

## ABSTRACT

Memory leads to a reconsideration of ethical and practical questions at the core of humanitarianism. Political actors employ selective memory to construct exclusionary definitions of humanity, and humanitarians must be prepared to actively confront these and to promote inclusive processes of remembrance. Humanitarian law and standards prescribe an obligation to treat the dead with dignity even in the midst of conflict and crisis, yet too often the dead are simply regarded as a public health concern, and mourning is left to bereaved local communities or caring individuals. Humanitarian agencies rightly prioritize saving lives and alleviating suffering, but this work has sometimes been undermined by political amnesia and social distance. This chapter highlights that humanitarian participation in cosmopolitan communities of memory and mourning is also a significant contribution to the recognition and realization of a common humanity.

## Memory

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Humanitarians act in the present in response to immediate needs. In a time of crisis, the past seems 'a luxury' (Slim cited in Davey et al 2013, 2) and it might make sense to purposefully forget people's social identities, political allegiances and memories of suffering and loss in order to preserve humanitarian neutrality and impartiality. Memorialization is often regarded as a means to prevent violence and promote social repair after human rights violations (de Grieff 2016), yet is not considered relevant to humanitarian assistance during a crisis. This suspension of memory is consonant with a humanitarian imaginary that gives priority to the needs of 'anonymous sufferers' of sudden disastrous events (Calhoun 2009, 5). It also resonates with the experiences of many of the traumatised people that humanitarian agencies aim to assist, whose everyday lives and social relationships have been destroyed. In consequence, humanitarian actors are confronted by, and tend to reproduce, a state of liminality.<sup>1</sup>

At the same time, memory bears directly upon humanitarian ethics and action because it calls into question ideas about humanity. For humanitarians, humanity is the ends and means of efforts to prevent and alleviate suffering and to protect life. It is the unifying commitment shared by an expanding collective of organisations that represent the 'humanitarian international'<sup>2</sup>; it frames the movement and ensures dialogue between members with different approaches. States, militaries and other armed groups regularly commit appalling breaches of humanity, and societies persistently neglect it. Organised international humanitarianism was designed to mitigate such abuses and deficits, and these remain its *raison d'être*; it is 'the great truth which... [humanitarians] proclaim and practice' (Slim 1998, 28).

The meaning of humanity expressed in organised humanitarianism is two-fold, referring both to human beings as a collective, and to a mode of conduct dedicated to care, protection of life and promotion of welfare. For the International Committee of the Red Cross the principle of humanity is given specificity as a commitment to 'prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being' (ICRC 1996, 2). The concept is also more expansive, calling for the promotion of 'mutual understanding, friendship, cooperation and lasting peace amongst all peoples' (ibid). And ultimately, it is somewhat elusive: as the co-founder of ICRC, Jean Pictet observed, it cannot precisely be defined, it is 'something understood' (Coupland 2001, 972).

Humanity is not a distinct, stable category or ethic, but an evolving idea, a 'floating signifier' (Douzinas 2007, 56); it is variously interpreted and deployed in the service of political ends. Where we identify a lack of humanity, others claim its existence, albeit in exclusionary and particular terms. In this sense, humanity is clearly not universal, it is persistently redefined selectively with reference to collective memory. Humanitarians articulate one of many possible meanings and this definition generally lacks a rootedness in a shared understanding of the past. Other political actors contest this 'universal' imaginary of humanity, and cultivate tenacious bonds by cultivating religious, ethnic or national communities of memory.

The appeal to humanity is the fundamental unifying characteristic of the humanitarian movement, but it is also its essential problematique. Suffering is universal but humanity, or the extent to which people care for the lives of others, depends partly upon the prevailing definition of humanity, and is limited by the general of a robust, shared global moral community. This presents external threats to humanitarianism, notably in the form of extremist and genocidal politics which promote narrow and potent conceptions of community and refute the humanity of those deemed 'outsiders' on the basis of their different identity or faith. In addition, it engenders subtle challenges within the movement, which is itself undergoing expansion and reform of its ethos and practices. Moreover, in contrast to humanitarianism's focus on the living, alternative definitions of humanity, whether national, religious or ethnic, typically bind the living in moral commitments to the memory of the dead, not only those conceived as victims or martyrs, but also those valued simply as fellow members of a group.

