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The afterlife of buzzwords: the journey of rights-based approaches through the humanitarian sector

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ABSTRACT
While buzzwords fade from policy speeches, everyday aid talk and conceptual attention, they usually retain a place in aid discourse and practice. To explore the afterlife of buzzwords, this article offers an analytical framework for exploring the journey of Rights-based approaches (RBA) through the humanitarian sector. Through a study of RBA in the Norwegian humanitarian policy and in Norwegian-funded aid in Colombia, Palestine, Myanmar and Pakistan, the article analyses how the concept of RBA, after having gone through the buzz and mainstreaming phases, continues to evolve as part of the humanitarian tapestry. Our case study indicates that as a buzzword of yesteryear, humanitarian RBA are not ‘lost in translation’, but find new forms in a variety of deeply contested political projects, thus having continuing effects on humanitarian action.

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Introduction
Buzzwords are technical words or phrases that are fashionable within a profession or field of practice for a limited amount of time. In the humanitarian sector, much like in the development field, buzzwords shape the ‘world-making projects’ of aid and confer legitimacy that actors need to justify their interventions.1 Buzzwords frame problems by distinguishing some aspects of a situation from others – and in so doing, define paths of action. The meaning of buzzwords is often taken for granted and left undefined: in fact, buzzwords ‘gain their purchase and power through their vague and euphemistic qualities, their capacity to embrace a multitude of possible meanings, and their normative resonance’.2 However, while buzzwords may fade from policy speeches, everyday aid talk and conceptual attention, buzzwords usually retain a place in aid discourse and practice. What is the afterlife of buzzwords?

Generally, research beyond the buzzword phase is important, not because of its insights into the (lack of) effectiveness of buzzwords, but because it enhances our understanding of humanitarian practice and what buzzwords do, once the buzz has gone. To answer the question about the afterlife of buzzwords – which has received little attention...
in the scholarly literature – this article explores the journey of a particularly resilient buzzword – that of rights-based approaches (RBA) – through the humanitarian sector. We do this through a qualitative study of the role of RBA in Norwegian humanitarian aid, focusing on domestic humanitarian discourse and on Norwegian-funded aid in Colombia, Palestine, Myanmar and Pakistan. Our case examples illuminate how RBA are negotiated, adopted and resisted by diverse humanitarian actors situated in different cultural, legal, and political contexts. Our findings offer insights into the effects of RBA on humanitarian action as they lose buzzword status and become a taken-for-granted but still operational part of the aid vocabulary.

By developing a framework for studying the journey of RBA through the humanitarian sector over time, the article also contributes a possible analytical frame for studying the afterlife of buzzwords in general. Our approach combines four angles: the temporal, the spatial, the vertical and the horizontal. Temporally, we trace the journey from the buzzword phase, via the mainstreaming where RBA becomes an integrated policy concept to what we label the ‘tapestry phase’. It is this tapestry phase, with its complex sequence of events and practices, that is our focus and from which we carve out our understanding of the buzzword-afterlife. Spatially, we understand the journey of buzzwords as inherently transnational. By focusing on RBA as a foreign policy tool and on how donor states articulate RBA in their humanitarian policy, we bring attention to how RBA are situated within a larger normative-political ecosystem of domestic, cultural values, political interests and geopolitical projects. We see RBA as a ‘bundle of norms’ expressed through discourse and practice that, although having a global character and reach, are produced by actors in transnational social fields. Furthermore, we suggest that the journey of RBA through the humanitarian sector can be pictured as a vertical axis through the humanitarian hierarchy: An important aspect of our study is how the framing of the Norwegian humanitarian model shapes how policy and practice pass from the state to the NGOs. Finally, we explore the journey along a horizontal axis where transnational fields of practice (development, human rights, foreign policy and humanitarian action) overlap.

The article proceeds as follows: the first part maps out the trajectory of humanitarian RBA and situates the article vis-a-vis existing knowledge gaps. The second part describes the research design and methodology for our study. Examining the domestic politics of buzzwords, in part three, we discuss our key findings with respect to RBA as Norwegian humanitarian policy and the role and import of the Norwegian model. In part four, we look at how NGO actors attempt to operationalise RBA in the field. In part five, we reflect on the tapestry effect of RBA in Norwegian aid. A brief conclusion revisiting our proposition for an analytical framework follows.

**On RBA in the humanitarian field**

Entering the humanitarian vocabulary in the late 1990s, the initial period of RBA in humanitarian action featured lively exchanges on appropriate modes of engagement, within the humanitarian sector and in academia. The move from needs to rights was seen by some observers as a way of formally improving the conceptual framework of humanitarianism. Chastened by the failure of humanitarian responses after the Rwandan genocide, others perceived RBA as a way of improving the sector’s image.
By the early 2000s, human rights gradually became mainstream as is demonstrated by standard humanitarian rhetoric and numerous handbooks, manuals and codes of conduct. The RBA trend in humanitarian action was initially subjected to significant contestation, which later became critical indifference as RBA lost their buzzword status. The exchanges between Fiona Fox (2001) and Hugo Slim (2002) remain the key debate on the subject: Fox was critical of RBA. The aim of humanitarian action should only be to meet needs: RBA would be counterproductive as they would allow for the conditionality of relief and abandonment of neutrality and make humanitarianism part of an imperial transformative project. Slim disagreed and saw rights as an appropriate basis for the legitimacy of humanitarianism, which moved it ‘beyond a dysfunctional philanthropic mindset’.

Mainstreaming also entailed difficulties for RBA: As RBA lost its pull as a buzzword, practitioner and scholarly interest tapered off around the mid-2000s. Even so, numerous organisations and donors still formally referred to themselves and their policies as ‘rights-based’. Reviews of RBA practice explained the decline of interest in it by pointing to endemic problems concerning the conceptualisation of rights and the exact role they should play, together with a lack of reflection on the difficulties of finding RBA applicable to situations where states are unable or unwilling to protect. While there is a substantial literature analysing the framing of RBA in the development sector, with a few recent exceptions, there is little contemporary critical engagement with RBA practices in the humanitarian sector. This does not mean it has gone away: as illustrated by our study, RBA is still present in policy documents and humanitarian discourse. However, our understanding of the ‘journey’ of RBA through the humanitarian sector, their apparent resilience, and what this means for humanitarian practice, thus remain incomplete.

