

“Sticking together while standing one’s own ground”: The meanings of solidarity in humanitarian action

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Abstract

The notion of solidarity, although not new to the humanitarian sector, has re-emerged in recent discussions about effective and ethical humanitarian action, particularly in contexts such as Ukraine and Myanmar where the traditional humanitarian principles have been facing certain pressures. Because solidarity appears as a good but can also involve selectivity and privilege, and because it risks continued militarism and normalization of civilians participating within that militarism, the notion of solidarity merits rich and rigorous thinking. This article explores how the notion of solidarity is being utilized by those currently re-emphasizing its importance

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and what it might mean in practice in today's humanitarian contexts. The article argues that if solidary action involves not only a political stance but solidary working methods, the recent calls for solidarity demand respect for the variety of principles and practices within the humanitarian ecosystem, while nevertheless upholding mutual obligations owed within that professional community – that is, within careful limits as to what is considered humanitarian action.

Keywords: humanitarian action, humanitarian principles, solidarity, political humanitarianism, impartiality, neutrality, localization, resilience, anti-bureaucratization, militarism, humanitarian ecosystem, grassroots humanitarianism, resistance humanitarianism, civilians, armed conflict.

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Introduction

The notion of solidarity has re-emerged in recent discussions about effective and ethical humanitarian action,¹ reflecting oft-made critiques that the principle of neutrality ignores moral rights and wrongs and leaves the root causes of humanitarian needs unaddressed.² As Hugo Slim explains in relation to the armed conflict between Russia and Ukraine, the work of certain organizations will be characterized by solidarity anyway in certain circumstances.³ Similar calls for solidarity to replace neutrality as a guiding principle for humanitarian action have been expressed regarding the situation in Myanmar because of the moral and practical challenges for international humanitarian organizations working in traditional ways through the military junta.⁴

The notion of solidarity is not new to the humanitarian sector;⁵ indeed, many humanitarians would presumably consider it inherent within

1 See details in the below section on “The Recent Re-emphasis on Solidarity”.

2 See, for example, the discussion in Kurt Mills, “Neo-Humanitarianism: The Role of International Humanitarian Norms and Organizations in Contemporary Conflict”, *Global Governance*, Vol. 11, No. 2, 2005; Peter Redfield, “The Impossible Problem of Neutrality”, in Erica Bornstein and Peter Redfield (eds), *Forces of Compassion: Humanitarianism between Ethics and Politics*, SAR Press, Santa Fe, NM, 2011; Barbara Anne Rieffer-Flanagan, “Is Neutral Humanitarianism Dead? Red Cross Neutrality: Walking the Tightrope of Neutral Humanitarianism”, *Human Rights Quarterly*, Vol. 31, No. 4, 2009; Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes*, Bloomsbury, New York, 2021.

3 Hugo Slim, “Solidarity, Not Neutrality, Will Characterize Western Aid to Ukraine”, *Ethics and International Affairs*, 3 October 2022, available at: www.ethicsandinternationalaffairs.org/online-exclusives/solidarity-not-neutrality-will-characterize-western-aid-to-ukraine (all internet references were accessed in February 2024).

4 Anne Décobert, “Myanmar’s Human Rights Crisis Justifies Foregoing Neutrality for a Solidarity-Based Approach to Humanitarianism”, *Melbourne Asia Review*, 4 August 2021, available at: <https://melbourneasiareview.edu.au/myanmars-human-rights-crisis-justifies-foregoing-neutrality-for-a-solidarity-based-approach-to-humanitarianism/>; Adelina Kamal, *Beyond the “Ecosystem”*: A Case for Locally Led Humanitarian Resistance, The Humanitarian Leader Working Paper No. 041, Centre for Humanitarian Leadership, Deakin University, Burwood, November 2023.

5 See e.g. Hugo Slim, “Relief Agencies and Moral Standing in War: Principles of Humanity, Neutrality, Impartiality and Solidarity”, *Development in Practice*, Vol. 7, No. 4, 1997; Richard Ashby Wilson and Richard D. Brown, “Introduction”, in Richard Ashby Wilson and Richard D. Brown (eds), *Humanitarianism and Suffering: The Mobilization of Empathy*, Cambridge University Press,

humanitarianism’s foremost principle of humanity. Yet, it actually holds multiple meanings which are sometimes conflated. In everyday use, the term stands in for a range of ideas, including friendship, compassion, and joining civil protests or otherwise showing support for selected causes. When it comes to the specifics of a humanitarian organization’s operational principles and approach, what does the shift towards solidarity in these recent calls mean? Does it suggest (merely) sympathy with those affected by armed conflict or injustice as fellow humans, unity through shared hardship, or something that involves taking sides – political solidarity with a cause, or even with a party to a conflict? Are neutrality and solidarity in absolute tension, or can some common ground be found, with neutrality not being “the opposite of solidarity, but a way to render this noble sentiment actionable”?⁶ Does solidarity nevertheless require impartiality, or can action be partial, even revolutionary, and still be humanitarian? Conversely, can humanitarian aid – even if neutral – be an important part of solidary resistance against violence and discrimination? If the recent calls in favour of solidarity indicate its importance to humanitarian action, what are its ethics and methods today? What resources does it need? Perhaps most importantly given the ongoing push for increased localization of aid, can solidarist and more traditional humanitarian organizations partner and support one another in their humanitarian responses or are their approaches incompatible, with solidarist approaches also standing as an alternative to the large bureaucracies of the international humanitarian system?

Solidarity is a concept receiving rich scholarly attention in many subject areas and disciplines, and given specialized meanings in some.⁷ There is thus a vast literature reaching beyond the scope of this article. This article considers solidarity only regarding humanitarian action, particularly in situations of armed conflict.⁸ Even within that narrower confine, this article cannot attempt to answer

Cambridge, 2009, p. 2; David Chandler, “The Road to Military Humanitarianism: How the Human Rights NGOs Shaped a New Humanitarian Agenda”, *Human Rights Quarterly*, Vol. 23, No. 3, 2001, p. 683; African Rights, *Humanitarianism Unbound? Current Dilemmas Facing Multimandate Relief Operations in Political Emergencies*, discussion paper, London, 1994. See also the discussion about humanitarian typologies below.

6 Fiona Terry, “Taking Action, Not Sides: The Benefits of Humanitarian Neutrality in War”, *Humanitarian Law and Policy Blog*, 21 June 2022, available at: <https://blogs.icrc.org/law-and-policy/2022/06/21/taking-action-not-sides-humanitarian-neutrality/>.

7 See e.g. Theodoros Rakopoulos, “Solidarity: The Egalitarian Tensions of a Bridge-Concept”, *Social Anthropology*, Vol. 24, No. 2, 2016; Karel Wellens, “Revisiting Solidarity as a (Re-)Emerging Constitutional Principle: Some Further Reflections”, in Rüdiger Wolfrum and Chie Kojima (eds), *Solidarity: A Structural Principle of International Law*, Springer, Heidelberg, 2010; Eva Kassoti and Narin Idriz (eds), *The Principle of Solidarity: International and EU Law Perspectives*, Asser Press, The Hague, 2023; Kurt Bayertz (ed.), *Solidarity*, Springer, Dordrecht, 1999; Avery Kolers, *A Moral Theory of Solidarity*, Oxford University Press, Oxford, 2016. Amongst other specialist meanings, the term “solidarity” has a specific history related to the European Union, to trade unions and to socialist thinking more generally regarding international solidarity of the proletariat, including against militarism: see e.g. Sally J. Scholz, *Political Solidarity*, Penn State University Press, University Park, PA, 2008, pp. 8–9; Rosa Luxemburg, “War and the Working Class”, January 1916, available at: https://ghdi.ghi-dc.org/sub_document.cfm?document_id=952.

8 Within the humanitarian sector, solidarity is also relevant to disaster relief and, more broadly, is an important concept regarding the protection offered to refugees. However, this article focuses primarily on humanitarian action in situations of armed conflict.

all the above questions. Rather, it seeks to provide useful background to ongoing critical reflection about humanitarian principles by exploring how the notion of solidarity is being utilized by those currently re-emphasizing its importance. It considers if and how this differs from earlier understandings of solidarity in humanitarian action, and what its framing suggests about the application of the humanitarian principles in today's humanitarian contexts.

The first section steps back to outline the three primary meanings of solidarity most relevant to humanitarian action – the particular example of “fraternal” solidarity within the International Red Cross and Red Crescent Movement (the Movement), and then the more commonly cited human or universal solidarity on the one hand, and political solidarity on the other. The second section describes selected recent calls for increased solidarity in humanitarian action. The third section further unpacks these calls, pulling out certain “threads” to help examine how they are framed and their relationship with the humanitarian principles of humanity, neutrality, impartiality and independence. This helps to situate the calls within ongoing debates around “traditional” and solidary humanitarianism, localization and resilience, anti-bureaucratization, and key critiques of solidarity. The final section tries to tie these threads together by suggesting what the recent calls for solidarity might offer, but also discussing their limits.

Solidarity sounds like an intrinsic good – it can generate valuable shared community and provides a compelling ethical driver for actions of care, compassion and seeking necessary change. However, experience reveals that greater solidarity has been shown towards some groups than others, based, for example, on social linkages and race. This article therefore also discusses important critiques which argue that solidarity can risk being selective, discriminatory, privileged and polarizing. While often put into action in support of the oppressed, solidarity can sometimes support already privileged voices and silence others, and can align with political interests or exceptionalist legal arguments even if described in the language of universal concerns such as human rights. Where identities are mobilized during armed conflict, solidarity can risk supporting continued militarism and normalization of civilians participating within that militarism. Solidarity therefore always depends on other contexts, and this article tries to show how the language of solidarity requires careful reflection. This is especially so if the scope and meaning of solidarity remains insufficiently defined by those calling for greater solidarity as a mode of operational humanitarian action.

This general note of caution notwithstanding, this article suggests that taking seriously the recent calls for solidarity demands greater inclusion of – and in turn greater transparency and grounded familiarity with – the variation of principles and practices within the sector, while still upholding mutual obligations owed within that professional community. Standing in solidarity in humanitarian action does not equate to doing away with the traditional humanitarian principles; rather, it entails respecting differences in approach within careful limits as to what is considered humanitarian action.

In this sense, this article takes the idea from Darryl Li that if the term “solidarity” comes etymologically from Latin roots meaning “solid” (*solidum*) but also “soil” (*solum*), “we can think of solidarity as a way of sticking together while standing one’s own ground”.⁹

The multiple meanings of solidarity in humanitarian action

The scholarship of philosopher Sally J. Scholz describes solidarity at its most general level as involving some form of unity between people and some form of positive moral duties.¹⁰ Scholz then differentiates between two key forms of solidarity: social and political.¹¹ Social solidarity involves a community bond based on shared experiences or characteristics such as between a targeted minority ethnic group, persons with disabilities, women and so forth. In contrast, Scholz’s political solidarity involves coming together for a common purpose – a choice to support the oppressed in opposition to injustice. In that choice, individuals commit to certain positive duties in response to a perceived injustice faced by the identified group. There is some collective responsibility because of the social movement created, which gives political solidarity important distinctions from other forms of solidarity such as social solidarity.¹² Still, social solidarity can be active and “political”, and there can be overlap amongst the members of the social and political solidarity groups.¹³ Scott-Smith describes these differences as exclusive solidarity (within an oppressed group) and inclusive solidarity (where the privileged stand in solidarity with the oppressed).¹⁴ Scholz’s work goes on to enquire into what authentic participation in solidarity looks like.¹⁵

Humanitarian action can feature aspects of both social and political solidarity, and the question of the possibilities and possible limits of authentic participation in collective obligations is also key, as this article discusses.

Despite its underlying centrality to humanitarian action, the term “solidarity” tends not to be included in humanitarian glossaries and encyclopaedias, except the most recent.¹⁶ Within international humanitarian law

9 Darryl Li, “The Universal Enemy: A Reply”, *The Immanent Frame*, 8 July 2020, available at: <https://tif.ssrc.org/2020/07/08/the-universal-enemy-a-reply/>.

10 S. J. Scholz, above note 7, p. 5.

11 *Ibid.*, pp. 5, 11. A third variant, civic solidarity, relates to duties between a civic group such as taxpayers within a welfare State and is not discussed further here.