This chapter argues that the lens of memory provides a new perspective on the limits of humanitarianism and direction for the expansion of the movement. Memory is politically significant because public representations of past losses are instrumental in forging communities, it often serves as a resource for political elites who seek mastery over the past. While humanitarians adhere to the notion of a common humanity – an ideal which is routinely violated and contested in the arenas in which they operate – they do not consistently present a corresponding 'cosmopolitan memory' (Levi and Sznajder 2002) that might counteract exclusionary definitions. Relatedly, the duty to preserve the dignity of the dead during conflict and crisis is enshrined in humanitarian law and standards, but the urgent needs of the living understandably take precedence. The result is that the humanitarian enterprise tends not to give much attention to the problems of death and bereavement, except when the dead might pose a threat to public health. Mourning is generally left to local communities or caring individuals. In contrast, this chapter calls for greater attention to memory and mourning in

humanitarian agendas and arenas, and explains why this matters for the advancement of a common humanity.

### **Humanitarian amnesia?**

Humanitarian principles assert a common humanity; the notion that 'all human beings belong to the same moral realm' (Dower cited in Slim 1998, 37). Yet, in practice the movement perpetuates ideas about state sovereignty and is conditioned by global inequality, reflecting the 'political imagination of international order' (Malkki 1994, 43). Fragile and vulnerable people that are the focus for humanitarian assistance are already located within an international 'family of nations'; their lives have usually been tacitly placed at the bottom of a hierarchy of human value, based on global political and economic power and histories of racism and colonialism. Humanitarianism is subject to this international political order, and also apt to reproduce it, if and when it obscures these particular histories and ignores the international role in producing crises (Calhoun cited in Malkki 1996, 399). Global inequalities undermine the notion of a shared humanity, while humanitarian operations depend for their funding and functionality on a degree of silence and complicity with this political order.

Humanitarian complicity is reinforced by selective amnesia in relation to victims of disasters and conflict. By responding to people affected by crisis purely in terms of their suffering and victimhood, humanitarians have often treated them as 'bare life' without reference to memory and identity. In so doing, they have entered into a 'secret solidarity' with sovereign power (Agamben 1998). This tendency to abstract human existence from social ties is explained by commitments to universality, neutrality and impartiality, yet it undermines the very relationships to people and places through which a sense of dignity is generally expressed and felt.<sup>3</sup> Humanitarians thus risk objectifying suffering by projecting images of an anonymous 'depoliticized' mass; and in the process entrenching unequal power relations: 'leaving the political space to the dominant and the included' (Fassin 2007, 509). This tendency is most apparent in treatment of those located outside of the 'national order of things', (Malkki 1995), the displaced, refugees and migrants that are viewed as a universal victim mass, without history or politics, and are silenced (Malkki 1996, 390). Too often, humanitarianism has been prone to remove agency, presenting people as pure victims, lacking in capacity (Campbell 1998, 506). The consequence may be to reinforce their subordination, 'erase alterity' and prevent recognition of mutual interdependence (ibid 513).

The historical tendencies of humanitarianism need not dictate its current and future mission. We can already see that ideas and approaches pursued by the humanitarian movement are plural and evolving, partly in response to a range of critiques of politics and practices, but also in association with the pressures and opportunities of globalisation. The movement is diverse and it is also engaged in responding to a broader range of issues in ever more complex settings. Recent reforms have sought to unify and impose standards on practice through a humanitarian charter and detailed guidelines for practice. These have foregrounded issues of potential harm, representation, and emphasised rights-based participatory approaches and technical standards aimed at accountability (The Sphere Project 2011). The movement has also extended its scope, looking beyond emergencies to emphasise prevention, resilience-building, and longer-term engagements in peacebuilding and reconstruction.