Research design and methodology

The article builds on a study of Norwegian aid entitled ‘Aid in Crisis? Rights-Based Approaches and Humanitarian Outcomes’ which aims to bridge the knowledge gap identified above. This study set out to describe, understand and explain how rights-based approaches shape humanitarian assistance and contributes to humanitarian outcomes at different levels, in different conflict and disaster zones. The article draws on a series of cases from this study: of Norwegian donorship and RBA policy in the Norwegian humanitarian arena of the Norwegian NGOs operating as intermediaries of RBA; and on four field studies of RBA in Colombia, Myanmar, Pakistan and the Occupied Palestinian Territories. The case studies of Norwegian NGOs examined how – on the evidence of various reports, websites and reviews – organisations, their partners and staff members understand RBA and how they are perceived as affecting their work. The field case studies were carried out in collaboration with local partners or, in the case of Colombia, by the local partner alone. Data were collected by means of qualitative approaches, which included 90 structured and semi-structured interviews, focus groups, participatory observation of field activities, analysis of policy documents, reviews of internal and external evaluations, other grey literature and scholarly contributions.

Our field studies were selected to cover a range of situations: from conflict to recovery, including war, non-international conflict, occupation, displacement, urban violence,
earthquake, famine and flooding. From the outset we identified various rationales: all these countries exhibited ‘humanitarian needs’, but with diverse government and civil society definitions of and approaches to the crisis in question. They were also among the countries that received the largest amount of Norwegian humanitarian aid in the period 2005–2015. According to Norwegian humanitarian policy, this engagement is part of a coherent foreign and development strategy aiming to promote peace and sustainable development. The field studies represent countries where Norway has tried to achieve these foreign policy interests. It has a long history of aid cooperation with all of them; from Pakistan and Myanmar it hosts large diaspora populations and it has supported peacebuilding in Colombia, Myanmar and Palestine. In all these studies, we have asked how rights-based approaches in crisis settings shape the effects of aid. Rather than exploring this from the perspective of a single definition of what constitutes RBA, the studies focused on how the organisations discuss the constituent parts of RBA and what meanings do they give to rights; how RBA fit into the particular humanitarian landscape with which they are engaging and the trade-offs and costs involved; and finally what strategies and self-representations were adopted to operationalise RBA. This article zeroes in on three of the six Norwegian humanitarian NGOs covered in the field studies: the Norwegian Refugee Council, Norwegian People’s Aid and Norwegian Church Aid.

Synthesising insights from the four field studies, we have developed analytical categories generating initial identifications of cross-cutting themes refined through discussions with the authors and triangulated with the scholarly literature on RBA. We then went back through the empirical data to identify examples that both contributed to the analytical argument and provided illustrations of the diversity of crisis situations, and the political and cultural contexts in which the Norwegian NGOs have tried to implement RBA.

**The domestic politics of buzzwords: RBA in Norwegian aid**

This part discusses how RBA has travelled from being an international buzzword to domestic humanitarian strategy to becoming a less visible part of the humanitarian policy fabric. With respect to the vertical quality of RBA, the ‘Norwegian model’ – entailing close cooperation between the Norwegian state and humanitarian NGOs – and the type of top-down norm transmission it engenders, is central to understanding the operationalisation of the normative objectives – including RBA – of Norwegian humanitarian aid. We situate three NGOs – the Norwegian Refugee Council, the Norwegian Peoples Aid and the Norwegian Church Aid – in the Norwegian model and, adopting a horizontal perspective, describe how their organisational identities, missions and diverse stakeholder groups shape their adoption and articulation of RBA.

**RBA as Norwegian humanitarian policy**

Over recent decades, Norway has consistently been ranked among the world’s ten biggest donors to multilateral and bilateral humanitarian operations and rights-based approaches have been a conspicuous item in Norwegian humanitarian aid vocabulary. Even though RBA lost their international buzzword status in the late 2000s, the
Norwegian government has continued to insist humanitarian aid should be rights-based. To get a better understanding of how RBA are articulated (the horizontal perspective) and the uses made of them (the vertical perspective), we analysed humanitarian policy documents issued between 1998 and 2016.\textsuperscript{15} We can identify three phases of RBA in Norwegian humanitarian policy: the buzzword phase (1990s); the mainstreaming/normalization phase (2000s); and the tapestry phase, from 2010 and onwards.

RBA arrived in Norwegian humanitarian aid discourse in the late 1990s. In our data, the most detailed discussion of RBA in humanitarian action is found in the Human Rights Report to the Storting [Parliament] no. 21 (1999–2000), drafted when rights language was also at its height internationally. This detailed focus, and the explicit mention of RBA in humanitarian action, recedes in later documents. Still, we find that RBA become a general normative value system for Norwegian humanitarian action, embedded with explicit references to Norwegian culture. Based in human rights, RBA is presented as victim-centred, and emphasises participation, non-discrimination and responsibilisation. These imperatives imply not only a moral duty to aid victims in times of crisis, but also to take a comprehensive approach that aims to prevent crises, conflicts and human rights violations.\textsuperscript{16} In policy documents, Norway’s humanitarian engagement is framed with reference to innate values that are ‘particularly Norwegian’. For example, the early documents emphasise the fact that Norwegian humanitarian aid is founded upon a moral imperative in the spirit of the polar explorer Fridtjof Nansen, who won a Nobel Peace Prize for the rescue of thousands of Ukrainian refugees from famine in the 1920s; they thus symbolically consolidate the humanitarian imperative as part of Norwegian identity and tradition.\textsuperscript{17} The humanitarian policy documents constitute an exercise in cultural and moral meaning-making, based on ideas of a Norwegian ‘essence’ of solidarity, competence and care. These are presented as intrinsically linked to wider notions of the social-democratic nation state and progress achievable through the rule of law, social democracy, equality, sameness, redistribution, citizen participation and high levels of trust, that lower transaction costs, which might be barriers to efficiency, and facilitate government interventions.

