

Transcript of Seminar One
Nov. 11, 1999
Discussion with David Rieff

Lawrence Weschler:

David Rieff, who most of you know, has been raising these issues in some of their most, I don't know, piquant form. I often find myself reading David and getting annoyed, stimulated, angry, confused. When I teach my motto is "receive them ignorant, dispatch them confused." It seemed to me that in talking with David over the last several months that this would be a good time for a group of us who are really active journalists, humanitarian law, humanitarian relief people and so forth to get together in really a working session and talk about some of these issues. And so I'm hoping that will work out. We have about half of the people who said they would be here both in Washington and here, are in fact present today there will be more people later on. Why don't we just start with David's remarks that are kind of setting the stage for what I think will and what I'm hoping will be a very active conversation in the months ahead.

David Rieff:

What I'd like to do rather than rehash a series of critiques and arguments that I've tried to make over the last couple of years is to talk a tiny bit about how I got here and then ask a bunch of questions and hope we can have a conversation on that basis. I come into this having been a person who wrote about, covered the war in Bosnia, and like any journalists who covered the war in Bosnia one was thrown in, almost inevitably, both for logistical reasons but also for reasons of getting the story and understanding, with humanitarian workers. Because there was no intervention in Bosnia the humanitarian action was the international response for a long time on the ground. There was of course the diplomatic side to this, but first of all to a lot of us and certainly to me, it seemed pretty ludicrous. What was at issue was the relief effort itself and what it signified.

In that context I started to think about these questions and then over the course of what is now almost a decade, I've been writing about and going to places as different as Northern Afghanistan and the Great Lakes region of Africa. Just as one runs into the same journalists, one runs into many of the same humanitarian aid workers and international civil servants. Over this time it seemed to me that something happened. What happened was a growing consensus that we had to have military intervention on humanitarian grounds. That this was the lesson that sensible people, people of conscience, mainly took away from the experience of these catastrophes. Again, I want to be very clear. I was desperately advocating military intervention in Bosnia, but I must say never on humanitarian grounds. It always seemed to me that the humanitarian justification was very weak. That if you were going to do it on the basis of suffering there were, as the vile Boutros-Ghali said, indeed many other places where people were worse off. That was true however humanly

malignant it was for him to go to Sarajevo in December of '92 and say it to people who were suffering quite a lot.

So, I never entirely understood the justification, and to some extent it seems to me that it represented a kind of fantasy of what was possible. I also think that over the course of the decade this humanitarian impulse got mixed in with the human rights impulse, so that now at the end of this first full post-Cold War decade we have all kinds of curious confusions between the human rights movement and the humanitarian movement, between the human rights imperative and the humanitarian imperative. Maybe this convergence is right, but I must say that I'm obviously on record as being very skeptical about it, its not obvious to me why this happened. Some humanitarians say that all humanitarian crises are really human rights crises. That's one form in which an explanation for this takes place. I don't know entirely what that means. Rony Brauman, one of the founders of MSF [Médecins Sans Frontières], and its former president, has said that if Auschwitz happened today people would call it a humanitarian crisis. I think he's absolutely right to say that. I take that to mean that there is no such thing as politics. Politics is not a relevant category anymore. The relevant categories are humanitarian needs and human rights violations.

Politics is either the dirty pragmatics of international relations (that's what human rights advocates or officials mean quite correctly when they say we don't want to do politics). But I don't mean politics in that sense, I mean ideology and things like human evil, which don't seem to me to be things that are very well covered by the law. Nonetheless, in the minds of many human rights people, though by no means all, and many humanitarian activists, although obviously by no means all, particularly humanitarian activists in the private voluntary agencies, you're getting a kind of convergence. My friend John Fawcett who ran a number of programs for the International Rescue Committee in the Balkans over the years and was before that in Kurdistan, says that without the human rights dimension we are just people who deliver food and that's just not worth doing in his view.

In this moment of convergence it seems to me useful to start unpacking what we're talking about. I think that was the idea that Ren and I had for this seminar, the idea of getting people who come from a number of different perspectives on these issues even within their own disciplines. Obviously the difference between the viewpoint of a John Fawcett and the viewpoint of someone like Sylvie Junod who is here representing the International Committee of the Red Cross [ICRC], is very wide even within humanitarianism. The idea of the ICRC is quite different than the idea of these American Private Voluntary Organizations [PVO's]--which some of us in our unkind moments view as US government subcontractors, but that's perhaps a side-line in this story--and indeed within mainstream Western European humanitarian organizations.