12 *Ibid.*, pp. 5–6, 10, 12–13; Sally J. Scholz, “Seeking Solidarity”, *Philosophy Compass*, Vol. 10, No. 10, 2015, pp. 728–729; Sally J. Scholz, “Political Solidarity and Violent Resistance”, *Journal of Social Philosophy*, Vol. 38, No. 1, 2007, p. 39.

13 S. J. Scholz, above note 7, p. 14.

14 Tom Scott-Smith, “Humanitarian Dilemmas in a Mobile World”, *Refugee Survey Quarterly*, Vol. 35, No. 2, 2016, p. 19 fn. 54.

15 S. J. Scholz, above note 7, p. 6.

16 For example, while works cannot necessarily cover everything, solidarity does not appear in “ReliefWeb Glossary of Humanitarian Terms”, *ReliefWeb*, 2008, available at: <https://reliefweb.int/report/world/reliefweb-glossary-humanitarian-terms-enko>; Tim Allen, Anna McDonald and Henry Radice (eds), *Humanitarianism: A Dictionary of Concepts*, Routledge, London and New York, 2018; or Pietro Verri, *Dictionary of the International Law of Armed Conflict*, ICRC, Geneva, 1992. There is, however, an

(IHL), the term is not used explicitly in the 1949 Geneva Conventions and their Additional Protocols, nor does it appear in Henry Dunant's *A Memory of Solferino*, although a solidary spirit is argued to be presented within that book's ideas.¹⁷ In that sense, States' participation in the development of IHL has been described as an example of solidarity.¹⁸ Finally, solidarity is not generally a listed principle of most actors and instruments of the humanitarian sector, which have tended to focus on the traditional humanitarian principles of humanity, impartiality, neutrality and independence.¹⁹

Despite the lack of formal definition and rare explicit use, as mentioned above, solidarity is not a new notion in humanitarianism. Indeed, it is often considered central, despite holding multiple meanings. Solidarity can refer to sentiments and actions at multiple levels, both governmental and non-governmental: global, regional, national, local and individual.²⁰ On the international level, solidarity is commonly understood to refer to support and cooperation among States, as well as expressions of empathy between populations/civil society, via a cosmopolitan commitment to moral principles that are considered universal, such as human rights. For instance, the United Nations (UN) Secretary-General's report *Our Common Agenda* talks of the need to "re-embrace global solidarity and find new ways to work together for the common good",²¹ and many countries have taken an overt position of solidarity with Ukraine in the armed conflict with Russia, which also impacts on donorship policies and narratives.²²

entry on solidarity in the more recent Antonio De Lauri (ed.), *Humanitarianism: Keywords*, Brill, Leiden and Boston, MA, 2020. Also, the Geneva Centre of Humanitarian Studies' *Humanitarian Encyclopedia*, a collaborative online project, has an entry on solidarity in progress; see Geneva Centre of Humanitarian Studies, "Solidarity", in *Humanitarian Encyclopedia*, available at: <https://humanitarianencyclopedia.org/concept/solidarity>.

- 17 Henrik Beer, "Red Cross Solidarity", *International Review of the Red Cross*, Vol. 12, No. 130, 1972, p. 4; Henry Dunant, *Fraternité et charité internationales en temps de Guerre*, Paris, 1866; Jean Pictet, *Red Cross Principles*, ICRC, Geneva, 1956, p. 141 fn. 1.
- 18 See Yves Sandoz, Christophe Swinarski and Bruno Zimmerman (eds), *Commentary on the Additional Protocols*, ICRC, Geneva, 1987, para. 3240.
- 19 See the article by Marina Sharpe in this issue of the *Review*: Marina Sharpe, "It's All Relative: The Origins, Legal Character and Normative Content of the Humanitarian Principles", *International Review of the Red Cross*, Vol. 106, No. 925, 2024, Annex 1. See also Miriam Bradley, *The Politics and Everyday Practice of International Humanitarianism*, Oxford University Press, Oxford, 2023, p. 241. Over 500 organizations have adopted the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief, which includes the principles of humanity, impartiality and independence. See generally, International Federation of Red Cross and Red Crescent Societies (IFRC) and International Committee of the Red Cross (ICRC), *The Fundamental Principles of the International Red Cross and Red Crescent Movement: Ethics and Tools for Humanitarian Action*, Geneva, 2015, p. 7; IFRC, "Signatories of the Code of Conduct", available at: www.ifrc.org/code-conduct-signatories.
- 20 Geneva Centre of Humanitarian Studies, above note 16.
- 21 Secretary-General of the United Nations, *Our Common Agenda: Report of the Secretary-General*, United Nations, New York, 2021, p. 3.
- 22 Zainab Moallin, Karen Hargrave and Patrick Saez, *Navigating Narratives in Ukraine: Humanitarian Response Amid Solidarity and Resistance*, Humanitarian Policy Group Working Paper, Overseas Development Institute, London, September 2023.

More specifically regarding operational humanitarian action, three broad understandings of solidarity appear, partly reflecting Scholz’s distinctions: a specific meaning of “fraternal” solidarity expressed within the Movement, and then the more commonly cited human or universal solidarity on the one hand, and political solidarity on the other. The remainder of this section sets out these understandings in order to provide background to the recent calls for increased solidarity, which are then described in the following section.

Fraternity within the International Red Cross and Red Crescent Movement

Solidarity was included as one of four working principles by Red Cross co-founder Gustave Moynier in 1875, alongside foresight, centrality and mutuality.²³ Solidarity referred to the mutual ties and support – fraternity – between the various National Red Cross and Red Crescent Societies (National Societies).²⁴ The term “fellowship” was sometimes used in place of “solidarity”.²⁵ Operationally, while a National Society primarily works within its own country, when the scale of conflict or disaster surpasses its capacities, other National Societies, and likewise the International Committee of the Red Cross (ICRC), may be able to support or partner with it.²⁶ This unique structure allows the component parts to work both nationally and internationally.²⁷ In this regard, Jean Pictet described this kind of professional solidarity as an “organic” aspect of the Red Cross’s Fundamental Principles – that is, functioning as a means of their execution.²⁸

The term “solidarity” was dropped from the Fundamental Principles that were subsequently adopted by the Movement. However, this fraternity understanding of solidarity continues to be embodied in the Movement’s principle of universality²⁹ and thus continues to appear in discussions of how National Societies should work as “sister societies” within the larger “family” of the Movement.³⁰

23 Gustave Moynier, *Ce que c’est que la Croix-Rouge*, Geneva, 1874, p. 6. As well as solidarity as explained in the text, the National Societies were to observe “foresight, which means that preparations should be made in advance, in peacetime, to provide assistance should war break out; ... centralization, which implies that there is only one Society in each country, but whose activities extend throughout the entire national territory; and mutuality, in the sense that care is given to all wounded and sick people irrespective of their nationality”. Quoted in IFRC and ICRC, above note 19, p. 12.

24 See, generally, H. Beer, above note 17; Jean Pictet, *The Fundamental Principles of the Red Cross: A Commentary*, IFRC, Geneva, 1979, pp. 90–92; J. Pictet, above note 17, pp. 140, 153.

25 Compare Jean G. Lossier, *Fellowship: The Moral Significance of the Red Cross*, La Baconnière, Geneva, 1948; and Jean G. Lossier, *Solidarité: Signification morale de la Croix-Rouge*, Editions de la Baconnière, Neuchâtel, 1947.

26 J. Pictet, *The Fundamental Principles of the Red Cross*, above note 24, p. 91.

27 H. Beer, above note 17, p. 15.

28 J. Pictet, above note 17, pp. 3, 93, 153–154. See also discussion in H. Beer, above note 17, p. 12 fn. 8.

29 Universality is understood to mean that the “International Red Cross and Red Crescent Movement, in which all Societies have equal status and share equal responsibilities and duties in helping each other, is worldwide”: IFRC and ICRC, above note 19, pp. 10, 12, 80–82.

30 See J. Pictet, above note 17, p. 142, regarding sharing in the fellowship which unites the members of the Movement as a condition for recognition of National Societies; Katrien Beeckman, “From Fundamental Principles to Individual Action: Making the Principles Come Alive to Promote a Culture of Non-Violence and Peace”, *International Review of the Red Cross*, Vol. 97, No. 897–898, 2016, pp. 273 (Table 1), 276.

While this meaning of solidarity is particular to the Movement and its structures and histories, it retains potential broader relevance to a possible solidarity within the humanitarian sector and will be returned to towards the end of the article.

A universal sense of solidarity with those affected by conflict and disaster

A second and more common understanding of solidarity in humanitarian action is a compassion for all people suffering during armed conflict or other emergencies. This understanding represents a sense of shared interest and duty among the large moral community of the human race³¹ and has also been referred to as “universal solidarity”.³² In this light, universal human solidarity can be understood as a type of exclusive social solidarity as per Scholz’s schema (albeit a very broad one) since it perceives a connection uniting human beings by the very characteristic of being human.³³

While the word “solidarity” is often used in statements expressing sympathy for people suffering conflict,³⁴ concern for fellow humans represents a fundamental moral concern and driver of the humanitarian impulse and thus is generally understood as requiring action. Solidarity has therefore been described as something more than (mere) feelings of sociality, sympathy or shared humanity, and involving active support for those in need.³⁵ That is to say, humans, touched by the suffering of other humans, might feel a moral impulse to “do something” to ease that suffering. Scott-Smith sets out a useful selection of quotes from humanitarian actors and scholars describing humanitarian relief as a demonstration of human solidarity.³⁶

31 Kurt Bayertz, “Four Uses of ‘Solidarity’”, in K. Bayertz (ed.), above note 7, p. 5.

32 Ken Reshaur, “Concepts of Solidarity in the Political Theory of Hannah Arendt”, *Canadian Journal of Political Science*, Vol. 25, No. 4, 1992, cited in T. Scott-Smith, above note 14, p. 16.

33 S. J. Scholz, above note 7, p. 15.

34 For example, the Institute of International Law’s November 2023 declaration concerning the Israel– Hamas conflict expresses the Institute’s “solidarity and compassion with all the victims and their bereaved families”. Institute of International Law, “Declaration of the Institute of International Law on the Present Situation in the Middle East”, 19 November 2023, available at: www.idi-iiil.org/en/declaration-de-linstitut-de-droit-international-sur-la-situation-presente-au-moyen-orient/.

35 Roger Mac Ginty, *Everyday Peace*, Oxford University Press, Oxford, 2021, pp. 67, 136 (and see p. 70 regarding the various depths of solidarity); S. J. Scholz, above note 7, p. 2. See also Matthew Clarke and Brett W. Parris, *Vale the Humanitarian Principles: New Principles for a New Environment*, The Humanitarian Leader Working Paper No. 001, Centre for Humanitarian Leadership, Deakin University, Burwood, 2019, pp. 9–10.

36 T. Scott-Smith, above note 14, pp. 15–16. See also Stuart Gordon and Antonio Donini, “Romancing Principles and Human Rights: Are Humanitarian Principles Salvageable?”, *International Review of the Red Cross*, Vol. 97, No. 897–898, 2015, p. 92, describing Médecins Sans Frontières (MSF) as solidarist under this framing. See also Statutes of the International Red Cross and Red Crescent Movement, adopted by the 25th International Conference of the Red Cross at Geneva in October 1986 and amended by the 26th International Conference at Geneva in December 1995 and by the 29th International Conference at Geneva in June 2006, Preamble, available at: www.icrc.org/en/doc/assets/files/other/statutes-en-a5.pdf.

Universal human solidarity can certainly be acted upon in line with the traditional humanitarian principles. First and foremost, it is reflected in humanitarianism’s leading principle of humanity. Indeed, reliance on this understanding of solidarity could be described as simply repackaging considerations of care for others that are already present in the concept and spirit of the principle of humanity. Impartiality is also especially relevant, since this form of solidarity insists on the equal value of all humans.³⁷ Finally, solidarity is also important in arguments in favour of neutrality, which is in turn argued by some organizations as necessary to ensure impartial action in practice.³⁸ As Pictet wrote about neutrality, “I am always with all those who suffer, and that is sufficient”.³⁹ More recently, in May 2023, the ICRC president wrote that “[w]hen the world takes sides, we side with humanity”.⁴⁰ This meaning of solidarity is indeed most closely associated with so-called classical or Dunantist approaches, but political or rights-based actions could also come within this notion of human solidarity provided they respect impartiality and non-discrimination.

