Report No. 6

Doing the Right Thing
Relief Agencies, Moral Dilemmas and Moral Responsibility in Political Emergencies and War

Hugo Slim

Director
Centre for Development and
Emergency Planning (CENDEP)
Oxford Brookes University

Doing the Right Thing

Relief Agencies, Moral Dilemmas and Moral Responsibility in Political

Emergencies and War

by

Hugo Slim

Director
Centre for Development and Emergency Planning (CENDEP)
Oxford Brookes University

ACKNOWLEDGEMENTS

Indexing terms

Aid institutions
Emergency relief
Humanitarian aid
Ethics

Foreword

"Studies on Emergencies and Disaster Relief" is a series of research reports on topics of relevance to everyone working with relief and development assistance in unstable situations. Sida, in close cooperation with the Nordic Africa Institute, is publishing these reports in order to throw more light on the complex relations of today's conflicts and emergencies.

Programmes of humanitarian assistance have come increasingly closer to political, social and economic conflicts. This has had the consequence that the humanitarian imperative, which is the very foundation of this form of international assistance, is being challenged. Shall life-sustaining assistance be distributed in refugee camps when it is known that those responsible for genocide are among the recipients of this assistance? In such situations is it possible for a humanitarian organisation to do only good deeds? How do the organisations' field workers deal with these difficult options?

The challenge to everyone interested in upholding humanitarian values is to be able to live with knowledge of the misery of the world, to be present in the worst human tragedies, and, at the same time, to defend humanity without associating oneself with its opponents.

At the request of Sida and the Nordic Africa Institute, Hugo Slim has given us excellent tools with which we can work with the moral dilemma faced by humanitarian organisations today. Hugo Slim is the Director of the Centre for Development and Emergency Planning at Oxford Brookes University in England. In the booklet he provides definitions and points out the difference between the moral dilemma and difficult choices, discusses the need to develop an ethos in the organisations, as well as the need of models. The booklet contains a number of case studies which make the picture very clear and eminently suitable for use as a basis for further discussions.

A draft of this booklet was discussed at a highly appreciated seminar held in Uppsala in October 1996. To extend the circulation of the booklet, Sida, together with the Nordic Africa Institute, is now publishing this adapted version for a wider public.

Carin Norberg
Director
Department for Cooperation with NGOs and
Humanitarian Assistance, Sida
Member of the Programme and Research Council
of the Nordic Africa Institute

Introduction

The notion that "being humanitarian" and "doing good" are somehow inevitably the same is a hard one to shake off. For many people, it is almost counter-intuitive to have to consider that humanitarian action may also have a dark side which compromises as well as helps the people whose suffering it seeks to assuage. However, the many difficult situations in which relief agencies have found themselves in recent years have inevitably led members of the relief community to examine this shadow side of humanitarianism. The increasing involvement of relief agencies in the very heat of war and political violence has given rise to a growing sense of moral unease among agency policy makers and field workers alike. More and more they feel confronted by "moral dilemmas" in their work. To borrow (and distort) a phrase from the poet John Keats, relief workers have increasingly been forced to consider the "negative capability" of humanitarian assistance, as analysts like Anderson (1994, 1996) and Prendergast (1995) have come up with traditionally Mosaic decimal lists which identify the many ways in which aid can do harm as well as good. This new awareness and these new lists and commandments have given many relief workers a genuine fear that, as well as helpers, they may also become bystanders and colluders in the violence in which they operate.

But this insight and its attendant anxiety are of course not new to humanitarianism. For as long as people have felt the urge to help others, they have seen risks and faced dilemmas in doing so. In the fourth century, the Egyptian hermit Abba Paphnutius observed: "I have seen a man on the bank of a river buried up to his knees in mud and some men came to give him a hand and help him out, but they pushed him further in up to his neck" (Ward, 1975, p.7). Altruism—the spirit behind humanitarianism—is obviously risky to the helped as well as to the helper. And its risks are perhaps fourfold. First, altruism can risk the physical well-being of the person doing the helping. Secondly, if misguided, it can also endanger still further the person one is trying to help. Thirdly, whether misguided or not, it can often end up providing succour to the perpetrators of the original evil. And finally, any intervention in the midst of man's inhumanity to man is also likely to threaten the moral integrity of the helper.

Getting involved is bound to lead the helper into an encounter with humankind at its worst, as well as at its best. In such situations, helpers soon find themselves dining with the devil. And in doing so, no matter how long their spoon, they will tend to find themselves feeding on moral compromise and getting dirty hands.

Neither are moral dilemmas new to modern relief agencies. The post-war period has seen NGOs and others involved to varying degrees with a number of human tragedies whose ethical entanglements compare to today's emergencies. The Nigerian civil war, the war and genocide in Cambodia, the political violence in Uganda and in many parts of Central and South America, and the civil wars in Ethiopia and southern Africa all had common ethical problems with the genocide in Rwanda and the political emergencies in Somalia, Bosnia, Sudan and Liberia. Many relief agency staff faced similar ethical dilemmas in the 1960's, 1970's and 1980's to the ones faced by their successors in the 1990's.

However, in recent years as a new generation of relief workers and relief agencies have become more embroiled in the very heat of civil wars and political emergencies, the humanitarian community has had to revisit its fundamentals and address the ethics of what it does. To their credit, humanitarian practitioners and commentators have taken up this task and the subject of humanitarian ethics is moving rapidly up the agenda of relief agencies and academics alike. Increasingly, commentators have gone further than a purely technical critique of emergency aid and have more openly come to talk in moral terms of particular humanitarian action as being either right or wrong, good or bad. Anderson (1994) and Minear (1995) have written in moral terms and McClellan (1995) has also discussed humanitarian action in terms of ethics. At a more strategic policy level, the international politics of humanitarian intervention have also been discussed in ethical terms. Lewer and Ramsbotham (1993) have sought to provide "an ethical framework" for humanitarian intervention by adapting conventional ethical criteria relating to just war theory to apply to international humanitarian intervention. Van Hoeylandt (1995) has made a similar analysis of the humanitarian intervention in Somalia in terms of moral philosophy and just

war theory. Such analyses concentrate on identify-ing a just cause, just means and just ends in any humanitarian intervention.

Within UN agencies and NGOs there has also been a great deal of agonizing and discussion about how to operate ethically in political emergencies and war. In the USA, attempts to formulate appropriate guidelines for relief agency conduct have manifested themselves in two sets of humanitarian principles: the Mohonk Criteria for Humanitarian Assistance in Complex Emergencies (1994) which were produced by the World Conference on Religion and Peace; and the so-called Providence Principles (1993) from the Humanitarianism and War Project at Brown University. In Europe, the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1994) has emerged from Geneva and is currently signed up to by over one hundred international NGOs. These various principles and codes (albeit very general in their scope) are all evidence of the humanitarian community attempting to set out ethical principles in a new era of humanitarianism which is distinguished by an unprecedented proliferation of agencies, an increased exposure to conflict, and the emergence of humanitarianism as an ever more strategic instrument in the foreign policy of the great powers and the politico-military strategies of violent factions.

