**CONTEXTUALIZING THE RESURGENCE OF RELIGION: THE INTERNATIONAL COMMITTEE OF THE RED CROSS AND THE 1948 ARAB-ISRAELI WAR**

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# Abstract

The return of religion to the field of international relations has raised a number of questions about its role today. Noticeably, there is disagreement amongst international relations scholars regarding the areas in which religion is supposedly resurgent. Recognizing the complexity of this debate, the analysis undertaken here seeks to contextualize the theory of a resurgence of religion by conducting a historical analysis of the International Committee of the Red Cross' mission during the 1948 Arab-Israeli war. This study aimed to reveal the role of religion during the conflict, and to thus begin placing the theory of a resurgence of religion in its greater empirical reality. Through archival research, this study found that the role of religion was nominal during the conflict. This finding lends a degree of support to the theory that religion is resurgent in areas beyond the academic sphere. However, a more concerted effort is required on the part of IR scholars towards unpacking the theory of a resurgence of religion.

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# Introduction

In recent years international relations (IR) scholarship in the West has begun to tackle the long-exiled concept[1] of religion. Once understood to be in inevitable decline, religion has (re)emerged in a growing body of literature that explores its role in areas of interest to IR scholars. However, considerable confusion has accompanied its (re)appearance. This confusion is neatly encapsulated in an opaque theory, 'the resurgence of religion'. Here, a growing number of IR studies reference a "contemporary global resurgence of religion"[2], a "global religious revitalization"[3], or even "a renaissance of religious traditions ... taking place virtually all over the globe"[4]. The essence of this apparent resurgence is unclear. However, in a rush to place religion at the centre of creative new IR theories, scholars today seem loathe to dedicate time and effort to unpacking the notion of 'religion resurgent'. By consequence, the role and impact of religion for the field of IR risks being fundamentally misunderstood.

As concerns IR, three possibilities emerge from the ambiguity. One, it could be that religion is only resurgent in the sense that IR scholars are now interested in it. This implies that religion was an overlooked element, and that its (re)incorporation into IR is an intellectual exercise addressing a blind spot in the field. Two, it could be that religion is resurgent in areas beyond and including academia. This points to a renewed interest in religion, on multiple fronts, as a socio-cultural phenomenon that has had a place in social interaction since time immemorial, but is increasingly seen as having salience today. This could be described as a 'politicization' of religion, and should not necessarily be read as 'more religion' globally.

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[1] See, Fabio Petito and Pavlos Hatzopoulos, eds., *Religion in International Relations: The Return From Exile* (New York: Palgrave Macmillan, 2003).

[2] Douglas Johnston and Brian Cox, "Faith-Based Diplomacy and Preventative Engagement," in Douglas Johnston, ed., *Faith-Based Diplomacy: Trumping Realpolitik* (Oxford: Oxford University Press, 2003), 11-32.

[3] Jeff Haynes, "Transnational Religious Actors and International Politics," *Third World Quarterly* 22, no. 2 (2001): 143-158.

[4] Andreas Hasenclever and Volker Rittberger, "Does Religion Make a Difference? Theoretical Approaches to the Impact of Faith on Political Conflict," in Fabio Petito and Pavlos Hatzopoulos, eds., *Religion in International Relations: The Return From Exile* (New York: Palgrave Macmillan, 2003), 107-145.

Three, it could be that religion is manifestly resurgent, that is, resurgent on the world stage in practice. This suggests that there is increasingly 'more religion' today than there was. From the perspective of IR, these points should be read as distinct ontological categories although some overlap is possible. For example, a politicization of religion may coincide or be fuelled by a manifest resurgence in praxis.

Moving forwards, the idea of a resurgence of religion in IR must be understood in the context of the contested[5] secularization thesis. In sociologist Rodney Stark's succinct formulation, the secularization thesis informed and guided academic thought whereby "For nearly three centuries, social scientists and assorted western intellectuals have been promising the end of religion."[6] In this respect, a general consensus[7] among scholars in the social sciences places the genesis of the secularization thesis with the Peace of Westphalia in 1648, European Enlightenment, and the belief in modern progress. However, as sociologist Peter Berger, key figure in the articulation of the secularization thesis in the 1960s[8], admitted in a 1997 interview, "Our underlying argument was that secularization and modernity go hand in hand ... But I think it's basically wrong. Most of the world today is certainly not secular. It's very religious."[9] In other words, returning to Stark, "After nearly three centuries of utterly failed prophesies and misrepresentations of both present and past, it seems time to carry the

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[5] There is a move towards a reformulation of the secularization thesis, sometimes labeled neo-secularism. See for example, Pippa Norris and Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide* (Cambridge: Cambridge University Press, 2004); and Mark Chaves, "Secularization as Declining Religious Authority," *Social Forces* 72, no. 3 (1994): 749-774.

[6] Rodney Stark, "Secularization, RIP (Rest in Peace)," *Sociology of Religion* 60, no. 3 (1999): 249.

[7] See for example, Richard Falk, "The Religious Foundations of Humane Global Governance," in Richard Falk, *Religion and Humane Global Governance* (New York: Palgrave Macmillan, 2001), 13-35; Scott M. Thomas, "Taking Religious and Cultural Pluralism Seriously: The Global Resurgence of Religion and the Transformation of International Society," in Fabio Petito and Pavlos Hatzopoulos, eds., *Religion in International Relations: The Return From Exile* (New York: Palgrave Macmillan, 2003), 21-53; and Norris and Ingleheart, *Sacred and Secular.*

[8] See for example, Peter Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Doubleday, 1967).

[9] Peter Berger, "A Bleak Outlook is Seen for Religion," *New York Times*, April 25, 1997; quoted in Stark, "Secularization, RIP (Rest in Peace)," 270.

secularization doctrine to the graveyard of failed theories, and there to whisper '*requiescat in pace*'."[10]

Seen in the context of the formerly paradigmatic[11] secularization thesis, pointing to a empirical resurgence of religion becomes even more problematic. Given that religion was all but invisible to IR scholars until recently, difficulties arise when speaking of a resurgence of religion beyond its more obvious reacceptance in recent years by select scholars in IR. The question should be asked, religion resurgent *from where?* Here, a logical approach would point the inquiring IR scholar towards the historical record in a move to begin revealing where religion has been during decades of absence from the light of IR. However, as will be shown, IR literature involving religion remains largely theoretical and noticeably ahistorical. Where the literature does engage with empirics the tendency is to focus on the events of recent years, particularly from 9/11 onwards. Thus, for IR scholars, the notion of a resurgence of religion risks being dislocated from its greater empirical reality. Combined with a lack of clarity concerning the areas in which religion is supposedly resurgent, it would seem that IR scholars have some work to do before religion can be accurately (re)incorporated into the field.

Contextualizing the concept of religion resurgent is no small task. Having outlined what the project entails generally, the first step for this paper and its modest contribution is to radically narrow the field of its inquiry. Looking to the existing literature in 'religion and IR', it will be shown that conflict and international law (IL) are two main areas of interest. These two

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[10] Stark, "Secularization, RIP (Rest in Peace)," 270.
[11] Perhaps said best, "The secularization theory may be the only theory which was able to attain a truly paradigmatic status within the modern social sciences ... the thesis of secularization was shared by all founding fathers: from Karl Marx to John Stuart Mill, from August Comte to Herbert Spencer, from E. B. Tylor to James Frazer, from Ferdinand Toennies to Georg Simmel, from Émile Durkheim to Max Weber, from Wilhelm Wundt to Sigmund Freud, from Lester Ward to William G. Sumner, from Robert Park to George H. Mead." Jose Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1994), 17.

categories are of particular instance because, in the area of religion and conflict there is a noticeable tendency to reference 'a resurgence of religion' but widespread disagreement over what that actually means. In the area of religion and IL, scholars tend to focus on the religious roots of the international law principles of *jus ad bellum* and *jus in bello*[12], thus, there is an overlap with scholars who prefer to focus on conflict. With these observations in mind, the approach adopted here will be to locate this paper near the heart of the field by focusing on international humanitarian law (IHL), known colloquially as the 'law of war'[13]. Here it is argued that IHL represents a nexus between the topics of conflict and IL, which have received sustained attention in the religion and IR literature.

Having narrowed the field of inquiry to IHL, the next step is to locate a case study that has relevance to IR scholars interested in contextualizing and later unpacking the so-called resurgence of religion. Here, this paper looks to the International Committee of the Red Cross (ICRC) and its operations entering into and during the 1948 Arab-Israeli war. The working assumption is that in pursuit of its particular brand of "neutral, independent and impartial humanitarian action"[14], the Geneva-based private non-governmental institution that "emerged as an important humanitarian actor in conflict situations and as 'guardian' of a much revered - and much violated - [IHL]"[15], is uniquely placed to reveal dynamics of conflict; including religion. For ICRC delegates[16], the ability to pursue the acceptance, implementation and development of IHL and basic humanitarian aid hinges upon an informed reading of armed conflict situations.

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[12] Translated here as 'justice before the war' and 'justice during the war', respectively.

[13] See for example, Christopher Greenwood, "The Law of War (International Humanitarian Law)," in Malcolm D. Evans, ed., *International Law* (Oxford: Oxford University Press, 2004), 789-821.

[14] International Committee of the Red Cross, "Annual Report 2009," under "Annual report 2009," http://www.icrc.org/web/eng/siteeng0.nsf/html/section_annual_report_2009 (accessed May 31, 2010).

[15] David P. Forsythe, *The Humanitarians: The International Committee of the Red Cross* (Cambridge: Cambridge University Press, 2005), 13.

[16] For more information on the role of the ICRC delegate, see Brigitte Troyon and Daniel Palmieri, "The ICRC Delegate: An Exceptional Humanitarian Player?," *International Review of the Red Cross* 89, no. 865 (2007): 97-111.

The relevance and contribution of this case study is three-fold. As concerns IR generally, the ICRC (with its mandate under international law[17] and its "12,000 staff in 80 countries"[18]) is an understudied[19] Western humanitarian organization with global reach, delivering a peculiar blend of humanitarian aid and international law regulation. More specifically, this study could be seen as a starting point for IR scholars interested in exploring the (resurgent?) role of religion in the ongoing Arab-Israeli conflict. Finally, by looking to the historical record this case study drives an initial foray towards locating the theory of religion resurgent in its greater empirical reality.