The world is also changing, and new collectivities have emerged, destabilising the national grip on identity. Recent decades have been marked by flux in power relations in the international order, with the end of the Cold War era and the 'intensification of worldwide social relations' (Giddens 1990, 64) associated with globalisation. The sense of the world as a 'community of fate' might be reinforced by perceptions of global risks, such as environmental crisis, in ways that foster cosmopolitan sensibilities (Beck cited in Calhoun 2008, 429). New media technologies facilitate interaction and voice, while both violent and non-violent movements are increasingly explicitly global, or part of transnational networks.

In the context of globalisation, we might anticipate the strengthening of humanitarian sensibilities, based exposure to and recognition of our common humanity. There are also new prospects for humanitarians to contribute to forging inclusive and equitable forms of community. As such, humanitarians should relinquish their ownership as 'high priests' of humanity (Slim 1998, 30) and adopt the role of 'prophet' to convince others to adopt a universal definition of humanity in their 'affairs... and consciences' (ibid 32). Universalist ideas, and humanitarian workers themselves, are at a critical juncture. They are furnished with a wealth of opportunities, ideas and flexible tools. But they are also confronting some of the most intense threats of the modern era from various 'counter-humanitarian'<sup>4</sup> internationals, including from globalized extremist groups that reject a common humanity and 'counter-terror' forces that seek to manage humanitarian action, and thus threaten its independence. As they navigate through this contemporary predicament, humanitarians must engage with the politics and ethics of memory.

### **Communities of Memory**

The moral and symbolic power of memory derives from its intimate relation to identity; 'identity depends on the idea of memory and vice versa' (Gillis 1994, 30). Individuals make sense of the world, through reference to memories which provide the symbolic frames we need to order reality (Misztal 2003, 13), but, crucially, they do not do so independently. What we recall is not an imprint of the past, but an inter-subjectively constituted interpretation of it, informed by the social context in which we remember (Halbwachs 1992/1941, 38). It involves a search for the truth of the past, yet it is persistently vulnerable to the present 'terrain of the imaginary' (Ricoeur 2009, 53). Memory is shaped by the ideas, values and meanings contained within language, and shared within a society (Halbwachs 1992, 173) and in turn it reinforces this social order. This 'social memory' generates impressions of permanence and stability that sustain group relations and promote social solidarity (Misztal 2003, 52). It is the source of lasting bonds between people, across time and space, holding together communities and reinforcing the premise that their members have moral obligations to one another.

While the emergence of a 'collective' memory is closely tied to the establishment of hegemony, memory is also employed in contests over power and struggles for political transformation (Olick and Robbins 1998). Political entrepreneurs frequently evoke the past in efforts to consolidate group identities. Physical traces and historical evidence of the past limit the range of possible interpretations. But there is generally scope for political elites to inflect the past with new meanings, shaped by present concerns, and to generate compelling memory frames that engender loyalty and mobilise support for particular groups and agendas. This has been most vividly demonstrated in studies of the relationship between memory and the nation.

The idea that the nation is the most desirable form of political community gained a natural, timeless quality in the modern era, yet nationalism has modern origins and is contingent on historical processes that may be uncovered, specified and debated (Gellner 1983; Anderson 1991). Similarly, ethnicity, which many still feel as primordial, has been exposed as a social construct: 'a set of relations, its content constructed in the course of historical process' (Comaroff 1991, 669). This does not diminish the social meaning of nations or ethnicities, or the sentiments people attach to them – a community is, as Comaroff notes, 'objective and real' (1991, 669) for its members. But it calls into question how such national sentiment and their 'profound emotional legitimacy' (Anderson 1991, 4) have been produced and sustained and in particular how people might come to feel a 'deep horizontal comradeship' (ibid 7) with those they have no possibility of meeting or knowing individually as members of a nation-state. The most persuasive answer to

this puzzle calls our attention to the importance of public memory<sup>5</sup> and its role in the constitution of 'an imagined political community' (Anderson 1991).