This paper sets out to continue this important debate by recognizing the difficult moral choices relief agencies are facing in today's political emergencies and wars, and trying to give some practical guidelines to relief agency staff when confronting the ethics of a given situation. In particular, it hopes to introduce some ethical principles into the debate about humanitarianism and so contribute to the moral vocabulary which is being developed to improve relief agencies' ethical analysis. The paper's main aim is thus to give relief and development workers some common ethical language and basic moral guidelines with which to describe and think through their moral choices and dilemmas. In this way, it hopes to help them to do the right thing. But equally importantly, it seeks to help agencies to articulate and communicate what they believe to be the right thing. Improved ethical analysis can contribute to morale within agency staff and beyond to the people they are working with. As the word suggests, morale is a moral matter. People only tend to feel good about what they do if they are confident that what they are doing is right. Much poor morale in relief agencies is directly linked to

a predominant sense of moral confusion. A moral position which does not gloss over difficulties but sets out a clear and acceptable moral vision within such difficulties can make a great contribution to the morale of the helpers and the helped in any situation.

The paper starts by looking at the essential characteristics of a moral dilemma, and then introduces some basic moral principles surrounding the key ethical notions of action, consequences and moral responsibility. The second part of the paper then examines some particular scenarios of humanitarian ethics in an attempt to illustrate ethical analysis.

The Context of Agency Decision-Making

Before starting, however, it might be wise to sound a note of caution. The international aid community has a tendency to colonize, and this tendency is no less apparent in its moral debates where all too often it has shown signs of making all the moral problems of the world its own. In debates about humanitarian ethics this has some-times meant that relief agencies and their critics have tended to overstate the moral burden on humanitarianism—perhaps because it is easier to accuse a relief agency than a warlord these days. But it should never be forgotten that relief agencies are always responding to the violence of others. The difficult moral choices faced by relief agencies usually come about as a result of the immoral choices already made by political leaders and other individuals and groups. In most situations, relief agencies inherit an already uneven moral playing field. It would therefore, be morally negligent if excessive agonizing by or about relief agencies (the groaning of the white man and his burden) shouted out the accusations of blame which should be put squarely where they are most obviously due: with the killers, the rapists, the dispossessors and their political leaders who initiate and sustain the policies of excessive and unjust violence in today's wars and genocide.

The existence of a large body of International Humanitarian Law and Human Rights Law is another important part of the moral landscape in which relief agencies make their moral decisions. These international legal instruments often spell out what is right and wrong under law. In their decision making, relief agencies should be increasingly familiar with this body of law and be able to refer to relevant sections of it appropriately and

abide by it wherever possible. Nevertheless, despite its ratification by a majority of states, humanitarian and human rights law is distinguished by a failure of application both locally and internationally. More often than not, relief agencies will therefore find themselves making decisions in a legal vacuum. A primarily lawless environment in which there are few mutually respected and enforced norms is bound to produce more moral dilemmas and tough choices than one in which the rule of law is commonly accepted as providing a basis for what is right and wrong. Any situation in which one party or more is actively failing to meet its obligations under law is bound to expose a third party to more extreme moral choices. The first case scenario (p. 12) is a case in point of this predicament. The fact that the former Rwandan regime and the international community both failed to abide by international law in Eastern Zaire in 1994/5 produced some very hard choices for relief agencies.

Important Characteristics of Moral Dilemmas

Blackburn defines moral dilemmas as: "situations in which each possible course of action breeches some otherwise binding moral principle" (Blackburn, 1994, p.250). In other words, a moral dilemma is a choice between two wrongs. In the face of such a choice, two attitudes are possible. One can become fatalistic about dilemmas and regard them as essentially "no-win" situations in which whatever one does will be wrong, which it inevitably will. Alternatively, one can view dilemmas as more of a challenge, and try to determine the lesser of two evils in any given situation. If a situation is a true moral dilemma, whatever one does will be wrong and should be regretted. But in responding to a moral dilemma it is also possible to do something which, while not right, is perhaps the best thing to do in the circumstances. In the face of moral dilemmas therefore, it is usual to find oneself operating in the extremely uncomfortable moral zone between various wrongs in search of the least worst. Making ethical decisions in such terrible and constricted moral space is bound to be depressing and relief agency staff should expect to find their decisions painful in these areas. Neither are such decisions much better once they are made. The usual sense of relief which comes with making a decision seldom accompanies the resolution of a dilemma. Instead, decisions out of a dilemma will

by nature continue to be troubling rather than liberating.

Moral dilemmas have their origin in moral systems which have a range of fundamental moral principles which can inevitably compete with one another in a particular situation. Moral views which believe in a single golden rule, (like Bentham's utilitarianism, Fletcher's love based situation ethics, or a belief in natural law) encounter few moral dilemmas. For them the right option in any choice is usually clear. In contrast, as Blackburn has observed, "any morality with more than one fundamental principle seems capable of generating dilemmas" (1994, p.250). This characteristic is important because it means that some NGOs will have more moral dilemmas than others, depending on the range and number of their fundamental principles. For example, an organization whose mission is focused on the one main principle of saving life may well have few, if any, moral dilemmas. With a purely humanitarian mission, most of its difficult choices are relatively easily decided in terms of which course of action will save the most lives. At the opposite end of the spectrum, an NGO which has built a mission around a wide variety of basic principles encompassing civil, political and economic rights may find its various principles constantly competing. Organizations which work according to the whole range of human rights face particular problems here. Although in theory such agencies seek to prioritize all types of human rights as first equal (universal and indivisible in the language of human rights advocates), they are frequently faced with situations on the ground which demand that they choose fast between particular rights and so put one principle above another. There is perhaps a rule that the more basic moral principles you have in your mission as an agency, the more moral dilemmas you are likely to face in your practice.

Most relief agencies and relief operations these days can be described as "multi-mandate" because they have a range of values built into their mission statements and objectives (African Rights, 1994). In broad terms, relief agencies seem to have four main competing areas of moral value which can compete with each other in any given situation. The first is the basic humanitarian value, that of preserving *human life* itself. The second is the vast spectrum of values across the economic, social, civil and political spheres known collectively as *human rights*. The third is the principle of *justice* which is the moral measure of fair and equal relationships between individuals

and groups in any society. Finally, there is the value of *staff safety* which, almost in contradiction to the other three, appears to value the particular lives of some people over all other lives. Almost every difficult moral decision in relief work seems to involve the collision of competing demands from these four values.

Different types of agencies engaged in political emergencies often have fundamentally different emphases in the configuration of their core values which mean that some see moral dilemmas where others do not. This is particularly true of conventional relief agencies, human rights organizations and political solidarity groups who have repeatedly clashed over humanitarian ethics. Some human rights agencies and solidarity groups prize freedom, self determination and justice higher than individual life in their own value systems. In this respect they are similar to the combatants themselves who are ready to give up and take life in the pursuit of these wider social values. Such a position can wreak havoc with the humanitarian's moral calculations which work on a scale prioritizing human life rather than human freedom. The fact that humanitarians on the one hand, and human rights and political activists on the other, are constantly arguing an impossible comparison between the apples of human life and the pears of human freedom is the fundamental tension which lies at the heart of many disputes over humanitarian morality. Because this same tension exists within some individuals and within some agencies themselves, ethical debate is even more difficult for some people and some organizations than it would be for strictly humanitarian agencies and their staff.

Is It Really a Moral Dilemma?