If you think of the difference between MSF--which is an organization largely committed to limiting its action to the delivery of aid and to testimony--its schism, I mean you can think of MSF, I think usefully, as a kind of Protestant reformation of the ICRC. They absolutely

refuse to go beyond this notion that you're to be there, you're to give the relief in an efficient and expeditious way, and you are to testify to what you've seen. You are not to call for governments. You are not to be a subcontractor to war efforts. As you may know in the case of Kosovo, MSF as an international movement refused to take any money from the US government or from the European Union. In the case of one of its sections, Belgium, the other sections paid for the Belgian sections' operations, because Belgium is, of the MSF groups, the one that gets the least private contributions.

On the other hand you have the current UN Pro Consul in Kosovo who split from MSF on this and believes in effect not only in the right of intervention and in the notion that all humanitarian action must be political, but has been a pioneer in the kind of historic marriage of human rights and humanitarianism, at the highest and most interesting level. Bernard Kouchner is a guy, whatever you think of him and whatever side you take on this issue, is really a serious person and has tried to really think through what a kind of humanitarian action would be based on notions of international law and indeed on pushing the framework of international law and on humanitarian action that actually refuse any restraints of political appropriateness. So Kouchner and the Franco-Italian legal scholar Mario Bettati have really been the people pioneering this notion of not just the right, but the duty of intervention on these grounds.

At the same time I think that obviously scenes of humanitarian emergency are also scenes of human rights violations. Meaning that there is an inevitable connection between these ideas. What I am not sure about myself and what I think one of the things I hope that over the course of how many of these seminars we all can stand, we'll talk about is whether it is appropriate to mix the disciplines; whether in fact you are adding to things or in fact subtracting from them. Certainly the MSF view is that you're subtracting from them, or tends to be that view. The view of someone like James Orbinski, International President of MSF at the present time, a Canadian doctor, is that you might be totally for the NATO intervention in Kosovo on moral grounds, ideological grounds in the sense I was using the term earlier, but that's no reason why the humanitarians should be part of that. If you want humanitarianism to operate effectively and seriously, it must be a separate calling. That's obviously a very austere view. We probably should try to tease those things out, maybe get one of the MSF people here to lead a session on these subjects. It obviously has all kinds of holes in it intellectually and morally. What does it mean to refuse to say what you're actually calling for? What does it mean to say I want a separate space when the only practical solution may be a military intervention if you want the thing stopped?

In Goma, in the aftermath of Rwandan genocide, as it became clear that the camps for the almost a million Hutu refugees or displaced people were becoming a kind of base--a kind of version of the old genocidal regime in exile--MSF and some other groups pulled out. The answer of people like the office of the UN Commissioner for Refugees was that you

don't have the right to do that. It's not your job to intervene in that sense. Your job is to feed people, to look after their health, that's what relief work is. And it doesn't matter what the political circumstances are. [In] the great phrase of Soren Jessen-Petersen, the assistant High Commissioner: it's a lose-lose situation and in that situation you stay. I think the ICRC has taken something of the same view, with obviously a more solid and less impressionistic basis, since as the custodian of international humanitarian law the ICRC is the one humanitarian agency that in a deep sense is not making it up as it goes along intellectually and morally. It may have its crises and its difficulties, but there is a sort of bedrock, which no other institution has, in my sense and I think most humanitarians would concede the point.

The other thing it seems to me is--and the other thing I would like to talk about and hear those colleagues here who are human rights activists or people involved in the human rights movements talk about and some of what I've written has been somewhat controversial on this--I am bewildered by the degree to which the language of human rights has been the dominant language of neo-liberal consensus. That human rights seems to be a language that whether you're Bill Clinton, or Tony Blair or Lionel Jospin or the head of European Union, you find congenial. In fact a UN official in the business office told me, not so long ago (unfortunately off the record) that we had to give globalization a human face and some moral content.