Nationalists turned to memorialization to forge a sense of belonging; indeed nation states perpetuated a 'cult of the dead' (Gillis 1994, 11) selectively commemorating particular historic triumphs or disasters as 'exemplary' (Anderson 1991, 206). These public remembrances offered answers to fundamental questions of human existence in ways akin to religion, establishing 'links between the dead and the yet unborn' (Anderson 1991, 10-11) and promising representation in an eternal community (ibid 36). They encouraged people to feel part of political communities and to be willing to defend and die for them.

Memorials cannot produce a community in the absence of other discursive and material resources (Davis 2005, 274).<sup>6</sup> But they can contribute to interpreting the meaning of the past, sharing its lessons for the present and identifying the values to be promoted for the future (Volk 2010, 4). And when allied to powerful regimes they may serve not only to remember but, by omission and distortion, also impose silences and forms of social forgetting. Memorialization thus contributes to drawing boundaries around communities, marking the criteria for citizenship and protection and identifying enemies and outsiders. It serves to legitimize acts of sovereignty and violence (Edkins 2003, xv) by indicating whose lives are 'grievable' and have value, and excluding lives and deaths that do not matter within the political community (Butler 2009).

The nation-state's sway over memory is now increasingly contested. Nations are more diverse and multicultural and social identities are multiplying and becoming increasingly politicised (Laclau 1994, 4). Overlapping forms of political authority, decentralisation, or transnational forms of governance have emerged, bringing with them additional shifts and uncertainties: 'memory is beginning to escape the bounds of national political communities' (Bell 2006, 29). New technologies also create new opportunities for developing and consuming 'heterogeneous representations' (Gillis 1994, 17). In this space, sectarian or ethnic constructs of memory and identity have emerged, but so too have more inclusive communities of memory, and cosmopolitan 'sensibilities and moral-political obligations' (Levy and Sznajder 2002, 103).

The 'globalization of memories' (Bell 2006, 19) implies opportunities for an imagined community of humanity based on global interactions and the making of histories and values, but cannot in itself yield a sense of community. Instead, we have seen globalized agendas to destroy cosmopolitan histories and to promote exclusionary memory narratives and symbols.<sup>7</sup> If humanitarians are to vigorously represent an alternative option for belonging – a conception of

the 'we' that is not 'defensive' (Sennett, cited in Bauman 2000, 179) and a togetherness that values difference – they too must pay heed to memory.

### **Humanitarian memorials**

Memorialization is already becoming part of humanitarian response, particularly in the aftermath of mass atrocities. While it is beyond the remit of core humanitarian organisations, some of those at the human rights advocacy or peacebuilding end of the spectrum, are actively involved in the production of 'cosmopolitan' memories, through forms of human rights memorialization of past atrocities at national or local levels.<sup>8</sup> Such initiatives are often based on understandings that public remembrance is educational, therapeutic, reparative and reconciliatory or even democratic.<sup>9</sup> And they face many difficulties in realising specific aims, since even civil society initiatives to create memorials may be shaped by the interests of states and by prevailing global inequalities (Ibreck 2013). Nevertheless, they constitute important symbolic contributions to the construction of a shared humanity,<sup>10</sup> since even selective remembrances can generate much needed public deliberation upon past atrocities.<sup>11</sup>

In the same vein, the efforts of humanitarian actors to record and publicise their own past achievements and failures are necessary to respond to the trauma and losses experienced their members. There are now museums recounting humanitarian history and memorials for certain humanitarian workers killed in action, which are certainly not representative, but increasingly reflect the diverse cultures and people that have shaped the movement (see Davey et al. 2013). And in times and places where humanitarians are direct targets for violence, there are increasing efforts to honour humanitarian workers killed in action. Such commemorations are infrequent and modest, but they are moving and ethical and serve to condemn the violence and promote recognition of 'common humanitarian ideals' as well as providing support to bereaved families, friends and colleagues (Memorial for Humanitarian Aid Workers 2017).<sup>12</sup> The fact that soldiers and violent 'martyrs' continue to be commemorated makes it all the more important to remember humanitarian heroes.