Political solidarity with a community and cause

A third broad understanding of solidarity refers to political solidarity – that is, identifying a particular group or community as needing support, taking their side and advocating for them as required.⁴¹ Like universal solidarity, political solidarity cares about people, but it is differentiated precisely by its moral identification of an oppressed group. In the 1990s, the non-governmental organization (NGO) African Rights described solidary operations as having a political goal shared with the affected people, and as involving a rights-based agenda and concrete action in support of those people and their cause.⁴²

As such, this understanding of solidarity is typically – but not necessarily – aligned with an approach which works on underlying causes, such as by advocating for rights and social justice, in the aim of legal or political change to improve the situation. It could, however, in principle “only” respond to direct humanitarian needs because of a political solidarity with the identified group.

It is this third understanding that presents the least clarity as to its operationalization in practice, its relationship to the traditional humanitarian

37 Impartiality has been defined as making no discrimination as to nationality, race, religious beliefs, class or political opinions, endeavouring to relieve the suffering of individuals guided solely by their needs, and giving priority to the most urgent cases of distress. See ICRC, “The Fundamental Principles of the International Red Cross and Red Crescent Movement”, library/research guide, 4 May 2001, available at: <https://blogs.icrc.org/cross-files/the-fundamental-principles-of-the-international-red-cross-and-red-crescent-movement/>.

38 Neutrality has been defined as not taking sides in hostilities or engaging at any time in controversies of a political, racial, religious or ideological nature, in order to continue to enjoy the confidence of all. See *ibid.*

39 J. Pictet, *The Fundamental Principles of the Red Cross*, above note 24, p. 57.

40 Mirjana Spoljaric, “The World Needs Neutrals”, *New York Times*, 30 May 2023, available at: www.nytimes.com/2023/05/30/opinion/red-cross-ukraine-russia.html.

41 T. Scott-Smith, above note 14, p. 16; Larissa Fast, *Aid in Danger: The Perils and Promise of Humanitarianism*, University of Pennsylvania Press, Philadelphia, PA, 2014, p. 98.

42 African Rights, above note 5, p. 27. See also discussion in H. Slim, above note 5, p. 349.

principles, and what this means in turn for claims to the label “humanitarian”. For a start, as Miriam Bradley has pointed out, organizations working on underlying social justice issues or rights operate with a great diversity of values and methods which are often conflated, making “political” humanitarianism insufficiently nuanced as a descriptor.⁴³ Moreover, it has long been clear that organizations speaking out about human rights or IHL violations are not necessarily non-neutral – the speaking out can also be done in line with impartiality, neutrality and independence.⁴⁴ Further, neutral, independent, impartial humanitarian action (NIIHA) can, in its own way, also contribute to addressing some of the root causes of humanitarian needs.

While all humanitarian action is political in that it interacts in a political context in a particular way, an argument of solidarity is a specific prism through which humanitarianism can be politicized. Thus, although some commentators have seemed to use solidarity as a shorthand to refer rather broadly to any movement or actor considered “political” or working on social justice issues,⁴⁵ political solidarity must have a more specific meaning. Yet its scope and meaning prove somewhat difficult to pin down in practice. For example, an organization undertaking rights-based work in solidarity with a group might support those rights being respected universally but may have identified the particular group as being most in need of support; or, due to resources/effectiveness, might have chosen to work in a particular area/community; or, while wishing to assist or protect all civilians, may refuse to work through a particular authority that it finds problematic. Thus, absent of an explicit political statement of solidarity by the humanitarian actor in question, the factual reality of an organization’s operations does not necessarily imply that it is driven by political solidarity or a lack of neutrality and impartiality – these operations could be explained by other factors. The debates around solidarist actors in humanitarian typologies reflect some of the questions around these differences in practice.

Typologies of humanitarian actors offered in the late 1990s by key commentators did depict solidarists as a separate category and echoed aspects of the description given by African Rights above. They categorized humanitarian actors not only into so-called classicists/Dunantists/purists doing strictly principled, exclusively humanitarian emergency relief (“acts of mercy”, charity, “compassion tradition”) on the one hand, and political or Wilsonian actors doing “new humanitarianism” (“acts of justice”, “change tradition”) on the other.⁴⁶

43 Miriam Bradley, “Five Shades of Grey: Variants of ‘Political’ Humanitarianism”, *Disasters*, Vol. 46, No. 4, 2022. See also HERE-Geneva, *Unpacking Humanitarianism*, 2020, p. 1, available at: <https://reliefweb.int/report/world/unpacking-humanitarianism-april-2020>, explaining that labels such as single-, dual- and multi-mandate organizations are limited in their meaningfulness.

44 M. Bradley, above note 43, p. 1038; M. Bradley, above note 19, p. 237. But see also T. Scott-Smith, above note 14, pp. 6–9, discussing the “enduring tension between advocacy and neutrality”.

45 See e.g. S. Gordon and A. Donini, above note 35, pp. 82–83; D. Chandler, above note 5, pp. 3–4.

46 With the political actors being maximalists or minimalists as per Thomas G. Weiss, “Principles, Politics, and Humanitarian Action”, *Ethics and International Affairs*, Vol. 13, No. 1, 1999, pp. 2–4. But see also the published responses to Weiss’s article clarifying certain aspects, particularly Joelle Tanguy and Fiona Terry, “Humanitarian Responsibility and Committed Action”, *Ethics and International Affairs*, Vol. 13,

Thomas Weiss described another category, solidarists, as those “who choose sides and abandon neutrality and impartiality as well as reject [State] consent as a prerequisite for intervention”.⁴⁷ In those early debates, Slim likewise depicted solidarity as a replacement for both neutral and impartial approaches. He wrote that solidarity “obviously involves taking sides” and is therefore “in opposition to classical humanitarian principles”. Slim also referred to other traditions, such as Christian moral theology, in which taking sides is sometimes considered the ethical approach. Yet, he noted that a lack of clarity between the just and unjust sides in many conflicts, and the fact that even the side perceived as “right” might carry out atrocities, can make such solidarity hard to apply. He warned in particular about related approaches which show solidarity with those perceived as being “innocent”.⁴⁸

In 2005, Dijkzeul and Moke offered a typology of humanitarian organizations likewise based partly on the actor’s relationship to the people affected by conflict, but in this case on a spectrum running from impartiality to solidarity.⁴⁹ Under this typology, impartiality would see an organization assisting people on both sides of a front line, even if the party under whose control those people lived was criticized. In comparison, solidarity represents an “explicit choice to side with a group of people and their political cause”. It thus implies working in favour of some communities and not others, and is not impartial.⁵⁰

One concrete example departing from the usual notions of impartiality and neutrality, and described as “solidarity humanitarianism” by multiple authors, is that of Norwegian People’s Aid (NPA), the humanitarian organization of the Norwegian Labour Movement. NPA has explicitly stated that while it is independent, it is not neutral and impartial but political, with “its work ... grounded in the idea of solidarity with the people it helps”, and that it “wanted to play a role that was different from most other humanitarian organisations, and wanted to contribute to political change”.⁵¹ NPA worked in (then) southern Sudan with the humanitarian wing of the Sudan People’s Liberation Movement rather than joining UN-led humanitarian efforts, reportedly also politically

No. 1, 1999. See also L. Fast, above note 41, pp. 92–95; Michael Barnett, “Humanitarianism Transformed”, *Perspectives on Politics*, Vol. 3, No. 4, 2005, p. 728; ICRC, *Connecting with the Past: The Fundamental Principles of the International Red Cross and Red Crescent Movement: A Critical Historical Perspective*, ICRC Conference Report, Geneva, 2015, p. 11, available at: <https://blogs.icrc.org/cross-files/wp-content/uploads/sites/106/2017/08/Connecting-with-the-Past-REPORT-updated-01.-2016.pdf>: “There has always been a dual motivation behind the humanitarian impulse, encapsulated in the Principle of humanity: one inspired by a spirit of ‘charity’ and compassion, and one driven by a more militant thirst for justice.”

47 T. G. Weiss, above note 46, p. 3. On the consent issue being in fact a separate question, see discussion in M. Bradley, above note 43, p. 1029.

48 H. Slim, above note 5, pp. 349–350. See also below note 126 and associated text.

49 For the purposes of examining organizations’ public communication strategies. Dennis Dijkzeul and Markus Moke, “Public Communication Strategies of International Humanitarian Organizations”, *International Review of the Red Cross*, Vol. 87, No. 860, 2005.

50 *Ibid.*, pp. 677–678.

51 Eva Bjøreng, “Taking a Stand: Solidarity and Neutrality in Humanitarian Action”, *Humanitarian Exchange*, Vol. 25, No. 4, 2003, pp. 9–10. See also the NPA website, available at: www.npaid.org/about-us.

supporting the independence movement.⁵² In the mid-1990s, NPA similarly chose to support the Kurdish cause in its work in Iraq by actively advocating for that cause and supporting the Kurds' advocacy efforts through bottom-up approaches, albeit within a vision of a "free and democratic Iraq where Kurds enjoyed their rights as a people".⁵³ NPA's clearly stated position was made known to all NPA partners and local authorities, preventing it from being able to undertake humanitarian action elsewhere in Iraq due to the risks that might pose.⁵⁴

The relationship between solidarity and impartiality in particular remains a subject of debate. In 2008, for example, Maxwell and Walker described the decisions of NPA to provide aid only for people in areas controlled by the Sudan People's Liberation Army as "fairly extreme" and argued that groups describing themselves as solidarist would and could still commonly profess to being impartial in terms of aid.⁵⁵ Since impartiality is generally held as fundamental to action being labelled humanitarian, commentators have indeed described it as rare to see international organizations explicitly invoke such a politically solidary approach.⁵⁶ As mentioned above, in practice, the question of whether an organization's approach is impartial or not might prove somewhat opaque without clear invocations of political solidarity. This is because, as noted above, even if the ambition is to be truly inclusive, the carrying out of humanitarian aid takes place in a situated context (where people are considered to be in need, or in the most need, or in the type of need fitting the mandate and resources of the organization in question).⁵⁷ There is a certain inbuilt leniency within the principle of impartiality in terms of factoring in limited scopes of operation due to aspects such as restrictions from the parties, location and geographic areas of coverage, or limits of resources of the organization.⁵⁸

Additional points made by commentators about such typologies of humanitarian organizations are also well taken – namely, that organizations do not always fit squarely into such typologies⁵⁹ and that it can be overly crude to

52 See e.g. D. Dijkzeul and M. Moke, above note 49; T. Scott-Smith, above note 14, p. 17; Hugo Slim, *Humanitarian Resistance: Its Ethical and Operational Importance*, Humanitarian Practice Network Paper No. 87, Overseas Development Institute, September 2022, pp. 8–9; L. Fast, above note 41, p. 98; Daniel G. Maxwell and Peter Walker, *Shaping the Humanitarian World*, Taylor & Francis, Oxford, 2008, p. 122.

53 E. Bjøreng, above note 51, p. 10.

54 *Ibid.*

55 D. G. Maxwell and P. Walker, above note 52, pp. 122–123.

56 L. Fast, above note 41, p. 98; T. Scott-Smith, above note 14, p. 14.

57 See Didier Fassin, "Inequality of Lives, Hierarchies of Humanity: Moral Commitments and Ethical Dilemmas of Humanitarianism", in Ilana Feldman and Miriam Ticktin (eds), *In the Name of Humanity: The Government of Threat and Care*, Duke University Press, Durham NC, 2010, p. 239. See also Sophia Hoffman, "Impartiality", in A. De Lauri (ed.), above note 16; M. Bradley, above note 19, p. 16.