I started as a sort of culture critic and I am interested in language. I had a debate with the advocacy director of Human Rights Watch, Reed Brody, the other day at Columbia and he talked about the globalization of justice--that was a phrase he used over and over again in his rhetoric. So I don't think this UN official (who may or may not remain anonymous) is so off the mark. I do think that in the writings of say, the Director of Human Rights Watch, Kenneth Roth, there have been repeated insistences that human rights is good for the business community if only it would realize that. The old hard-line skeptic in me says, if this is so good for business and globalizing economy, which in my view is probably one of the most unjust systems ever to be created, then it can't be, logically, the redemptive structure that it seems to me at times, I don't say always by any means, [that] human rights activists claim it is.

By the same token when I hear Ken Roth say--and I don't want to pick on Human Rights Watch which is a much more legalistic organization and therefore has certain legitimate concerns and perspectives that are not shared by, say Amnesty International-- but when, for example, it is said to me that the ICC, the permanent International Criminal Court, is the most important structural priority of I can't remember whether it was said the human rights movement or Human Rights Watch, then I wonder whether to the extent that we're talking about justice in the larger and non-legal sense, whether that makes much sense. I've argued in print and will argue again in a piece in The Nation, that I'm not sure that these legal norms are that effective any more than I am sure, frankly, that policing is really that effective a way to bring about reductions in crime over the long-term. I remain quite

agnostic on that subject. My view is that probably you would have many fewer human rights violations if you forgave the dead, because of simply the health of the societies in question that you would produce--the improvement in societal health in all senses than you're going to get from all of the criminal courts in the world, even if they're effective. This is presuming they will be effective.

I'm not so much trying to sell this point to the people in this room, at least those who would be open to it, as suggest that we've gotten ourselves in a pretty deep cognitive muddle in which people are talking, using terms, stretching categories in ways I'm not sure they can stand. So the agenda of the humanitarian movement and the human rights movement somehow is assumed to be the same. The alarm bells about the neo-liberal consensus go off in my head, 'cause I say haven't I heard this before? Wasn't it democracy and free-markets? Wasn't that the great phrase that was supposed to make everything right in the east? It was going to be democracy and free markets. Leaving aside the fact that I think that any ordinary Russian, who is not either an intellectual or a black-marketeer, or both, is worse off as a result of democracy and free-markets. Maybe the world is better off, but I think the Russian people are quite a bit worse off. And I do not think this is because there has been some distortion. I think this is because the free market does not in my view and globalization is not in my view, a way of raising all folks. It is a way of maximizing profits for the rich world. I want to be very clear about the deep structures of my prejudice that make me think about these issues to begin with.

There are these weird congruences of language, and at the same time a kind of intermingling of everything that I think it would be interesting over the course of the year to tap in on, to say in effect what do we mean when we say the globalization of justice? What is a humanitarian imperative? To what extent are these the same agendas? To what extent are we comforting ourselves by imagining that we're more powerful than we are?

One of the things that I admire about humanitarian enterprise, in its more traditional form, is its modesty. There's an ICRC delegate who put it I thought quite well, (I can't remember) its Philippe Gaillard: what the ICRC does is inject a measure of humanity always insufficient into situations that should not exist. And I worry very much about more utopian formulations. Globalization, as the English Prof. John Gray has pointed out is the last utopia. Communism is dead, but we have one more Thatcherite utopia to, I hope, blow up, and that's globalization. I worry that what we're doing is making claims for our own possibility that may not be warranted.

There are a number of things to separate and there are a number of things to talk about. The implicit issue, I think, or at least one of them, to talk about is whether you can have morality without law. It often strikes me that part of the fervor of the human rights movement's attachment to law simply derives from the fact that we live in secular times. Ken Roth once

said to me, but if you don't use the law as a basic reference point, how do you know you're not pulling things out of the air? And that's a perfectly reasonable thing to say, but again I think that by doing that we may be forgetting that what real politics, I don't mean Realpolitik, nor do I mean the wharf and woof of going to some deputy secretary and trying to convince him of something you want done. I mean political debate in the deepest political ideological sense, is always a kind of parti pris, it is always based on the lack of any scientifically verifiable certainty. It's the contest of ideas. I wonder if, by what the French foreign minister calls judicializing the world or international relations, we are not trying to take a short-cut around political dilemmas in the post-Communist period that really we should be turning and facing.

This is a whole nexus of issues which I want to throw out on the table. I've obviously given a very partial rendering, but that's what I do. I hope that it takes us somewhere else.