### **An ethics of memory**

Humanity is not only an imagined community but a guide to, and measure of, conduct. Humanitarians employ this latter understanding of the concept in practice. Generally, their acts of humanity tend to be directed towards the living, as part of urgent initiatives to promote survival, but they also apply to those who do not survive. There is a humanitarian duty to give

dignity to the dead and to attend to the grief and trauma of survivors and bereaved families and communities. This applies to those both within the fold of the humanitarian movement, to the rules they set and to the interactions they have with people in contexts of conflict and social crisis.

The treatment given to the dead is, in any circumstance, an ethical matter. All communities, whether extended families, congregations or nations, invariably extend their care towards the dead, either through representation in memorials and or in processes of mourning, such as funerals. Communities of memory are forged and sustained through rituals of mourning. This is partly because of the relationship between memory and identity (described above), but also because the remembrance of human losses involves taking a position of sympathy in relation to others. It demonstrates an expression of care towards the dead and those that loved and lost them; it offers 'a mutual affirmation of past interaction, in part the traces of our introjection of one another' (Lambek 1996, 239). Mourning and rituals designed to demonstrate respect for the dead reflect the ties between people, and their ethical responsibility for each other (Butler 2004, 23). They emphasise the shared humanity between the dead and all those who care for their loss.

In the context and aftermath of violence or disaster, honouring the dead has an additional significance and must become a public affair. Silence about mass death is a form of denial and tends to go hand in hand with failures in assistance and the ongoing vulnerability of affected groups. Following atrocities and crimes against humanity, there is a particular moral compulsion to display consideration; mourning then becomes a protest; 'an act of resistance against absence and injustice' (Booth 2006, 99). But any form of crisis is defined by the breakdown of social order which means that the traditional communities of mourning are fragmented or overwhelmed. There is a practical need for humanitarian assistance with practices of burial and remembrance or grief and trauma of the bereaved.

The idea that there is a duty to attend to give dignity to the dead was articulated at the foundation of the humanitarian movement and reiterated in its most recent guidelines. Among the earliest proponents of international law, Hugo Grotius,<sup>13</sup> advocates for a 'right of burial', arguing that respect for the dead is among the 'laws of all ages', with burial among the 'last offices of humanity', due even to enemies (Grotius 1901). Customary international humanitarian law prescribes that there should be burial of belligerents and prisoners of war, and that it should be honourable (Geneva Convention, 1929, Article 4, para 5); graves are to be 'respected', 'marked and maintained' and appropriate religious rites observed (Geneva Convention I 1949, Article 17). There are provisions in the Geneva Conventions for respect for the dead and their remains and obligations to identify the dead and share information about them in international

armed conflicts.<sup>14</sup> There are also obligations to search for and to account for the dead, whether civilian or military, to prevent maltreatment and mutilation, and to facilitate the return of remains to their families.<sup>15</sup> Despite these provisions in international treaties and resolutions, national legislation and military manuals, there are routine violations, further illustrating the illegality and inhumanity of contemporary conflict,<sup>16</sup> and the prevalence of genocidal violence. The tasks of searching, accounting for and burying the dead are neglected by militaries and ignored by perpetrators of war crimes, and have therefore become a concern for human rights and humanitarian organisations, both during and in the aftermath of conflict.

Humanitarian organisations have their own codes of conduct relating to the dead in conflict and disaster. The Sphere Project's minimum standards in humanitarian response, 2011, consider related issues under water supply sanitation and hygiene promotion, standard 6, on 'solid waste management'; health systems standard 1, on 'handling remains of the dead' as well as under protection principle 4, concerning rights, remedies and recovery from abuse. While the standards are explicitly intended to address public health concerns about the 'management of dead bodies' they also emphasise the need for burial to be dignified (The Sphere Project 2011, 119). They recommend that family members should be given opportunities to identify bodies and to conduct funerals according to cultural norms (The Sphere Project 2011, 300). The guidelines for Protection Principle 4 are directly concerned with the social significance of burial and mourning and call upon humanitarian organisations to support 'culturally appropriate' rituals, defining them as part of 'communal coping mechanisms' needed for recovery (The Sphere Project 2011, 43).