In the mainstreaming phase, the emphasis shifts from demarcating the boundaries and meaning of humanitarian RBA to seeing RBA as a cross-cutting concept. RBA emerge as a strategic component of national virtue, reflecting the broader normative framework of Norway’s humanitarian diplomacy and engagement, and key importance given to ‘humanitarian rights and values’. Norway aims to ‘be a good humanitarian donor’ by being both virtuous (emphasising gender and targeting unmet needs) and politically effective. In this phase, the ‘uniqueness of humanitarian aid’\textsuperscript{18} and the importance of financing and allocating aid according to need and principle, not national interest, are emphasised in policy documents. Needs-based approaches may be combined with political considerations and priorities, and engagement in humanitarian diplomacy.\textsuperscript{19} Humanitarian aid, peace-building and human rights are defined as the main pillars of the Government’s foreign policy and development policy. Because Norway’s humanitarian engagement is ‘part of a coherent foreign and development policy that aims to promote peace and sustainable development’,\textsuperscript{20} RBA are also constitutive of this comprehensive approach which combines humanitarian aid, peace work and development.

With this increasingly expansive use of RBA, RBA as a buzzword here enters what we have called the tapestry phase. Pursuant to what Cornwall and Brock (2005) described as
the ‘capacity to embrace a multitude of possible meanings, while maintaining a normative resonance,’ in the 2014–2015 policy, the Government suggested that ‘RBA imply a strengthening of attention to the transition between humanitarian and long-term aid, especially in protracted humanitarian emergencies.’ The assumption is now that RBA – unproblematically – can bridge the link between humanitarian aid and development, seen as a means to make humanitarian policy more effective and sustainable.

### RBA and the Norwegian model

The Norwegian model is based upon internationally accepted principles for humanitarian action and international humanitarian law, active multilateral engagement, and a close relationship with the Red Crescent Movement and other non-state humanitarian organisations. Developing and improving the model are put forward as governmental goals. We suggest that the Norwegian model does three things: While adopting humanitarian principles such as neutrality and impartiality as key values and claiming that these are coherent with RBA, it also projects a close relationship between the donor state and NGOs as normatively desirable to secure humanitarian outcomes. Furthermore, the model is transactional: it provides ample funding for this relationship, funding Norwegian NGOs (and other actors) to realise RBA objectives. Norwegian humanitarian organisations give visibility to Norway and its international engagement in the situations they work in. Finally, we suggest that the Norwegian model is central to RBA implementation in these cases because it functions as a joint branding project for the state and the NGOs. In policy documents, the Norwegian model is depicted as originating from Norwegian and Nordic identity, or culture, since civil society engagement is considered part of how Norway is governed also internally. According to the policy documents, the model has contributed both to the success of Norway as a humanitarian donor country and to that of the NGOs, which it has helped to become leading humanitarian organisations. For the Government, through norm production, funding patterns and field brand recognition, the Norwegian model is an important soft power foreign policy tool.

Although significant, and increasing, amounts of Norwegian humanitarian aid are channelled through multilateral organisations, in the policy discourse, the notion of a specifically Norwegian humanitarianism has been framed around the idea of a natural symbiosis between ‘the big five’ NGOs and the Norwegian government. The five are the Norwegian Red Cross (NORCROSS), Save the Children Norway, Norwegian People’s Aid (NPA), Norwegian Church Aid (NCA) and the Norwegian Refugee Council (NRC).

In policy documents, it is emphasised that the ‘Norwegian model’ also makes a clear division of roles between the Norwegian state and NGOs; however, it is not specified how this division is to be made. Whereas the humanitarian policy emphasises international humanitarian principles such as neutrality and independence, the state funding of humanitarian organisations and the institutionalisation of a state humanitarianism appears to be at variance with these principles. The state claims that humanitarian imperatives and political agendas can be combined: although it understands and respects the need for humanitarian organisations to preserve their neutrality, Norway itself is not neutral. However, while these NGOs are deeply affected by their historical relationship to the
Norwegian state, they have their own historical trajectories, are part of transnational communities of practice and subscribe to international legal norms. Here we have chosen to examine RBA implementation by the NRC, the NPA, and the NCA.

**Situating NGOs and RBA in the Norwegian model**

The NRC identifies as a rights-based humanitarian actor that views RBA as ‘the rights of displaced and vulnerable persons during crisis’. The NRC has gone from state co-ownership to become a global norm entrepreneur and is the biggest Norwegian humanitarian NGO. Founded in 1946 as Europahjelpen (Aid for Europe), it was owned by Norwegian People’s Aid and NORCROSS, but functioned as a clearing house for all civil society organisations involved in refugee work and the Norwegian Ministry of Social affairs. Gradually developing its own identity, the organisation became an independent non-profit in the 1990s. Today – in large parts thanks to a series of entrepreneurial secretary generals with good political connections – the organisation is a big international player with thousands of employees – and the Norwegian government is no longer its biggest donor. The NRC frames RBA as a mixture of humanitarian moral principles, protection norms and a strong focus on legal rights. The NRC mission statement declares ‘We are a rights-based organization and are committed to the principles of humanity, neutrality, independence and impartiality’, as well as to a third pillar of protection concerned with the safety, dignity, and rights of people affected by disaster or armed conflict. The objective of the NRC’s humanitarian advocacy is compliance with rights under international law. The NRC frames RBA in explicitly legal terms, recognising individuals as rights-holders legally entitled to protection and assistance. The organisation ‘seeks to encourage duty-bearers to respect and protect the rights of displaced and vulnerable persons set out in domestic and international law’. However, this is a complex and sometimes ambiguous ambition: on one hand, the operationalisation of RBA must be balanced against neutrality and humanitarian access considerations. On the other, the sheer volume of service delivery undertaken by the NRC means that, at the organisational level, RBA has been put on the back burner, as was admitted by an advocacy officer at the HQ who said, ‘in recent years, we have fallen behind on RBA’.