58 See Frits Kalshoven, "Impartiality and Neutrality in Humanitarian Law and Practice", *International Review of the Red Cross*, Vol. 29, No. 273, 1989, pp. 524–525; Michael Bothe, Karl Josef Partsch and Waldemar Solf, *New Rules for Victims of Armed Conflicts: Commentary on the Two 1977 Protocols Additional to the Geneva Conventions of 1949*, Martinus Nijhoff, The Hague and Boston, MA, 1982, p. 486. See also the discussion in Hugo Slim, *Humanitarian Ethics: A Guide to the Morality of Aid in War and Disaster*, Hurst & Co., London, 2015, pp. 57–64.

59 Jérémie Labbé, "How Do Humanitarian Principles Support Humanitarian Effectiveness?", in CHS Alliance, *Humanitarian Accountability Report*, 2015, p. 22.

describe solidarist approaches as simply “taking sides” since many different considerations regarding use of resources and appropriate response are involved.⁶⁰

Interim conclusion on the meanings of solidarity

In sum, solidarity most commonly refers to universal (human) solidarity or political solidarity. These ideas can become confusing or conflated regarding humanitarian responses since they involve social solidarity from local affected people as well as the privileged/non-oppressed coming to the aid of the harmed/oppressed. Relatedly, although solidarity has often been thought about in terms of shared suffering and a commitment to collective obligations,⁶¹ traditional international humanitarianism is underlined by an idea of giving altruistically.⁶² As discussed further below, the recent calls for solidarity, linked as they are with localization efforts, might give us a way to bridge these notions around mutual obligations.

Such conflation is also shown through subtle differences in language. For example, a statement of solidarity with Ukraine “in the face of unlawful aggression” appears political, while a statement of solidarity “with the people of Ukraine” is ambiguous but might imply universal human social solidarity with all Ukrainians.⁶³ State humanitarian donorship policies which are also described by the notion of inter-State solidarity⁶⁴ can be similarly ambiguous in that regard – some donors may follow a traditional, neutral model while others use humanitarian aid also for other political purposes, desiring an effective alignment between aid and foreign policy objectives, “covered” by an argument of solidarity. This article returns to such critiques and why one must pay careful attention to the language of solidarity below.

In turn, these multiple meanings and conflation affect how the relationship of solidarity to the humanitarian principles is understood – the very nature of solidarist humanitarianism. Universal human solidarity aligns most closely with the traditional principles and at the highest level, traditional humanitarian action and political solidarity sit in opposition. However, as shown, political solidarity does not have a settled meaning in terms of its operationalization, and it might still be independent, deeply impartial and clearly caring about humanity while being non-neutral.

The reality is how Hugo Slim describes it – namely, that solidarity remains an attitude only until specific action is taken. That is to say, solidarity expresses a

60 T. Scott-Smith, above note 14, p. 17.

61 See e.g. Alessandro Volpe, “Doing Justice to Solidarity: On the Moral Role of Mutual Support”, *Phenomenology and Mind*, Vol. 24, 2023, pp. 259–260; K. Bayertz, above note 31, p. 19.

62 See also Irène Herrmann, “L’humanitaire est-il une forme de solidarité?”, in Michel Wieviorka (ed.), *Les solidarités: Les entretiens d’Auxerre*, Éditions Sciences Humaines, Auxerre, 2017, p. 233; Lilie Chouliaraki, “Post-Humanitarianism”, in T. Allen, A. Macdonald and H. Radice (eds), above note 16, p. 265.

63 See also discussion in Z. Moallin, K. Hargrave and P. Saez, above note 22, p. 23.

64 See e.g. Carl Marklund, *Nordic Specificity in the Contemporary Humanitarian Landscape*, Humanitarian Policy Group Working Paper, Overseas Development Institute, London, January 2016, pp. 21–24; Z. Moallin, K. Hargrave and P. Saez, above note 22, pp. 7, 12–13.

commitment to an identified cause but does not take a definitive position on how that commitment might be operationalized.⁶⁵ Understanding solidarity requires context.

The next section considers the recent calls for increased solidarity within these ongoing debates and existing descriptions of political solidarity. In what context have they been made, and how is the notion of solidarity framed? What type of solidarity is envisaged?

The recent re-emphasis on solidarity

Recent commentary reinvigorating suggestions that the humanitarian sector should shift from the traditional humanitarian principles – particularly neutrality – towards a posture of solidarity have been made both in general terms and in relation to specific contexts, primarily Myanmar and Ukraine.⁶⁶ This section sets out five examples of such calls for solidarity from the last five years. The following section then continues the discussion by focusing on the relationship of solidarity in these calls with the traditional humanitarian principles.

The first example comes from Clarke and Parris, who argued in 2019 that the principles of humanity, impartiality, neutrality and independence – necessary and appropriate at the time of their adoption in these authors' view – were no longer fit for purpose given the changing humanitarian landscape and what they describe as the increasing complexity and intensity of humanitarian events. Although one might argue that these ideas are already covered within the existing principles and therefore not mutually exclusive of them, Clarke and Parris proposed the principles of equity, solidarity, compassion and diversity to entirely replace the four traditional principles.⁶⁷

For Clarke and Parris, solidarity refers to a collective obligation to address others' needs – one that requires action, ideally action addressing the causes and not only the consequences of the humanitarian needs.⁶⁸ They argue that responses to events that are based on judgements as to the causes of the events, especially human-induced events such as conflict, are “more able to be critical and therefore more able to address causation factors”.⁶⁹ Those public and active responses could then, in the authors' view, contribute to greater holding to account of responsible parties.⁷⁰

65 H. Slim, above note 52, p. 7.

66 Neutral approaches have also been questioned in relation to Syria, amongst other armed conflicts, without an explicit focus on solidarity *per se*. See C. Wieland, above note 2.

67 M. Clarke and B. W. Parris, above note 35, p. 4. The changing humanitarian landscape was described largely in terms of current forced displacement and statelessness, alongside estimations of further displacement due to the effects of climate change, rather than armed conflict: see pp. 4–5. In an accompanying piece, wealth disparity is also mentioned: Matthew Clarke, “Opinion: The Humanitarian Sector Needs New Principles”, *Devex*, 19 August 2019, available at: www.devex.com/news/opinion-the-humanitarian-sector-needs-new-principles-95493.

68 *Ibid.*, pp. 9–10. Focusing on the issue of forced displacement, the authors also consider “solidarity” in the sense of mutual solidarity between populations of host countries and resettled refugees and asylum-seekers. See p. 10.

69 *Ibid.*, p. 9.

70 *Ibid.*, p. 10.

The solidarity promoted in Clarke and Parris’s paper is contrasted mostly with impartiality – albeit an impartiality that the authors, incorrectly in my view, consider as a principle which provides “a signal to those transgressing the rights of others that they will not be held accountable for their actions”.⁷¹ At first glance, this appears more like a critique more commonly made of neutrality given that many actors advocate for rights and accountability while respecting the principle of impartiality. Clarke and Parris do, however, seem to be envisaging something more active than “mere” speaking out, and reference also the responsibility to protect as part of solidarity, although not expressly mentioning military intervention *per se*.⁷² In any event, as mentioned, these authors propose the replacement of impartiality as a humanitarian principle. They suggest that “being freed from conscious impartiality allows a greater range of styles and modes of response” and that “[t]his freedom is further intensified by being consciously responsible for others” – that is, via solidarity.⁷³

Clarke and Parris describe another of their proposed new principles, compassion, in relatively similar terms as human or at least social solidarity but on the individual level. Compassion is described as a personal emotion, based in love, that moves one to action, connecting humans and protecting one from disinterest or fatigue. While not eschewing professionalism, compassion is felt to reassert human-to-human connection, such as when local people act as first responders immediately following a disaster or other event, assisting their neighbours and community. While for most humanitarians, compassion might be understood already as a key emotional driver underlying the principle of humanity, for Clarke and Parris, “[c]ompassion lays bare the myth of neutrality” since neutrality, they claim, requires judgement to be suspended and denies an emotive response.⁷⁴

As the inaugural working paper of the Centre for Humanitarian Leadership at Deakin University, Australia, it appears as if the Clarke and Parris paper aimed to provoke debate rather than to compellingly convince. Indeed, the authors subsequently published an updated version in which the argument was significantly softened.⁷⁵ This is touched upon again in the following section.

In a more roundly argued presentation in April 2021, the then director of *The New Humanitarian* (formerly *IRIN News*), journalist Heba Aly, reflected on complex questions including the extent to which humanitarians are equipped to deal with the kinds of deeply rooted injustices in the world, whether it is even the role of humanitarians to relieve such suffering, and to what extent the sector might be part of or propping up the current world order that concentrates power and resources in the hands of some and not others. Ultimately, Aly posed the confronting question of whether humanitarian action remains “the right solution

71 *Ibid.*, p. 9.

72 *Ibid.*, p. 9.

73 *Ibid.*, p. 9.

74 *Ibid.*, p. 10.

75 Matthew Clarke and Brett W. Parris, “Do Humanitarian Principles Still Fit Their Purpose? Suggested Values for a New Global Environment”, *TRC Journal of Humanitarian Action*, Vol. 1, No. 2, 2022.

to the problems the world faces today”, commenting on the magnitude of need around the world and asking how to focus the energy required in the most effective way.⁷⁶

Aly’s conclusion was that humanitarianism in its current form has reached its limits (financially, operationally, structurally, ethically), or it soon will, and that the sector needs to be more imaginative about what the future of aid should look like.⁷⁷ As a way of contributing to “rethinking humanitarianism”,⁷⁸ Aly argued for the importance of moving from neutrality to solidarity, with a vision of effective future humanitarianism as pluralistic and networked activism and mutual aid, anticipating and preventing human suffering rather than responding to it, and necessarily grounded and more humble in its vision.⁷⁹ One might counter-argue that such plural forms of humanitarianism have long existed and that this vision is therefore not of the future but also of the past and present. Aly’s perceived need for “rethinking humanitarianism” was, however, also linked to her observation of humanitarian professionals’ nostalgic despair at the rise of bureaucracy and the decay of passionately inspired volunteer activism – “that’s where our pulsing heart was”, she quotes an aid worker as saying.⁸⁰

A third example comes from a 2021 scholarly article discussing humanitarian advocacy, in particular Médecins Sans Frontières’ (MSF) concept of *témoignage*. Arjun Claire proposes that a re-pivoting towards solidarity with affected populations can help humanitarians reconcile the tensions between, on the one hand, the technical, rational aspects of advocacy, evidenced by the turn to data- and evidence-based advocacy, which Claire finds can lack emotion and be morally depleted, and, on the other, the human emotion involved in understanding people’s stories for activism purposes, which risks paternalism. Claire suggests that an approach to humanitarian advocacy underpinned by solidarity with affected populations can help bridge reason and emotion, evidence-based advocacy and activism, taking the needs and aspirations of the population as a starting point for action.⁸¹

Fourth, regarding engagement by humanitarian actors with the military junta following Myanmar’s 2021 military coup, several commentators have argued that the political situation and human rights violations cannot be ignored by humanitarians,⁸² or at the very least that the situation asks hard ethical

76 Heba Aly, “Today’s Humanitarianism Has Reached Its Limits. What Will Take Its Place?”, presentation given at the Humanitarian Leadership Conference, Centre for Humanitarian Leadership, Deakin University, Burwood, 28–29 April 2021, available at: <http://tinyurl.com/jw6tszvn>.

77 *Ibid.*

78 See e.g. “Rethinking Humanitarianism Podcast”, *The New Humanitarian*, available at: www.thenewhumanitarian.org/podcast/rethinking-humanitarianism.

79 H. Aly, above note 76.

80 *Ibid.*

81 Arjun Claire, “Reason, Emotion and Solidarity in Humanitarian Advocacy”, *Journal of Humanitarian Affairs*, Vol. 3, No. 1, 2021.

