of humanitarian and human rights organisations to actively involve themselves in crises and complex emergencies worldwide under the sometimes explicit, often implicit protection of Western hegemony.

This all came to an end with the intervention in Libya of 2011. On the face of it, getting China and Russia to abstain from using their veto on the security council must have seemed like a diplomatic coup. But in reality, this was a trigger for greater Chinese assertiveness. The blocking of effective action on Syria at the security council, including preventing a referral of Assad to the ICC, was the result. It is a long time since Kosovo in 1999, the high point of the post-Cold War humanitarian international, when the Western-led coalition broke international law but justified it by retrospectively arguing their actions were 'illegal but legitimate'. Imagine China making the same argument about its treatment of the Uighurs, as many as one million of whom, it is said, now languish in re-education camps (Cumming-Bruce, 2018).

The third possibility, that we face a normative void, is perhaps more worrying, exemplified by the brutality with which Presidents Putin and Assad, along with the Saudi government, have torn up IHL by bombing hospitals in Syria and Yemen. Indeed, the sense that the US has been far from transparent about why it bombed a hospital in Afghanistan in 2015 has fuelled arguments of hypocrisy that might have mattered less when the US had no challengers but matters a great deal now China's rise has created a space into which a resurgent Russia has stepped. These are structural shifts in the sense that even the most liberal government in the US would find it hard to throw its weight around when China is always available – in South East Asia, in Africa, in Central Asia – to provide financing and diplomatic support with few strings attached (and to threaten forms of retaliation when such inducements fail). The rise of Trump can even be explained as a reaction to a sense of

gathering national decline, hence his campaign slogan: 'Make America Great Again'.

Why does the normative void matter? In the past, many states abided by international law as much for fear of punishment (sanctions, diplomatic isolation, denial of favourable terms of trade) as because of a commitment to the moral vision the law embodied. We can see this is now missing in the case of human rights and, given the liberal core that underlies humanitarian (i.e. neutral) space, in humanitarian action as well. Human rights and humanitarianism lack the logic that enforces most effective international norms, that we will not kill or torture your citizens if you do not kill or torture ours. That is, the principle of reciprocity.[2] A classic example is prisoner protection. If you torture enemy combatants you have captured, your enemy will do the same to your POWs. The same logic goes for using chemical weapons and even nuclear weapons. This is how mutual deterrence works.

This fits fully with the demands of sovereignty. Agreements that work meet the interests of both parties. This depends, of course, on the existence of a reasonable parity of capacity between states. Your enemy will not be afraid of your retaliation if it has nuclear weapons and you do not, as Iran, Israel, North Korea and the US all understand. This need for parity is always an issue, classically captured by the relative stability of mutually assured destruction. But where China, Russia and the US are concerned, it doesn't hold. Without the leverage provided by the US, whether through threats or incentives, China and Russia only need to agree to international rules when they choose to. Who could compel them to do otherwise (unless one of them aligns with the US)? And so, where cooperation in the coming world at the inter-state level on matters of mutual interest is feasible, China and the US will need to see it as in their mutual interest. To protect its people, investments and products, China will need to deploy power over significant distances, giving rise to costly strategic interests and a case for cooperation (Ikenberry, 2012). But China need never again feel forced to follow rules or norms which it does not support. It now has a choice. What consequence in terms of its international reputation or power would follow from it refusing to support the global humanitarian system, instead, for example, deploying its own forces and resources to assist those in states sympathetic to its foreign-policy goals?

This strikes at the heart of the failure of R2P and the ICC. Humanitarian action and human rights rely on a disparity of power, not on reciprocity, because they ultimately require the capacity to act *against sovereignty* if necessary – that is, against the wishes of the sitting government. The belief after 1991 that the possibility now existed permanently for sovereignty to become conditional on international normative approval lies at the root of much of the hubris of the last two decades (despite the fact that anchoring it all was the US, which refused steadfastly to qualify its sovereignty). Sovereignty is the foundational norm of 'the political' in the international system, and to demand sovereignty is overruled to achieve a normative end is a high-risk and usually doomed activity unless two conditions hold: one, a great power is willing to back the demand materially (usually because it has some interest in the outcome); and, two, no other major power opposes the action because it has a vital interest at stake. To demand intervention, to open up access, to call for trials all presume that there is, somewhere in the system, the capacity for pressure to be exerted in the name of some degree of accountability. Until 2011, this meant what do the Americans think? They could act or block action. Now China (and under Chinese cover, Russia) have this kind of veto power too.