The second organisation studied is Norwegian People’s Aid (NPA). It is the solidarity organisation of the Norwegian Confederation of Trade Unions. NPA presents itself as an organisation working to promote the just distribution of power and resources and to protect life and health. Their understanding of RBA is based on the historical struggle for workers’ rights and gender equality. Established in 1939 in response to the wars in Finland and Spain, NPA describes itself as ‘the labour movement’s humanitarian organisation for solidarity’. Until the 1970s NPA’s main activities were concentrated on Norway, contributing to reconstruction after the Second World War through health programmes, vocational training for the disabled and summer camps for children. Since the 1980s NPA’s international engagement has become global and includes both long-term development efforts and humanitarian aid. NPA does not operate in a country for the purpose of providing humanitarian relief, but respond to crisis, when they occur, by supporting existing local partners. As such it may be characterised as a de facto humanitarian actor. NPA was an early adopter of RBA and first articulated this approach in 2003. While external reviews have pointed to the organisation’s difficulties in operationalising RBA the line
taken by NPA accords well with RBA: work is ‘based on cooperation between equal partners, not on charity’. NPA distinguishes solidarity from charity: ‘Whilst charity implies that the giver has control over the recipient, solidarity means showing respect for the partner’s integrity and their right to set their own conditions’. There is an explicit emphasis on its normative foundation being ‘politically independent, but not politically neutral’. NPA sees popular participation as important for securing human rights and ‘often choose partners that may be opposed to, or in conflict with, those in power’. NPA might be thought to regard RBA as having transformative potential, but it does not actively use the notions of right-holders and duty-bearers, instead framing recipients of aid as partners, thus skirting key issues regarding obligations in crisis.

The third organisation in our study, Norwegian Church Aid (NCA), declares its identity as a humanitarian and ecumenical diaconal organisation working for global justice. Founded in 1947 to organise fundraising in Norwegian churches to relieve the victims of WW2 in Germany and other European countries, NCA has gradually expanded its geographical and programmatic scope. While partly funded by private donations and through a network of churches, the majority of NCA’s funding comes from the Norwegian government and other donor agencies. Whereas the NRC and NPA started out as domestic service providers, NCA originated as a provider of humanitarian relief, and then gradually included programmes for longer-term development, as well as inter and intra faith dialogue. NCA relies on local partners, including church-based organisations and NGOs and presents itself as faith-based, rights-based and value-based. It is an active member of Action for Churches Together (ACT), an international alliance of Christian aid organisations. Over the years, it has set itself apart from missionary and confessional organisations, emphasising its ecumenical and diaconal identity. NCA stresses the ‘universality’ of its approach and its ‘work to ensure the individual’s human rights’. According to the 2009 strategy document ‘Rights-Based Development from a Faith-Based Perspective’, all people are seen as born with God-given, equal rights and dignity. Rights are thus understood not only as legal entitlements, but as integral to human dignity, and as central to the Christian social ethics that the NCA is founded on. RBA are has become a foundational component for all NCA’s programmes, and the organisation sees itself as bridge between right-holders and duty-bearers, in the form of the state. When the state appears unwilling or unable to act, NCA sees itself as a duty-bearer, which must work to ‘eradicate poverty and injustice’. For NCA, RBA involves enhancing the individual’s rights, by redressing structural inequalities and through the rights-based process. NCA evaluate RBA by how much participation and influence right-holders have in the provision of aid, and whether duty-bearers are accountable.

Combining the horizontal and the vertical perspective, this analysis – of policy, the Norwegian model and NGO adoption and adaptation – suggests that to a significant degree, the values, path taken and objectives of these three actors are shaped by Norwegian domestic, cultural and political considerations. While these NGOs are becoming increasingly ‘international’ as regards the scope of their operations and their ability to diversify funding sources, the idea of ‘the Norwegian model’ still exerts considerable influence on these organisations. In significant ways, they engage with RBA as a product of Norwegian culture – and as an expression of Norwegian foreign policy interests. At the same time, differences in their mandates, organisational cultures and target groups mean that their engagement with RBA has evolved in different ways.
Operationalising RBA: NGO field approaches

Above, we discussed how RBA were articulated and culturally adapted in Norwegian humanitarian policy documents and how this domestic cultural co-construction was taken up and further modified by humanitarian NGOs receiving government funding as part of the ‘Norwegian model’. While tracing the vertical flow of RBA discourse, we saw how RBA should also be analysed horizontally, as a field of practice that is intimately intertwined with other sectoral priorities (such as fulfilling need) and also tightly connected to other policy fields and political projects. For the Norwegian NGOs such overlaps are complicated: while they must be responsive to the shifting parameters of permissible approaches (from the perspective of donors), funding also requires clear-cut labels. How NGOs adapt their RBA practice to engage these labels and the potential costs of squaring humanitarian ideals with political reality will be the subject of discussion in the next sections. In what follows, we will offer insights drawn from the five case studies. We explore the horizontal aspects of RBA with respect to how classifications of emergencies and RBA are co-constituted and the ways in which RBA is shaped by the specificities of the local normative environment. In the last sections, we foreground the vertical perspective, mapping downward and upward ways of operationalising RBA.

Classification and labelling practices

Classifications of emergencies are inherently sociological: the words ‘humanitarian’ and ‘emergency’ as cultural constructs and the focus on ‘urgency’ shape understandings of what happens in the world, who is supposed to act and what should be done and when. The field cases demonstrate how the nature of the crisis and how it is categorised shape the possibilities for deploying RBA, while RBA simultaneously operate as a classifying tool for how problems are framed and solutions devised. While the NGOs have their (more or less clear) conceptualisations of RBA in policy, the actual implementation of RBA needs to be studied in context. Drawing on our empirical data, we group humanitarian responses into two main analytical categories: those for ‘acute’ and those for ‘protracted’ humanitarian crises. The well-known tension between short-term aid that addresses immediate humanitarian needs and longer-term projects for change, that aim to redress the structural inequalities which often underlie humanitarian crises, is accentuated when RBA are adopted. This tension was frequently referred to by all the humanitarian workers interviewed for this study. Several different aspects of it came up:

One was the fact that the operationalisation of RBA in the humanitarian arena was conceptually difficult to deal with for the NGOs working in the field. Even though official Norwegian humanitarian policy was premised on RBA as ways to bridge the gap between humanitarian and development interventions, funding was often tied to the construction of an intervention as ‘humanitarian’, thus making it necessary to make a discursive dividing line between humanitarian aid and development. The short horizon of humanitarian funding – the Norwegian funding cycle is typically one year – was also perceived as a structural barrier to adopting RBA, which require longer-term commitment and perspectives.