The terrible characteristics of moral dilemmas make it very important to be sure that any given choice a relief agency is facing is in fact a genuine moral dilemma. Like most people today, relief agency staff may not always use the phrase in its proper sense. In common parlance, the word dilemma often means nothing more than a difficult decision, a tough choice. Although tough, however, a choice may not necessarily be a genuine moral dilemma. There are perhaps four other types of choice which often masquerade as moral dilemmas. Distinguishing between real moral dilemmas and apparent moral dilemmas is important because while all options involve a wrong action in a real moral dilemma, there is

usually a right course of action in a tough choice. By miscasting a tough choice as a moral dilemma, a relief agency could fail to see that there is in fact a right course of action in a difficult choice and so could fail to take it.

The first type of apparent moral dilemma is a tough choice which wavers on uncertain evidence. Childress (1986) describes such a choice as when "there is some evidence that an act is morally right and obligatory, and some evidence that it is morally wrong" (p.156). However, this choice may not be a genuine moral dilemma if it is possible to gather more information which will swing the evidence one way or the other. In such a situation therefore, and if time and capacity permits, more evidence should be sought before accepting that one faces a genuine moral dilemma.

A second type of tough choice comes about when "the moral reasons for (or against) an act are in conflict with non-moral reasons—such as prudential or political reasons—against (or for) such an act" (Childress, 1986, p.156). As will be seen, these choices hinge on judgements about expediency and competing programme objectives. Commonly arising as choices between speaking out against human rights abuses or continuing to manage relief programmes in silence, this type of tough choice often assails NGO operations. Operational pragmatism and the need to protect staff safety, vulnerable populations or operational freedom often compete as prudential reasons for not doing an obvious good. While such a situation might be a tough choice, it is not strictly a moral dilemma when there is no doubt that there is a morally right course of action involved which could be taken but is not taken for prudential reasons.

The third type of tough choice which can also masquerade as a moral dilemma is, ironically, a choice between two goods. As will be seen from the case studies below, relief agencies have sometimes claimed to face a "moral dilemma" when in fact they have been faced by a tough choice between two goods rather than two wrongs. A choice between two good courses of action is not a moral dilemma in the strict sense. These choices are not necessarily the agonizing no-win decisions they have been made out to be, but are in fact more like win-win choices in which the agency can perhaps technically do no wrong. The challenge of these tough choices between two goods is to determine the greater good, but the lesser good is not by necessity wrong in itself. Such choices may arise in the selection of target

population or in decisions to confine one's mandate to a particular area of work.

Finally, the fourth kind of choice which may appear to be a moral dilemma, but which is not, is the most brutal of all. It has been compared by Blackburn to *Sophie's Choice* in William Styrone's book and film of the same name (Blackburn, p.251). All too common in war and political violence, these choices, like Sophie's Choice, involve horrific options like a mother being forced to chose within seconds which of her children should live and which should die. Such unbearable choices are not true moral dilemmas as the choice is not between competing moral principles. Instead, such choices lie more in the realm of torture. They are thus inaccurately described as moral dilemmas and might be better known as hellish choices. Relief workers may well face such hellish choices in their work, particularly related to the inevitable rationing of supplies in situations which surpass all reasonable attempts at triage. Faced with 100,000 starving people but with food for only 10,000 and no realistic possibility of triage, it is hard to see how morality can play a part in guiding such decisions. These options seem to lie in some amoral zone where moral principles no longer even exist to compete with one another.

With tough and hellish choices able to masquerade as moral dilemmas, it is particularly important that relief agencies are sure when a hard choice is in fact a genuine moral dilemma between two absolute wrongs. A first step for any agency in its ethical analysis, therefore, should be to determine which type of choice it faces. Having clarified this, the agency may then deliberate on the problem, judge its actions and gauge its responsibility accordingly. Without doing so, the tendency might be for agencies to simply label every difficult decision a moral dilemma and so become fatalistic in their programming. Such an approach is morally lazy on the one hand, and makes for bad and irresponsible programming on the other.

Who Is To Blame For a Moral Dilemma?

Moral dilemmas differ in terms of culpability. Sometimes a moral dilemma will be the fault of a relief agency and sometimes it will not. As noted above, one can never do the right thing in a moral dilemma, but can only really hope to do the best thing. Nevertheless, the question of fault still arises. Who is responsible for the evil which results from the eventual choice in any moral dilemma? While one should always regret such evil, should one also take the blame for it?

Most moral philosophers would argue that if a moral dilemma has arisen in a manner beyond my control then, although technically responsible for the outcome, I can in no way be blamed for it and reckoned as guilty. However, if the dilemma has come about or been manufactured through my own doing, then fault and blame can be laid squarely at my door. This question of fault is obviously an important one for relief agencies and should always be part of their ethical analysis and deliberation over their moral dilemmas. If they themselves are the cause of a dilemma, then any hand-ringing on their part is disingenuous. An element of honesty and transparency about agency knowledge, capacity and intention is therefore important in any ethical analysis of difficult programming decisions. What were the agency's intentions? Did it know enough to prevent a moral dilemma? Could it have done anything to prevent it?

Actions, Consequences and Moral Responsibility

The next important step for an agency to take in developing its ethics around moral dilemmas is thus to decide where it stands in the debate about the nature of goodness and the limits of moral responsibility. This debate is essentially the debate between actions and consequences, and about who should take responsibility for what. Since time immemorial, moral philosophy has been divided between those who think that goodness lies mainly in the nature of an action which is right in itself, and those who think instead that an action is only truly right if goodness emerges as an obvious outcome of that action. Some people believe that certain actions are always good in themselves. Others believe that actions are only ever good when their wider consequences are also good.

These two approaches are known by Greek terms as deontological ethics (duty-based ethics) and teleological ethics (goal-based ethics). Deontologists believe some actions are simply good in themselves and so one always has a duty to do them regardless of their consequences. Ethics for them becomes primarily a matter of identifying these intrinsically good actions, and so knowing and doing one's moral duty. For example, as a deontologist I might believe that it is

always good, and therefore my duty, to heal a person's wounds if I can. In contrast, people with a teleological perspective are more concerned with the wider consequences of any action. They believe that all actions must be measured as good or bad by virtue of their wider goal or consequences. As a consequentialist, therefore, I might believe that it is not always good to heal some people's wounds if they then return to battle and kill children. Ethics for consequentialists becomes the complicated and uncertain process of anticipating wider outcomes and holding oneself responsible for events well beyond the present time. For deontologists, ethics is more simply a matter of doing one's duty and of dispersing responsibility more widely to others. At the risk of parody, it could be said that the particular humanitarianism of ICRC represents the deontological position. Recognizing the essential duty to save all human life, it acts accordingly, seeing the consequences of that action as a matter primarily for others to contend with. In contrast, the more broadly based civil, political and economic rights agenda of an NGO arguing against all aid to an authoritarian regime might represent the consequentialist position. Its goals are different and it defines what is good now in relation to what it sees as the best possible outcome in the future.

Within this ethical debate, a relief agency needs to decide where it locates the goodness in its programming. Each agency must decide whether its programmes are good simply because they involve good deeds, or whether they are good only when they produce good consequences at a much wider level. To test an organization's position on this, it might be useful to ask the following two questions: Is the organization secure in the belief that its actions are always good in themselves? Or does the NGO believe it needs to have a sure grasp of the wider consequences of its programmes to be certain of the goodness of its work?