This is obvious in Syria. Assad and Putin have no interest in allowing humanitarians to work, because they are intent on destroying the opposition and consolidating their power. There is no neutrality without prior agreement on some kind of liberal space, however slim – Brian Barry's point earlier. Powerful states and their agencies make trade, aid, investment, security support, diplomatic access, travel and much more besides dependent on whether or not allies and neutrals comply with their foreign-policy interests (Hafner-Burton, 2013). In the case of the West, humanitarian action and human rights demands have been features of these foreign-policy demands. In the case of China, neither has been. And so concerted action in times of crisis will only take place because it threatens Chinese interests, promises China some kind of reputational benefit or is a case to which China is indifferent (like Mali, for instance). And China's allies – from Sudan to Zimbabwe to Egypt to the Philippines to Kazakhstan to North Korea – can rest easier in the knowledge that China will not use human rights norms or humanitarian intervention against them.

We are not talking about the end of humanitarianism. China has shown itself willing to commit money and expert personnel to assist with natural disasters (the Philippines, Nepal), especially when there is a strategic pay-off. An urge to help, and the public diplomacy that goes with it, will see China join other major states in making the right noises and doing the right thing (even if, like most other governments, follow-through is poor). This is particularly the case when it comes to natural disasters. The difficulty comes with politics. Intervening in situations of conflict and atrocity will need to meet a different calculus. We might see this as a positive thing. It might take humanitarians back to their roots: keep

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people alive, leave, and let the fighting continue, the government reassert control, the rebels continue to try to topple the established rulers. A stripped-back solidarity-based humanitarian ethos has been recommended recently by some (DuBois, 2018). We might give war a chance, as Edward Luttwak put it (Luttwak, 1999; we might prefer to say give *politics* a chance). What will be different is the *presumption* that states *should* let international humanitarian and aid agencies into situations of civil war or possible mass atrocity. Presidents Assad and Putin have tested this norm and found they can break it with impunity. Indeed, it seems clear now that both will be key players in any long-term solution to the conflict in Syria. They have, in effect, begun the process of creating a new norm: *you can regain legitimacy if you have major power protection and you win*.

There are other major changes in the issues that affect the international system – industrial and energy pollution and its environmental impact, including the scarcity of resources like water, and the mass displacements that are likely to come with climate change. Then there is rampant inequality and the consequent rise of populism, the revival of this kind of national chauvinism being likely to hamper international cooperation. Allied to this is the revival of various forms of religious and ideological fanaticism across the belief spectrum, creating intolerance, violence and instability. The impact of technology is also not necessarily benign, allowing easy communication, yes, but creating a megaphone for prejudice, propaganda, targeted character attacks and the erosion of trust. But these changes, while important, will not have the same far-reaching consequences as the change in the distribution of power in the system as a whole.

The three options outlined above – renegotiated global norms, sectarian norms and a norm void – are not mutually exclusive, and we might pass through them in phases or move between them in a less linear fashion. These changes are just the beginning of a world of uncertainty and ambiguity, where no one is entirely sure what the rules are (and thus what the punishments might be for breaking them) and where states must proceed by trial and error. Strengthened sovereignty and a weakening of liberal norms will, however, necessitate humanitarians and human rights workers dealing with governments who can say no to them like never before. This risks exacerbating the humanitarian suffering of people caught up in or active in conflicts, and threatens a worsening human rights outlook for those who would challenge state authority (both of which are illustrated by the unending misery of the people of Syria).

But it also raises an important question about the international system as a whole. If liberal order has provided the right environment for humanitarian action focused on individual suffering, presumably the ubiquity and longevity of that action suggests it has also fulfilled some sort of function for the international system in reverse. In the section that follows, I argue that the *social function* of humanitarianism has been as a kind of ideological legitimation of liberalism, both as a symbol of its moral necessity and as cover for its many absences and failures. Ironically, it is here that we begin to see how human rights and humanitarianism diverge as social practices and thus have different futures. In the final section, I'll expand on this, suggesting that major powers will always need some means to legitimate rule and excuse failure at the global level, and that some form of care for the casualties of the wider social order will be necessary. Human rights, by contrast, are incapable of playing this role because they cannot be reconceptualised and constructed on any other basis than liberal order.

Humanitarian Performance

To ask what function a form of social practice performs is not to ask what it means to those who perform it. The meanings of humanitarianism to humanitarians can be multiple, but do any of these answers explain why we currently have a humanitarian system that spans the globe, ministers to millions of people every day, receives billions of dollars in income and is a major player in every crisis? More than this, it is clear that the scale of human suffering remains prodigious and that for as much good as they do, humanitarians frequently do little in terms of a net reduction in suffering and misery (think Haiti, Syria, Somalia, DRC, Myanmar, Sri Lanka, South Sudan). Much suffering – private violence, civil and gang wars, state predation, poverty, insecurity – is untouched by humanitarian intervention of any kind, yet this is everyday reality for billions of people.