Our field studies also identified some of the problems with adopting RBA in a humanitarian context. Engaging with state structures to eradicate injustice and exclusion were
activities the NGOs most clearly identified as rights-based: that is to say, a development activity. In contrast, activities that were geared towards an immediate crisis were rarely addressed through a rights-based approach: the focus was on needs, delivering material aid and saving lives. The NGOs explicitly said rights were ‘secondary’ in such situations. In immediate crises there is little time to think about rights as a vehicle for social change: RBA give way to the right to assistance, to protection, and to basic needs. In this context RBA are reduced either to being an approach to aid where rights exist on programme level, – those that are sometimes called ‘humanitarian rights’, such as the right to basic necessities, e.g. water, or shelter – or to a procedural approach to doing aid which emphasises participation and accountability in humanitarian actions.

How a crisis was defined also indicated who was considered a legitimate interlocutor – by defining a crisis as developmental, the host-country authorities would have more legitimate grounds for rejecting international aid. Our field studies were carried out in places where assertive host states were increasingly determining the scope and nature of international engagement. In some cases, the domestic authorities denied the existence of acute emergencies (in Colombia, Myanmar, Pakistan) or denied access on grounds of national security (in Pakistan and the OPT). For example, in Colombia, there has been a long struggle to get rural-urban migration recognised as forced migration caused by internal armed conflict; when Cyclone Nargis hit Myanmar in 2008, the authorities initially refused to acknowledge the scale of devastation and acute humanitarian need. The same kind of things happened in Pakistan, where the Government has repeatedly been criticised for not acknowledging the level of need after the devastating floods that hit the country every year between 2010 and 2014.48

At the same time, the notion that there was an emergency which called for humanitarian aid, rather than a political conflict requiring a political solution, operates as an important soft power vehicle for donor involvement in managing the broader context. In the OPT field study, all the humanitarian NGOs interviewed agreed that the West Bank situation does not represent a humanitarian crisis in the conventional sense. Instead, they talked about a ‘protracted’ or ‘chronic’ crisis and a ‘protection’ crisis, rather than a humanitarian one. In the OPT, the NGOs are contracted by donor states like Norway to promote the rights of Palestinians, but they are unable to do so because they have no political clout. As a result, their humanitarian aid is criticised for being little more than band-aid, and for falling short of the aspirations of RBA.49

We argue that this classificatory practice – and the associated labels assigned to a crisis – is significant for how RBA is used in humanitarian action, perhaps more so than for other humanitarian buzzwords: directly and indirectly classification decides the role and place of attendant normative frameworks, the role of the state and the broader cultural reception of aid.

The normative environment: cultural and political receptiveness to RBA

As buzzwords confer legitimacy to humanitarian action, an important empirical line of inquiry is how it is perceived by national and local governments, civil society organisations and local communities. RBA, with its focus on the relationship between rights and duties, the centrality of human rights and the legalised nature of the discourse, has been an unusually contentious buzzword. In the literature, it is well established
that, for new norms to be adopted, they need to resonate with existing ones.\textsuperscript{50} This means that it is easier to adopt and operationalise RBA if human rights are familiar and the citizen’s claims on the state are commonly framed in the language of rights. Thus, the local rights culture or lack thereof is also relevant to the trajectory of humanitarian RBA. Our study indicates that there is great variation in the cultural and political receptiveness to rights between the places where Norwegian humanitarian NGOs are implementing RBA. We argue that these normative environments shape the ways the NGOs are operationalising rights in the different contexts.

In the first place, cultural receptiveness to human rights varies greatly. As suggested above, in Colombia there has long been a strong rights culture, especially since the 1991 Constitution; following major structural litigation, human rights are widely understood as the appropriate frame for responding to the humanitarian crisis. In this context, RBA are seen as an extension of government and NGO efforts to make human rights a reality for IDP, and do not require a major ‘world-making’ effort. When the NRC in Colombia adopts a rights-based approach – and declares that this is ‘neutral and apolitical’ – it can do so because the language of rights is already dominant. NRC in Colombia can successfully use workshops to ‘foster citizen demands’ because they work in a context where public elementary education is regarded as a basic right.\textsuperscript{51} In contrast, in Pakistan human rights have more limited resonance, and are frequently condemned for being elitist, foreign and anti-Islamic.\textsuperscript{52} In that context, NCA’s local implementing partners avoid direct reference to human rights and give meaning to RBA by translating them as humanitarian standards (the right to humanitarian assistance), to citizens’ rights and to Islamic principles.\textsuperscript{53}

There is a wide variation in political receptiveness to human rights. In our field studies from OPT we found that RBA was perceived as being imposed by external actors. While there are many Palestinian human rights organisations working for the social and political rights of the Palestinian people, NCA officials working in Palestine reported how donors sometimes emphasise aspects of RBA that their Palestinian partner organisations consider to be peripheral. For example, ‘they were required to document that user participation was part of their programs, but when you work in areas with differing access and differing possibilities for people to participate, that is hard to achieve’.\textsuperscript{54} In the OPT, RBA as capacity building by outside actors are condemned as a form of cultural imperialism, and consultants have been told on several occasions that ‘Palestinians need help, not teaching and preaching’.\textsuperscript{55} Thus, in sum, the field studies shed light on RBA as a normative framework, and how its operationalisation is shaped by norms and values already existing in the context in question. Part of the tapestry constituting the afterlife of RBA as a buzzword is thus also about rejection, manipulation and resistance.