A decision about whether an agency's goodness lies primarily in its particular actions on the one hand, or in their wider consequences on the other, will also determine how much an agency assumes moral responsibility for conditions and events surrounding its programmes. If a food aid NGO takes a minimalist duty-based approach to its work, then it would take moral responsibility only for feeding people well or badly in relation to the nutritional status of its target population. The NGO would not however, take moral responsibility for the wider consequences of such actions which might contribute to the sustenance of vio-

lence and a war economy. It would believe that such consequences depend on the moral choices made by others in the way they choose to use or abuse the NGO's feeding programme. By contrast, another NGO might feel itself responsible for any way in which its feeding programme contributed to the nourishment of fighting forces or the development of military strategy in the area and would feel bound to stop its programme.

Taking a position in this debate about the primacy of good actions or of good consequences, and the subsequent parameters of moral responsibility, is thus an important step for any relief agency in framing its ethical position around moral dilemmas and tough choices. A difficult decision may or may not be a moral dilemma depending on how much an agency feels morally responsible for the wider consequences of its actions. Agreeing upon the precise location of goodness in its programming and the limits of its moral responsibility will enable an agency to set some moral boundaries to its work. This might help to dispel some of the unease which pervades so many organizations at present. But it would be unwise to expect any stand along the spectrum to be particularly comfortable. A minimalist duty-based approach to the ethics of relief programming will invite the wrath of consequentialist critics whose stinging rebukes will harangue such agencies for their naivety and irresponsibility. A more maximalist approach which tries to take account of consequences will be plagued with uncertainty, speculation and endless calculation about possible outcomes, as well as the temptation (to which the western liberal conscience is already too susceptible) to feel personally responsible for every terrible thing that happens in one's theatre of operations.

Factors Affecting Moral Responsibility and Blame

Although a decision about how far an NGO is responsible for the consequences of its actions in the future can be disputed, the field of ethics has always been clear about particular factors which determine whether or not one is acting responsibly in the present. Western moral philosophy has come up with a number of principles of good practice in this area which relief agencies would do well to consider more formally in any ethical analysis of their programming. Such principles involve an analysis of intention, motivation, coercion, knowledge, ignorance, deliberation, capac-

ity, and mitigation. All these factors determine how morally responsible and how culpable an agency is in any given situation. They can be grouped around three main aspects of any agency's action: what drives an agency; what informs an agency; and what empowers an agency. In choosing a particular course of action a relief agency must be prepared to be judged according to these various categories.

What drives an agency are its *intentions* and its *motivation*. An organization's intentions must be good. It must be able to show that it was acting out of the best of intentions in any situation, even if these intentions were not subsequently realized in full. Similarly, it must be able to show that its motives were good. Discerning motives can be complicated. Like most people, most organizations usually have mixed motives for doing things. In relief agencies, such mixed motives often involve instincts like compassion jostling with motives like income, publicity, market presence, inter-agency competition, growth and influence. This mixture of motives can often lead to an agency doing the right thing for the wrong reason—something of which it needs to be aware and which may ultimately have a detrimental effect upon the way it operates on the ground. For example, a health agency which is highly motivated by publicity may tilt its programme more towards the camera than to people's needs, compromising the impact of its health work accordingly.

Malevolent outside influence characterized as *coercion* (by fear or force) can also drive an agency and is usually a reason for diminished responsibility in its decision-making. This drive is important as there is little doubt that relief agencies do sometimes feel coerced by warlords, totalitarian regimes, the media and even by donors and communities. While the reality of such fear or force is usually dismissed, or at least underplayed, by their critics, relief agencies may sometimes have reasonable grounds for pleading an element of coercion in their decision making around moral dilemmas and tough choices.

What informs an agency is also critical, as an agency can only really be deemed fully responsible for a decision on the basis of what it knew when making that decision. Here the key factors are *knowledge* and *ignorance*. An organization must be able to show that it made every effort to garner all possible information relevant to its decision. On this point, moral philosophy distinguishes between *vincible ignorance* and *invincible ignorance*. If an agency did not have all the knowledge

at its disposal when making the decision, it must be judged on whether or not it could have had. If necessary information did e∴ :t and the organization could reasonably have been expected to collect it but did not, then it must be held culpable of vincible ignorance. An ignorance, in other words, which could have been overcome. If however, pressure of time, lack of access to information or lack of information itself made the gathering of sufficient knowledge impossible in the circumstances then an agency must be judged the victim of invincible ignorance—an ignorance which could not have been overcome. Its responsibility is thus much less.

The third area upon which an agency can be judged culpable or not concerns its *capacity*. An agency can only really be held responsible for not doing something if it could have done it but chose not to do it. For example, I might feel terrible about not being able to save a stranger from being beaten up by a gang of ten armed men when I suddenly come upon the final moments of the incident taking place. I might feel terrible that I could not stop his suffering but I would be wrong to feel morally responsible for not stopping it. I simply did not have the means to stop ten armed men in so short a time. Similarly, capacity is also a critical determinant of moral responsibility in relief work. Considerations of an agency's reasonable capacity must, therefore, be factored into the organization's ethical thinking around tough choices and moral dilemmas.

Two other key factors are essential to good practice in moral decision making: *deliberation* and *mitigation*. To be acting responsibly in any situation an organization must be making every effort to deliberate on the matter in hand. In ethics, the verb "to deliberate" implies a serious commitment to the moral question concerned and an applied effort to take counsel, consult, debate and weigh carefully in mind the various aspects of the problem. Without such an approach neither an individual nor an organization can be regarded as giving due seriousness to a moral choice. Deliberation in relief agencies is a complicated process. Often short of time, the process of "due deliberation" is made more difficult when the staff of an international agency is spread across different parts of the globe, frequently preoccupied with other matters, and usually composed of people from a wide cultural mix with different languages and different ethical traditions. Some relief agencies are obviously better than others at ethical deliberation. Feeling uneasy and agonizing about a moral problem is not necessarily the same

9

as deliberating over it. If relief agencies can be criticized in this area, it is most likely to be on the grounds that they mistake unease for deliberation, and that they come from a predominantly activist culture which sometimes values action over deliberation, holding that any action is better than no action, even if that action is sometimes wrong. A more formal commitment to ethical deliberation as part of responsible programme design and management might serve to correct these tendencies.

The other key principle of good ethical practice is that of *mitigation*—an idea well known to the international humanitarian community as it relates to disaster prevention. In matters of morality, mitigation is a must wherever it is possible if a person or organization is to act responsibly by maximizing on whatever good there is, and limiting their culpability. Where possible, an agency should always seek out and apply additional knowledge or capacity (however minimal) to seek to minimize the bad where it cannot stop it completely. This principle of damage limitation is particularly important in tough choices, or in moral dilemmas where one is choosing between two wrongs. Indeed, the existence of a mitigation strategy can become the guiding principle which determines which wrong to choose.

Is There an Organizational Conscience in Relief Agencies?

The above factors offer a potentially systematic and primarily intellectual way for relief agencies to check that they are acting morally responsibly. But, in many emergency situations when time is short and communications difficult, it is worth considering whether some form of organizational conscience might be able to act in place of more rigorous deliberation. Is it possible that some relief agencies are cohesive enough in their inner values to make some urgent moral judgements spontaneously? Might field workers at the sharp end of a moral problem be able to claim that they are somehow acting on the conscience of the organization as a whole without requiring that the organization intellectualize the implications first? If I am working for the Red Cross or for Save the Children, am I likely to know the moral mind of that organization and act accordingly? Or is it more appropriate for the organization to defer to my own personal conscience at such times when more consultative deliberation is not possible?