One function of the entire humanitarian enterprise might be to obscure root causes and allow those who, en masse, might be able to bring pressure to bear to relieve suffering (mobilised citizens in the West) to think that something is being done so they need not act nor feel guilty. Donations are given instrumentally, to prevent migration, and as the wages of sin, a palliative for guilt and shame. Humanitarian actions might help prevent armies of the dispossessed from flooding the shores of the wealthy by keeping those who suffer 'over there'. Whatever the reasons, the fact that international and local NGOs are heroically working to deal with the consequences of disaster and conflict allows the deeper reasons for inequities of power and money to go unchallenged. It performs the role of alibi, in other words, for the political actors whose foreign-policy choices lie behind many of our major international crises.

For example, for powerful states who had to navigate the end of the Cold War and the renewed process of decolonisation to which it led, the 'complex emergencies' of the 1990s created policy problems with which they have often allowed humanitarians to deal. This created a kind of 'plausible deniability' consistent with neoliberal principles that stress privatisation and the shrinking of public bureaucracy. This provides a convenient answer to the question of what is being done and a simple way to maintain an arms-length relationship between engagement in messy political problems and denial (give money, award projects, do not do it yourself, blame others for failure). UN peacekeeping operations have been used in a similar way, as have international criminal tribunals. All suggest that something is 'being done', but in most cases these processes do little to stem the tide of ordinary human suffering. Think of the treatment of refugees trying to enter Europe today.

A second function of humanitarianism is in reinforcing the sense that order, and non-violence, is the natural equilibrium in international affairs. The breakdown in order, the chaos and the dying and killing that comes through disaster and conflict must be halted as soon as possible, and the path to redemption – to, as far as possible, re-establishing normal service – comes through showing all of those looking on that the catastrophe has been *contained*. It is a kind of quarantine effect, whereby what frightens observers is the idea of uncontrolled, ongoing, unpredictable suffering. Humanitarians arrive to create a moment of 'new normal' where the flow has been stemmed, the hole plugged. The Ebola response is an example of this – the vast cost in life and suffering and the everyday life experiences of West Africans in the communities affected are all but invisible now because the breach was contained. What *normal* does is obscure and disguise the reality of structural violence: that 'normal' society is full of need, suffering, violence (including structural and institutional violence) and the everyday suppression of multiple human freedoms, and that inequality of life risks is an endemic feature of the lives of poorer people. The ongoing private and state violence that takes place every day is rendered invisible through global shows of compassion and caring to combat the most visible examples of breakdown in public order. The World Humanitarian Summit in 2015, long on rhetoric, short on action (and held in Turkey, of all places), was almost a teaching case of this need to show that, despite numerous abject failings, the humanitarian enterprise as a whole was not yet finished. As Stephen O'Brien, under-secretary general for humanitarian affairs at the time, put it:

> The Summit is a once-in-a-generation opportunity to re-inspire and reignite our common humanity;

and to enact an agenda for progress to save lives, prevent and alleviate suffering, protect our fellow women and men, and enable human dignity for all people who are affected by natural disasters and conflicts.

(United Nations, 2015)

None of this is going to happen and we all know it. This sense of the show going on, of the need to 'perform' hope, possibility, redemption, is palpable in these monumental efforts by the 'humanitarian international' to present itself to the world. O'Brien called humanitarian norms 'the last protection against barbarity'.

The performance of hope speaks powerfully to the sacredness that is at the core of the whole humanist enterprise. This is the spiritual heart of the cosmopolitan ethos, the constructivist efforts to give the lie to Huntington's allegation that 'international elites' are 'dead souls' because they lack a nationalist connection and have forgotten 'the mystic chords of memory' (Huntington, 2004).[3] Humans need some sense of spirit, belief, *meaning*, a vision of the future. To do anything at all we must believe it is going to make a difference. Humanitarianism is one response to Max Weber's claim that the iron cage of rationality would rob moderns of their enchantment (Hopgood, 2016). Whatever you do, you cannot suggest that the train has stopped moving or people will lose heart, and faith, and will look around for other things to do with their time and money. Keep on believing it will work if we only try harder, spend more, revolutionise our thinking, learn lessons from past failures. Humanitarianism is the recognition, even in the midst of great suffering, that there is hope, a light in the darkness (Hopgood, 2006). This hope is often fleeting for specific victims of conflict, famine and natural disasters, but it feeds the idea of hope in a bigger sense: that we can do better, become better, forge a world without cruelty and suffering. Through the last century and a half, a global set of government and UN agencies, international NGOs, churches and social activism efforts has combined to create a global humanitarian (what shall we call it: a regime, an industry, a movement?) complex. It has a spark of humanity at its core, the preservation of hope for us all.