82 Adelina Kamal and Daniel Benowitz, “Supporting the People of Myanmar: It’s about Political Will”, Humanitarian Practice Network, 19 October 2022, available at: <https://odihpn.org/publication/supporting-the-people-of-myanmar-its-about-political-will/>; Adelina Kamal, Naw Hser Hser and Khin Ohmar, “Myanmar’s Neglected Crisis Demands a Different Response”, *The New Humanitarian*, 1

questions of the traditional humanitarian aid model that works through State consent.⁸³ For some commentators, framing the situation as an ethnic conflict in which both sides are at equal fault would deny the responsibility of the military-run State Administration Council and ignore the population’s rejection of the military regime.⁸⁴ Anne Découbert argues that “pretences at neutrality would do more harm than good and a solidarity-based approach to aid will have far more positive humanitarian and human rights impacts”.⁸⁵ While acknowledging that international humanitarian organizations will likely need to engage with the State Administration Council in order to be able to operate in Myanmar in the first place, Découbert worries about the associated recognition of the regime, the principled nature of such operations being unacceptably impacted by the regime’s restrictions on aid (such as not being able to act impartially in practice), and local people perceiving humanitarian actors as siding with the regime, putting local staff members in uncomfortable positions.⁸⁶ Adelina Kamal and Daniel Benowitz likewise advocate for humanitarian actors to leave Myanmar entirely in preference to working through the State Administration Council for both moral and practical reasons linked also to respect for the humanitarian principles.⁸⁷

Kamal’s arguments in support of front-line humanitarian workers in Myanmar build explicitly on Hugo Slim’s terminology of “humanitarian resistance”.⁸⁸ Resistance humanitarianism is described by Slim as actions of rescue, relief and protection of people suffering under an unjust enemy regime, organized by individuals or groups politically opposed to that regime. Thus, it includes civil resistance to authoritarianism and aggressive inter-State war.⁸⁹ The fifth and final example, then, is the solidarity felt by many people and States around the world with Ukraine’s situation.⁹⁰ Since the escalation of the Russia–Ukraine conflict, the principle of neutrality has been placed under immense pressure – indeed, neutrality has been described as being under grave threat.⁹¹ Classical approaches of engaging with both sides to the conflict to ensure access to all affected populations are no longer always accepted by the relevant authorities, national NGOs or donors, nor always by the general public

February 2023, available at: www.thenewhumanitarian.org/opinion/2023/02/01/Myanmar-coup-Ukraine-cross-border-aid.

83 Hugo Slim, “Humanitarian Resistance and Military Dictatorship”, Humanitarian Practice Network, 14 April 2021, available at: <https://odihpn.org/publication/humanitarian-resistance-and-military-dictatorship/>.

84 A. Décobert, above note 4.

85 *Ibid.*

86 *Ibid.*

87 A. Kamal and D. Benowitz, above note 82.

88 H. Slim, above note 52.

89 *Ibid.*, pp. 7, 20.

90 See e.g. Patrick Saez and John Bryant, “Two Ways the Humanitarian System Should Harness Global Solidarity with Ukraine”, Overseas Development Institute, 3 March 2022, available at: <https://odi.org/en/insights/two-ways-the-humanitarian-system-should-harness-global-solidarity-with-ukraine/>; Z. Moallin, K. Hargrave and P. Saez, above note 22.

91 M. Spoljaric, above note 40.

in Ukraine.⁹² Slim predicted significant changes in humanitarianism, precisely towards approaches in political solidarity with Ukraine, building upon earlier arguments about non-neutral forms of humanitarianism in opposition-held areas of Syria such as the Syria Civil Defence organization (the White Helmets) and in support of ethnic armed organizations and civil movements in Myanmar, and seeing such responses as part of resistance against aggression.⁹³ As Slim explains, contemporary humanitarian action is certainly already not always neutral.⁹⁴

Is so-called resistance humanitarianism the same as solidarity humanitarianism? While Slim acknowledges that the principle of solidarity has traditionally been used for humanitarian action which takes sides, he differentiates what he labels resistance from solidarity. However this is seemingly primarily because the term “solidarity” holds multiple meanings and, as noted above, does not make definitive its operationalization; that is to say, it is seemingly a difference in choice of language rather than meaning. In Slim’s resistance humanitarianism, once one acts on this motivating solidarity, there will be an inevitable power dynamic involved – that is, a resistance against an opponent and the expectation of resistance from that opponent in return.⁹⁵ In a slightly earlier opinion, Slim used the term “activist humanitarianism” to describe humanitarian action that takes sides and is thus non-neutral.⁹⁶ The described side-taking and enmity certainly looks like a solidary approach once acted upon, and at the risk of itself conflating meanings of solidarity, this article has thus included this example as one of the recent calls for solidarity.

Identifying the various “threads” of solidarity emphasized in recent calls

These recent calls for solidarity continue the tradition of posing challenges or alternatives to the classical humanitarian principles through arguing for multiple

92 See e.g. Tiara Ataii, “Why Ukraine Is Moving the Needle on Old Debates about Humanitarian Neutrality”, *The New Humanitarian*, 16 May 2023, available at: <https://www.thenewhumanitarian.org/analysis/2023/05/16/ukraine-debates-humanitarian-neutrality-debates>; Hajer Naili, “Neutrality in Humanitarian Actions Means Talking to All Parties to a Conflict”, *Just Security*, 28 March 2022, available at: www.justsecurity.org/80882/neutrality-in-humanitarian-actions-means-talking-to-all-parties-to-a-conflict/; “Rethinking Humanitarianism Podcast: Weapons as Aid?”, *The New Humanitarian*, 12 July 2022, available at: www.thenewhumanitarian.org/podcast/2022/07/12/Weapons-aid-ukraine; H. Slim, above note 3; Z. Moallin, K. Hargrave and P. Saez, above note 22.

93 H. Slim, above note 3; Hugo Slim, *Solferino 21: Warfare, Civilians and Humanitarians in the Twenty-First Century*, Hurst, London, 2022, pp. 116, 127. See also Jessica Alexander, “Is Ukraine the Next Tipping Point for Humanitarian Aid Reform?”, *The New Humanitarian*, 25 July 2022, available at: www.thenewhumanitarian.org/analysis/2022/07/25/Ukraine-aid-reform-local-donors-neutrality.

94 H. Slim, above note 3.

95 H. Slim, above note 52, pp. 7–8.

96 Hugo Slim, “You Don’t Have to Be Neutral to Be a Good Humanitarian”, *The New Humanitarian*, 27 August 2020, available at: www.thenewhumanitarian.org/opinion/2020/08/27/humanitarian-principles-neutrality.

and diverse humanitarianisms. Indeed, as mentioned, solidarity is not new to humanitarianism. However, the conversation has re-emerged in the broader current global context of increased polarization and certain crises in multilateralism.⁹⁷ This links these calls also to the demands for greater localization of aid. These calls for solidarity are meaningful and can arguably be seen as an indicator or vector of such broader trends.

This section considers the calls within this contextual framing by drawing out certain “threads” related to the humanitarian principles and the calls’ framing of solidarity over and above any individual counter-arguments. These threads are discussed in this section, and an attempt to draw them together is then made in the concluding reflections.

Neutrality and solidarity

First, solidarity continues to be understood and promoted generally as a counterpoint to neutral approaches, in line with long-standing debates about the effectiveness and ethics of neutral and non-neutral humanitarian action, and related questions about emergency relief versus social justice and peace action. The first call (Clarke and Parris) would do away with the classical humanitarian principles altogether and support greater freedom of action driven by partial judgement, insisting on a collective responsibility for advocacy and direct action. The second (Aly) also expresses concern about traditional ways of doing things not working or soon not coping in the current context. The fourth and fifth examples regarding aggression and authoritarian regimes are concerned about neutral approaches in the particular circumstances and thus push back against neutrality more gently in a global sense, although more robustly in the embedded contexts.

In the face of practical challenges precisely in contexts such as the Russia–Ukraine conflict, senior figures from MSF and the ICRC in particular have sought to re-emphasize the value and effectiveness of a neutral, impartial humanitarian actor in any type of armed conflict, and regardless of the reasons argued by the parties for resorting to the use of force.⁹⁸ It is acknowledged, of course, that this depends on

97 Regarding debate about the humanitarian principles going through cycles of dormancy and hyperactivity, and currently being reawakened, see Sophia Swithern, “The Principles Debate Just Woke Up: Now Where’s the Evidence about the Practice?”, Humanitarian Practice Network, 2 February 2023, available at: <https://odihpn.org/publication/the-principles-debate-just-woke-up-now-wheres-the-evidence-about-the-practice/>.

98 Ulrike von Pilar, “Humanitäre Hilfe als Kampfmittel?”, Centre for Humanitarian Action, 12 July 2022, available at: <https://www.chaberlin.org/blog/humanitaere-hilfe-als-kampfmittel/>; M. Spoljaric, above note 40; Robertardini, “Back to Basics: Humanitarian Principles in Contemporary Armed Conflict”, *Humanitarian Law and Policy Blog*, 16 June 2022, available at: <https://blogs.icrc.org/law-and-policy/2022/06/16/back-to-basics-humanitarian-principles/>; Nils Melzer and Elizabeth Rushing, “Humanitarian Neutrality in Contemporary Armed Conflict: A Conversation with Nils Melzer”, *Humanitarian Law and Policy Blog*, 26 January 2023, available at: <https://blogs.icrc.org/law-and-policy/2023/01/26/humanitarian-neutrality-in-contemporary-armed-conflict-a-conversation-with-nils-melzer/>. See also Ed Schenkenberg van Mierop, “Coming Clean on Neutrality and Independence: The Need to Assess the Application of Humanitarian Principles”, *International Review of the Red Cross*, Vol. 97, No 897–898, 2016, pp. 300, 311; Fiona Terry, “The International Committee of the Red Cross in Afghanistan: Reasserting the Neutrality of Humanitarian Action”, *International Review of the Red*

what one understands as “effectiveness”.⁹⁹ It is clear, though, that the ongoing role for neutral and impartial humanitarian action has been reaffirmed recently, for example, in actions of the ICRC as a neutral intermediary through its Central Tracing Agency between Russia and Ukraine, or facilitating hostage and detainee releases in Gaza and Israel.¹⁰⁰ The humanitarian sector has also strongly campaigned for exemptions from anti-terrorism and other sanctions which would otherwise impact its neutral engagement with illegitimized groups and authorities. Thus, neutral organizations will certainly continue their neutral working methods despite challenges in practice.

Relatedly, the argument that the humanitarian principles were suitable in the past but are no longer fit for purpose would seem to ignore the decades-long tensions between “apolitical” and “political” (and indeed solidarist) humanitarian action and related debates that have existed from the outset of modern international humanitarianism about restraints on warfighting in IHL versus peace activism.¹⁰¹ In this regard, as noted above, Clarke and Parris subsequently published an updated version of their above-mentioned working paper in which the argument regarding the need to replace the existing principles was softened. Rather than calling for their replacement, the authors asked whether the principles may require re-evaluation and opened a conversation on guiding humanitarian values that could support, augment or revise the current principles, still suggesting equity, solidarity, compassion and diversity.¹⁰²

As is often said, a variety of approaches can create a stronger humanitarian ecosystem.¹⁰³ Where one organization publicly condemns a party’s actions and has its access blocked, another organization relying only on confidential, bilateral dialogue might retain access. Similarly, local or solidary organizations might have reach in a particular region, where others do not. The division of labour helps to ensure that more bases are covered; that as a broader system, we attempt, somehow, to achieve both social justice and to cover emergency humanitarian needs, even if we know that both, alone, can be critiqued.¹⁰⁴ While the recent

Cross, Vol. 93, No. 881, 2011, p. 187; Pierre Krähenbühl, “The Neutral Intermediary Role of the ICRC: At the Heart of Humanitarian Action”, 7 July 2008, available at: www.icrc.org/en/doc/resources/documents/interview/neutral-intermediary-interview-070708.htm; S. Gordon and A. Donini, above note 36, pp. 106, 109.

99 J. Labbé, above note 59, p. 19.

100 ICRC, “ICRC’s Central Tracing Agency Bureau for the International Armed Conflict between the Russian Federation and Ukraine: Providing Answers to Families”, 2 June 2022, available at: www.icrc.org/en/document/central-tracing-agency-missing-persons-ukraine; Imogen Foulkes, “Israel–Gaza War: The Red Cross’s Delicate Role in Hostage Crises”, *BBC News*, 27 November 2023, available at: www.bbc.com/news/world-middle-east-67520263.