St. Thomas Aquinas' famous definition of conscience is "the mind of man making moral judgements". In the Christian tradition a person has an obligation to educate his or her conscience so that it proves increasingly alert and increasingly discerning. It seems clear that organizations have a similar obligation to educate their moral faculty. The active presence of a more developed organizational conscience would certainly improve relief agency programming and morale. If by more concerted deliberation, education and practice the moral mind of an organization could be developed, the vague moral unease which pervades most relief agencies today could be sharpened into the prick of conscience—a sensation more easily recognized and less easily ignored.

The notion of a corporate conscience is emerging from the field of business ethics. There is a growing belief that if businesses are ethical organizations they should somehow be able to sense when the company is doing wrong. Writing about two "corporate disasters" (Piper Alpha and Blue Arrow), Welby (1992, p.24) argues that "the ethos of the company is the source of its character and the home of its conscience". He believes that if the conscience of the companies concerned in his case studies had been more developed, these two disasters might have been prevented. Having occurred, he finds the company as a whole morally accountable for what took place. The same might be said for relief agencies. It is surely the responsibility of senior managers to ensure that their organization has a moral ethos and that their staff have the ethical skills and good knowledge of precedent with which to make and justify their moral decisions.

Moral Role Models

But conscience is not simply developed by education and frequent exposure to moral problem-solving. It is perhaps developed above all by example. Most of us make moral decisions in the light of what we think our moral role models might do in a similar situation[1]. We therefore often act with reference to the morality of virtuous people who have become examples to us. If this is

---

[1] I am grateful to Professor Carl Reinold Bråkenhielm at the Theology Department of Uppsala University for setting me thinking along the line of moral role models.

so, it becomes important for relief agencies to have a sense of virtuous people from whom they can gain inspiration. Such people may be NGO founders, religious figures or colleagues, but more immediately they may be individuals from amongst the very people they are seeking to help.

There is no doubt that many relief agencies are finding it hard to find moral inspiration from traditional humanitarian figures. Usually western, always outsiders and frequently from an imperialist past, such figures seem anachronistic in today's world and today's emergencies. The European tradition of humanitarianism still draws heavily on nineteenth century role models like Florence Nightingale and Henri Dunant—principled outsiders who intervened to hold the flame of humanity aloft while those around them had thrown it to the wind. But even the international media is beginning to tire of the conventional disaster narrative which presents the outsider western relief worker as moral hero. In contrast, development thinking has come to recognize its moral role models as "insiders". Development's virtuous people tend to be part of the society in question, and so live its crisis and experience it from within. People like Chico Mendes the Brazilian rubber tapper and peasant leader who campaigned against commercial logging, mining and ranching in the Brazilian forests. In El Salvador the figure of Archbishop Romero and his stance against the political violence which eventually claimed him as one of its victims gave a moral lead to millions. Others like the Guatemalan Nobel laureate Rigoberta Menchu and South Africans like Steve Biko all stand out as striking moral icons for development workers concerned with the struggle for peace and just development.

But celebrity is not a precondition of moral example. Most virtuous people are relatively anonymous and never attract the world's attention. Their virtue will usually not find public expression in speeches, sermons and campaigns. Instead it may be made manifest slowly and painfully in the patient endurance of a lifetime. Alternatively, theirs may be the extraordinary virtue of a moment: the right deed done or the right word spoken at the right time and in such a way as to make a deep impression on the moral sense of those concerned. While the moral imagination of most international relief workers is still primarily conditioned by the traditional western humanitarian role model of the heroic intervenor, the great majority do also speak of encounters with impressive moral role models from inside the emergency. This suggests that the most relevant morality in an emergency is that which shines forth from within the suffering of a person or a people. A more fruitful search for moral examples might be better made therefore, within the suffering community itself. As in development, so too in relief, most agencies may discover that there are important moral role models under their very noses amongst the people they call beneficiaries. The moral experience of such people will usually have much more relevance than that of an outsider. Here might be the person or persons who could provide the moral lead. The example of their conduct, their convictions, their understanding, their suffering and their hope may well provide the basis for a moral vision for an agency's actions.

Whereas relief agencies have often felt it their responsibility to bring a moral lead to any given emergency situation, they might instead be wise to take their moral cue from those suffering and surviving that situation. This does seem to happen at a personal level and also needs to do so at a corporate level. Many individual aid workers do indeed carry with them the memory of the suffering and moral courage of a particular person or incident which sustains their own personal conviction as a relief worker. Perhaps agencies might draw on such moral examples more deliberately and collectively as part of their effort to shape their corporate moral vision and hone their organizational conscience. The moral role models which agencies need are likely to be right there in front of them in their clinics, their staff, their partners, and in the long queues for their food rations. The challenge is to see how international organizations as a whole can be more coherently inspired by them.

Some Case Studies

The first part of this paper has sought to stake out some of the general characteristics of the many difficult moral choices faced by relief agencies today. It has also tried to introduce some general moral principles around the notions of moral action and moral responsibility which could guide the ethical analysis of relief agencies. The next section of the paper will now examine some specific examples of moral decision-making in action in emergency settings. It will then seek to argue a moral position from each scenario in order to illustrate a process of ethical deliberation around humanitarian problems. While the examples are gathered from particular cases, the arguments for each particular case are my own and are obviously open to dispute.

Strategic and Tactical Ethics

In general, relief workers are faced with two levels of moral decision-making in today's emergencies. The first level is strategic and concerns pro-, gramme-wide decisions. These decisions concern whether or not an agency should be involved in a given situation. The second level is more tactical and personal, and concerns how agencies and their staff should operate once they are involved. The first two scenarios in this section are examples of programme-wide strategic ethics. The second two relate to more tactical ethics.

Scenario One: The Ethics of Aid Without Justice

In the massive relief operation to mainly Hutu refugees in Eastern Zaire in 1994, many relief workers had serious reservations about the morality of their role as providers of relief supplies to a population which still contained large numbers of people who had perpetrated genocide to various degrees and had not yet been brought to justice. By providing humanitarian assistance, many relief agencies felt that they were inevitably contributing to the longer term political strategies of a genocidal regime now operating in exile. It could be argued that this genocidal regime, which still dominated the refugee camps, had orchestrated the flight of more than a million people in order to maintain a large and captive political support base

and were content to use asylum as a means of recovery and renewed violence. In addition, because of the widespread popular participation in the genocide, relief agencies knew that they were likely to be employing, sustaining and allying themselves with perpetrators of genocide. In short, relief agencies were concerned with one main strategic moral question: how far would relief agencies be to blame if the genocidal Hutu regime did use asylum and humanitarian assistance to regroup and commit further violence?

Possible Response: An Argument against Relief Agency Culpability
An ethical analysis of this question indicates that relief agencies could not be held responsible for any future violence committed by the Hutu regime. The main cause of renewed violence by a recuperated Hutu regime must be the deliberate moral choices made, and the subsequent actions undertaken, by the regime itself. Ultimate blame lies with them and not with the relief agencies who had fed them. Once recuperated, this regime could choose peaceful means to continue its political strategy. Any choice to use violence lies with the regime itself and is not determined directly by relief supplies. Likewise any decision to force the wider population to stay in the Zaire camps rather than return is also a policy chosen and effected by the regime. The presence and manipulation of a massive relief effort makes that policy easier to enforce but it does not in itself cause that policy.