In summary, this paper contributes to the field of 'religion and IR' by beginning to place the idea of a resurgence of religion in its context, and by addressing a lacuna left by theoretical and ahistorical literature. The question asked is what does historical analysis reveal about the place of religion in the ICRC's mission during the 1948 Arab-Israeli war, and how does it help contextualize the theory of a resurgence of religion? Practically speaking, this will be accomplished in four chapters. The first chapter will engage with the existing literature, narrowing the focus of this paper to IHL as the nexus between the topics of conflict and IL. The second chapter will explore the methodological underpinnings and practical requirements of this inquiry. The third chapter will present the mission of the ICRC during the 1948 Arab-Israeli war, explored through reports gathered from the ICRC Archive in Geneva, focusing on the place of religion in the war. The fourth chapter, informed by the previous, focuses the discussion on the relationship between religion and IHL, and the issue of religiously-loaded

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[17] International Committee of the Red Cross, "The Geneva Conventions of 1949," http://www.icrc.org/web/eng/siteeng0.nsf/html/genevaconventions (accessed June 1, 2010).
[18] International Federation of the Red Cross and Red Crescent Societies, "The International Red Cross and Red Crescent Movement: At a Glance," under "Red Cross Red Crescent - A History," http://www.ifrc.org/who/movement.asp (accessed June 1, 2010).
[19] Forsythe, *The Humanitarians*, 1.

symbolism. Finally, the conclusion will return to the question at hand and put the findings to work in contextualizing the resurgence of religion theory.

Finally, before more thoroughly exploring this flourishing field it is necessary to mention a *caveat lector*. The scope of this paper is such that, at times, complex and multifarious concepts like the 'West' or 'Islam' must necessarily be essentialized. This is not to suggest that they are homogeneous concepts, and every effort will be made to unpack them as space allows. One of the difficulties in working in the field of IR, and especially when handling multifarious concepts like religion, is that a certain amount of essentialization becomes necessary if one is to proceed at all. Let it be said that every effort will be made to unpack broad concepts and to strive for greater analytical clarity.

# Chapter 1: Religion Resurgent?

It is important to recognize that the handling of religion, as a concept informing IR theory, is an undertaking in its relative infancy; thus, speculation abounds. In this respect, perhaps the biggest challenge for any new contribution to the field is the negotiation of a suitable entry point among the myriad ideas. Here, the existing literature will be tackled with three goals in mind. The first goal is to bring out the confusion surrounding the idea of a resurgence of religion, thus establishing support for the need to contextualize the theory. The second goal is to illustrate the relevance of conflict and IL as areas of interest relating to religion, and as they support an inquiry into IHL. The third goal, space allowing, is to highlight the largely theoretical and ahistorical approaches adopted by the existing literature. This will provide the necessary grounding for what comes next. In terms of structure, this section will first briefly consider religion's return to IR. It will then focus on IR literature in the areas of conflict and IL. Finally, by way of a conclusion, it will set the stage for the historical analysis that follows while briefly incorporating the ICRC's position on the resurgence of religion for added context. In this respect it should be mentioned that some of the authors below are not IR scholars *per se*, but they are included when and where their work informs the debate at hand.

## 1.1 A Return to International Relations

As mentioned, the return of religion to IR grew out of the demise of the secularization thesis. While the secularization thesis was articulated and recanted primarily in the field of sociology, IR scholars followed the developments closely. It was at around the time of Samuel P. Huntington's 1993 *Clash of Civilizations?* that scholars in the field of IR properly took note of religion. Huntington's controversial article in *Foreign Affairs*, later developed into a book, stands out for its bold claims about the future of global conflict and IR.

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Huntington's clash of civilizations thesis states that "World politics is entering a new phase [where] the great divisions among humankind and the dominating source of conflict will be cultural. ... Conflict between civilizations will be the latest phase of the evolution of conflict in the modern world."[20] According to Huntington the most important differentiating element among civilizations is religion, thus, conflict between civilizations in the future will be demarcated along primarily religious lines. While the clash of civilizations thesis has been gleefully contested and dismantled since its publication, it is fair to recognize the seminal essay as representing the starting point for a resurgence of religion, as a topic of interest, in IR.

Whether one places the starting point of a resurgence of interest in religion in IR with Huntington, or earlier with the end of the Cold War, or later with the events of 9/11, it is clear that in recent years religion has experienced a revival in IR scholarship. Drawing inspiration from their contemporaries like religious scholar Mark Juergensmeyer[21], or historians Marty E. Marty and R. Scott Appleby[22], IR scholars joined sociology's rejection of the secularization thesis and increasingly placed religion centre stage. Combined with Huntington's explosive clash of civilizations thesis, and later with the events of 9/11, religion rapidly found an enthusiastic reception in the discipline of IR. Initially, the role of religion in IR was articulated by IR scholars Anthony Gill[23] and Jonathan Fox[24] who took note and began arguing for the revitalization of religion at an intellectual level, that is, for the return of religion as an overlooked but important element in international relations.

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[20] Samuel P. Huntington, "The Clash of Civilizations?," *Foreign Affairs* 72, no. 3 (1993): 22-49.

[21] Mark Juergensmeyer, *The New Cold War? Religious Nationalism Confronts the Secular State* (Berkeley: University of California Press, 1994).

[22] See Martin E. Marty and R. Scott Appleby, eds., *The Fundamentalism Project 1-5* (Chicago: University of Chicago Press, 1993-2004).

[23] Anthony Gill, "Religion and Comparative Politics," *Annual Review of Political Science* 4, (2001): 117-138.

[24] Jonathan Fox, "Religion as an Overlooked Element of International Relations," *International Studies Review* 3, no. 3 (2001): 53-74.

The call has been heard, and it may not be an overstatement to say that scholarly efforts in the young field of religion and IR have since taken off. Operating with a broad perspective, authors like George M. Thomas[25], Richard Falk[26], and Fred Dallmayr[27] approach the role of religion at the macro level: arguing for the pursuit of a harmonious global civil society, humane global governance informed by religious principles, or a global spiritual resurgence, respectively. Other authors explore religion's logical counterparts: the secular, secularism, and secularization[28]. Here, Talal Asad's *Formations of the Secular*[29] is frequently referenced as a significant treatise on the origins and implications of issues secular, while Ole Wæver[30], Jean Bethke Elshtain[31] and Elizabeth Shakman Hurd[32], investigate the implications of the modern Western secular political philosophy where it meets alternative non-secular forms of political organization and thought, namely, political Islam. Although there is an effort to bring history into the picture, these contributions remain largely theoretical. This is not to say that there are no empirical offerings. M. Steven Fish[33], for example, explored the relationship between Muslim societies and democratization through the quantitative analysis of statistical data.

## 1.2 Stoking the Fire

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[25] George M. Thomas, "Religions in Global Civil Society," *Sociology of Religion* 62, no. 4 (2001): 515-533.

[26] Falk, "Humane Global Governance," (2001).

[27] Fred Dallmayr, "A Global Spiritual Resurgence? On Christian and Islamic Spiritualities," in Fabio Petito and Pavlos Hatzopoulos, eds., *Religion in International Relations: The Return From Exile* (New York: Palgrave Macmillan, 2003), 209-236.

[28] Here there is a difference between secularism and secularization, in one formulation "Secularization is a societal process in which the influence of religion on society is weakened. Secularism is an *-ism*, a doctrine for how society *ought to be designed*." Ole Wæver, "World Conflict over Religion: Secularism as Flawed Solution," in Knud Erik Jørgensen & Per Mouritsen, eds., *Constituting Communities: Political Solutions to Cultural Conflict* (London: Palgrave Macmillan, 2007).

[29] Talal Asad, *Formations of the Secular* (Stanford: Stanford University Press, 2003).

[30] Wæver, "World Conflict over Religion," (2007).

[31] Jean Bethke Elshtain, "Religion and Democracy," *Journal of Democracy* 20, no. 2 (2009): 5-17.

[32] Elizabeth Shakman Hurd, "Political Islam and Foreign Policy in Europe and the United States," *Foreign Policy Analysis* 3, no. 4 (2007): 345-367.

[33] M. Steven Fish, "Islam and Authoritarianism," *World Politics* 55, no. 1 (2002): 4-37.

Moving forwards, the connection between religion and conflict is an area of interest characterized by a diversity of approaches and opinions. It should again, at this point, be stressed that the artificial categorization of interest areas within 'religion and IR' does not presuppose the fact that they are overlapping and interrelated and that there are other areas that warrant attention. They are identified and separated here only in order to force some structure out of the general chaos of the domain, and to show how a historical empirical analysis focused on IHL has the potential to cut to the heart of significant areas of investigation.

Scholarship relating to religion and conflict covers a wide range from the broad and theoretical to the focused and empirical. For theologian Hans Küng[34], in search of pragmatic global peace, the fact that mankind now has the technical knowledge necessary to obliterate ourselves is motivation enough for a concerted effort on all fronts (and in this article, namely, from religious scholars and practitioners in the three main monotheistic religions) to re-evaluate and reinterpret religious traditions and practice in a spirit of peaceableness. While his suggestions are largely theoretical, Küng asserts that it is not only "Islamic terrorism"[35] that has been responsible for a perceived surge in armed conflicts with religious dimensions, but that these conflicts (often with ethnic dimensions as well) "have proliferated in recent decades in various parts of the world: Northern Ireland, the Balkans, Sri Lanka, India, Nigeria."[36] Whether this reflects a manifest resurgence of religion or a resurgence limited to scholarly perception is unclear.

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[34] Hans Küng, "Religion, Violence and "Holy Wars"," *International Review of the Red Cross* 87, no. 858 (2006): 253-268.
[35] Ibid., 253.
[36] Ibid.

A good portion of the 'religion and conflict' literature focuses on the role of religion in peacemaking and conflict resolution. For example, Christopher A. Hall[37] considers how religious diplomacy and dialogue can calm heated religious debates, while Douglas Johnston and Brian Cox propose, "faith-based diplomacy ... a form of Track II (unofficial) diplomacy that integrates the dynamics of religious faith with the conduct of international peacemaking."[38] Interestingly, Johnston and Cox (noting Berger's thoughts on the subject[39]) argue that the impression of a global resurgence of religion has more to do with perception rather than an actual increase in religious activity. They highlight how empirical studies[40] suggest that "religious cleavages are at best a contributing factor in communal conflicts and seldom the root cause [and that] even in those cases where religion is not a core factor in a conflict, its prominence in some societies leads many to perceive that it is."[41] In this sense, perception is revealed to be an important factor when putting the resurgence of religion under the microscope.