Third, humanitarianism also serves as a vector for the deeper norms of liberalism, spreading what Barry called 'the liberal outlook': secular humanitarians are modern missionaries even in their very being, carrying with them modernity in terms of ideas about gender, sexuality, freedom of choice and more. This is entirely consistent with the emphasis on the consuming individual at the core of the modern market-based global economy. For the majority of humanitarians, a set of rights-based freedoms are 'normal'. Along with shelter, food and medicine come ways of living that challenge

long-established social and cultural norms as well as government restrictions on dissent and opposition. Humanitarians are, unwittingly or not, avatars of modernity. This fact lies at the root of scepticism about the 'neutrality' of humanitarian NGOs, agencies and their personnel. They are in essence committed, as I have argued, to the same principles as human rights workers which are viewed by many states and in many societies as anything but neutral.

In these senses, the social function of humanitarianism – not why people do it but why it continues to matter that such a thing as humanitarianism exists – has little to do with any positive impact it might have. It serves other, equally important purposes. Its functionality is to be measured on a different scale than impact on the lives of the needy. But this performance has stopped working as part of the general collapse of liberal world order. The counter-evidence about its failure is too extensive and the ongoing damage to its moral reputation profound. We have stark reality contrasted with idealistic vision. Humanitarians need the hope – how else would they get up and go to work? – but they experience the reality, too. Why has this dissonance not broken humanitarianism apart? For a variety of familiar reasons. One is institutional inertia – there are a lot of organisations and individual careers riding on the continuation of the humanitarian project. A second is professionalisation, the careers people have built as humanitarian professionals, not well-meaning amateurs – careers with status, credentials, salaries and pensions. Third is the endless supply of those who would wish to make a difference, whose sense of what they are getting themselves into is misconceived from the start. Overall, humanitarianism and human rights create a legitimacy for the current global dispensation, a way to respond to difficult questions and feelings about the casualties of world order, a way to feel righteous and hopeful despite the reality, a way to preserve the illusion that we are making progress (Bradol, 2004).

Conclusion: The Future

To act in sovereign spaces, you need access to those spaces. This is true of any hegemonic governance regime. All empires open up spaces for traders, proselytisers, missionaries, settlers, travellers, adventurers, migrants and others to enter political space. The new world order will open some spaces and close others. But this is a question about the overall environment that humanitarians face. It says less about the framework of norms and rules itself. What will happen to IHL or the various humanitarian codes of conduct in this new world? More importantly, how much will humanitarian NGOs invest in supporting the existing rules, especially IHL, and how much in negotiating with major new players a different, and potentially more implementable, set of rules? The IHL question is pivotal. Have Russia, Syria and Saudi Arabia broken the rules or begun to establish new ones – that opponents you identify as an existential threat to your power do not enjoy the protections of humanitarian law? Why will all governments not welcome this enhancement of their room for manoeuvre? The reciprocity of state–state relations is absent when you are trying to defeat an insurgency and more generally deter opposition. Can humanitarians tolerate a new dispensation of this sort that formally recognises the unprotected status of enemy combatants and political dissidents?

One answer to this is to argue that the global humanitarian system is adapting. The talk of more sustained partnership between local and global NGOs is an example of this. But we need to be wary of thinking that there has been any real letting go. The DRC even boycotted its own donor conference in irritation at the way it was being treated (BBC, 2018b). A second answer is to consider the ways in which humanitarianism might move away from its liberal moorings. Here, its capacity to adapt comes from its ability to offer comfort in any situation – the torture chamber, the scaffold, the death camp – without any prospect of making a fundamental difference to the longer-term prospects of those who suffer. Consider a real-world MSF example: should you provide condoms to a child soldier so that when he rapes women in the villages he pillages they won't get HIV (Lepora and Goodin, 2015)? What is the human rights answer to this question? Don't rape, of course. Okay, now given that rape is likely to occur regardless, what's the answer? In the here and now, humanitarians have one, and must have one, whereas human rights advocates do not. They must remain silent, restate the law or compromise their principles, which for them looks like the legitimation of a crime. Isn't the *humane* thing to do to hand over the condoms? But are you then complicit in a human rights abuse?

