

When Humanitarianism Turns Realistic

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Humanitarian Negotiations Revealed. The MSF Experience

By Claire Magone, Michael Neuman and Fabrice Weissman eds.

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On March 19, 2011, French and British forces, with the military support of the United States, launched a massive attack against the Libyan army. The official objective of the air and naval strikes was to impose a no-fly zone to protect the civilians of Misrata, Ajdabiya, and Benghazi from massacres predicted by the head of the Libyan National Transitional Council. Nine days later, French President Nicolas Sarkozy and British Prime Minister David Cameron jointly declared that “hundreds of thousands of people had thus been saved from a humanitarian disaster”--but, they added, “Libya was still confronted with a humanitarian crisis.” This was only the latest in the long list of recent international military interventions led by Western countries and justified on humanitarian grounds. The list includes Somalia, Haiti, Bosnia, Kosovo, East Timor, Sierra Leone, Liberia, Ivory Coast, and even, at least incidentally, Iraq.

For the French and British heads of state, whose privileged relations with Tunisian and Egyptian Presidents Ben Ali and Mubarak had rendered them blind to the significance of the Arab Spring, the bombing of Libya to defend the rebels against Muammar Gaddafi offered a kind of redemption before their respective constituencies. Nicolas Sarkozy, in particular, had to live down his embarrassing rehabilitation of the Libyan dictator who, during his 2007 visit to France, had settled his Bedouin tent, provocatively, in the park of the Parisian residence where he was officially hosted. When Bernard-Henri Lévy, a friend of the French President, called the Élysée from Benghazi, it was easy for him to convince Sarkozy to organize a meeting with Libyan opponents. This encounter eventually led to the recognition of the rebel movement and the decision to intervene militarily after having obtained the support of the European Union, the Arab League, and the United Nations. The French minister of the interior, Claude Guéant, expressed his satisfaction that the President had taken the “lead of the crusade” in Libya, using a term generally associated with the Christian conquest of Muslim territories.

In contrast to Britain, where a majority expressed distrust of their government’s motives, there was something close to a consensus among political parties, the media, and the public in France, with polls indicating

that two-thirds of the population was in favor of the intervention. As late as July, when the Parliament voted almost unanimously, with the sole exception of a few Communist representatives, for the continuation of the country's military involvement, this consensus was maintained--despite growing discontent worldwide about an operation that had far exceeded its announced goals and whose principal aim appeared to be the fall of the regime. At least from a domestic perspective, Sarkozy's humanitarian activism, initiated when he was at his lowest point in popularity, seemed to be paying off.

The most remarkable, if not the only, dissonant voice in this harmonious warmongering in the name of humanitarianism was that of the foremost French humanitarian NGO, Médecins Sans Frontières. Its members, who had called for a military intervention in Rwanda to stop the genocide of the Tutsi and later denounced the criminal passivity of the United Nations, this time criticized the legitimacy of the intervention and the validity of its justification. Under the title "Was the Libyan intervention a just war or just a war," *Le Monde* published a debate between Bernard-Henri Lévy and Rony Brauman, the former president of Médecins Sans Frontières, who argued that the threats on Benghazi came close to being mere "propaganda," that there was no evidence of massacres in previously

conquered cities, that the human cost of the operation in terms of casualties was dramatically high, and that this precedent paved the way for future preventive wars. Brauman concluded that “it was in France and in Europe, as well as in Qatar, that the origins of the war in Libya were to be found.” The humanitarian argument served as a pretext for an intervention that was predetermined.

Médecins Sans Frontières’ critique of the humanitarian justification of wars should not be a surprise. Since the emergence of the new humanitarian lexicon in international relations during the 1990s--a fact many observers have linked with the fall of Communism in Eastern Europe and the end of the bipolar world of the Cold War, although the birth of the contemporary humanitarian movement precedes these events by approximately two decades, as I argue in *Humanitarian Reason* (University of California Press, 2011)—the organization has repeatedly denounced the blurring of the lines between the humanitarian and the military. It has done so for practical as well as ideological reasons.

On the one hand, its members are aware of the risk of confusion on the ground between those who fight and those who rescue--and of the consequences of such confusion. They know from experience that

belligerents increasingly assimilate aid organizations and armed forces, with sometimes tragic results. Humanitarian workers are seen as part of the undesirable imperial presence and killed as enemies; this has happened in Sudan, Somalia, Congo, Afghanistan, Iraq, and Sri Lanka in recent years.