From an opposing perspective, in a work reminiscent of the clash of civilizations thesis, Wæver (mentioned briefly at the outset of this chapter) states that "Religion is on the verge of becoming the great common denominator for world politics; for which reason it is all the more important to understand it correctly."[42] Wæver's position is that religion will figure heavily in future conflicts fuelled by "those who want more religion in politics, and their adversary, who insists on a strict separation of religion and politics, the secularists."[43] In order

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[37] Christopher A. Hall, "Truth, Pluralism, and Religious Diplomacy: A Christian Dialogical Perspective," in Robert A. Seiple and Dennis R. Hoover, eds., *Religion and Security: The New Nexus in International Relations* (Oxford: Rowman & Littlefield Publishers, Inc., 2004), 83-98.
[38] Johnston and Cox, "Faith-Based Diplomacy," 15.
[39] Peter Berger, "Secularism in Retreat," *National Interest* 46, (1996-1997): 3; quoted in Johnston and Cox, "Faith-Based Diplomacy," 11-12.
[40] See, Ted Robert Gurr, *Minorities at Risk: A Global View of Ethnopolitical Conflict* (United States Institute of Peace, 1993); quoted in Johnston and Cox, "Faith-Based Diplomacy," 12.
[41] Johnston and Cox, "Faith-Based Diplomacy," 12.
[42] Wæver, "World Conflict over Religion," 2.
[43] Ibid., 3.

to resolve this dilemma, and by implication lessen future conflict, Wæver proposes that "a removal of the special ban on religion in politics could promote democratization and integration in Western society."[44] Noting only that the word 'religion' has appeared with greater frequency in IR literature[45], Wæver does not provide any clues as to the origins of the future conflict between secularists and those who want more religion in politics. The question can be asked: what is driving the supposedly conflictual resurgence of religion in world politics, and from where does it originate?

As a final point on this topic, the literature addressing religion and conflict is not only theoretical but also contains a good portion of the empirical research being conducted in 'religion and IR' thus far. For example, based on quantitative data from the Uppsala Conflict Data Program[46], Isak Svensson[47] found that the negotiated settlement of armed conflict was negatively affected when explicit religious claims were made by the belligerents, while Jo-Eystein Lindberg[48] (using the same data set) found that religion significantly increased the intensity of conflict, with ambiguous results regarding the duration of conflict. Regarding the tricky notion of 'religious fundamentalism', both Appleby[49] and Juergensmeyer[50] have provided convincing empirical accounts on the subject. However, none of the studies mentioned have specifically or convincingly unpacked the idea that there is a resurgence of religion beyond the sphere of academic interest, that is, in areas beyond IR or in manifest

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[44] Ibid., 17.

[45] Ibid., 2.

[46] Available from, Uppsala Conflict Data Program, under "UCDP," http://www.pcr.uu.se/research/UCDP/ (accessed June 1, 2010).

[47] Isak Svensson, "Fighting with Faith: Religion and Conflict Resolution in Civil Wars," *Journal of Conflict Resolution* 51, no. 6 (2007): 930-949.

[48] Jo-Eystein Lindberg, "Running on Faith? A Quantitative Analysis of the Effect of Religious Cleavages on the Intensity and Duration of Internal Conflicts," (Master's Thesis, University of Oslo, 2008).

[49] R. Scott Appleby, "Violence as a Sacred Duty: Patterns of Religious Extremism," in R. Scott Appleby, *The Ambivalence of the Sacred: Religion, Violence and Reconciliation* (Oxford: Rowman & Littlefield Publishers, Inc., 2000), 81-120.

[50] Mark Juergensmeyer, *Terror in the Mind of God: The Global Rise of Religious Violence* (Berkeley: University of California Press, 2003).

global practice. In a notable exception, Fox found in a 2004 study that "the absolute level of religious conflict followed the pattern of general conflict and increased steadily until the early 1990s and then dropped. However, religious conflict as a proportion of all conflict in any given year increased steadily throughout the period covered in this study, especially among Muslims."[51] This example highlights the potential benefits of turning to the quantitative analysis of statistical data, and what is more, is notable for its contribution in beginning to unpack the idea of religion resurgent.

## 1.3 The Roots of Justice

An additionally important direction that the increased focus on religion in IR has motivated has been a growing body of work analyzing the relationship, past, present, and future, between religion and international law[52]. What is perhaps most interesting about international law is that it considers not only substantive formal treaties but also global customs and norms, known as customary international law, as sources of international law. In accepting customs and norms as a source of international law, the question arises; where do these norms come from? Here, IR scholars like Hilaire McCoubrey, Elshtain and J. Bryan Hehir have presented religion as a potential source for moral, ethical and practical guidance informing global customs and norms, and thus, contributing to the development and implementation of international law. The scholarly contributions in this respect have touched upon international

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[51] Jonathan Fox, "Are Some Religions More Conflict-Prone Than Others?," *Jewish Political Studies Review* 16, no. 1-2 (2004), http://www.jcpa.org/jpsr/jpsr-fox-s04.htm (accessed June 1, 2010).
[52] Referring here to public international law, rather than criminal international law.

law generally[53], but have also considered specific fields within international law, for example, human rights law[54] and international humanitarian law (addressed in the fourth chapter).

In proceeding through the literature it is helpful to highlight two international law principles which have received the most attention, namely, as mentioned: *jus ad bellum* and *jus in bello*. For example, McCoubrey[55] writes that the relationship between religion and the early development of international law can be seen as far back as the Pharaohs in Egypt as they sought (in an embryonic form of *jus ad bellum*) "to enlist Divine support in current campaigns through sympathetic magic."[56] In another article, Elshtain[57] outlines the characteristics of *jus ad bellum* and *jus in bello* including their "tradition of specifically Christian theology"[58], and then argues that the contemporary and problematic concept of humanitarian intervention (which continues to challenge existing international law) is better informed with the guidance of religious Just War theory. Hehir[59] adopts a similar approach as he sketches the development of the Just War ethic and relates it to the contemporary ethical challenges posed by nuclear weapons, humanitarian intervention and terrorism.

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[53] See for example, J. A. R. Nafziger, "The Function of Religion in the International Legal System," in Mark W. Janis and Carolyn Evans, eds., *Religion and International Law* (Leiden; Boston: Martinus Nijhoff Publishers, 2004), 155-176.

[54] See for example, R. Scott Appleby, "Serving Two Masters? Affirming Religious Belief and Human Rights in a Pluralistic World," in John D. Carlson and Erik C. Owens, eds., *The Sacred and the Sovereign: Religion and International Politics* (Washington, DC: Georgetown University Press, 2003), 170-195; Hillary Charlesworth, "The Challenges of Human Rights Law for Religious Traditions," in Mark W. Janis and Carolyn Evans, eds., *Religion and International Law* (Boston: Martinus Nijhoff Publishers, 2004), 401-416; and David Little, "Studying 'Religious Human Rights': Methodological Foundations," in Johan D. van der Vyver and John Witte, Jr., eds., *Religious Human Rights in Global Perspective: Legal Perspectives* (Boston: Martinus Nijhoff Publishers, 2004), 45-77.

[55] Hilaire McCoubrey, "Natural Law, Religion and the Development of International Law," *Religion and International Law* (Leiden; Boston: Martinus Nijhoff Publishers, 2004), 177-191.

[56] McCoubrey, "Natural Law," 179-180.

[57] Jean Bethke Elshtain, "Just War, Realism, and Humanitarian Intervention," in J. Carlson and E. Owens, eds., *The Sacred and the Sovereign: Religion and International Politics* (Georgetown University Press, 2003), 90-112.

[58] Elshtain, "Just War, Realism, and Humanitarian Intervention," 90.

[59] J. Bryan Hehir, "The Moral Measurement of War: A Tradition of Change and Continuity," in J Carlson and E. Owens, eds., *The Sacred and the Sovereign: Religion and International Politics* (Georgetown University Press, 2003), 41-65.

Regarding the principle of *jus in bello* specifically, a rapidly growing body of work has begun investigating the relationship (either positive, negative or ambivalent) between religion and international humanitarian law. While this literature will be considered in the fourth chapter, it is important to highlight that the contributions in this respect have largely focused on the reinterpretation of religious tradition in light of IHL principles rather than investigating religious practice *per se*. In an article that is typical of the contributions being made, but with IHL practitioners in mind, Carolyn Evans "argues that even a secular lawyer who is committed to humanitarian norms has good reason to develop a better understanding of the power of religion if humanitarian law is to prosper in many cultural contexts."[60] She arrives at the conclusion that, "[even though] religion can both undermine and support humanitarian law, [a] closer engagement with religious teachings and leaders can be beneficial even for secular proponents of humanitarian law."[61] Evans' qualitative approach, although interesting, is presented in theoretical terms. Indeed, what is missing particularly when it comes to the relationship between religion and international humanitarian law is empirical and historical research; a gap that this paper moves to address. Furthermore, the posited resurgence of religion is not given a context, thus contributing to disagreements over the contemporary role of religion.

In the interest of clarity, it is not only IR and other academic disciplines that have recently been discussing a resurgence of religion. In 2005 the ICRC dedicated its *International Review of the Red Cross* to the theme of religion[62]. Here, the ICRC points to a "growing and

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[60] Carolyn Evans, "The Double-Edged Sword: Religious Influences of International Humanitarian Law," *Melbourne Journal of International Law* 6, no. 1 (2005): 1.
[61] Ibid.
[62] International Committee of the Red Cross, "Religion," *International Review of the Red Cross* 87, no. 858 (2005).

intensified manifestation of religion in politics and vice versa"[63] as potentially having implications for the effective pursuance of their humanitarian aims. The contributions to the review largely focus on three main areas: the practical implications of religious dynamics for ICRC operations, the compatibility between religion and IHL, and the continuing issue of the negative perceptions that the red cross emblem can invoke when it is identified, particularly in Muslim nations, with Christianity. Although it is interesting (but not surprising) that these issues appear to some degree in the historical analysis of the 1948 Arab-Israeli war case study, it is crucial to stress that the aim of this paper is not to evaluate the theory of a religious resurgence, but rather to contextualize the debate by turning to the historical record. The modest idea is to begin placing the theory in its greater empirical reality, thus contributing to a more grounded context from which the notion of a resurgence of religion can be unpacked. This represents a conscious move to limit the inquiry at hand to a reasonable scope, and alleviates the complex task of declaring 'correct' one position or another.

## 1.4 Work to be Done

As was mentioned initially, this review looked to accomplish three goals. The first goal was to highlight the various positions and disagreements regarding the resurgence of religion theory. The second goal was to set the stage for a discussion on the salience of IHL particularly as a nexus between broad and interrelated categories of thought in the religion and IR field. The third goal was to bring attention to the fact that historical empirical analyses are lacking. To accomplish this the return of religion to IR was first introduced, and the literature was then divided into two manageable categories.

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[63] International Committee of the Red Cross, "Editorial," *International Review of the Red Cross* 87, no. 858 (2005): 241.