101 Marnie Lloyd, “‘A Few Not Too Troublesome Restrictions’: Humanitarianism, Solidarity, Anti-Militarism, Peace”, *Critical Legal Thinking*, 22 November 2022, available at: <https://criticallegalthinking.com/2022/11/22/a-few-not-too-troublesome-restrictions-humanitarianism-solidarity-anti-militarism-peace/>.

102 M. Clarke and B. W. Parris, above note 75.

103 See e.g. S. Gordon and A. Donini, above note 36, pp. 95–98.

104 See also Jenny Edkins, “Humanitarianism, Humanity, Human”, *Journal of Human Rights*, Vol. 2, No. 2, 2003, p. 256, discussing David Rieff; M. Lloyd, above note 101, discussing Michael Sfar’s work on the dilemma between the “wall” and the “gate” in human rights efforts.

calls for solidarity involve a strong critique of neutrality (amongst other things, discussed below) and need to be taken seriously, they are also not fatal to neutrality. As argued further below, the demanded openness to solidarity, despite its critique of neutrality, requires a reciprocal openness to the fact that some organizations will continue to practice neutrality as a key operating principle. Similarly, committing to the ongoing value of neutral, impartial action is not to deny the possibility or legitimacy of non-neutral, solidary approaches, nor to suggest that different approaches necessarily have better ethics. Even the ICRC has acknowledged that not everyone needs to be neutral.¹⁰⁵ There can be virtue in walking away and virtue in sticking it out precisely because of the bad company of the particular authorities. Jérémie Labbé puts it well when he says that “[t]he underlying question ... is not whether humanitarian principles are still relevant today, but whether they are equally relevant in all situations”.¹⁰⁶ We need to envisage, ultimately, a plurality of humanitarian approaches, neutral and non-neutral, in a diverse and potentially complementary ecosystem of actors, which can operate, differently, alongside each other.

Localization and solidarity

Second, in terms of that diverse and complementary ecosystem of actors, the recent calls are notable in their linking of the notion of solidarity with the ongoing broader demands for increased localization of aid. The calls for solidarity regarding Ukraine and Myanmar focus squarely on the responses already being provided by local actors. Commentators point out that depending on context, local humanitarian actors may have access to areas that international, including neutral, actors do not because of limitations placed on them by the authorities or another party to the conflict, or for security reasons (e.g. if international staff leave and conduct operations “remotely” through local staff or organizations). The trust of the local population in local actors is also mentioned as important in these calls.

The localization agenda is broader than the solidarity agenda. In other words, while it is entirely understandable that local humanitarians might choose not to operate neutrally in a given situation, it should certainly not be assumed that all local responses are of the political solidarity variant.¹⁰⁷ It is true, though,

105 M. Spoljaric, above note 40; Pierre Krähenbühl, “The ICRC’s Approach to Contemporary Security Challenges: A Future for Independent and Neutral Humanitarian Action”, *International Review of the Red Cross*, Vol. 86, No. 855, 2004, p. 513. See also arguments made in H. Slim, above note 96.

106 Jérémie Labbé, “Rethinking Humanitarianism: Adapting to 21st Century Challenges”, International Peace Institute, November 2012, p. 21, available at: www.ipinst.org/wp-content/uploads/publications/ipi_pub_rethinking_humanitarianism.pdf.

107 For example, members of local volunteer committees in Khartoum have expressed an effort to detach their humanitarian volunteering from any political activities: Ela Yokes, “‘I See It as My Duty to Help for as Long as I Can’: Sudanese Volunteers on Supporting Hospitals and Opposing the War”, *The New Humanitarian*, 2 June 2023, available at: www.thenewhumanitarian.org/authors/ela-yokes. The US- and Yemeni-run Yemen Relief and Reconstruction Foundation, for instance, is described as operating with a policy of neutrality and impartiality concerning the conflict which is credited with providing its network of local volunteers with critical trust and access across the country: Ann Marie Kimball and

that local actors may also face greater challenges in applying the humanitarian principles because of their close connection to the local situation and often the impossibility of leaving. In particular, they might not be able to engage with all parties, and sensitive issues involved in protection work may prove risky for local actors.¹⁰⁸ The need for secrecy and bravery in some contexts is remarked upon in these recent calls.¹⁰⁹ Regardless of their working principles, other facets of unity within a community mean that local responses might anyway be perceived as politically solidary precisely because of their local, associative connections.

Where appropriate, international humanitarian actors might also support local/national actors in their application of the humanitarian principles. Yet care is required, since within the linking of solidarity and localization in the recent calls is also the thread of anti-bureaucratization, reminding us that these questions are not only about a critique of neutrality and a demand for greater localization in the sense of effectiveness or ethics. Rather, the critique relates to the entire way of doing business; to the interrelation between people as a working methodology. This becomes the third thread.

Solidarity as an important way of working

Solidarity being a political stance both about a situation and about a way of working is not a new idea – the report from the NGO African Rights in the 1990s cited above also talked of solidarity requiring shared risk and suffering, and consultation with and accountability to the people with whom solidarity is expressed.¹¹⁰ The recent calls seem to re-emphasize these modalities, referring not only to political alignment but rather, as part of the broader localization as well as resilience¹¹¹ and nexus¹¹² agendas, a particular method of operational interrelating with others that is inclusive, egalitarian, collaborative and decolonizing. This is sometimes coupled with an ethos pushing back against over-bureaucratization and to some extent professionalization of the sector. Aly's call, for example, focused on the sector itself – the vision sought to reclaim grounded, pluralistic, networked and less bureaucratic volunteer activism involving mutual aid. In a similar vein, in slightly earlier examples from the mid-2010s, the term “solidarity” was used to describe grassroots, informal and voluntary-based humanitarian responses to

Aisha Jumaan, “Yemen: The Challenge of Delivering Aid in an Active Conflict Zone”, *Global Security: Health, Science and Policy*, Vol. 5, No. 1, 2020.

108 ICRC, *International Development Committee Inquiry: The Global Humanitarian System: Submission by the International Committee of the Red Cross*, 2016, p. 3, available at: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-development-committee/the-global-humanitarian-system/written/28996.pdf>.

109 A. Kamal, above note 4; H. Slim, above note 52.

110 African Rights, above note 5, p. 27. See also discussion in H. Slim, above note 5, p. 349.

111 Dorothea Hilhorst, “Classical Humanitarianism and Resilience Humanitarianism: Making Sense of Two Brands of Humanitarian Action”, *International Journal of Humanitarian Action*, Vol. 3, 2018.

112 Meaning the so-called triple nexus of relief, development and peace. See M. Bradley, above note 19, pp. 281 ff.

migrants and displaced persons crossing the Mediterranean to Europe.¹¹³ Rozakou describes such “solidarity humanitarianism” as recognizable by being more horizontal, anti-bureaucratic and political in its form of assistance.¹¹⁴

The importance of affected populations defining for themselves the concerns that they wish to tackle as well as being able to lead decisions about humanitarian assistance, the recognition of affected people’s privileged knowledge, and the need for consultation, deep listening and strategic amplification continue to be stressed:¹¹⁵ “the voice that matters most in the communication of solidarity [is] the voice of vulnerable others”.¹¹⁶ An openness to diversity and listening also helps include other cultural and philosophical traditions and understandings, including those that might not have been involved in the development of the current international system of humanitarian laws and principles.¹¹⁷

The second and third threads also help us consider the different layers of solidarity – with whom is the solidarity, and how is it to be authentically carried out? Solidarity is primarily conceived of in terms of solidarity with the people in need. Kamal and Benowitz’s call regarding Myanmar, for instance, concerns a solidarity of international humanitarian actors towards the local population. At the same time, these authors champion the solidarity evident between the local humanitarian actors, as part of the community, who are refugees themselves or are suffering abuse from the authorities. It is their shared hardships with the community that helps these humanitarian actors nurture trust. Kamal and Benowitz speak also of a resilience that these humanitarians have had to develop.¹¹⁸ However, the recent calls also remind us that such solidary working methods should apply also to relationships between international and local components of the humanitarian ecosystem who are often also part of the affected community; a professional solidarity, if you will.¹¹⁹ So there are at least three layers of solidarity relationships to consider, albeit interrelated, and they

113 Katerina Rozakou, “Solidarity #Humanitarianism: The Blurred Boundaries of Humanitarianism in Greece”, *Etnofoor*, Vol. 29, No. 2, 2017; Hanne Haaland and Hege Wallevik, “Beyond Crisis Management? The Role of Citizen Initiatives for Global Solidarity in Humanitarian Aid: The Case of Lesbos”, *Third World Quarterly*, Vol. 40, No. 10, 2019. The terms “amateur humanitarianism” and “volunteer tourism” have also been used: see Jane Freedman, “Amateur Humanitarianism, Social Solidarity and ‘Volunteer Tourism’ in the EU Refugee ‘Crisis’”, in Ayesha Ahmad and James Smith (eds), *Humanitarian Action and Ethics*, Zed Books, London 2018; Elisa Sandri, “‘Volunteer Humanitarianism’: Volunteers and Humanitarian Aid in the Jungle Refugee Camp of Calais”, *Journal of Ethnic and Migration Studies*, Vol. 44, No. 1, 2018.

114 Katerina Rozakou, “Solidarity”, in A. De Lauri (ed.), above note 16, pp. 198–199.

115 A. Claire, above note 81, p. 51; A. Décobert, above note 4; African Rights, above note 5, p. 27; S. J. Scholz, above note 7, p. 15.

116 L. Chouliaraki, above note 62, p. 264.

117 J. Labbé, above note 106, p. 19. See also Emma Mawdsley, “‘Non-DAC’ Humanitarian Actors”, in Roger Mac Ginty and Jenny H. Peterson (eds), *The Routledge Companion to Humanitarian Action*, Routledge, London and New York, 2015, p. 213.

118 A. Kamal and D. Benowitz, above note 82.

119 Noting discussion about the conceptualization of the local: Kristina Roepstorff, “A Call for Critical Reflection on the Localisation Agenda in Humanitarian Action”, *Third World Quarterly*, Vol. 41, No. 2, 2020.

can be social or political, inclusive or exclusive, with different forms of commitments and obligations.

It is here that the very particular concept of solidarity from the history and structure of the Movement might be re-invoked to reconsider by analogy, and amend as required, its underlying idea of different organizations offering mutual support where possible – that is, as professionals working alongside each other, albeit differently, in the same ecosystem as members of a solidary social group.

In this regard, given that the components of the Movement subscribe to the same Fundamental Principles, the question arises that if solidarity also concerns a solidarity between the diverse actors of the broader humanitarian ecosystem, and a way of approaching relationships that is more inclusive and egalitarian, should everything be embraced so as to allow the necessary authentic working together in solidarity, or if not, what limits are there within that ecosystem's ethics and methods today? These questions form the final thread pulled from the issues raised by the recent calls.

Limits to solidarity as humanitarianism?

Scott-Smith describes solidarity, “without doubt, [as] a solidly intrinsic good: valuable as an end in itself”.¹²⁰ Similarly, all of the recent calls for solidarity depict solidarity as a good, either generally or, at the very least, in the circumstances being described. Solidarity sounds positive and appears unobjectionable, especially because, as stated, many humanitarians would consider it already a key element underlying NIIHA. Solidarity offers great potential, hopeful idealism, courage and moral weight. As such, it holds an allure for humanitarianism, especially as the sector grapples with alarming humanitarian situations and an often shrinking humanitarian space, as well as increased localization demands.

Yet, there are key critiques of solidarity which show that except in its important aspect of approaching relationships in a way that treats people justly as mentioned immediately above,¹²¹ solidarity is not an inherent good but always depends on other contexts,¹²² and thus requires ongoing critical reflection when it is invoked. This section will address these critiques.