But the argument can go further: some people have insisted on a profound moral dichotomy between the two types of intervention. This view finds its most conspicuous expression in the collective volume *In the Shadow of Just Wars*, published by Médecins Sans Frontières (Cornell University Press, 2004). In the introduction entitled “The Sacrificial International Order and Humanitarian Action,” the organization’s president at that time, Jean-Hervé Bradol, distinguishes between “institutional political authorities who have the power to condone human sacrifice, to divide the governed between those who should live and those who are expendable” and organizations that sponsor “humanitarian action...primarily addressed to those whose right to exist clashes with the indifference or overt hostility of others.” For him, the “undeniable failure of the humanitarian project” resides in the “allegiance” or working connections of political authorities and humanitarian organizations. Opposing the “necropolitics” of states and the “biopolitics” of assistance, this Manichean representation seems oddly parallel to the contemporaneous discourse of the US President on the War on

Terror and the Axis of Evil. Under this worldview, no compromise or transaction is possible.

One can certainly understand the reluctance of aid workers to be embedded in military operations, either concretely, as in Iraq where the US government considered non-governmental organizations as part of the relief effort conducted by its army, or symbolically, when the intervention is called humanitarian even if it is in fact driven by geopolitical, economic and even personal reasons. Yet the relationship between military and humanitarian is more structural than most analysts would admit—as we demonstrated in *Contemporary States of Emergency* (Zone Books, 2010). Humanitarian organizations obviously depend on the good will and even collaboration of the belligerents to secure access to victims in camps, hospitals, villages, or neighborhoods through humanitarian corridors. Besides, aid workers and armed forces have what might be called a similar temporality, that of emergency: they enter and leave the country at the same time and pace. They both deploy their personnel in sites strictly isolated from local populations, officially for safety reasons. They share certain objectives, like taking care of the wounded and participating in aspects of the reconstruction. In other words, humanitarian and military action have common circumstantial and also structural logics.

It follows that the good vs. evil division of the world and the radical separation of the humanitarian and the military, which is generally taken for granted by non-governmental organizations, cannot survive a thorough examination. This is precisely what Médecins Sans Frontières now argues in its new collective volume *Humanitarian Negotiations Revealed*, almost reversing its previous adamant stance. From the idealist posture which prompted its former president to describe collaboration with state authorities in terms of “alienation,” the organization has evolved toward a pragmatic position epitomized in the title of the chapter on Somalia: “Everything is Open to Negotiation.”

This is not the first time that the organization and its members have dramatically shifted their ideological positioning. Born in 1971 at the initiative of a group of physicians mostly situated on the far left of the political landscape, Médecins Sans Frontières created a decade later the conservative think tank Libertés Sans Frontières, whose main target was “Third-Worldism” and the Primary Health Care program of the World Health Organization (the emblematic founder of the organization, Bernard Kouchner, himself evolved from being a member of the Communist Youth to joining the government of Nicolas Sarkozy). According to its founding myth, Médecins Sans Frontières was formed in reaction against the

neutrality of the Red Cross, in particular during the 1968 Biafran war; its commitment was to bear witness for victims all over the world. But in recent years, it has resolutely sided with the Red Cross, redefining its basic action as first-aid and designating its new adversary as “Human-Rightism.” (The two organizations were among the very few in the international humanitarian realm not to oppose the Iraq war, arguing that their role was limited to taking care of the victims of the conflict to come.)

The current shift in the doctrine of Médecins Sans Frontières reflects, however, less an evolution of its work on the ground than a realistic reconsideration of what it actually does. It is an attempt to regard the action of the organization not as some of its members would like it to be but as it is.

The title of the French version of *Humanitarian Negotiations Revealed*, published one year earlier, interestingly proposes a different formulation: it can be translated as “Acting at Any Price?”--a question also posed in her introduction by the current president of the organization, Marie-Pierre Allié. Enumerating a series of recent tensions encountered in the field, she recognizes that, in contrast to the absolutist doctrine that once prevailed (or was assumed to have prevailed), Médecins Sans Frontières has recently been forced to accept hard compromises: “In 2008 and 2009,

several MSF sections had to leave Niger and the north of Sudan because the authorities had either suspended their activities or issued them with a deportation order. In 2009, under threat of expulsion from Sri Lanka, MSF signed a Memorandum of Understanding obliging it to remain silent, but still did not gain access to the combat zones. In Yemen, in January 2010, the organization was forced to withdraw public statements deemed inaccurate and insulting by the government in order to keep its activities running.”