Even when one artificially categorizes the religion and IR literature into the broad categories of conflict and international law, there is little coherence or clarity where the supposed resurgence of religion is concerned. As has been shown, for some authors religion is resurgent simply in the field of IR, an overlooked element that is being welcomed back into the fold. For others, religion is poised to become the defining feature of world politics in the 21st century. In this respect, the words of Juan Marco Vaggione echo today: "I am still not convinced whether it is a resurgence of religion in societies or a resurgence of academic interests in religion."[64] However, taking one step backwards, the suggestion here is that in order to begin understanding the role of religion today, it is necessary to properly understand what the role of religion has been in the past. This is not to say that the theory of a resurgence of religion is incorrect, as it is clear that religion has at least gained increasing attention from scholars in IR and disciplines like sociology. Rather, it is a modest move towards a contextualization of the debate itself. Here, there is much work to be done, but part of the answer may emerge from the history of the ICRC mission in the 1948 Arab-Israeli war.

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[64] Marco Vaggione, "Reactive Politicization and Religious Dissidence: The Political Mutations of the Religious," *Social Theory and Practice* 31, no. 2 (2005): 237.

# Chapter 2: Turning to History

As Hidemi Suganami has succinctly stated, "The use of historical material is indispensable to the study of world politics."[65] In full agreement, this paper aims to place in its context the theory of a resurgence of religion through the use of historical materials dating from the ICRC's mission during the 1948 Arab-Israeli war. This approach requires some consideration. Here, the scope and aim of this inquiry into the resurgence of religion will be clearly demarcated, and its methodological underpinnings exposed. To do so, this section will draw from the contributions of Friedrich Kratochwil[66] and Cameron G. Thies[67], who have written on the pursuit of historical analysis in the discipline of IR. At first the discussion will follow a theoretical (borderline philosophical) path, but an attempt will be made to end the section with an eye towards the practicalities of a historical analysis.

Beginning with a point that deserves clarification, this paper frequently refers to the notion of the resurgence of religion as a theory. Whether postulated explicitly[68], or constructed implicitly by aggregate claims (as was observed in the existing literature), the position here is that the notion of a resurgence of religion has taken a place at the table of IR theories. As mentioned, it is less clear what exactly the theory suggests due to the widely varying positions on the subject. Is the resurgence of religion limited to its reincorporation into academia? Is it something more, perhaps a resurgence of interest and relevance in areas beyond the intellectual sphere? Or, as Andreas Hasenclever and Volker Rittberger have argued, the resurgence of religion could be manifest, for example, in "religious communities [that] have

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[65] Hidemi Suganami, "Narrative Explanation and International Relations: Back to Basics," *Millennium - Journal of International Studies* 37, no. 2 (2008): 327.
[66] Friedrich Kratochwil, "History, Action and Identity: Revisiting the 'Second' Great Debate and Assessing its Importance for Social Theory," *European Journal of International Relations* 12, no. 1 (2006): 5-29.
[67] Cameron G. Thies, "A Pragmatic Guide to Qualitative Historical Analysis in the Study of International Relations," *International Studies Perspectives* 3, (2002): 351-372.
[68] Scott M. Thomas, *The Global Resurgence of Religion and the Transformation of International Relations: The Struggle for the Soul of the Twenty-First Century* (New York: Palgrave Macmillan, 2005).

been getting stronger in many nations over the last two decades or so."[69] The argument moving forwards is that in order to begin unpacking the theory of a resurgence of religion, it is necessary to reveal what religion's role has been in the past, thus providing necessary context for evaluating its place today.

From a theoretical perspective, testing a contemporary IR theory by turning to history requires some reflection. Regarding theory development itself, Kratochwil asks, "what are the criteria for appraising theory development and ... what are the factors driving this development? Is it mainly the changing political *problematique*, or the debates within the discipline, or the organization of the field as an academic discipline that explains theory development?"[70] The development of the resurgence of religion theory could be seen, for example, as the reflection of a changing political environment or more superficially as the product of a debate over the role of religion amongst IR scholars. In this respect, Kratochwil posits that theory development could result from a "changed political agenda and new policy problems, such as terrorism ... rather than ... cumulative disciplinary knowledge."[71] Here, carefully drawing a parallel between terrorism and religion, it could be that a 'politicization' of religion or a manifest increase in religious practice has contributed to its growing role as a policy issue, thus fuelling the development of the theory of religion resurgent. The fact that there is ambiguity here is what drives the inquiry at hand.

The application of historical analysis to theory appraisal is further complicated by a debate over the nature of truth and knowledge claims. Kratochwil suggests that "Truth is no longer beholden to the ideal that our concepts match 'the world' out there - precisely because in the social  sciences some of the most important concepts are constitutive ... of the social world

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[69] Hasenclever and Rittberger, "Does Religion Make a Difference?," 107.
[70] Kratochwil, "History, Action and Identity," 6.
[71] Ibid.

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rather than simply mirroring or describing it." The suggestion is that claiming that the truth is 'out there' is problematized by the mutually constitutive relationship between, for example, IR theorizing and a resurgence of religion. In theorizing that religion is resurgent, IR scholars contribute to a politicization of religion, thus creating an impression of resurgence which feeds back as evidence of the theory. A mutually constitutive and thus essentially self-confirmatory relationship between theory and truth lends support to the historical analytical approach adopted in this paper. Here, the constitutive relationship is contextualized and, in a sense, escaped, by looking at a period of time where religion was essentially invisible to IR, a period of time that would soon witness the rise and domination of the secularization thesis.

From a less philosophical perspective, Ian Lustick raises the problem of how to select historical sources "without permitting correspondence between the categories and implicit theoretical postulates used in the chosen sources to ensure positive answers to the questions being asked about the data."[72] Thies presents the problem in a similar formulation, stating that the two dominant issues that should be addressed in order to produce a methodologically sound contribution are the problems of "investigator bias and [the] unwarranted selectivity in the use of source materials."[73] Here, there are reasons for choosing the ICRC's historical records as the source of this analysis. As was mentioned briefly at the outset of this paper, the ICRC pursues an acceptance and application of IHL during situations of armed conflict that hinges upon the perception of its neutrality, objectivity and independence. The proposal is that this endows the ICRC reports with a particular brand of objectivity, or in other words, something akin to a 'bird's eye view' of the case in question, and by extension, religion's place in the conflict. The suggestion is that the necessity for the ICRC delegates' accurate

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[72] Ian Lustick, "History, Historiography and Political Science: Multiple Historical Records and the Problem of Selection Bias," *American Political Science Review* 90, no. 3 (1996): 608; quoted in Kratochwil, "History, Action and Identity," 14.
[73] Thies, "A Pragmatic Guide to Qualitative Historical Analysis," 352.

reading and reporting of the complex local circumstances, in order to pursue informed negotiations with the parties to the conflict, will outweigh the potential bias of adopting the 'ICRC lens'. Practically speaking, the following research was conducted at the ICRC Archives in Geneva between the 10th and the 16th of May 2010. The documents were viewed and photographed in their original French language. They have been translated[74] into English for the purposes of this paper. This holds true for secondary sources written in French.

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[74] The translation from French to English is the author's, the original document titles and archival indexing information will be provided in each case.

# Chapter 3: The 1948 Arab-Israeli War

This is the first of two empirical chapters that explore the role of religion during the 1948 Arab-Israeli war, revealed by the reports and telegrams of the ICRC delegates who were on the ground at the time. This chapter focuses primarily on providing an overview of the ICRC's mission leading up to and during the war. As mentioned, the documents were analyzed at the ICRC Archives in Geneva with any eye towards the role of religion. The role of religion during the war is being revealed in order to contextualize the contemporary theory of religious resurgence being posited by IR scholars and others. By contributing to a better understanding of the greater empirical reality from which a resurgence might stem, a move is made to begin shedding light on the theory itself. It is important to stress that focusing on religion, as unveiled by the ICRC reports from the time, does not equate to a claim that religion was more or less important as factor in the war than any other, for example, economic disparities or demographic realities.

## 3.1 Context for the Context

Covered in detail elsewhere[75], and presented briefly here, "The 1948 War - the Naqbah ('The Disaster') for the Palestinian Arabs, the War of Independence for the Zionists - started with the invasion on 15 May 1948 of the newly born State of Israel by the armies of Egypt, Syria, Lebanon and Transjordan. The war between the regular armies was preceded by a fierce civil war between the Jewish and Arab populations, initiated by the latter as a violent rejection of

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[75] See for example, Charles D. Smith, *Palestine and the Arab-Israeli Conflict* (Boston: Bedford/St. Martin's, 2004); Nicholas Bethell, *The Palestine Triangle: The Struggle for the Holy Land, 1935-48* (Putnam Adult, 1979); and Chaim Herzog, *The Arab-Israeli Wars: War and Peace in the Middle East* (New York: Random House, 1982).

[the United Nations Partition Plan for Palestine]."[76] The war officially ended with the 1949 Armistice Agreements between Israel and Egypt, Jordan, Lebanon, and Syria[77]. As a major event in the genesis of the ongoing Arab-Israeli conflict, the 1948 war has particular significance, historically, for studies that seek the roots of the ongoing conflict, and if desired, more specifically, the place and impact of religion in it. However, to be clear, the aim is only to reveal the role of religion in a specific instance. It could be that religion has no role whatsoever, but this would be equally helpful in contextualizing the resurgence of religion theory.

In order to explore the role of religion during the 1948 war, it is helpful to not only provide the context of the war, but also hint towards the context that brought the ICRC to Palestine. As David P. Forsythe describes in his lengthy treatise on the ICRC, "the ICRC got deeply involved in the conflict over the disposition of British Palestine - not only because of humanitarian motivation, but also quite consciously to prove to the world that it was still a viable institution."[78] In this respect, "The ICRC saw the clash of Arab and Zionist aspirations in Palestine as a place to prove itself and fight off demands for radical change in its composition and role. The organization was involved in small ways in the conflicts of the 1940s ... but its strategy was to emphasize Palestine."[79] Luis Lema[80] highlights another motivation behind the ICRC's interest in Palestine, suggesting that it was an opportunity for the ICRC to show that the 1929 Geneva Conventions were relevant and applicable in situations of armed conflict between non-state actors. Until the Geneva Conventions of 1949

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[76] Shlomo Ben-Ami, *Scars of War, Wounds of Peace: The Israeli-Arab Tragedy* (Oxford: Oxford University Press, 2006), 35.
[77] The individual agreements are available from The Avalon Project: Documents in Law, History and Diplomacy, http://avalon.law.yale.edu/ (accessed June 1, 2010).
[78] Forsythe, *The Humanitarians*, 55.
[79] Ibid., 56.
[80] Luis Lema, "Quand le CICR 'sécurisait' Jérusalem" *Le Temps*, August 15, 2003; available from the International Committee of the Red Cross, under "Quand le CICR 'sécurisait' Jérusalem, " http://www.icrc.org/web/fre/sitefre0.nsf/html/5QKLFW (accessed June 1, 2010).

and the subsequent Additional Protocols[81], IHL was at the time technically only applicable in instances of interstate conflict between states party to the 1929 Geneva Conventions.