If solidarity involves a sense of identification of someone with others, such identities can also be mobilized and strengthened during conflict.¹²³ “Intra-group” solidarity is therefore, in principle, exclusive and in opposition to a perceived enemy.¹²⁴ Of course, although it is not always possible, non-members of any particular exclusive group may be allies with those within the group, and the “cross-line” solidarity shown to those outside of one's identified group might require true courage and certain risk-taking during armed conflict, creating

120 T. Scott-Smith, above note 14, p. 18.

121 See also A. Kolers, above note 7.

122 A. Volpe, above note 61, p. 260.

123 R. Mac Ginty, above note 35, p. 54; A. Volpe, above note 61, p. 260; K. Bayertz, above note 31, p. 16.

124 K. Bayertz, above note 31, pp. 4, 17.

powerful examples of what Roger Mac Ginty calls “everyday peace”.¹²⁵ Still, an important critique of solidarist approaches relates precisely to narratives which support sympathy being given to a certain group or category (e.g. deserving, innocent victims) while denying it to others (e.g. undeserving, aggressors, terrorism supporters).¹²⁶ Such favouring of certain groups over others would clearly not be in conformity with the principle of impartiality, nor the notion of universal (human) solidarity described above.¹²⁷ Indeed, because solidarity makes judgements, it remains laden with ideology. It is often relied upon conceptually to indicate shared, even universal, values. Some circumstances, such as inter-State aggression or a discriminatory and violent regime, fit easily into such shared concerns and common interests as noted above. As Slim points out, a solidary approach is more comfortable when one can easily identify the wrongdoing and the wronged parties, even if in practice, such distinctions can rarely be identified with confidence.¹²⁸

Yet, even narratives based on seemingly clear and universally applicable international law will represent a particular position regarding a concrete political context or the law itself.¹²⁹ Solidarity can in this way support already powerful voices and silence more diverse ones.¹³⁰ It is important, then, to also always think of the hard cases, where right and wrong, moral or legal, might not appear so clear-cut, and to constantly remind ourselves that the values and interests claimed in the common good are unlikely to be universally held or at the very least will represent a particular position. This involves also paying attention to who is determining the common good.¹³¹

Experience shows the constant risk of discrimination and selectivity within solidarity, whereby greater solidarity is shown towards some groups than others.¹³² Certain conflicts and populations are often given priority and attention based on social linkages, closer geography, political alignment, historical memory and/or exposure/media attention.¹³³ For example, while there has been a great

125 R. Mac Ginty, above note 35, pp. 54, 68, 70, 79, 137–138, 152.

126 On such narratives, see Andrew Thompson, “Humanitarian Principles Put to the Test: Challenges to Humanitarian Action during Decolonization”, *International Review of the Red Cross*, Vol. 97, No. 897–898, 2016, pp. 75–76; M. Bradley, above note 43, p. 1036; H. Slim, above note 5, p. 350; D. Chandler, above note 5, p. 14; R. A. Wilson and R. D. Brown, above note 5, pp. 23–25. See also David P. Forsythe, “Contemporary Humanitarianism: The Global and the Local”, in R. A. Wilson and R. D. Brown (eds), above note 5, p. 59; Laura Suski, “Children, Suffering, and the Humanitarian Appeal”, in R. A. Wilson and R. D. Brown (eds), above note 5, p. 216.

127 Y. Sandoz, C. Swinarski and B. Zimmerman, above note 18, para. 2802.

128 H. Slim, above note 5, pp. 349–350.

129 See e.g. Marnie Lloyd, “Persistent Tensions? International Legal Perspectives on ‘Other’ Foreign Fighters”, *German Yearbook of International Law*, Vol. 60, 2017, pp. 563–564.

130 Sally J. Scholz, “Solidarity as a Human Right”, *Archiv des Völkerrechts*, Vol. 52, No. 1, 2014, p. 65.

131 See Anne Orford, “Moral Internationalism and the Responsibility to Protect”, *European Journal of International Law*, Vol. 24, No. 1, 2013, p. 104; Anne Orford, *International Authority and the Responsibility to Protect*, Cambridge University Press, Cambridge, 2011, p. 193.

132 Alexandre Afonso and Samir Negash, “Selective European Solidarity: How Recipient Country Characteristics Shape Support for International Redistribution in Europe”, *Journal of Common Market Studies*, Vol. 62, No. 2, 2023.

133 M. Lloyd, above note 129, p. 563.

outpouring of solidarity with people in Ukraine following the 2022 escalation in fighting, some public responses were rightly criticized as racist for expressing shock at war happening to white, “civilized” populations so close to Europe and in a place different to countries like Iraq or Afghanistan.¹³⁴ Moreover, the response to the flow of refugees from Ukraine demonstrated clear differences in treatment of people originally from Africa, South Asia and the Middle East.¹³⁵ Funding of humanitarian operations in different countries is also diverse. This is not to suggest that there cannot be differences in the urgency or scale of needs in different contexts, nor that these populations should not be shown solidarity, but simply that others should too, according to need. Again, it remains important to pay critical attention to how, when, why and by whom solidarity arguments are made.

Experience also shows that commonly held values can result in exceptionalist arguments regarding the application of the law or morals, such as in relation to countering terrorism or in recent debates about cluster munitions being provided to Ukraine as part of its defence. In their 2005 typology, Dijkzeul and Moke also discussed actors with very little independence who acted in solidarity with specific groups in line with, for example, a State policy, whether because they were funded by that State or by a private company. This was observed in particular in relation to the US-led so-called “war on terror”.¹³⁶ These experiences demonstrated that the connection of humanitarian action with political, often liberal interests has also involved risks of instrumentalization and elements of militarization.¹³⁷ Indeed, solidarity in resistance or struggle can be actioned through many possible methods, and so also raises the difficult question of the potential use of or support for physical violence as part of the response to an unjust or oppressive situation or otherwise to effect change.¹³⁸

Even outside of direct participation in hostilities, from a protection point of view, one broad concern is the lowering of the bar for civilians to become increasingly involved in militarization, rather than being able to remain “neutral”, because of narratives of solidarity. For some commentators, neutral and impartial approaches based on universal human solidarity de-politicize and even

134 See e.g. Moustafa Bayoumi, “They Are ‘Civilised’ and ‘Look Like Us’: The Racist Coverage of Ukraine”, *The Guardian*, 2 March 2022, available at: www.theguardian.com/commentisfree/2022/mar/02/civilised-european-look-like-us-racist-coverage-ukraine; Eva Połońska-Kimunguyi, “War, Resistance and Refugee: Racism and Double Standards in Western Media Coverage of Ukraine”, *LSE Blog*, 10 May 2022, available at: <https://blogs.lse.ac.uk/medialse/2022/05/10/war-resistance-and-refugee-racism-and-double-standards-in-western-media-coverage-of-ukraine/>;

135 See e.g. Philip S. S. Howard, Bryan Chan Yen Johnson and Kevin Ah-Sen, “Ukraine Refugee Crisis Exposes Racism and Contradictions in the Definition of Human”, *The Conversation*, 22 March 2022, available at: <https://theconversation.com/ukraine-refugee-crisis-exposes-racism-and-contradictions-in-the-definition-of-human-179150>.

136 D. Dijkzeul and M. Moke, above note 49, pp. 685–686.

137 Daniela Nascimento, “One Step Forward, Two Steps Back? Humanitarian Challenges and Dilemmas in Crisis Settings”, *Journal of Humanitarian Assistance*, 18 February 2015. See also Joost Herman and Dennis Dijkzeul, “A Matter of Principles: Humanitarian Challenges”, *The Broker*, 9 February 2011, available at: www.thebrokeronline.eu/a-matter-of-principles/; L. Fast, above note 41, p. 97; M. Barnett, above note 46, p. 731; S. Gordon and A. Donini, above note 36, pp. 104–105.

138 S. J. Scholz, “Political Solidarity and Violent Resistance”, above note 12, p. 46.

de-humanize a population by not recognizing their agency, while meanwhile becoming intertwined with the State or other governance.¹³⁹ To be clear, discussing the limits of solidarity for humanitarianism is not to expect people under attack from a hostile State or from their own government to feel neutral about that violence, nor to deny people agency in their own resilience or resistance. Rather, it is to insist on civilians remaining a category of person protected from attack should they so choose and remaining able to be assisted in order to have their humanitarian needs met regardless of their political opinion or the power under whose control they find themselves. As the ICRC has explained, for humanitarians, the notion of building resilience of the civilian population should never mean resilience against violations of IHL.¹⁴⁰ As argued by Joelle Tanguy and Fiona Terry, certain solidarist actions risk shifting responsibility for conflict resolution and respect for legal protections and rights from the responsible political institutions even further to the private sphere.¹⁴¹ Moreover, experience shows that civilians, even those in other countries than where the conflict is occurring, have been increasingly invited to join militarized efforts such as fundraising and donating to a country’s military actions, or supporting foreign fighters in their “self-crafted missions” to join the fight against a particular enemy through crowdfunding websites or corporate sponsorship providing free military equipment to be displayed in war footage on the fighter’s social media profile.¹⁴² In another example, the ICRC has recently expressed concern regarding the increasing involvement of civilians – both individuals and companies – in digital hacking as part of military operations, noting the increased risks that such involvement poses for respect for the principle of distinction.¹⁴³ Nicole Sunday Grove describes how such invitations to help by taking sides make these individuals “both producers and consumers of security in ways that further distort distinctions between civilians and combatants” and authorize “individuals to determine their own singular forms of enmity”.¹⁴⁴ These actions can of course contribute to our multi-polarized times.¹⁴⁵

In the face of such critiques, and although competent and thoughtful humanitarians will disagree on the morals and effectiveness of different approaches, the above discussion makes clear that narratives of solidarity, as well

139 See e.g. J. Edkins, above note 104, p. 256, discussing the perils of narratives around universal human solidarity. See also M. Bradley, above note 19, p. 11.

140 ICRC, above note 108.

141 J. Tanguy and F. Terry, above note 46, p. 34.

142 Nicole Sunday Grove, “Weapons of Mass Participation: Social Media, Violence Entrepreneurs, and the Politics of Crowdfunding for War”, *European Journal of International Relations*, Vol. 25, No. 1, 2017; Henry Tuck, Tanya Silverman and Candace Smalley, *Shooting in the Right Direction: Anti-ISIS Foreign Fighters in Syria and Iraq*, Institute for Strategic Dialogue, Horizons Series No. 1, London, 2016, pp. 37–39; T. Ataii, above note 92.

143 ICRC, “We Call on States to Stop Turning a Blind Eye to the Participation of Civilian Hackers in Armed Conflict”, ICRC statement given at the Open-Ended Working Group on Information and Communication Technology, New York, 13 December 2023, available at: www.icrc.org/en/statement-cyber-oweg-sixth-session.

144 N. S. Grove, above note 142, pp. 86, 89.

145 See ICRC, *ICRC Strategy 2024–2027*, Geneva, 2023, pp. 5–6.

as demanding greater inclusion of diversity, also require critical reflection about the limits of what is considered humanitarian.¹⁴⁶

What are the relevant frameworks and limits? At least one is clear: aid that provides a definite advantage to military efforts becomes military rather than humanitarian assistance.¹⁴⁷ Regarding Ukraine, for example, in April 2022, the Estonian prime minister said during a visit to Berlin that “the best humanitarian aid these days is military aid for Kiev”.¹⁴⁸ In that instance, MSF objected to the use of the label “humanitarian”.¹⁴⁹ Certain Ukrainian organizations also directly help the war effort, for example, by delivering armour, shells and drones to the Ukrainian military as well as providing basic relief to civilians.¹⁵⁰ Support for the military makes sense to many local people as military success might prevent greater harm to the civilian population in the first place, rather than only responding to its consequences. However, many donors and international humanitarian organizations cannot work with local organizations that support military forces as well as civilian populations precisely because of needing to remain neutral or to maintain a perception of neutrality,¹⁵¹ and/or out of concern for respect for the principle of distinction as just mentioned. Alternatively, donors wanting to fund national NGOs might need to forego strict demands of neutrality while still insisting on non-militarization.¹⁵² This is not to pronounce any particular position about such resort to force in the face of aggression or oppression¹⁵³ but relates only to the label “humanitarian”. The battle is surely lost in everyday language in which military intervention is described, inappropriately, as humanitarian,¹⁵⁴ and some seemingly humanitarian action has military purposes. Yet, this remains an important question because the label “humanitarian” provides a certain moral legitimacy to an activity, as does the term “solidarity”.¹⁵⁵

146 See also, on broadening the actors considered to be part of the humanitarian sector but remaining within certain frameworks, the recommendations in Chas Morrison, *Civilian Protection in Urban Sieges: Capacities and Practices of First Responders in Syria*, IIED Working Paper, International Institute for Environment and Development, London, September 2017, p. 57.