This honest admission of forsaking public testimony stands in sharp contrast to what had been the public intransigence of the organization. Did it not leave Ethiopia during the 1984-1985 famine after having criticized the government for its forced resettlements and aid embezzlement and other organizations of international assistance for their complicity with the regime--a courageous decision that became a symbol of its rejection of compromise? Did it not ask its donors to stop their financial contributions in support of the victims of the 2004 tsunami in South Asia, considering that they had received as much aid as they could use--a bold gesture that was criticized by charities afraid of being regarded as less honest than their Nobel Prize winning rival?

Actually, in the present collection of essays, Médecins sans frontières does not renounce its principles, but admits that it often has to make

concessions to the political and military protagonists in the countries where it intervenes. Thus, following Operation Cast Lead carried out at the end of 2008, Caroline Abu-Sada, the coordinator of the Research Unit of the Swiss branch, explains how Médecins Sans Frontières had to negotiate its presence in the Gaza Strip with Hamas, after the latter abruptly decided to close its tent hospital, arguing that it lacked an official authorization. Hamas had several more substantial reasons to mistrust this unwelcome partner. First, its members were regarded as part of a hostile Western coalition. Second, rumors accused them of transmitting information to the French government. And third, their longtime collaboration with the Fatah raised doubts about their neutrality. Médecins Sans Frontières had initially considered that the rightness of its action could be taken for granted: there were populations in need of health care, especially after the Israeli invasion—and this sufficed to justify its presence just as in any other part of the world. The organization had therefore neglected to negotiate with the local authority. This was all the more crucial to Hamas since it was denied legitimacy by most of the international community. Permission was ultimately granted to the humanitarian workers to provide health care in Gaza on condition that they collaborate more closely with local facilities, stop employing civil servants, and renounce home visits for psychological care or physiotherapy. Things

were no simpler with the Israeli government, which adopted an attitude alternating defiance, because Médecins Sans Frontières was considered to be assisting a terrorist organization, and benevolence--it was accorded somewhat better treatment than many other charities in terms of permits to cross the Gaza/Israel border. Arousing suspicion on both sides of the conflict as well as among other aid actors, the humanitarian organization was moreover criticized for participating in the “normalization” of the occupation of the Palestinian Territories.

The necessity not only to negotiate but also to accept compromises and even recognize the ambiguous role Médecins Sans Frontières is playing in many contexts is illustrated by twelve case studies and discussed in five chapters that consider the historical evolution of the organization’s politics—all in 250 pages. Obviously, the analyses can be viewed as too succinct: the complexity of the situation in Ethiopia might deserve more than four and a half pages, for example, and that of Pakistan more than five. Some interpretations tend to simplify the issues: in South Africa, for example, the Democratic Alliance at the head of the Cape Province at the time of the deployment of the organization’s antiretroviral program had a much more controversial political positioning than indicated in the book, since it resulted from the association of the liberal Democratic Party and the

conservative New National Party, a legacy of the apartheid regime. And the civil disobedience launched by the Treatment Action Campaign was widely criticized because it mimicked the social movements against white supremacy decades earlier. Still, the discussion of the health program and of the stakes involved in its establishment in the township of Khayelitsha is enlightening. Some case studies are particularly instructive and honest, such as the one titled “Golfing With the Generals,” in which the political scientist Fiona Terry explains how, in contrast to the French and Swiss branches, the Dutch section remained in Myanmar and developed somewhat ambiguous relationships with the government.

Médecins Sans Frontières is often regarded by other humanitarian organizations and by national governments as self-confident and even arrogant, teaching the world lessons of morality. In this book, its members prove they can also be modest in their attitude, pragmatic in their action, and lucid in their analysis. In the epilogue, the sociologist Marc Le Pape suggests that the politics of the organization, when facing difficult choices, oscillates between the three positions characterized by Albert Hirschman as exit, voice, and loyalty. *Humanitarian Negotiations Revealed* illustrates a significant move toward the last of these, tellingly renamed “realism.”

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