## 3.2 The British Mandate of Palestine

With this necessarily brief contextual information in mind, it is now possible to turn to the reports and telegrams of the ICRC delegation in the (former, as of 15 May 1948) British Mandate of Palestine. The final report of the ICRC Delegation for Palestine[82], written shortly after the war in Beirut in July 1949 by head of delegation Jacques de Reynier, is particularly helpful in its detailed overview of the region and the lead-up to the war. The final report also describes generally the role and actions of the ICRC mission throughout the war, but as it turned out it was primarily the documents related to the initial negotiations that were the most useful. Here, as mentioned, special attention will be paid to the role of religion, as revealed through the 'ICRC lens'.

De Reynier opens the report by describing the Middle East as a region "in permanent contact with Europe, Asia and Africa. Submitted to all types of influences and interests ... where every event has international repercussions, and where no independent action is possible."[83] He describes the region in terms of commerce as "one of the most important in terms of oil, either for its reserves, or the maintenance of its pipelines."[84] He then describes the context in terms of religion, noting "Religiously, this is the centre that the majority of believing

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[81] International Committee of the Red Cross, "The Geneva Conventions of 1949," under "The Geneva Conventions of 1949," http://www.icrc.org/web/eng/siteeng0.nsf/html/genevaconventions (accessed June 1, 2010).
[82] ICRC Archives, "Comité International Genève, Delégation Pour La Palestine: Jan. 1948 - Juil. 1949," *B G.59/I/GC, 829/830-11*.
[83] Ibid., 4.
[84] Ibid.

Christians, Muslims and Jews are most attached to and consider Sacred Ground."[85] In the region, politically, "there is constant intense activity on the part of great powers who look to gain or avoid important influence and advantage often vital for their future. America, Britain, France, the USSR, the Arab countries, and finally the Jews are pitted one against another in game without mercy."[86] Thus, "for reasons of commercial, military, and religious politics, or simply for prestige, the impression is that the entire world is found here on a battleground where no cease-fire nor rest can be imagined, where ten new problems regularly follow the one that has been solved."[87]

The part that follows details the role of religion, generally, in the Middle East. De Reynier writes:

> Here as well the grand aim of the Arab states is to unite amongst themselves to form a group, capable of overcoming external pressures. Islam is one of the major factors of this aim, but here as well one must not generalize. Not all Arabs are Muslims, and not all Muslims are Arabs ... and the Muslims themselves are divided into sects that are often irreconcilable. The Arab language, the numerous common interests, in particular the general desire to free themselves from white domination cements the similar aspirations. It is undoubtable that Turkey, Middle East Arabia, Egypt and all the North African region form up to a point, an immense plurality of voices where millions of individuals react identically to events that they interpret through the sacred discourse of their few leaders, respected and all powerful.[88]

The impression from this text is that religion is a factor among many (commercial, military and political), although specific attention is paid to the role of Islam in the pan-Arabism of the time. Also worth noting, in the opening paragraphs de Reynier connects religion and politics (*politiques religieuses*) implying that, as might be expected, the two were not as obviously separated as in the West.

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[85] Ibid.
[86] Ibid.
[87] Ibid.
[88] Ibid.

Returning to the text, the pages that follow are devoted to the wider context of the 1948 Arab-Israeli war. Describing Palestine at the start of 1948, de Reynier writes "the power is in the hands of the Mandatory Power [*la Puissance Mandataire*], the British. The High Commissioner Sir Allan Cuningham, with his Chief Secretary Sir Henry Guerney, has the heavy task of maintaining order, and assuring the governance of a country inhabited by 1,200,000 Arabs, counting 50,000 Christians and other religions, the rest are Muslims, and 650,000 Jews."[89] Turning to May, 1948, de Reynier describes the Arabs as having superior resources (also in neighbouring countries) but as being completely disorganized and unable to unite, while he describes the Jews as being fewer in number but far more organized and as using every small resource to the maximum capacity. Here he writes, "The whole situation is more like a civil war, each person has known their enemy for a long time. It is not with happiness in the heart that one nor the other engages in a conflict that was hoped to be avoid until the last minute."[90]


### 3.3 The Negotiations Begin


The rest of the final report is dedicated generally to the role of the ICRC mission during the war. De Reynier's thirty-three page report is otherwise devoid of any explicit references to religion, except for briefly mentioning "our humanitarian action had limits that were unfortunately not possible to pass without losing the prestige that we owe to an absolute political, military and confessional neutrality."[91] Thus, in an attempt to gain deeper insight into the ICRC's mission, the analysis will now turn to the documents and reports of ICRC

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[89] Ibid., 6.
[90] Ibid., 8.
[91] Ibid., 17.

delegate Dr. Roland Marti's first mission to Palestine[92] which took place between the 20th of January and the 19th of February 1948. What is interesting about this mission is that it occurred several months before the start of the war. It is described as an 'orientation mission' which required Dr. Marti to travel to the Middle East and begin negotiating with the factions (British, Arab and Jew) in the British Mandate of Palestine and with the neighbouring Arab states, in order to gauge the feasibility of an ICRC mission in Palestine. The onset of a war in May was clearly long foreseen, as revealed by a telegram sent by Dr. Marti to ICRC headquarters in Geneva on the 5th of February 1948, stating "... with the return of the British Mandate to the UN on 15 May, all public services without planned successors, at the moment widespread combat inevitable."[93]

Dr. Marti's initial preparatory report outlines the five main tasks of the orientation mission as being: "1. Get in contact with all the authorities in Palestine, as much the British, as the Arabs and the Jews. 2. Obtain precise information on all the medical and sanitary problems that exist or will exist in Palestine at the moment the British depart. 3. Offer the neutral intervention of the Committee in the case of an existing conflict or an escalating conflict. 4. Problem of the Red-Cross(es). 5. Financial question."[94] Here, the fourth point is of particular interest as it highlights the persistent problem (continuing today) of the religiously-loaded symbolism of the red cross, sometimes negatively perceived in Muslim nations as a symbol of Christianity[95]. Regarding the issue, Dr. Marti suggests that "the Red Lion and Sun of Iran, for example, might be very useful for the mission of the Committee in Palestine, by virtue of

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[92] ICRC Archives, "Guerre Civile en Palestine Missions de Mr. Marti (Voyage d'Orientation au Proche-Orient) 20 Janvier - 19 Février 48," *B G.59/I/GC, 827-1*.

[93] ICRC Archives, "Telegram from Dr. Marti to the ICRC," *B G.59/I/GC, 827-1*.

[94] ICRC Archives, "Séance, 19 janvier 1948. Concerne: Mission en Palestine du Dr. Marti, de M. de Reynier et de M. Munier." *B G.59/I/GC, 827-1*.

[95] International Committee of the Red Cross, "The History of the Emblems," under "The history of the emblems," http://www.icrc.org/web/eng/siteeng0.nsf/html/emblem-history (accessed June 1, 2010).

being the only neutral Red-Cross in the Middle East."[96] The issue of symbolism with religious implications will be returned to in the fourth chapter.

Beyond a brief mention of the fact that "the action of the Committee must be 'morally equal' for the two parties"[97], the purpose of the orientation mission was primarily to meet the British, Arab and Jewish authorities in order to negotiate the ICRC's mission during the foreseen war, and to ask for financial contributions for the humanitarian aid being offered. Interestingly, point two of five references a reconnaissance of the health and sanitary conditions in the territory, and for now, there is no mention of IHL and the 1929 Geneva Convention, the enforcement of which is considered the ICRC's traditional role in situations of armed conflict. It is in fact only later that IHL appears in the ICRC documents, which is interesting. It may be that the ICRC used the humanitarian situation, that is the fact that all public health services would end on 15 May 1948 with the departure of the British, to open the door to Palestine and then later negotiated the application of IHL during the war. This is a point that could be investigated at a later date, but is left for the moment as it does not particularly pertain to religion.

Moving forwards, Dr. Marti travelled to Egypt to meet with (later assassinated) "President of the Council and Egyptian Minister of the Interior S.E. Mahmoud Fahmy El Nokrachi Pasha"[98] to begin gathering information about the situation in Palestine. Here Dr. Marti notes, "In Egypt, the information on Palestine is incomplete, contradictory, or unilateral. Only an investigation in the area will give us the complete picture. One thing is clear: the medical needs are immense and urgent."[99] The voyage of Dr. Marti to Egypt is noted here because it is

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[96] ICRC Archives, "Séance, 19 janvier 1948.," *827-1*.
[97] Ibid.
[98] ICRC Archives, "Concerne: La Mission du CICR en Palestine.," *B G.59/I/GC, 827-1*.
[99] Ibid.

there that he identifies the two principle Arab authorities, namely, "Azzam Pasha, Secretary General of the Arab League, with headquarters in Cairo, and the Grand Mufti, the soul of the Arab resistance movement in favour of an Arab Palestine, who plays a much more important role than we thought."[100] Traditionally, the Grand Mufti, "known as the sheik of Islam ... was in charge of the judges of the empire, the qadis, appointed for all the principal cities and towns and the provincial capitals."[101] In the British Mandate of Palestine, after Arab riots and unrest in 1920-1921, "High Commissioner Herbert Samuel [appeased the Arabs by establishing] the post of Mufti to which he appointed the same young nationalist, Haj Amin el Husseini, who had instigated the Nebi-Moussa riots in 1920, and allowed the creation of the Supreme Muslim Council, which the Mufti would soon turn into the main political platform for the Arab national struggle for Palestine."[102]

A controversial figure[103] who "became the religious and political leader of the Arabs"[104], Ben-Ami writes, "The ascendancy of the Mufti in the 1930s to the undisputed leadership at the expense of more moderate options ... paved the path to revolt and total war."[105] For Dr. Marti and the ICRC, the Grand Mufti was one of a handful of key figures that would necessarily be engaged during the negotiation of an ICRC mission in Palestine during the war. Here, the conflation of Arab religious and political authority in the role of the Grand Mufti is a revealing example of the complexities of the war, which at a basic level, is described throughout the reports as a nationalist struggle between Arab and Jew. Whether the Grand

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[100] Ibid.
[101] Alexander Moore, *Cultural Anthropology: The Field Study of Human Beings* (New York: Rowman & Littlefield Publishers, Inc., 1998), 389.
[102] Ben-Ami, *Scars of War*, 8.
[103] For example, "[During the Second World War] ... the Mufti was busy compromising the international image and the fate of the Palestinian cause, striking sinister deals with Hitler and lending his support to the 'final solution'." Ben-Ami, *Scars of War*, 28.
[104] Palestinian Facts, "British Mandate Grand Mufti," under "Grand Mufti Haj Amin al-Husseini," http://www.palestinefacts.org/pf_mandate_grand_mufti.php (accessed June 1, 2010).
[105] Ben-Ami, *Scars of War*, 20.