Recognition of the social importance of burial is important, but there are other ways in which the dead matter during complex protracted crises, particularly for refugees, IDPs and humanitarian workers. Sometimes it is the lack of a body for burial that inhibits recovery; people grieve for the dead left behind in massacres and warzones and must find ways to bear the trauma of their loss. Cultural norms are also undermined by displacement and even the question of where the dead are to be buried, or how they might be appropriately commemorated present practical difficulties. The problem of trauma is also not only confined to the affected community but may extend to humanitarian workers witnessing mass death or trying to 'manage dead bodies'.<sup>17</sup>

Humanitarian organisations are mostly dedicated to promoting the welfare of the living, rather than with accounting for the dead<sup>18</sup> or upholding their dignity. Understandably, public health concerns are often paramount in considerations of how to respond to death in a crisis setting,

but this separation of the issues might not make local sense. The 2014 Ebola crisis exposed the need to respond sensitively to cultural norms surrounding the dead. Initially, local burial rituals were ignored and violated, and this generated hostility towards medical workers in affected communities and some refusals to comply with the restrictions on handling dead bodies that were necessary to stem the spread of the virus. An effective response ultimately required more careful attention to the experience of bereavement and practices of mourning (Maxmen 2015).

For the most part, in humanitarian crises, mourning and commemoration remain an activity of survivors, the bereaved, and of everyday humanitarians who are not part of the official system. The deficits of this approach are illustrated in the words and actions of a Greek woman who struggled single-handedly to arrange dignified burials for the refugees whose bodies wash up 'unclaimed' on the shores of Lesbos; she explained: 'It's just to pay homage to the people. It's just to make us a little bit more human' (Evans 2015). In these circumstances, securing the rights of refugees and preventing such deaths are paramount concerns, but treating the dead with dignity and preserving their memory are also expressions of a common humanity.

### **Humanitarian memory politics?**

With an understanding of the role of memory in the construction of collective identity and moral community we can better appreciate its relevance to humanitarian responses. Firstly, this chapter has shown that humanitarians must consider the potential for their own articulations of humanity to be selective, reproducing the exclusions and inequalities of the 'national order of things' (Malkki 1994). Secondly, it has found justifications for explicit initiatives to promote a cosmopolitan community of memory to counteract the selective memories promoted by 'counter-humanitarians' – the memorialization of diverse humanitarian workers killed in action is a positive step in this direction. Thirdly, and most importantly, it has identified a humanitarian duty to promote the dignity of the dead in conflict and crisis settings. By fulfilling this duty, humanitarians can also contribute to counteracting exclusionary and selective memories and create deeper social ties with the people they endeavour to assist.

Humanitarian agencies rightly prioritize saving lives and alleviating suffering, but this work has sometimes been undermined by political amnesia and social distance. Yet the experience of loss and mourning is universal, even if different cultural practices have developed in response. People grieve and honour the dead even in the most appalling circumstances and in so doing they show solidarity with each other and with the dead and express enduring 'ties of mutuality' (Booth 2006, 98). We mourn the dead because we value their lives and our human

interdependence; because we recognise, 'a sense of our collective responsibility for the physical lives of one another' (Butler 2004, 30). For all these reasons, humanitarian participation in cosmopolitan communities of memory and mourning is a significant contribution to the recognition and realization of a common humanity.

## Endnotes

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<sup>1</sup> Liminality describes situations in which the social order has dissolved, leaving detached, 'betwixt and between' spaces and bodies, simultaneously sites of vulnerability and potential subversion (Howarth and Ibrahim 2012, 202).

<sup>2</sup> Lynch 2013 describes the humanitarian social movement as including international and local NGOs in interactions with members of donor communities and states.

<sup>3</sup> McCrudden identifies a 'minimum core' concept of dignity, including both an ontological claim of the 'intrinsic worth' of human beings, and a relational claim that this 'should be recognized and respected by others' (2008, 679).