\textit{The role of state capacity and willingness}

RBA literature has mainly focused on how providing aid irrespective of national, ethnic, religious, political or other identification leads to difficult relationships with host states.\textsuperscript{56} Attention has been paid to the ways in which RBA challenge traditional humanitarian emphasis on alleviating suffering and neutrality by insisting on rights for beneficiaries – and also to how big UN organisations that adopt RBA do not in fact see themselves as duty-holders.\textsuperscript{57} There has been less attention to the fact that, in effect, RBA draw the
host/recipient state into humanitarian action. This understanding is important, because it points to what is unique about RBA as a humanitarian buzzword, namely concern with the structural obligations of the state as the duty-holder. Our point of departure is the fact that, in humanitarian crises, many states lack the capacity or willingness to protect and provide for crisis-affected populations – and are often themselves violators of rights and perpetrators of violence. The limited capacity of states is both an implicit and explicit precondition for external humanitarian intervention. In the following, adopting a downwards vertical perspective, we discuss the predicament of RBA in various types of able/unable and willing/unwilling states.\(^{58}\)

In contrast to development aid contexts – where cooperation with the host state is the norm – humanitarian agencies have usually attempted to replace or complement core state activities. Humanitarian actors’ perceptions of the host state’s capacity and willingness to protect and assist affected populations shape how they understand and attempt to operationalise RBA. ‘Weak state capacity’ is a term used to describe a state that either is not present or does not have the power or resources to offer protection and provide for a crisis-affected population.\(^{59}\) Weak state capacity does not mean that there is no governance, but that other, non-state, actors are performing governance functions. State capacity can be strong at the centre, but weak on the periphery. In the cases of Colombia and Pakistan, the state has substantial institutional capacity at the administrative centre but is weak in large swaths of its territories, or even absent from them. In both situations NGOs can serve as mediators between the state and the people. However, these organisations also have limited capacity to fill the void left by the state; humanitarian funding makes their interventions unpredictable and their relatively brief engagement means that there is a risk of upsetting local power equilibriums, which poses risks for locals and humanitarian actors alike.

The Colombia field study pointed to the importance of calibrating differential state capacity: that is, to conceptualise degrees of state capacity to nuance this matrix. Colombia is a solid constitutional democracy with a vibrant civil society, as well as being a middle-income country that has suffered the most acute humanitarian crisis in the Americas. Decades of internal conflict, inherited from the Cold War but also fuelled by the war on drugs, have both caused a protracted humanitarian crisis, and severely debilitated the state’s capacity to respond. It has, however, striven to do so, and in the last 20 years has engaged in massive legal and institutional reforms to respond to the situation. RBA in Colombian mean solid engagement with the state as the duty-bearer of the rights in question. While this makes sense in the abstract, on the ground the state tends to be diluted in a mass of political actors, including the officials of national institutions, municipal governments officials, the Colombian army in alliance with national agencies and ministries, and local officials with illicit links to non-state armed actors and criminal organisations.\(^{60}\) In our Pakistan field study we also find a great difference between the state’s capacity and willingness at central levels and at local ones: the state is strong at the centre, with the Pakistani army often taking the lead in humanitarian provision and coordination, but locally it has insufficient resources to provide for its citizens. The Pakistani army and the wider security apparatus do not welcome NGO humanitarian engagement in areas considered to be within the purview of national security. State actors frequently accuse humanitarian NGOs, both national and international, of having ulterior motives and
of working against ‘national interests’. At local levels, however, while the state might have weaker capacity, it is more open to NGO assistance.

When the state is unwilling to protect human rights, humanitarian actors often find that they need to choose between adopting RBA and getting access to affected communities in areas controlled by the state. All our field cases (Colombia, the OPT, Myanmar and Pakistan) involve conflict between access and advocacy: if the state is weak, it is not able to protect humanitarian actors from non-state armed actors – and if it is unwilling, it might deny humanitarians access, either directly, by refusing to issue agreements and permits, allow aid through customs, allocate public land for operations etc., or indirectly, by endangering and sabotaging their operations. The trade-off between rights advocacy and humanitarian access is a key concern for humanitarian actors working in strong authoritarian states opposed to human rights.61

The more authoritarian the government, the costlier are the trade-offs for access. As noted in the Myanmar case study:

While many donors, aid providers and local groups had a strict non-engagement policy towards the Myanmar government and provided aid through cross-border activities and support to exile organisations, others sought to find ways of negotiating with the military government to create space for humanitarian responses. Humanitarian actors in the first category could not reach many of the worst affected areas, while the latter risked providing legitimacy to a brutal and repressive regime engaged in active warfare against many of the country’s ethnic minorities.62

The UN Resident Coordinator had recently been deported for voicing support for the Saffron Revolution protests. The UN had no humanitarian mandate in Myanmar and words like ‘protection’ or ‘human rights’ were highly sensitive and could not appear in policy documents or open strategies if aid agencies wanted to continue their work in the country.63 Likewise, in Pakistan the securitisation of the conflict has left humanitarian NGOs with limited access to many areas severely affected by conflict and natural disasters. NGOs report that permissions to work (non-objection certificates) issued by the authorities, are increasingly difficult to obtain. The Government wants ‘hard assistance’, e.g. infrastructure and supplies, ‘not soft issues’, such as sensitising people to their rights and involving affected communities in humanitarian governance. The government is hostile to NGOs taking a rights-based approach and wary of attention being paid to rights abuses.

Lastly, there are the cases where the state is able, but unwilling. The field study of RBA in humanitarian aid in the OPT reveals a state that could assist and protect but is unwilling to take on its responsibilities under international law.64 Aid is largely a means to keep the Palestinian National Authority’s (PNA) quasi-state afloat and prevent a total collapse of the Palestinian economy and society. The main impetus behind the massive stream of money that goes to the PNA is the international community’s goal of attaining a two-state solution, which requires a functioning Palestinian state apparatus. But that goal is increasingly dismissed as unrealistic by Palestinian and external analysts, given the Israeli colonisation of the West Bank, its refusal to contemplate a truly sovereign Palestinian state, and the fractured Palestinian national movement. If important donor countries had given up on this goal, their development aid might possibly have been used to uphold Palestinian rights to health, education, water, and civil rights more effectively. Instead, most international aid, including Norwegian aid, goes into the impossible
task of creating development in a situation of occupation, where Palestinian institutions lack resources and marred by corruption. Numerous reports have pointed out the futility of this goal and how it contradicts the principle of aid effectiveness, but the international political community is unwilling to take them seriously. Instead, much of the aid is premised on the idea that Palestine and Israel should develop cooperation and friendliness in preparation for a two-state solution, and there is little willingness to confront the occupier’s violation of human rights.

**Strategic NGO engagements: neutrality, pragmatism and idealism**

In the face of host states that are more or less able and willing to provide protection and care, Norwegian NGOs choose different strategies of engagement with host states, depending on their own mandates, their reading of the nature of the crisis, and what they believe are the best strategies to achieve their objectives, including that of adopting RBA. In what follows, this time adopting an upwards vertical perspective, we describe a set of strategies underpinned by neutrality, pragmatism and idealist approaches to RBA. The strategies speak to how the organisations perceive themselves, their political clout and the operating environment.