Mufti's granted religious authority (as mentioned, in a position established by the British in a move to appease violent Arab nationalism) was seen as more legitimate than his political or nationalist credentials at the time, among for example the Arab population, requires a more thorough investigation than space allows for at the moment. The question is, however, an interesting one.

Following the meeting with Nokrachi Pasha the priority was then to meet aforementioned Azzam Pasha, described by Dr. Marti as "the number 1 personality that absolutely must be seen ... the key to the Arab world, as much in Palestine as in the bordering countries. Entering Palestine without his support is operating in the opposite of good sense."[106] At the meeting with Azzam Pasha, the reception was favourable. Dr. Marti writes, "Azzam Pasha ... told us that he knew the good-will activity 'of the Swiss Red-Cross'[107], and that we have all his confidence. Effectively, the Jews are better equipped, but [he understands] that everyone should be able to benefit from our activities. In the Muslim understanding, it is expressly said that the enemy must be aided, and in that respect, the Muslim idea approaches the Christian idea."[108] It is noteworthy that here the role of religion is dialogical, that is, as evidenced by the suggestion (at the rhetorical level) of a parallel between Muslim and Christian traditions. That the ICRC was perceived as being Christian, despite their long-standing officially non-confessional status, is interesting. Azzam Pasha's assumption that the ICRC is a Christian organization might be similar to the idea that, "For certain Muslim humanitarians ... having non-religious reasons for doing good is simply incomprehensible"[109], or perhaps from an awareness or perception that, as Forsythe highlights, "the ICRC is a product of, and is

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[106] ICRC Archives, "Concerne: Mission du CICR en Palestine. Entretiens avec Azzam pacha, Secrétaire général de la Ligue arabe, et avec le Dr. Soliman Azmi pacha, Président du Croissant-Rouge égyptien.," *B G.59/I/GC, 827-1*.

[107] The ICRC is often confused with national Swiss Red Cross society. It is something of a sore spot for them, a point which is wryly highlighted in this document.

[108] ICRC Archives, "Concerne: Mission du CICR en Palestine. Entretiens avec Azzam pacha," *827-1*.

[109] Andreas Wigger, "Encountering Perceptions in Parts of the Muslim World and their Impact on the ICRC's Ability to be Effective," *International Review of the Red Cross* 87, no. 858 (2005): 356.

generally sustained by, western (Judeo-Christian) culture, although it tries to present itself as a secular Good Samaritan. Its roots are to be found in the notion of Christian charity, [although] it strives for non-denominational, non-sectarian humanitarianism."[110]

As a result, Dr. Marti reports that as far as an ICRC mission in Palestine, "Azzam Pasha reassured us that the sign of the red cross will be respected, because numerous Christian Arabs are on the side of the Muslims, and in a general way, Christians are considered a neutral element."[111] What is more, Azzam Pasha then recommends to Dr. Marti that the ICRC "should choose a Christian personnel, avoid Muslims and Jews, in such a way as to be able to operate in total objectivity."[112] This point was raised again when Dr. Marti met Azzam Pasha in Aril, just before the start of the war. Here, "Azzam Pasha saw us yesterday ... We presented the results of our mission in the Middle East, after reassuring him that all the ICRC delegates are Christians."[113] There is an interesting disconnect, or issue of perspective, revealed by his statement that there are many Christian Arabs, but that a Christian mission and staff would be considered neutral. Furthermore, this is a particularly interesting development in light of the aforementioned concern raised by Dr. Marti in his preliminary report (returned to in chapter four) that the ICRC's red cross emblem might be perceived as a Christian symbol, thus endangering the acceptance of their mission. Here it should be mentioned that Dr. Marti also thought it unlikely to be able to use the red crescent emblem (perhaps perceived negatively by the Jewish side of the conflict), but Azzam Pasha's recommendation remains an interesting one. In any case, Azzam Pasha's reading of the situation appears to have been accurate; the Jewish authorities did not officially object to a Christian staff nor the use of the red cross emblem. Both were employed throughout the duration of the ICRC's mission, with little

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[110] Forsythe, *The Humanitarians*, 2.
[111] ICRC Archives, "Concerne: Mission du CICR en Palestine. Entretiens avec Azzam pacha," *827-1*.
[112] Ibid.
[113] ICRC Archives, "Concerne: Le Conflit de Palestine. Fin de la Mission dans le Moyen-Orient: Entrevue Avec Azzam Pacha, Secrétaire-Général de la Ligue Arabe.," *B G.59/I/GC,* 827-4.

incident, at least, in terms of religious symbolism.

Shortly after meeting Azzam Pasha, Dr. Marti was able to meet the Grand Mufti. Here Dr. Marti reports, "The Grand Mufti thanked us for the interest we bring to Palestine and understands strongly that our aid must go to everyone, without distinction. ... The Grand Mufti insisted on the fact that the central staff of the ICRC in Palestine must be composed of Swiss Christians. We replied that this was also how we understood our mission, which anyways cannot uniquely be limited to medical assistance. In the ICRC spirit, our task in Palestine is to create a neutral organism which one or the other parties may approach when necessary. The Grand Mufti was absolutely in agreement with us."[114] Noting that both Azzam Pasha and the Grand Mufti represent the Arab side of the conflict, it is perhaps still curious that a Christian staff should be recommended so vigorously as opposed to an emphasis on the traditionally non-confessional ICRC presence. However, this could be seen as simply a 'sign of the times', where it was assumed by the Arab authorities that a humanitarian organization would be faith-based in some respect. Perhaps Christianity represented in this situation the least controversial of the three Abrahamic monotheistic religions, and was thus seen as a means of ensuring the neutrality and objectivity that are the cornerstones of ICRC operations.

Alternatively, the association of the ICRC with Christianity could be a result of the continuing impact of "The long Christian missionary tradition [which] left a legacy of church involvement in social services in all regions, particularly in the areas of education and health."[115] In 1948, near the beginning of an exponential proliferation of both faith-based and secular humanitarian non-governmental organizations (NGOs) (a process which began in the

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[114] ICRC Archives, "Concerne: Mission en Palestine. Entretien Avec le Grand Mufti," *827-1*.
[115] Elizabeth Ferris, "Faith-Based and Secular Humanitarian Organizations," *International Review of the Red Cross* 87, no. 858 (2005): 316.

early twentieth century but increased dramatically in the last few decades[116]), it is possible that the distinction between confessional and non-confessional NGOs was not as clear as it is today.  Give that the main issue at stake for the ICRC at the time was the negotiation of a suitably neutral and objective mission, the maintenance of a non-confessional status perhaps seemed less important. Furthermore, it could be pointed out that a Christian staff does not necessarily compromise an officially non-confessional status. Unfortunately the ICRC reports from this time do not document reactions by the population towards ICRC delegates as relates to perceptions of their Christianity. This perhaps suggests that the issue was simply not that important.

### 3.4 A Word Regarding Neutrality

In this respect, what the ICRC reports from the time seem to suggest is that, in terms of perceptions of neutrality and objectivity, the importance of religion was practically none. Beyond the recommendations from the Arab leaders that the staff be Christian, and no official response either way from the Jewish authorities, the main challenge to the mission in Palestine in 1948 were perceptions of the ICRC, from the Arab side, as somehow related to the UN. Regarding this issue, Dr. Marti writes "The state of spirit regarding the ICRC appears to be sympathetic, despite the fact that here we only see it under the guise of 'Father Christmas' ... [however] the UN is in Geneva, the ICRC equally, which creates at times with the Arabs a suspicion that is hard to alleviate."[117] Noted several times throughout the reports, the UN was "hated by the Arabs"[118] and was seen as being responsible for everything that had happened thus far.

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[116] Ferris, "Faith-Based and Secular Humanitarian Organizations," 313-316.
[117] ICRC Archives, "Jérusalem, le 15 février 1948. Delegation en Palestine. I. Rapport Final.," *B G.59/I/GC, 827-1*.
[118] ICRC Archives, "Mission en Palestine du 20 Janvier au 19 Février 1948.," *B G.59/I/GC, 827-2*.

Here, the biggest blow to the ICRC's claim to neutrality came when Count Folke Bernadotte (then United Nations mediator for Palestine, later assassinated) used a Swedish Red Cross airplane (he was, at the time, President of the Swedish Red Cross society) to conduct surveillance missions over the Palestinian territory. As ICRC delegate Pierre Gaillard wrote at the time, "... for fifteen days, wherever [the delegates in Palestine] go, they are now greeted by cries of 'Count Bernadotte' raised by the sight of the red cross emblem on our cars. ... On certain occasions even, we have been hit with rocks and received injuries of an even more violent nature. These simple facts show that the esteem of the Red Cross has enormously descended after Count Bernadotte's actions. The confusion seems to be, now, that the simple sight of the red cross raises immediately, not only amongst the people, but also unfortunately with certain cultivated circles, the image of the UN, with all the political and military significance that it holds for the Arabs."[119] In this case, religion took a back seat to the politics of the time.

Returning to the final days of Dr. Marti's orientation mission, the final report, signed by Dr. Marti, Mr. de Reynier and Mr. Munier on the 15th of February 1948, provides an overview of the desperate situation leading up to the war and details the possible role of the ICRC during the war. The report closes, "So, to summarize: war the 15th of May, in the form of thousands of small battles throughout the country. Great disorganization, impossible to avoid. ... It is excluded that the ICRC takes the direction of Public Health service, we lack the experience of the sort, of the country, and also of the finances. ... Actions of the ICRC, necessary, desired by both sides, adapted to circumstances are: 1) try to maintain what exists, 2) respond to

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[119] ICRC Archives, "Rapport au CICR. Concerne: Incidences de la Mission du Comte Bernadotte sur l'Action du CICR en Palestine.," *B G.59/I/GC, 829-7.*

successive demands for aid and 3) collect foreign aid."[120] Interestingly, again, IHL and the Geneva Conventions are left out of the report although they had begun to appear in the discourse towards the end of January, early February[121].

What follows from this original orientation mission is a second mission[122] where Dr. Marti visited Egypt, Lebanon, Syria, Transjordan and Iraq[123] in search of financial aid for the mission beginning in May. The focus of these reports, and the subsequent reports[124] of the day to day ICRC operations during the war fall into two categories. The first category of reporting focuses on the financial and material needs of the mission, from financial assistance to boxes of bandages. The second category of reporting focuses on the practical implementation of the mission, that is, detailing the ICRC delegates' activities as they visit prisoner of war camps, check hospital conditions, perform detainee interviews, and generally pursue a respect for IHL by both sides and the provision of basic humanitarian aid. Later reports[125] then begin to cover the growing refugee crisis, which would transform the ICRC's role in Palestine dramatically. In this respect, although it was not possible to view all the documents in the large collection, the role of religion was minimal, at least, as revealed through the 'ICRC lens'. Religion was most prominent during the negotiations of the mission, particularly regarding the denominational status of the ICRC staff and an initial concern over the symbolism of the red cross emblem. However, the impression is that the significance of religion in this case study was fleeting, largely overshadowed by the financial and material needs of the mission as well as the daily practical implementation of the mission's humanitarian aims.