147 See e.g. H. Slim, above note 52, p. 15; “Weapons as Aid”, above note 92.

148 Peter Carstens, “Estrnische Regierungschefin erwartet von Deutschland ‘starke Führung’”, *Frankfurter Allgemeine*, 24 April 2022, available at: www.faz.net/aktuell/politik/inland/ukraine-krieg-estland-erwartet-von-deutschland-starke-fuehrung-17982106.html.

149 U. von Pilar, above note 98.

150 T. Ataii, above note 92.

151 Hanna Miedviedieva, “Neutrality in the Humanitarian Response in Ukraine”, *Voice Out Loud Magazine*, Vol. 35, June 2023, pp. 15–16.

152 T. Ataii, above note 92.

153 See also H. Slim, above note 58, p. 68, discussing “partisan politics” compared to the “politics of humanity” (engaging with political power only for a humanitarian goal, not a specific political outcome).

154 See e.g. Anne Ryniker, “The ICRC’s Position on ‘Humanitarian Intervention’”, *International Review of the Red Cross*, Vol. 83, No. 482, 2001. This article argues that the term “humanitarian” “should be reserved to describe action intended to alleviate the suffering of the victims”; for military intervention, it promotes instead the term “armed intervention in response to grave violations of human rights and of international humanitarian law”. See also S. Gordon and A. Donini, above note 36, p. 105.

155 Jenny H. Peterson, “Introduction”, in Roger Mac Ginty and Jenny H. Peterson (eds), *The Routledge Companion to Humanitarian Action*, Routledge, London and New York, 2015, p. 3.

Other limits that would make solidarist action no longer humanitarian are unsettled. To set out just some of the discussion in the literature, Slim suggests a limit by which humanitarian resistance becomes “anti-humanitarian resistance” when it is carried out for a cause contravening humanity and impartiality, such as being too closely connected with a party committing atrocities.¹⁵⁶ Given that parties fighting for causes we might support can also commit war crimes, this formulation involves a judgement about the degree of unlawful conduct in context, whereas some would prefer for humanitarians to entirely avoid any determination of acceptable or unacceptable militarism or violence. Indeed, Jeremy Moses demands much more, arguing that genuine humanitarianism must necessarily be premised upon a pacifist ethos. Moses explains that this means using pacifism as a guiding principle but still recognizing the material challenges posed by the very real violence of the arenas in which humanitarians operate. In this sense, even *neutral* humanitarian action can in itself be understood as *political* resistance to violence.¹⁵⁷ Finally, amongst other arguments, B. S. Chimni promotes “a politics of solidarity that makes a distinction between political humanitarianism and politics after humanitarianism”.¹⁵⁸ This solidarity is a solidarity with the subaltern peoples.¹⁵⁹ For Chimni, this means that the classical humanitarian principles should be adhered to by those providing assistance, leaving the underlying causes and the rebuilding of peace as a separate question for the people themselves.¹⁶⁰

If we set aside neutrality, could the remaining humanitarian principles of independence, impartiality and humanity provide the careful limits required of solidarity? Given the critiques outlined above, independence of humanitarian action seems immediately crucial. Solidarity might offer that – Edkins describes, for example, a “coming together of the governed in the face of the inequities of governance”¹⁶¹ – but it might not; the solidarity might indeed be with the efforts of a State or other governing authority.

At least in relation to so-called resistance humanitarianism, the principle of impartiality has been strongly put back on the table as a necessary condition for the humanitarian action being described.¹⁶² This differs from certain depictions of solidarity in the earlier typologies mentioned above, which were differentiated precisely by these operations’ lack of impartiality. The renewed insistence on impartiality makes sense in calls for solidarity made within the general framing of the localization agenda, since as mentioned, in certain circumstances, it is entirely

156 H. Slim, above note 52, p. 18. See, likewise, S. J. Scholz, above note 7, p. 207, and K. Bayertz, above note 31, p. 18, on how, even outside of humanitarian contexts, seeking to do violence to another group violates the rubric of solidarity of any group claiming justice as an end.

157 Jeremy Moses, “Why Humanitarianism Needs a Pacifist Ethos”, *Global Society*, Vol. 34, No. 1, 2020, pp. 80–81.

158 B. S. Chimni, “Justification and Critique: Humanitarianism and Imperialism over Time”, in Lothar Brock and Hendrik Simon (eds), *The Justification of War and International Order*, Oxford University Press, Oxford, 2021, p. 485 (citation omitted).

159 *Ibid.*, p. 487 (citation omitted).

160 *Ibid.*, p. 485 (citation omitted). See also M. Bradley, above note 19, p. 232.

161 J. Edkins, above note 104, p. 256.

162 H. Slim, above note 52, pp. 18–19; H. Slim, *Solferino 21*, above note 93, p. 127.

understandable that local humanitarians cannot or choose not to operate neutrally. Without dismissing the cautions about solidarity narratives previously set out, being in solidarity with Ukraine (against Russia) or the people of Myanmar (against the military junta) also softens the perceived “politicalness” of the solidary position because the unlawfulness of the actions of the powers in question is widely recognized and sanctioned by the international community. Indeed, aside from a criticism of neutral action, concerns voiced about humanitarian actors continuing to engage with powers that have lost their legitimacy and restrict humanitarian access describe local and solidary approaches as a way of ensuring better compliance with the remaining humanitarian principles (independence, impartiality, humanity) rather than seeking to replace those principles.¹⁶³ Insisting on a form of solidarity that still respects impartiality goes a long way towards remedying the key critique of solidarity as selective outlined above. The third call described above about MSF’s humanitarian advocacy sees solidarity likewise as offering a middle ground, able to bridge the extremes of the cold rationality of the traditional principle of neutrality and the potentially patronizing emotions that arise when one relies too much on the affected people. The fourth and fifth examples regarding aggressors and authoritarian regimes, with the “softened” solidarity through insistence on impartiality, could likewise be understood as seeking some middle ground in which humanitarian action can still be achieved, effectively and morally, while also taking a political stand against the “opponent”, making this revised form of solidarist humanitarianism possibly more palatable for more traditional actors and donors.

The final section of this article tries to tie together the threads discussed above in order to explain how solidarity amongst members of the humanitarian system itself demands certain careful limits regarding the understanding of humanitarianism, and how the recent calls offer an invitation at least for a procedural way, through dialogue and solidary working methods, to undertake the necessary ongoing reflection and dialogue.

Concluding reflections: Localization as an invitation for “sticking together while standing one’s own ground”¹⁶⁴

In 2023, Alessandro Volpe described solidarity as a “re-emerging concept ... as widespread as it is nebulous”.¹⁶⁵ Is solidarity an emerging principle of humanitarian action? No. In its various meanings, it has always underlain the humanitarian impulse. Yet, solidarity has certainly been re-emphasized in recent commentary by practitioners and scholars of humanitarian action.

Since solidarity only makes sense in context, and its moral and political value and impact also have a social and historical background and a future, it

163 See e.g. A. Kamal and D. Benowitz, above note 82.

164 D. Li, above note 9.

165 A. Volpe, above note 61, p. 259.

requires vigorous dialogue.¹⁶⁶ Moreover, that dialogue needs to be ongoing. This is because the inherent tensions that solidarity presents have always existed but play out differently in different political framings. Over time and in different settings, the operationalization of moral commitments can put pressure on the application of the traditional humanitarian principles or more closely embrace them depending on the political context and what is perceived to be at stake. More important than establishing an agreed definition of solidarity in humanitarian action is recognizing the changing “seasons” of the relationship between solidarity and the humanitarian principles, and that the current re-emphasizing of solidarity linked with localization relates precisely to questions of diversity and egalitarianism in the existing structures and practices of the humanitarian system, while also demonstrating the current multi-polarized global context.

Despite key critiques of solidarity, the calls discussed in this article must be taken seriously, situated as they are as a counterpoint not only to neutrality but to the humanitarian system’s operation more broadly. At the same time, this article has argued that while generally considered a compelling moral driver underlying the humanitarian impulse and therefore a good, solidarity can generate harmful division as well as valuable shared community. It can risk increased militarism and continued normalization of civilians participating within that militarism. As such, solidarist and traditional principled approaches have been described as being largely contradictory.¹⁶⁷ Indeed, while solidarity continues to hold multiple and somewhat fluid meanings, in its non-neutral rather than universal human form, solidarity and traditional humanitarian action must be understood as different things.

Yet, the linking of the recent calls for solidarity with broader demands for increased localization reminds us that solidary action not only involves taking a political position towards a cause but also entails certain solidary working methods.¹⁶⁸ Thinking of a solidarity amongst members of the humanitarian ecosystem and not only between a humanitarian actor and the people it seeks to support or protect invites a freeing-up of our thinking about the possibilities and limits of solidarity as part of humanitarianism. The linking of the calls for solidarity with the localization agenda and the current global political context produces a “season” in which the humanitarian principles come under more pressure and, paradoxically, in which the notion of solidarity is slightly softened for the same reasons – conflated, if you will – so as to bring it closer, at least in principle if not always in practice, to the humanitarian principle of impartiality, offering to the humanitarian sector the opportunity for greater solidarity.

If “the humanitarian ecosystem needs to work towards finding a balance between organisational diversity and collective direction”,¹⁶⁹ then reflecting more fully on how solidarity is understood, and its relationship, in context, with the

166 S. J. Scholz, above note 7, p. 10. See also L. Chouliaraki, above note 62, pp. 264–265, regarding “agonistic solidarity”. Regarding historical and cultural contingency, see K. Bayertz, above note 31, p. 26.

167 Charlotte Dany, “Solidarity through Localization? Humanitarian Responses to the COVID-19 Pandemic”, *Perspective*, Vol. 3, 2021.

168 See, similarly, *ibid.*

169 HERE-Geneva, above note 43, p. 29.

humanitarian principles, appears a necessary part of that ongoing work, and can be one of the keys that can help the aid sector define what a shift to localization will require in practice, and how to appropriately operationalize this in a non-dogmatic and responsive, but still principled, way. Such critical reflection might offer additional layers to the richer and more rigorous thinking about humanitarianism, solidarity and ongoing violence that this article is suggesting are always needed.

Specifically, this article suggests that taking seriously the recent calls for solidarity demands greater inclusion of – and in turn, greater transparency of and grounded familiarity with – the variation of principles and practices within the humanitarian sector, while still upholding the mutual obligations owed within that professional community. It has argued that there cannot be solidarity between diverse members of the humanitarian ecosystem unless there are also careful limits. This is because a solidary commitment creates some kind of mutual obligations between members of the humanitarian ecosystem and in turn, members of that solidarity should not do things that would breach those mutual obligations. More specifically, if solidarity opposes oppression and injustice, to remain solidary (as opposed to embodying another type of commitment), it must not act in a way that adopts the values it is opposing. In other words, it must maintain its “oppositional relationship to oppression and injustice that is itself violent” and must use means that represent the end it wishes to see.¹⁷⁰

One difficult question about solidarity remains the dilemma of whether social solidarity requires one to join in political solidarity¹⁷¹ and if so, what that should look like. What this article has suggested is that if part of the social solidarity we are envisaging is that between members of the humanitarian ecosystem, then the political solidarity required might be to fight for that principled humanitarian space – to fight against its instrumentalization. This also involves some exclusion in the sense of some limits to what is considered humanitarian and welcomed into the fold. That humanitarian space might indeed insist on impartiality, but the greater embrace of solidarity also needs the confidence to protect itself from militarism and violence, and to pay careful attention to arguments described as universal or made in the common good. Standing in solidarity in humanitarian action therefore does not equate to doing away with the traditional humanitarian principles, but respecting differences in approach within careful limits as to what is considered humanitarian action. It is only in this way that humanitarians can stick together in solidarity while also standing their own ground by remaining true to their own principles.

170 S. J. Scholz, above note 7, p. 13. See also K. Bayertz, above note 31, p. 20; J. Moses, above note 157, p. 82.

171 Darren R. Walhof, “Review: *Political Solidarity* by Sally J. Scholz”, *Perspectives on Politics*, Vol. 7, No. 3, 2009, p. 653.