The first is the ‘neutrality strategy’, where NGOs focus on traditional humanitarian principles and imperatives. In our study, the NRC is the foremost proponent of this approach, seen in action in the Myanmar field study: following Cyclone Nargis (2008), the Refugee Council worked closely with the Myanmar government and the military to provide humanitarian relief and later to support IDPs affected by armed conflict. The NRC avoided making any political challenge to the authorities, developed trust and thus gained access to IDPs in areas closed to other humanitarian actors. In these circumstances, ‘rights-based’ refers primarily to the right of vulnerable people to have their basic needs met.

In Colombia, the NRC engages the state through RBA. It provides legal assistance and counselling, as well as public policy advocacy, and it does so within the legal framework determined by the state, acting as an intermediary between IDPs and institutional duty-bearers. The NRC does, however, deliberately avoid collaboration with institutions perceived as part of the conflict. This goes beyond avoiding any appearance of taking part in the Army’s own humanitarian actions, and includes avoiding engagement with social programmes funded, for example, by the United States foreign aid programme (USAID), which also funds military aid. Collaboration and engagement are limited to institutions that are clearly civilian, such as the Ministry of Education or the local municipality.

In the case of the OPT, the NRC says: ‘While humanitarian assistance is essential to meeting the basic needs of Palestinians in Gaza, it is also imperative that the world takes action to end the Israeli blockade and closure of the Gaza Strip’. Advocating Palestinians’ rights necessarily means talking politics with diplomats and policymakers to try to make them change their policies. However, NGOs are afraid they will be expelled by Israel or hindered in their humanitarian work if they are too vocal about Palestinian rights. The feeling expressed by one NGO official, that ‘in an ideal world the organisations would have been tougher on Israel, but then again we are dependent on Israel to get access’, seems to be shared by many. Perhaps the most remarkable admission
of the political impotence of rights-based humanitarian aid comes from the NRC. While it is explicit and confrontational about the political rights of Palestinians on its website, its local representatives in the OPT were cautious about the political implications of the rights-based approach:

We are not a political actor … We would never launch a campaign to stigmatise a government’s violations of human rights because that would seriously hamper our ability to continue working there. There is a line we have to tread. We engage in more private discussion and so on, but no public campaigns. If we did this, in a couple of months we would be thrown out, leaving behind our local staff.69

While the attitudes of humanitarians in the OPT may be more or less explicit in their critique, they raise the same concern as the NRC representative in this quote, namely that they may lose access to the communities they seek to help by being too vocal about pinning responsibility for the situation on Israel. Lacking political support, NGOs are unable to further the rights of Palestinians as they are contracted by Norway to do.

The second approach is the ‘pragmatic strategy’, whereby organisations aim to work with the government to open the way for local organisations. Humanitarian actors engaging with host states are often criticised for unwittingly compromising the central humanitarian principles of impartiality and neutrality in exchange for access. However, we have found that the pragmatic approach can be finely calibrated to fit the local context, the work of NPA in Myanmar being an instructive example. NPA is a solidarity movement, and not primarily a humanitarian organisation. The main purpose of its international engagement is to support democratic development and to practise international solidarity; it has been openly critical of the definition of humanitarian principles as humanity, neutrality, impartiality and independence. NPA, however, does not seek to be politically neutral – in its view, rights and humanitarianism is political: In 2008, when Cyclone Nargis struck Myanmar, NPA was one of the few organisations to have an extensive local network. It approached relief work by supporting local partners in responding to the crisis – thus preparing them to take the lead in the future in making political changes in the country.70

NGOs adopting a pragmatic approach insists that, if humanitarian aid is to be rights-based, local people must be consulted about their needs and the way must be left open for local organisations to delivering aid and help change their societies. To achieve this, it is sometimes necessary to work with governments whose human rights record is questionable. In the case of NPA in Myanmar, the organisation focuses on finding ways to reform regimes, rather than on whether they are legitimate:

If we say everyone has the right to education, then what is more important? That schools are provided by some international organisation, or that civil society campaigns and, through social pressure and mobilisation, makes the parliament in Naypyidaw discuss and implement a strategy for education reform? This reform may not be perfect, but the impact of such processes is enormous.71

Similarly, by working through local partner organisations in Pakistan, some NGOs are adopting a pragmatic approach in order to gain access to communities in areas where access is restricted for ‘reasons of national security’. While working with military actors can be seen as breaking with basic humanitarian principles, collaboration with the Pakistani Army has been a way for NGOs to secure delivery of aid to populations
in need. In order to achieve their broader rights-based objectives, organisations have brought individuals out of the militarised zones to take part in training and other events that have an explicit rights-focus.72

The third approach identified in the field studies is the ‘idealist strategy’. This strategy sees securing human rights as fundamental to create change (e.g. to address the causes underlying humanitarian crisis, and to ensure progress towards a post-conflict society). The idealist approach leads organisations to focus their efforts on advocating for human rights by supporting local human rights and humanitarian organisations, and on holding powerful actors (the government, donors, international organisations, Western NGOs) to account. In Myanmar, the idealist approach can be seen in NCA’s concentration on assisting civil society organisations, mainly exile-based, in their advocacy work and on providing humanitarian assistance from outside the country (working in border areas). An important task for NCA has been to make international donors accountable for their engagement with Myanmar and to make sure that it remains on the global political agenda. Working closely with human rights groups in exile, NCA has been a vocal critic of the human rights abuses committed by the Myanmar government and military. In situations where human rights are violated or limited by the host state, this kind of approach can result in reduced access to populations with humanitarian needs, and in the expulsion of the NGO. Alternatively, the NGO may withdraw from the country, which is what the NRC did in the Colombia case study.

The idealist approach can be criticised for being absolutist and insensitive to the complexity of local conditions, which leads to a high risk of failing to implement RBA. However, as our field studies demonstrate, another way of assessing the outcomes of idealist approach does not necessarily imply that the NGOs have failed to implement RBA, but may mean that they choose different strategies to engage with host states, adapting their approaches to the political context. As with the neutrality and pragmatist approach, the idealist approach reflects the NGOs’ understanding of RBA, their organisational history and stakeholders, as well as the organisations’ different readings of the context in which they are working.