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[120] ICRC Archives, "I. Rapport Final.," *B G.59/I/GC, 827-1.*

[121] ICRC Archives, "Entretien Avec Sir Henry Gurney, Chief Secretary du Gouvernement Palestinien.," *B G.59/I/GC, 827-2.*

[122] ICRC Archives, "2ème Mission dans le Moyen-Orient, Dr. Marti, J. Munier, 2 Mars au 21 Avril 1948," *B G.59/I/GC, 827-4.*

[123] Ibid.

[124] At the ICRC Archives, these reports can be found at index *B G.59/I/GC,* boxes *831-844.*

[125] At the ICRC Archives, these reports can be found at index *B G.59/I/GC,* boxes *845-860.*

## Chapter 4: International Humanitarian Law & Religious Symbolism

The purpose of this shorter fourth chapter is to focus on two points that were uncovered during the research regarding the role of religion during the 1948 Arab-Israeli war. The first half of this chapter will explore the role of religion as it pertains to the pursuit and implementation of IHL. The second half of this chapter will consider the issue of religiously-loaded symbolism, in this case, the long and continuing history of the ICRC emblems. Noticeably, as will be shown, both these issues have seen a 'resurgence' lately in interest on the part of academics and practitioners. In the case of the emblems, this renewed interest is in part due to the lengthy process of adopting a third 'neutral' emblem, the red crystal, which finally came to a close in 2006[126]. The renewed interest in the relationship between religion and IHL is less clear. The opportunity presented by this research is to look more closely at the origins of these issues, in the hopes that the analysis will shed more light on the context of the theory of a contemporary religious resurgence.

### 4.1 Where Religion Meets International Humanitarian Law

As mentioned, in 2005 the ICRC released the 87th volume of the *International Review of the Red Cross* which was dedicated to the topic of religion. Noticeably prominent in those pages was a discussion focused on the relationship between religion and the pursuit and implementation of IHL. Here, three contributions looked at how Islam[127], Judaism[128] and

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[126] ICRC, "The History of the Emblems," http://www.icrc.org/web/eng/siteeng0.nsf/html/emblem-history (accessed June 1, 2010).

[127] Sheikh Wahbeh al-Zuhili, "Islam and International Law," *International Review of the Red Cross* 87, no. 858 (2005): 269-283.

[128] Norman Solomon, "Judaism and the Ethics of War," *International Review of the Red Cross* 87, no. 858 (2005): 295-309.

Hinduism[129] were compatible in tradition and practice with the principles of IHL. Another article considered the influence of the Muslim religion in humanitarian aid[130], which is a broader issue that can be linked to the underlying principles of IHL. Each of these articles aimed to show how various religious traditions and practices were compatible with, and often predated, IHL.

Later, in 2007, a symposium was held in Nice on the topic "Religions and International Humanitarian Law." The content of the symposium was soon reproduced in a book[131] of the same title. In the introductory comments of the book, symposium head Anne-Sophie Millet-Devalle describes the reason for focusing on religion and IHL. She writes, "In the context of international relations, where religious factors are frequently invoked in conflict analysis, a work relating to the relationship between the law that applies to the heart of armed conflict and the religions seemed necessary."[132] The content of the symposium, mirroring in many ways that of the ICRC's 2005 *International Review of the Red Cross*, explored the ways in which religions (primarily, Islam, Hinduism, Confucianism, Zoroastrianism, Buddhism, Judaism and Christianity[133]) relate to IHL. The question can be asked, given the long history of IHL (traceable back to the 1860s[134]) and in light of the ICRC's explorations on the subject and those of the symposium, why the renewed interest now? An answer here would contribute to the unpacking of the theory of religious resurgence, however, the scope of the inquiry at hand is limited to revealing the contextual background of, what would be, a more complex endeavour.

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[129] Manoj Kumar Sinha, "Hinduism and International Humanitarian Law," *International Review of the Red Cross* 87, no. 858 (2005): 285-294.
[130] Jamal Krafess, "The Influence of the Muslim Religion in Humanitarian Aid," *International Review of the Red Cross* 87, no. 858 (2005): 327-342.
[131] Anne-Sophie Millet-Devalle, *Religions et Droit International Humanitaire* (Paris: Pedone, 2007).
[132] Ibid., 3.
[133] Ibid., 6.
[134] ICRC, "The History of the Emblems," http://www.icrc.org/web/eng/siteeng0.nsf/html/emblem-history (accessed June 1, 2010).

Returning to the archival research, it is perhaps helpful to highlight examples where the relationship between religion and IHL appeared, in order to contextualize the contemporary debate. The conversations that took place between ICRC delegates and Arab and Jewish authorities, regarding acceptance and respect for IHL during the course of the armed conflict, were basically pragmatic in nature. Here there was, for the ICRC, considerable success. As noted, "Regarding the application of the Geneva Conventions, we received assurances from the Jewish side that they would be applied as much as possible, and that the Jews would respond officially to the ICRC as soon as we transmitted a detailed appeal to both parties in Palestine. The Arabs in Palestine (Dr. Hussein Khalidy) gave their agreement in principle, agreement that however must still be discussed with the Grand Muphti in Cairo."[135] After an official appeal from ICRC President Paul Ruegger[136] to Arab and Jewish authorities, both sides confirmed at the official rhetorical level their respect for IHL during the armed conflict.

During these negotiations, the relationship between religion and IHL surfaced briefly. In a conversation with Isaac Darwish Bey, nephew of the Grand Mufti and member of the Arab Higher Committee, ICRC delegate Dr. Marti made parallels between the Qur'an and IHL. Dr. Marti writes, "We drew his attention to the importance of the Conventions ... [stressing that] it is, for the ICRC, of capital interest to know that the Arabs in Palestine accept the Conventions which, we think, correspond in a certain way with the Qur'an."[137] In response, "Isaac Darwish Bey said that he understood our view, declaring that the Arab High Commission accepts the Conventions ... [and then related a small story where] in 1350, the Arabs, by order of the Caliphs, had already given strict orders to their troops to respect the wounded and sick, the

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[135] ICRC Archives, "Mission en Palestine du 20 Janvier au 19 Février 1948.," *B G.59/I/GC, 827-2.*
[136] A transcript of the appeal is available at, ICRC Archives, "Appel du 12 Mars 1948 aux Autorites Juives et Arabes," *B G.59/I/GC, 828-5.*
[137] ICRC Archives, "Concerne: Mission en Palestine; Suite à Notre Lettre de ce Jour, Entretien au Quartier-Général du Grand-Moufti," *B G.59/I/GC,* 827-4.

women, the children, the elderly, and even unarmed men. And now [Isaac says], the Red Cross has come to demand that the Arabs respect the same rules! It is obvious that the Arabs can only approve of this proposition."[138]

Leaving the discrepancy between rhetoric and a respect for IHL in practice aside,  it is interesting that Dr. Marti, in 1948, appealed to Arab authorities by establishing parallels between Qur'anic traditions and IHL. Now, roughly sixty years later, the ICRC has dedicated a journal, in part, to exploring the ways in which religion and IHL are compatible. This can be read, in a minimalist interpretation, as a response to the clear resurgence of religion in academic circles. It may also point to something like institutional amnesia, although it is unlikely that this example is the only one (and thus less easily forgotten) where religion and IHL have met in the long history of ICRC operations. Rather, having noted that the ICRC's position is that religion is manifestly more political (and *vice versa*) in recent years, this 'reinvention of the wheel' can easily be explained away. Of more interest to the discussion at hand, it should be noted that religion in this example played a dialogical role in opening a bridge between ICRC delegate and Arab authority figure. This suggests that religion had, at times, a practical role to play in negotiations pertaining to IHL, and it can thus be understood that a focus on the relationship between religion and IHL in recent years has not come out of thin air.

## 4.2 A Picture Worth a Thousand Words

Turning now to the religious symbolism of the red cross emblem, Jean-François Quéguiner writes, "The emblems of the red cross and red crescent on a white ground have been used

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[138] Ibid.

since the nineteenth century as universal symbols of assistance to victims of armed conflicts and natural disasters."[139] While a detailed history of the red cross, red crescent, and now red crystal emblems are outside the scope of this paper, it is helpful to highlight a few key events. For example, "The original Geneva Convention of 22 August 1864 established the red cross as the sole emblem designated to identify medical services of armed forces as well as voluntary relief societies. [However] quite soon, the emblem sparked objections because of the religious connotation that certain states attributed to it."[140] Notably, "In 1876, the Ottoman Empire - during a conflict with Russia - unilaterally declared that from then on it would use the red crescent on a white ground to distinguish the medical services of its armed forces, saying that the nature of the distinctive sign of the Convention "has so far prevented Turkey from exercising its rights under the Convention, because it gave offence to Muslim soldiers"."[141]

As a final historical note, Quéguiner writes "[Subsequently] in addition to the reiterated request by the Ottoman Empire for recognition of the red crescent, Persia and Siam demanded the right to use the red lion and sun and the red flame respectively. ... The red crescent and the red lion and sun on a white ground were finally recognized by the Geneva Convention of 27 July 1929."[142] The red lion and sun emblem was used by Iran from 1929 until 1980, at which point the newly established Islamic Republic of Iran adopted the red crescent emblem although it withheld the right to return to the red lion and sun if desired in the future[143]. Thus, despite an exception for Iran (Siam adopted the red cross emblem in the end), the red cross and the red crescent remained the two official emblems of the International Red Cross and

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[139] Jean-François Quéguiner, "Commentary on the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Adoption of an Additional Distinctive Emblem (Protocol III)," *International Review of the Red Cross* 89, no. 865 (2007): 175-207.
[140] Ibid., 176.
[141] Ibid.
[142] Ibid., 176-177.
[143] ICRC, "The History of the Emblems," http://www.icrc.org/web/eng/siteeng0.nsf/html/emblem-history (accessed June 1, 2010).

Red Crescent Movement.