As is often the case in an analysis of consequences, it is important to distinguish between correlation and causation when assessing the outcomes of moral actions. There was certainly a correlation between the availability of humanitarian assistance and the regime's policies but this relationship was not necessarily causative. Humanitarian assistance perhaps enabled the regime to pursue that policy more easily once it had been chosen, but it did not cause the regime to choose it. To have withheld humanitarian assistance in the hope that the regime might not be able to regroup and might not choose violence again would have meant working on the principle of "doing evil that good may come"—a principle which has consistently been objected to in Christian moral theology and which would make

12

an absurdity of the humanitarian mandate of relief agencies and NGOs.

The question of relief agency morality in Eastern Zaire cannot be answered in isolation from an analysis of the actions of other responsible actors in the international arena during and after the genocide. The United Nations and its member states are particularly mandated by international law to respond to genocide by the UN Convention on the Prevention and Punishment of Genocide. Essentially, they failed to do so and provided an "aid only" response to the crisis without the requisite judicial response. Their failure left a notable moral vacuum on the ground in the refugee camps where alleged perpetrators should have been sought out, denied refugee status and brought to justice. But the failure of international politicians should not mean that relief agencies, as those closest to the situation, somehow inherit moral responsibility for administering international justice, and in not doing so become tainted with the failure of other parts of the international system.

Alongside the Hutu politicians, international politicians must share moral responsibility for creating a situation where the perpetrators of genocide walked freely with the power to manipulate relief supplies and regroup for further strategies of violence. Their lack of action appears culpable, allowing a genocidal regime to remain in power over people, so leaving it free to make the kind of moral choices which could pursue violence once again. The only mitigation the international community could plead in its defence is that of a lack of capacity. To be acquitted of responsibility it would have to show that it had no real prospect of implementing the kind of justice programme required to respond to the genocide by charging and trying people in the refugee camps. For their part, it can be claimed that most relief agencies did all they could to mitigate against the lack of justice in the camps by bringing the judicial vacuum to the attention of the world through their advocacy and public information efforts.

Scenario Two: The Ethics of Humanitarian Disengagement

On several occasions during 1996, NGO policy makers questioned the very presence of their relief operations in Burundi. They felt that by continuing to respond with relief to the ever increasing pattern of violence and counter-violence in the country, their aid

was sustaining a violent status quo. One view held that international aid was providing some sort of palliative effect which allowed the violence to continue escalating just as long as it was continuing to be patched up. The proposition was made that it might somehow be more ethical to withdraw international aid from Burundi. Having done this, it was argued that the violence would soon become intolerable and open war might make for a much faster resolution to the violence with less lives lost than in the present creeping death by a thousand cuts which the country was enduring.

Similar positions to this have been consistently argued in the past about other long-term violent conflicts, most notably in the Nigerian Civil War over Biafra in the late 1960s, in Ethiopia in the 1980s and more recently in Bosnia. Such a position essentially argues the moral case for humanitarian disengagement on the basis that in such situations humanitarian aid unquestionably does more harm than good by sustaining ruthless and tyrannical regimes, however inadvertently. This position is usually argued at some point in every violent political conflict. It might be called the catharsis position and frequently emerges from justifiably frustrated and demoralized relief workers, journalists and human rights campaigners or from solidarity groups who see any support to violent regimes as tantamount to an alliance. It involves a feeling that some grand humanitarian disengagement and some pure use of just force will cleanse the logjam of violence in a given country.

Possible Response: Arguing Against Disengagement

Considered ethical analysis of such a position usually reveals that the catharsis position is not viable, not least because it requires an extremely powerful and accurate crystal ball, and a guarantee of capacity which is seldom available in the short term. While one strand of the catharsis position usually calls upon just use of force as its purgative instrument, another form of this position calls simply for isolation on the assumption that by denying violence any kind of resources it will eventually burn itself out. From his experience in Bosnia, Rose has criticized this variant of the catharsis position as the "Yellowstone National Park approach" (Rose, 1995). He argues that by comparing human political violence to forest fires, those in favour of humanitarian disengagement make a serious moral mistake. It may be wise (and even good for the forest every now and again) to cordon off a raging forest fire and let it burn itself out. However, human morality and botanical science are not interchangeable

systems. Human violence usually finds some form of sustenance in the short and medium term and can rage with immense suffering for many years while supposedly isolated.

To make this choice into a moral dilemma rather than a tough choice, there would have to be clear evidence that current humanitarian aid is the main cause of escalating violence by both sides. Relief agencies would have to be certain that their work was directly linked to the pattern of violence. Even if this could be established, a mitigation strategy which minimalized this link while also continuing to provide needed aid would be a first choice to be explored before disengagement. The evidence of the immediate effect of good actions which provide health care, shelter and income support to particular families would have to be outweighed by evidence to suggest that disengagement could end the violence at less cost. Such evidence would be difficult to establish, not least because it would have to assess how many people would prefer to be dead than living under the rule of their enemy. It would have to weigh the trade-off between life for oneself and freedom for one's people. To make the case for disengagement therefore, is to take a determinedly consequentialist position which rests on speculation to a high degree. To be sure of such a case requires an extraordinary level of knowledge about people's real priorities, and great confidence in one's predictions.

To make the case for total humanitarian disengagement, therefore, one would have to be sure of the consequences. One would have to know for certain that with disengagement fewer people would be killed than without disengagement, or that people would be content to be killed in the struggle for a just peace. In other words, one would have to be sure that "the violence of non-intervention" (as Chopra has called it) and the violence of just force would be less than the present violence and its exploitation of humanitarian action. One would have to know that the result of any just use of force would be a certain victory for the forces of justice rather than evil, and that a just peace would be established. One would have to know that such force as was necessary would be made available to the forces of justice. One would also have to know for certain that the current humanitarian engagement in Burundi was primarily sustaining rather than undermining the forces of violence. And all these things are difficult to know.

To make a responsible moral case for humanitarian disengagement in war therefore, requires a certainty of knowledge, foresight and capacity which are seldom available to relief agencies. Without these preconditions, it would be morally irresponsible to disengage if it was still possible to make some good impact upon the suffering involved and if humanitarian action was not the main cause of escalating violence.

Scenario Three: Truth-Telling Versus Humanitarian Aid

During the famine in Ethiopia in the mid-1980s, the Ethiopian government pursued an insufficiently resourced and frequently coercive programme of depopulation and resettlement from the famine prone regions of the north to the less populated regions of the south. During the programme, populations gathered in famine camps were frequently targeted for resettlement. They were forcibly rounded up and transported to the south of the country, sometimes in commandeered NGO trucks. Such coercion involved deaths, physical injury and family separation, while the long journey and its poorly equipped transit camps frequently caused ill health. Several NGOs and human rights groups had already expressed concern at the lack of facilities in the new resettlement areas in the south, many of which were reckoned to be ill-prepared and malaria prone. However, some NGOs were working in the resettlement areas in an effort to "humanize" the programme.