The tapestry-effect of RBA in Norwegian aid

This article has illustrated how the meaning Norwegian NGOs give to RBA is negotiated according to the shifting humanitarian and political realities of the context they work in, strategic processes and decisions within the organisations, and donors’ changing political priorities.73 Exploring the vertical journey of RBA from their articulation in Norwegian humanitarian policy to their adoption and modification by Norwegian NGOs and their deployment in Norwegian-funded aid in Colombia, Palestine, Myanmar and Pakistan and the OPT, we have also applied a horizontal perspective to investigate how the concept has evolved over time and place. In particular, we found the relationship between RBA and classifications of crisis (short and long-term) to be of import, along with cultural and political receptiveness to RBA. The degree to which states were (un)able and (un)willing had significant impact on the realisation of RBA – in response, NGOs adopted positions of neutrality, pragmatism or idealism.

The work of these NGOs is also partly framed by the Norwegian model and Norway’s ambitions to increase its prestige and influence on the global scene – and to make this
consonant with ‘doing good’. Hence, RBA as Norwegian humanitarian policy must be understood horizontally, as hybrid and co-created: it is not a conceptually pure framing which puts rights at the centre of aid, and it cannot be characterised as a transformative agenda for aid. Rather, it is an amalgam of rights, needs and charity-based approaches combined with pragmatism and political self-interest – suggesting that the afterlife of RBA amounts to a rich and sometimes sprawling tapestry.

Although there has been an explicit focus on RBA in humanitarian policy for over two decades, the Norwegian government has not made clear what RBA mean in practice or provided any guidelines on how to operationalise them on the ground. We find that how RBA to humanitarian aid are defined and practised varies from one organisation to the next. As RBA are adopted by Norwegian humanitarian NGOs, they are necessarily shaped by Norwegian cultural values, a specific domestic approach to the organisation of foreign aid (the Norwegian model) and the role and significance of humanitarian branding as a foreign policy tool. This often causes tension between different organisational cultures, and can impact results on the ground.

Furthermore, as we saw in Section 2, RBA are not described as neutral by the Norwegian government – but as a normative agenda guiding Norway’s humanitarian policy. The dual identity resulting from being both a humanitarian actor (upholding humanitarian principles, particularly impartiality and neutrality) and a political actor is largely presented as unproblematic in government policy. However, this dual role (humanitarian/political) engenders tension in the field. Another major source of tension is that the government promotes the RBA agenda only when it does not compromise other more pressing foreign policy objectives. The case of the OPT demonstrates how RBA are futile when there is no political will or power to give rights. While holding onto RBA as a soft power tool, Norway is also trying to occupy RBA-incompatible positions – peace builder, friend of both Palestine and Israel and important ally of the US. Where RBA challenge neither national (host state) nor (Norway’s) foreign policy objectives and agendas, as was the case in Colombia, humanitarian organisations have greater power to define how to operationalise RBA. In Myanmar, the Norwegian government has used its clout as a donor to strengthen NGOs that share its views and has marginalised those with different agendas.

**Conclusion**

In this article we have explored and conceptualised the afterlife of humanitarian buzzwords, taking the example of rights-based approaches in Norwegian aid. To that end, we have presented a framework for studying the journey of RBA through the humanitarian sector, thus also offering an analytical frame for studying the afterlife of buzzwords in general. Our investigation combines a spatial approach – whereby buzzwords are construed as transnational in nature but local in the making – with a temporal one, moving beyond the buzz and mainstreaming phases to see the afterlife of buzzwords as forming part of a tapestry, where the buzzword is still being put to work and appropriated in a multitude of ways. By studying how RBA are implemented across diverse humanitarian contexts, the case studies illuminate how the way in which a crisis is defined and understood by different actors affects how RBA are conceived of and operationalised. We have explored the upwards and downwards vertical trajectory of RBA, and how RBA is adopted, reshaped and resisted across a horizontal axis. RBAs have
never been ‘transformative’ in either policy or practice. Yet, our case studies indicate that as a buzzword of yesteryear, humanitarian RBA are not ‘lost in translation’, but find new forms in a variety of deeply contested political projects, thus having continuing effects on humanitarian action.

Notes

12. The four field studies are: Pakistan: Natural disasters and internal conflict. Research team: Borchgrevink with Pak Institute of Peace (PIPS); Palestine: Occupation, armed conflict. Research team: Høigilt with PASSIA Jerusalem; Myanmar: Natural disaster and internal


21. Cornwall and Brock, What do buzzwords do for development policy?


28. Ibid.

29. Interview with NRC employee on file with author.


33. Cecilia Luttrell and Laure-Hélène Piron, Operationalising Norwegian People’s Aid’s Rights-Based Approach (London: Overseas Development Institute, 2005).


39. Diaconia, is according to NCA, ‘Christian faith translated into action’, NCA. Global Strategy, 9.


42. ACT-Alliance, Rights-Based Development, 9.

43. NCA, Global, Strategy, 9.

44. i.e. contemporary buzzwords such as ‘innovation’, ‘resilience’ and ‘vulnerability’ will all conjure up different types of frames, involving different ideas about agency and power, about stakeholders and the relationship between them.


46. As the case of Norway’s engagement in South Sudan illustrates, this is part of a broader pattern inherent in the Norwegian model: that the government consider the long-term presences of Norwegian humanitarian actors and their access to political leaders in the recipient country as a strategic resource when engaging in peace diplomacy. Rolandsen, ‘Piggybacking on Aid’.


52. Ibid.


58. Ibid.

59. Ibid.
64. The following section draws on the OPT filed study, for further details see ‘The futility of rights-based’, ibid.
65. This typology is adapted from Nilsen, ‘Perceptions of Rights’, ibid.
68. Høigilt, ‘The Futility of Rights-Based’.
69. Ibid.
70. Interview by Kristin Sandvik with NPA representative, Oslo (09.12.2016).
71. Interview by Marte Nilsen with former NPA representative, Oslo (21.11.2016).
72. Pakistan case study, interview by Kaja Borchgrevink with NCA representative, Islamabad (11.01.2017).

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