This points to an important distinction – a political not a foundational distinction – between humanitarianism and human rights. It is difficult to see what value human rights have for states as a whole at the systemic level (beyond those narrow areas of reciprocity). They can be useful as a foreign-policy tool to apply soft-power pressure to other governments, but all states find them more or less irksome when they demand accountability or behavioural change. Human rights contribute little that is obvious to the smooth functioning of the international system as a whole (assuming that they rarely deter atrocity and forced displacement – and indeed, as this whole article argues, are increasingly less likely to do so). But humanitarianism does have

system-wide functions, as we have seen – to provide a mechanism to prevent the failures of the system as a whole endangering the broad consensus necessary for it to continue, and to mop up some of the mess when great-power policies end in failure and collapse.

There is, then, a third possibility – *humanitarianisms*. A kind of normative pluralism. Of course, historically there have been many different ways to deal with those who suffer. This might well be the world we are entering again. But how much diversity can be tolerated? Could a humanitarian practice that argued it would help only 'people like us' and leave to suffer and die 'people like them' be judged genuinely humanitarian? If your answer is no, surely you are arguing for limits to the malleability of humanitarian social practice that aren't hardwired into the idea? But discriminatory humanitarianism is surely conceivable? You might not offer 'them' the same care as you offer your own, but you might keep them barely alive (by openly offering them out-of-date medicines, for example – not equal treatment, but it might help). Must treating everyone similarly, or according to need, be a requirement of all forms of humanitarianism? If so, doesn't that commit us to the most basic rule of the liberal order – non-discrimination? If any form of humanitarianism to which one is prepared to append the label must recognise this feature, then you are committed to the liberal-world-order version of humanitarian action. My assumption is that this is where most humanitarians are – on the liberal side of the argument.

But the politics of humanitarian assistance in the new world will intensify choices between a more expansive, human rights-based model and the giving of alms and a bed for the night (Rieff, 2002). If that is the case, who is to say that religious belief is not a more adequate form of succour than a commitment to liberal modernity and the solidarity of humanitarian strangers? Can these humanitarians work with governments that use violence as standard to deter dissent and punish opposition and discriminate on principle against those they see as deviant in terms of gender and sexuality? Governments that suppress freedom of expression and persecute minorities? Or who routinely abuse refugees? Reform risks opening up the entire humanitarian enterprise to these sorts of pragmatic compromise with unpredictable results. There is, of course, significant pragmatism already, but the power of IHL in particular is codification in black-letter law where interpretations, but not first principles, are the only variable. If it is hard to imagine any concession on these principles, the danger is that cynicism festers in the gap between great power practice and established rules. But as any negotiator knows, amending an existing agreement is far easier than trying to get consensus on a whole new document.

Perhaps the most fundamental question for humanitarians in this rapidly changing order is: who are we now? What is our mission, our ethical foundation, our cause? The structural forces that shape the world of pain and its palliatives are well beyond the scope of any vision of wholesale change. We can no longer be utopians, at least for a while. Moderating the borders of suffering might be all that is feasible. If humanitarians must believe that *something can be done*, then let them concentrate on the here and now, in rendering help to this person, for a brief moment, or for the fortunate few on whom the spotlight alights. Let them be active in their own societies where there is plenty of need. Let them be politically engaged 'at home'. Aren't humanitarianism's colonial origins sort of obvious when we think about the decline of the liberal order? For most people – the countless millions who will never receive aid – the reality of human suffering must be faced with even less hope for fundamental change than has marked the last fifty years. The purpose, the ethical core, the mission, the motivations – all of these seem to me to be in play now that the assumptions of liberal-capitalism are open to question. What is humanitarianism *for* in such a world? That is the question that needs answering now. Let's say yes to a million acts of kindness wherever, whenever, every day. But a global multi-billion-dollar regime that spans the globe? That's something else entirely. If the answer is that it is no longer fit for purpose, then it might be time to start again, and this time not in Geneva.

Notes

1 There is, of course, a wide array of definitions of liberalism and a wide variety of examples of liberal states in action. As Duncan Bell observes: 'Self-declared liberals have supported extensive welfare states and their abolition; the imperial civilizing mission and its passionate denunciation; the necessity of social justice and its outright rejection; the perpetuation of the sovereign state and its transcendence; massive global redistribution of wealth and the radical inequalities of the existing order' (Bell, 2014: 683).

2 Norms can also be supported by the idea that a world of rules and norms has benefits for everybody – predictability, peaceful resolution of conflict, a last line of protection – and that even if a state disagrees with one or other actual norms, having a system of norms is valuable enough to keep them in the fold. But these norms do not have to be liberal. In the time of slavery, for example, international norms about the slave trade and aspects of empire were agreed by major states.

3 UK prime minister Theresa May recently called global elites citizens not of the world but of 'nowhere' (Merrick, 2017).

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