<sup>4</sup> This term was coined by Alex de Waal. I thank him for his comments and insights.

<sup>5</sup> By this I mean artefacts created by states or members of civil society to represent the past, such as monuments, museums, cemeteries and commemorations.

<sup>6</sup> 'Ideological Power derives from the human need to find ultimate meaning in life, to share norms and values, and to participate in aesthetic and ritual practices with others' (Mann 2012, 6)

<sup>7</sup> For instance, in Syria and Iraq, Islamic State extremists lay claim to the memory of a Caliphate while destroying cultural heritage and with it the evidence of cosmopolitan histories as part of a radical 'purification' (Singer 2015).

<sup>8</sup> See the International Coalition of Sites of Conscience, 2016.

<sup>9</sup> These ideas have also influenced international discourses and responses to conflict as exemplified by the Stockholm International Forum Conferences on Holocaust education and remembrance (2000-2004); the commitment to memory as part of preventative action in the framework of the 'Responsibility to Protect' (UN 2013, 14), and the appointment of an United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

<sup>10</sup> For an example of an ongoing transnational initiative see the African Union project to create a human rights memorial (African Union, 2015).

<sup>11</sup> Note the contention surrounding the Canadian Museum of Human Rights, roundly critiqued for its failure to describe Canada's treatment of Indigenous peoples as genocide (Scott 2015). I have shown elsewhere that civil society engagement in memorialisation and the remembrance of ordinary victims of violence reflects and contributes to human rights struggles, in contrast to silence about these losses, even in contexts where the possibilities for public debate are limited (Ibreck 2009; Ibreck and de Waal 2013).

<sup>12</sup> This understanding is partly based on participant observation of the Humanitarian Aid Workers Memorial event in London, 18 August 2015. As an illustration of both the modesty and importance of such memorials see for instance the incomplete memorial for Syrian Arab Red Crescent members, which lists 39 people killed between 2011 and 2014 on a website (SARC, 2014). Also see BBC Newsbeat, 2013.

<sup>13</sup> The 17<sup>th</sup> Century Dutch jurist and philosopher, whose ideas of international society influenced the Hague and Geneva Conventions.

<sup>14</sup> Article 16, para 2, 1949 Geneva Convention IV. Article 34 (1) of the 1977 Additional Protocol provides for respect for the remains of the dead and Article 4 (1, 2) of 1977 Additional Protocol II forbids 'outrages on personal dignity'. Both the 1929 and 1949 Geneva Conventions require parties to account for the dead.

<sup>15</sup> See ICRC, 2016, the Customary IHL Database for a detailed account of provisions for the dead in customary International Humanitarian Law based on a survey of various sources from international to national law and military manuals.

<sup>16</sup> This is most obvious in the cases of 'terrorist' armed groups but is not confined to them, see Sunga, 2015. See Clapham et al, 2015, 277-296 for detailed examination of provisions related to treatment of the dead and how and when these constitute war crimes.

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<sup>17</sup> This is based on ethnographic research with Nuer communities living under a form of humanitarian governance in camps under the authority of the United Nations Mission in South Sudan (for details of this research project see Ibreck and Pendle 2017). They have organised multi-ethnic annual commemorations for victims of massacres and have sought ways to bury their dead with dignity inside and around the camp. Their experiences and their implications for humanitarian action demand further careful examination, but they clearly demonstrate that humanitarians must find ways to support traumatized and bereaved people in circumstances of protracted crisis. I thank the South Sudanese research participants for generously sharing their experiences and insights.

<sup>18</sup> The system's funding incentives encourage a focus on survivors, rather than 'counting the dead', in order to demonstrate results, Nick Stockton, panel discussion with MSc students at LSE, 4 December 2015. See Muggah, 2015, for recommendations on how an indicator on conflict deaths could ensure systematic counting and promote Sustainable Development Goal 16.1. Also see Every Casualty, 2016, for a civil society campaign to promote casualty recording and to improve methods.

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