On several occasions force was used to round up inhabitants at the famine camp in Korem by night and load them into trucks for immediate transport south. Two international relief agencies, Medicins Sans Frontieres (MSF) and Save the Children Fund (SCF), had relief programmes in Korem. MSF was running adult health and feeding programmes while SCF was managing child health, child feeding programmes and family ration distribution to the surrounding villages. In late 1985, MSF gained first hand evidence from its French and Ethiopian staff of incidents of forced resettlement from Korem which allegedly involved the coercion and death of people dependent on the camp's humanitarian aid. SCF had no such first hand information.

MSF decided to speak out about these violations of human rights and gave statements to the international media. After warnings from the Ethiopian Government, MSF continued to report abuses in the resettlement programme and were then expelled from the country, having to abandon their various emergency health programmes throughout the country within 24 hours. In contrast, SCF did not go public on these violations and made no public statement to the

14

international media from Ethiopia. They remained in Korem and took over responsibility for MSF's health programmes with the Ethiopian Ministry of Health. The main ethical question arising from this episode could be summarized as follows: is the silence of relief and development NGOs morally culpable in the face of grave abuses of human rights?

Possible Response: Arguing That Both Agencies Were Right

Reaching an ethical position on this scenario means grasping the nettle of the notorious trade-off between the need to speak the truth and the need to have freedom of operation in a given emergency. The trade-off is well put by Tomasevsky (1994): "the silence of relief agencies about human rights violations they unavoidably witness is explained as a condition of providing material assistance to the needy population". Nevertheless, to human rights lawyers like Tomasevsky and to human rights activists like African Rights, such a trade-off seems immoral more often than not. Referring to the resettlement abuses in Ethiopia and to subsequent incidents in Korem in particular, African Rights have condemned the silence of NGOs and their "connivance" in a UN led cover up which refused to expose the human rights abuses of the Ethiopian government and its manipulation of relief supplies for strategic military purposes (African Rights, 1994, p.11). African Rights seems to have no doubt that every NGO should have spoken out against these abuses.

It can be argued that the choice which the two NGOs faced in this situation was not strictly a moral dilemma. Their choice was not between two wrongs. Instead, it was a tough choice between two goods. The case is interesting therefore, because each NGO took a different course of action and it can be argued that both were right. Both NGOs had the choice of either continuing to do the good which they were doing as relief agencies, or of doing good by exposing human rights abuses. The key question is whether or not a greater good, as opposed to just a different good, existed between the two alternative courses of action. Was it better to report the human rights abuses of thousands of people or to provide relief to thousands of people, particularly when reporting the abuses might mean the end to the relief operations?

Deliberating on this point to discern if there was a greater good, meant exploring the consequences of either course of action. While reporting the human rights abuses would be a good

action in itself, it would have costs. Criticism of the government might well mean expulsion and an end to the health programme. But similarly, silence would have its costs. As a potential act of omission it could collude in the abuse of people's human rights and, at a very different level, it could also threaten the moral integrity of relief workers who were keeping silent against the promptings of their own consciences.

It seems possible that both agencies were right therefore, but could only argue this with confidence if they also considered and applied some mitigation strategies which would counter the down-sides of their different positions. It can be argued that both agencies were in a position to mitigate against the worst aspect of their respective actions. For their part, MSF could make arrangements (albeit hastily) for other agencies to take on responsibility for their health programmes if their truth-telling lead to their expulsion. This would mean that while risking expulsion, they were by no means endangering the whole of their health programmes. SCF, for their part, could be sure that because MSF were speaking out, the silence about these human rights abuses would be broken and would not be universal. The moral burden to speak out was not on SCF alone and the fact that others had chosen to do so, and had done so with effect, mitigated against SCF's own silence under the circumstances. The fact that SCF then supported Ministry of Health efforts to take over MSF health programmes further mitigated against the potential negligence of their silence. SCF also engaged in private truth-telling at a diplomatic level with the intention of pressurising more powerful members of the international community into demanding and end to the resettlement programme.

Although deliberation on this scenario has the usual benefits of hindsight, it does perhaps indicate a potential principle in ethical good practice in the international humanitarian arena: the division of responsibility between different types of agencies over different types of good. Human rights agencies are particularly wont to castigate relief agencies for not being more vocally critical of human rights abuses in the civil and political spheres. But surely it is better if human rights agencies specializing in civil and political rights make the running in advocacy on this area. They can of course be fed information by relief agencies, but it is human rights agencies which should be first over the parapet in such situations. The relatively transient and spasmodic presence of human rights agencies in most political emergen-

cies is obviously a problem with such an approach. In some cases, of course, the critical timing involved will not permit the inevitable delay of "laundering" information through human rights agencies. In such cases, the relief agencies on the ground will have to decide whether to speak or not as in the above scenario. However, a more strategic form of alliance and cooperation between relief agencies and human rights agencies does need to be developed to ensure that each type of agency can play to its strengths in achieving their different and respective goods.

Scenario Four: The Ethics of Contributing to a War Economy

In most emergencies which have their roots in political violence, relief agencies face hard choices about the extent to which their aid plays into the war economy as another resource to fight with or fight over. Relief operations in Bosnia, South Sudan, Somalia and elsewhere have all been sucked into the dynamics of violence in these societies. In all these emergencies relief agencies have faced similar ethical problems about the ambiguous role of aid in the political economy of war. There are perhaps six ways in which aid supplies (whether it is food, materials, vehicles, communication equipment or salaries) are typically played into the political economy of violence by politicians and military leaders.

First, people may be starved and attacked while aid is deliberately withheld from them by the faction or government which is attacking them. Secondly, people may be deliberately starved or attacked to lure aid into the area, only for it to be commandeered or manipulated by those responsible for the initial attack. Thirdly, people can be deliberately attacked, displaced and forced towards a particular area in the knowledge that the relief community will care for them once they arrive. Ethnic cleansing in Former Yugoslavia is perhaps the example par excellence of this strategy which is also common in all other wars. Fourthly, relief supplies can quite simply be raided and stolen by military forces as a vital resource in an ongoing war. Fifthly, a military "levy" on all relief goods can simply be extracted by local military units by force (e.g.. 20% of every convoy) without which a relief agency will not be permitted to operate in a given area. This levy is then used directly for the support of military forces in the area. Lastly, systems of "protection" (more accurately called extortion) are set up in which local military units will demand large payments in cash from relief agencies to ensure the safety of relief supplies from attack by rival factions, but with equal threats of its own if such protection is not taken up. Such payments obviously involve relief agencies in the direct maintenance of standing armies and militias.

Possible Response: Setting The Proper Limits to Dirty Hands

These six politico-military strategies are the norm in all political emergencies and war, and it is extremely likely that any relief agency involved in such emergencies will be drawn into one or more of these strategies at some point. Such is the reality of working in an imperfect world and within the context of other people's moral choices in favour of violence. Engaging with any one of these strategies involves some very hard choices, and here above all, relief workers find themselves face to face with genuine moral dilemmas: the choice between two wrongs.