Yet, as Quéguiner highlights, "this solution gave rise to certain difficulties. The first is evident: the coexistence of the two signs, easily associated with two of the principal monotheistic religions, is conducive in certain contexts to the erroneous perception that these emblems have a religious or political connotation. These perceptions could prove especially problematic during conflicts between two or more adversaries using different emblems."[144] As illustrated in the case study at hand, this is an issue that the ICRC was aware of and actively tried to address. However, another problem resulted from "the refusal of certain states and National Societies to adopt one of the emblems recognized by the 1949 Geneva Conventions because they do not identify with either of them. ... The Israeli voluntary relief society Magen David Adom was faced with this problem, as was the Eritrean relief society, which sought to use the double emblem of the red cross and red crescent placed side by side."[145]

Returning to the 1948 Arab-Israeli war case study, the ICRC and its delegate Dr. Marti were, as was shown, initially concerned about negative perceptions that the red cross emblem might invoke from either the Arab or the Jewish side of the conflict. After briefly considering the use of the red lion and sun of Iran as a potentially neutral emblem, the red cross emblem was adopted and employed without any reported incidents relating to potential religious significance. What is interesting to briefly focus on, given that the religious symbolism of the red cross emblem was essentially a non-event in this case, is the relationship between the ICRC and the fledgling Israeli 'Medical Society' Magen David Adom (MDA). At the same

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[144] Quéguiner, "Commentary on the Protocol Additional to the Geneva Conventions," 177-178.
[145] Ibid., 178.

time, although there existed no Palestinian Red Crescent society in 1948[146], the Palestine Women Red Crescent Society[147] will be included in order to show how both societies vied for official recognition from the ICRC. This helps build context for what would become a long running issue for the ICRC. The Israeli MDA and the Palestinian Red Crescent society were only given official status (at the same time, in a diplomatically sensitive move) as part of the International Red Cross and Red Crescent Movement in 2006[148], with the adoption of the red crystal emblem in which could be placed the red Star of David emblem of the MDA (or any other approved symbol), thus addressing (the ICRC hopes) the second issue of only representing two out of three of the main Abrahamic monotheistic religions.

In a lengthy document further detailing his first mission to Palestine, Dr. Marti writes of the MDA, "In what concerns the Magen David Adom, the ICRC has had a long correspondence with this excellent organization, an organization which presents all the characteristics of a true Red Cross and who, for years, has helped the Jews and Arabs equally, and only now, given the division of the country into two distinct groups, devotes themselves exclusively to the Jews. This organization has long sought to be recognized once the Jewish state is founded. We have indicated to them that we have not yet looked deeply into this issue, but that the ICRC is at their disposal for all additional information."[149] Regarding the Palestine Women Red Crescent Society, Dr. Marti writes "in Haifa we found ... a women's Red Crescent society only. ... This society understands well that she cannot be recognized unless there is a regularly constituted Palestinian government which is far from being the case."[150] While both organizations feature periodically in the reports that follow, the issue remains framed as an

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[146] For information about the Palestinian Red Crescent Society, including its history, visit http://www.palestinercs.org/about_PRCS.aspx (accessed June 1, 2010).
[147] ICRC Archives, "Palestine Women Red Crescent Society," *B G.59/I/GC, 827-2.*
[148] ICRC, "The History of the Emblems," http://www.icrc.org/web/eng/siteeng0.nsf/html/emblem-history (accessed June 1, 2010).
[149] ICRC Archives, "Mission en Palestine du 20 Janvier au 19 Février 1948.," *B G.59/I/GC, 827-2.*
[150] Ibid.

essentially national one. Despite the declaration of the independent State of Israel on 14 May 1948, the MDA and especially the Palestine Women Red Crescent Society (for lack of a 'regularly constituted' government) were not given any assurances by the ICRC regarding the potential for official status recognition.

As mentioned, the lack of official status recognition remained the case until 2006 when the red crystal emblem was adopted. What later became an issue laden with religious significance, as Quéguiner highlighted, was in 1948 framed by the ICRC as the question of a national society having a nation-state to represent. It is unclear whether the ICRC, in 1948, was already considering the problems that might arise if they required the MDA to adopt a red cross or red crescent logo, as was policy until 2006. More likely, the question of whether to begin deliberation towards granting official status to the MDA was simply one of many issues that were of secondary importance given the greater humanitarian crisis in which the ICRC found itself during the war. The conclusion here is that negative perceptions resulting from the religious symbolism of the ICRC's emblems, an issue which has periodically plagued the institution since the early days of its inception, was not an issue in terms of operating under the red cross emblem, nor was it reported as an issue in terms of official status recognition for the MDA. These findings suggest that, despite initial concerns to the contrary, religious symbolism did not play a significant role during the course of the conflict. This points to a minimal role for religion generally, which, as shown, has appeared only sporadically throughout the ICRC reports from the time.

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# Conclusion

The return of religion to the field of IR has brought with it an exciting array of new topics and issues. Largely invisible to mainstream IR scholars for decades, the recent contestation of the secularization thesis opened the door for religion's reacceptance into the IR fold. Since then, IR scholars interested in religion have grappled with the revived concept in a number of creative and compelling ways. However, there is considerable disagreement regarding the extent to which religion is supposedly resurgent. Evidence of the confusion in the field can be found in the often referenced theory of a resurgence of religion. Three positions emerge from the ambiguity in the theory. For some, the resurgence of religion is limited to the academic sphere, for instance, in IR. For others, religion is resurgent in areas beyond the purely academic. Here one could look to the relationship between religion and politics. Finally, some scholars maintain that religion is resurgent in societies and at the roots of conflict, that is, that religion is resurgent at a global level in praxis.

A further observation that emerged from the religion and IR literature was that the majority of the contributions were theoretically based and largely ahistorical. In order to shed light on the controversial theory of a resurgence of religion, and in order to fill a gap left in the existing literature, this paper turned to the historical record to begin locating the theory of religious resurgence in its greater empirical reality. Given the modest scope of the research agenda, a decision was made to narrow the focus of the inquiry to IHL and to a contextualization of the theory of religion resurgent. Having identified significant areas of interest in the religion & IR literature, namely conflict and international law, it was proposed that IHL represented a nexus between the two areas and a suitably entry point for this research. In order to pursue an empirical historical analysis in the focused area of religion & IHL, thus filling a gap left by

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the existing literature, this paper turned to a case study of the ICRC's mission during the 1948 Arab-Israeli war.

In short, the question was asked: what does historical analysis reveal about the place of religion in the ICRC's mission during the 1948 Arab-Israeli war, and how does it help contextualize the theory of a resurgence of religion? In order to shed light on this question research was conducted at the ICRC Archives in Geneva, exploring the documents and reports of the ICRC delegates in Palestine in 1948. Looking for the role of religion, it was found that the most relevant documents pertained to the earlier missions, which involved sustained negotiations with the British, the Arabs and the Jews for their acceptance of an ICRC mission during the war. These primary sources were supplemented by additional secondary sources where possible, thus constructing a picture of the role of religion as revealed through the 'ICRC lens'. Here, in terms of structure, the paper was divided into four main chapters. The first chapter focused on the existing literature, narrowing the field to IHL and illustrating the confusion surrounding the theory of religion resurgent. The second chapter explored methodological issues, highlighting the complexities of bringing history into IR, as well as, the pragmatic issues of material selection and bias. The third and first empirical chapter looked into the mission of the ICRC during the 1948 Arab-Israeli war, revealing the role of religion where it was found. In this respect, two points emerged: the relationship between religion & IHL, and the religiously-loaded symbolism of the red cross emblem. These two issues were returned to in the fourth chapter.

Returning to the question at hand, the results pointed to a minimal role of religion during the 1948 ICRC mission in Palestine. The impression was one where religion was generally seen as a factor among many, for example, commercial and military factors. A few lines were

dedicated to the role of religion in de Reynier's final report as Head of Delegation, written in 1949, but they spoke only of religion at a regional level. Otherwise, the role of religion was negligible. As regards Dr. Marti's initial mission, there was concern at the outset that the red cross emblem might be perceived negatively by the parties to the conflict, particularly the Muslim population. Rather, the ICRC were actively encouraged on the part of the highest Arab authorities to higher Christian staff in order to ensure the neutrality and objectivity that was critical for the ICRC's operation. Furthermore, there was some acknowledgement from both parties that Muslim and Christian traditions had similar aims and traditions when it came to humanitarian aid, at least, in theory. In sum, it was interesting that the ICRC were instructed to hire Christian staff, but on the whole, religion played a nominal role. More problems arose from the association of the ICRC with the UN than did from religious factors. Here, religion was clearly second to politics.

The final empirical chapter investigated the relationship between religion and IHL, as revealed by the ICRC Archival documents, and explored issues relating to the ICRC emblems. Here it was found that the negotiations between the ICRC and the Arab and Jewish authorities regarding the acceptance of IHL were largely pragmatic in nature. At one point Dr. Marti referenced the Qur'an in a bid to win sympathy from an Arab authority, which was met with some incredulity. This was interesting because the ICRC and a recent symposium have expounded upon the relationship between religion and IHL by showing how each religion is theoretically compatible in tradition with IHL. Here was an example from 1948, illustrating in practice what is being theorized today. Regarding the issues relating to the ICRC emblem, the approach was to first offer a historical account of the various problems that the ICRC has encountered regarding the red cross emblem. Then, given that the potential religious significance of red cross emblem being employed in Palestine was not of great concern, an

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effort was made to explore the relationship between the ICRC, the MDA and the Palestine Women Red Crescent Society. This revealed the roots of a contentious issue for the ICRC, which was resolved only in 2006 with the adoption of the red crystal emblem and the granting of official status to the MDA and the Palestinian Red Cross.

Thus, in conclusion, the historical analysis conducted in this paper revealed that the role of religion for the ICRC during the 1948 Arab-Israeli conflict was, at its strongest, a factor amongst many, and at other times essentially non-existent. However, by establishing that religion had a minimal role, a contribution was made to the contextualization of the contentious resurgence of religion theory. By better understanding the role of religion in the past, as revealed through historical analysis, it is possible to begin unpacking the resurgence of religion theory which is currently mired in confusion and disagreement. In this respect, the minimal role of religion during the 1948 conflict may indeed lend support for the theory of a resurgence of religion in areas beyond IR. Furthermore, additional insight was gained regarding the origins of the ongoing Arab-Israeli conflict and the functions of the ICRC during times of armed conflict. In this sense, the scope of this paper was limited and it was often difficult to resist entering into deeply complex analyses regarding the degree to which religion may or may not be resurgent. The basic point of departure, as revealed in the IR literature, is that religion is clearly resurgent in the field of IR (and other fields like sociology). However, moving beyond that point in an effort to analyze to what extent religion and politics are becoming intermingled, or to what extent religion is manifestly resurgent in global practice, becomes extremely difficult. Therefore, the decision was made to concentrate the efforts of this paper to contributing in a focused way, by filling a gap left by ahistorical literature and by placing the theory of a resurgence of religion in its greater empirical reality.

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