It is here, in the nuts and bolts of relief programming, where the relief worker dines with the devil and inevitably becomes entangled in some very unholy alliances. More often than not, such diabolical dinners take place at check points, fuel depots, warehouses or in the offices of warlords and government officers. Sometimes such dining may not be so metaphorical. Not surprisingly, relief workers are often literally wined and dined by men of violence from all sides. One of the first lessons relief workers have to learn is how *not* to reconcile the frequent personal charm of those giving or obeying violent orders with the ruthless horror of those orders. Dealing with such people and their policies is about living in the grimy, airless and constricted space of moral dilemmas. It is about recognizing that one also has dirty hands and very little room for manoeuvre, but it is also about looking for ways of mitigating against what is inevitably wrong and setting a "moral bottom-line" (de Waal, 1993). Such a bottom-line has to decide what is an acceptable trade-off between ends and means. It also has to decide if and when it begins to value staff safety over programme objectives and the rights of target populations.

These are extremely difficult trade-offs to determine. Operating in this space involves an element of moral pragmatism. This has been disparagingly termed as "fieldcraft" by African Rights, something which they define as "making compromises with the authorities for the greater good...a certain degree of tolerance of corruption and extortion" (African Rights 1994, p.25). Distasteful as it may be, such fieldcraft is the reality for most agencies and indeed for most people operating or living under brutal regimes. But de

Waal (1993) is right to argue for a moral bottom-line which goes beyond the question of staff safety. And reaching agreement on where the line is to be drawn can be made easier by following some of the ethical guidelines outlined above. Primary effort should always go into resisting the abuse of aid by the powerful and the violent. But if this seems impossible, serious ethical deliberation should seek to identify where the line is drawn. An agency should do all it can to enhance its knowledge of the implications of playing into the war economy. What happens to any resources its fieldcraft might transfer to the powerful and the violent? What would be the implications to those it seeks to help if its aid is withdrawn or repackaged in less fungible forms?

In all such deliberations an agency should seek to consult as widely as possible with the people it feels responsibility towards. Such people will be its target population at one level and its donors at another. Both these groups also have moral responsibility in this situation and need to be consulted. Finally, such fieldcraft always runs the particular risk of being a slippery slope. An agency must weigh up the risk of escalation which any instance of fieldcraft might encourage: if it is 10 sacks today, how many will it be tomorrow? Serious calculations must be made therefore about the power which any single moral compromise might have as precedent, to the detriment of the agency concerned and other agencies in the area.

Conclusion

This paper has attempted to set out the particular challenges of moral dilemmas and tough moral choices which are being faced by relief agencies today. It has also attempted to identify potential principles of good practice for relief agencies in their efforts to develop formal ethical analysis as a more central and rigorous part of their relief programming in political emergencies and wars. It started with a reference to the poet Keats and to his idea of negative capability. Humanitarian aid obviously does have a dark side. Misapplied or not, the provision of help may well have negative repercussions beyond its original intention. The challenge for relief agencies is to determine the proper limits of their moral responsibility for this dark side, and then make all efforts to mitigate against it in their programmes. In his use of the term negative capability, Keats referred to his admiration of that rare artist who does not just create a sense of truth and beauty out of the things in this world which are already positive, like a stunning red rose. Such a "positive capability" is not especially admirable. What is truly the mark of genius is the artist who can engage with the negative side of human life and from it create a work of art which is also truthful and beautiful. While the worlds of poetry and relief work do not often coincide, the true challenge for the relief worker is to develop a negative capability: that ability to be present in the worst of human situations; to be faced with the hardest of choices, and yet still to respect and protect human life in a way which constantly challenges evil without colluding in it. This is no easy task.

References

African Rights (1994) Humanitarianism Un-
bound? Current Dilemmas Facing Multi-
mandate Relief Operations in Political Emer-
gencies, Discussion Paper No.5, African Rights,
London.

Anderson, M (1994) International Assistance and
Conflict: An Exploration of Negative Impacts,
Issue Series No.1, Local Capacities for Peace
Project, Cambridge, USA.

Anderson, M (1996) Do No Harm: Supporting
Local Capacities for Peace Through Aid, Local
Capacities for Peace Project, Cambridge, USA.

Blackburn, S (1996) The Oxford Dictionary of
Philosophy, OUP, Oxford.

Childress, J and J. Macquarrie (1986) The
Dictionary of Christian Ethics, SCM.

Code of Conduct for the International Red Cross
and Red Crescent Movement and the Non-
Governmental Organizations (NGOs) in
Disaster Relief, Geneva, 1994.

de Waal, A (1993) Human Rights, Complex
Emergencies and NGOs, Mimeo for Save the
Children, London.

Keen, D and K. Wilson (1994) Engaging with
Violence: A Reassessment of Relief in Wartime,
in War and Hunger: Rethinking International
Responses to Complex Emergencies, ed.
Macrae and Zwy, Zed Books and Save the
Children, London.

Lewer, N and O. Ramsbotham (1993) Something
Must be Done: Towards and Ethical Frame-
work for Humanitarian Intervention in
International Social Conflict, Peace Research
Report, Department of Peace Studies, Univer-
sity of Bradford, UK.

Macrae, J and A. Zwy (1994) Famine, Complex
Emergencies and International Policy in Africa:
An Overview, in War and Hunger: Rethinking
International Responses to Complex Emer-
gencies, ed. Macrae and Zwy, Zed Books and
Save the Children, London.

McClellan, J (1995) Moral and Ethical Issues,
presentation to the Symposium on the Role of
NGO Emergency Assistance in Promoting
Peace and Reconciliation, Copenhagen, March,
ICVA Humanitarian Affairs Series, No.8,
Geneva.

Minear, L (1995) New Opportunities and
Dilemmas for Independent Agencies, address to
the 75th Anniversary Conference of the
Mennonite Central Committee, Conrad Grebel
College, Waterloo, Ontario, June.

The Mohonk Criteria for Humanitarian Assis-
tance in Complex Emergencies, Program on

Humanitarian Assistance, World Conference
on Religion and Peace, February 1994.

Prendergast, J (1995) Minimizing the Negative
Externalities of Aid: The Ten Commandments,
paper for the US Institute of Peace conference
on Humanitarian Aid and Conflict in Africa.

Providence Principles as cited in Minear, L and T.
Weiss (1995) Mercy Under Fire: War and the
Global Humanitarian Community, Westview.

Rose, M (1995) in the biennial CENDEP Inter-
national Debate at Oxford Brookes University,
November 13th.

Tomasevsky, K (1994) Human Rights and Wars
of Starvation, in War and Hunger: Rethinking
International Responses to Complex Emer-
gencies, ed. Macrae and Zwy, Zed Books and
Save the Children, London.

Van Hoeylandt, P (1995) Ethics of Humanitarian
Intervention: The Case of the UN Operation in
Somalia, MPhil Thesis in the Faculty of Social
Studies, University of Oxford.

Ward, Sister Benedicta (1975) The Sayings of the
Desert Fathers, Mowbrays, London.

Welby, J (1992) Can Companies Sin? Whether,
How and Who in Company Accountability,
Grove Ethical Studies No. 85.

STUDIES ON EMERGENCIES AND DISASTER RELIEF

is a series published by Nordiska Afrikainstitutet in cooperation with Sida.

ABOUT THE AUTHOR

Hugo Slim read Theology at Oxford University and has since worked for Save the Children (UK) in Morocco, Sudan, Ethiopia and the Occupied Territories, and for the United Nations in Ethiopia. Since 1994 he has been Director of the Complex Emergencies Programme and Senior Lecturer in Humanitarian Assistance at the Centre for Development and Emergency Planning (CENDEP) at Brookes University. In 1996 he was made an international adviser to the British Red Cross.