The Ethics of Humanitarian Aid in Conflict Situations

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ALLTIM003

Submitted in partial fulfilment of the requirements for the degree
Master of Philosophy
in Political Philosophy and Social Theory

Faculty of the Humanities
University of Cape Town

April 2013

Contents

Abstract

The plight of people suffering from the violence and deprivation of conflict attracts a great deal of aid. Such aid is often inspired by the thought that we have some responsibility to protect or assist innocent victims of war. However, this humanitarian response is vulnerable to abuse. Combatants can manipulate the supply of aid to achieve their ends, or channel aid to provide their forces with additional food or arms, and so extend the conflict.

This poses a challenge to our obligation to assist victims of conflict: if the aid hurts more than it helps, a reasonable response is to refrain from giving aid. This may not help people in need, but it avoids hurting them further. A better response would be to find another means of helping people trapped by conflict which does not risk making their positions worse.

This dissertation explores a variety of means that might enable us to help victims of conflict, such as redirecting aid, intervening militarily, or enacting sanctions. One promising strategy involves removing or altering certain international rules which have a role in encouraging conflict. Altering these rules requires concerted advocacy and political will, but given sufficient attention, such an approach could shorten or reduce the severity of some conflicts, or curtail their ill effects on civilians.

1 Introduction

The humanitarian response to wars in places such as Somalia, Kosovo and Liberia has generated substantial criticism from both inside and outside aid agencies. After the Rwandan genocide, late-arriving aid workers found themselves protecting people who were responsible for much of the killing during the genocide, along with innocent civilians; the *genocidaires* used refugee camps in what is now the Democratic Republic of the Congo as secure bases from which to strike at their enemies in the Rwandan Patriotic Front army. In Sierra Leone, the media attention given to amputees spurred amputation as a calculated strategy by both sides in the war, bringing inflows of aid that could be exploited by warlords. And in Sudan and Ethiopia, famine relief appears to have been used by corrupt governments to suppress dissent and impoverish parts of their population who did not support their regime.

These failures have inspired a variety of responses. For some, the challenge is to reform the way aid is given in order to address inefficiencies and negative effects that accompany the distribution of aid. For other critics, the danger that humanitarian aid in war zones might end up doing more harm than good is inescapable: an unavoidable result of the dynamics of conflict situations is that any money and resources that are spent can be seized by armed forces and used to fuel the combat.

If the critics of aid are correct, and reform is not a viable option, it suggests that we may do better to abandon vulnerable people in desperate circumstances rather than risk making already-dire situations worse. But while withdrawing aid from people whose lives are at risk—who may have lost their families, their communities and their livelihoods due to violence, and who desperately need assistance—may avoid worsening their situation, it does nothing to help them.

There are important philosophical reasons why it might trouble us to desert victims of war. Most people accept that we have a moral responsibility to help people who are at a heightened risk of death or disability, particularly due to reasons outside their control such as natural disasters, severe systemic poverty, or conflict. People in especially desperate positions, such as those who face the immediate daily risks of war, may have a special claim to assistance; however, if

that assistance risks making their situation worse, we cannot be said to be discharging our duty in a responsible fashion.

In this thesis, I examine a variety of objections to the suggestion that we have a duty to assist people whose lives have been disrupted or threatened by war or violent conflict. I start with an analysis of the extent of the need for assistance, our obligation to assist people in need, and a broad overview of some objections that might motivate against us giving this aid. The work of philosophers Peter Singer and Thomas Pogge help to demonstrate why we have an extensive duty to help such people, and suggest answers to the most obvious objections to such a duty. I then look in more detail at the most powerful objection: that the dynamics of violent conflict pose a special risk when attempting to help victims, and that humanitarian aid can result in greater harm being visited against the very people it is intended to help. I examine a number of possible strategies that have the potential to reduce this risk. In considering the shortcomings of obvious alternatives, I discuss how Pogge's solutions might have a positive influence, allowing us to respond to people in need without worsening their situation. I then explore how these proposals might be enacted, and examine potential problems that these proposals might encounter.

1.1 The extent and limits of foreign aid to victims of conflict

In conflicts of the past 50 years, aid has rarely been withheld from people affected by war: it is estimated that US$1.4 billion was spent assisting over two million refugees from Rwanda in 1994, in the first nine months of the conflict.[1] In the Balkans, the UN High Commission for Refugees, which coordinated humanitarian (as opd to military) aid in the region, spent around US$190 million to help half a million refugees there in the last nine months of 1999,[2] and between 1991 and 2011, US$13 billion in humanitarian and development aid was spent in Soma-

[1] Joint Evaluation of Emergency Assistance to Rwanda, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, volume 3: 'Humanitarian Aid and Effects'. Copenhagen: Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, 1996, ⟨http://www.oecd.org/derec/50189439.pdf⟩, p. 1.

[2] United Nations High Commission for Refugees, *The Kosovo Refugee Crisis: An independent evaluation of UNHCR's emergency preparedness and response*. Geneva: United Nations High Commission for Refugees, February 2000, ⟨http://repository.forcedmigration.org/pdf/?pid=fmo:3644⟩, pp. vi, xvii.

lia.[3] Humanitarian assistance by governments has ranked at about ten percent of total Overseas Development Assistance in recent years,[4] and of the overall humanitarian aid budget of the past ten years (from both governmental and private sources), between 60 and 80 percent has been spent in countries affected by war.[5] Around a quarter of humanitarian assistance comes from private, voluntary sources.[6]

This assistance meets a real need. Mortality due to poverty-related causes (communicable diseases, nutritional deficiencies, and maternal and perinatal conditions) in conflict zones is twice that suffered in areas that are not active war zones, rising from about 14 to 32 percent of all deaths.[7,8]

The extent of humanitarian assistance given by private sources, accompanied as it is by widespread coverage of conflict by prominent news organisations, demonstrates that many relatively affluent people, living in peaceful societies, are aware of the risks to life and livelihood faced by non-combatants in situations of conflict, and that many of these affluent people are sufficiently moved by the plight of innocent victims of conflict to offer help, usually by donating money, material resources, or time.

The reasons that people give for extending help are not always rigorous or consistent with stated goals. Some give out of a sense of compassion for the victims, but may not spend much time ascertaining the specifics of the victims' situation; others use the prominent media coverage of particular conflicts as a marketing tool, donating in order to improve their own public profile. As a result, the aid that is given can be unreliable or useless, or dependent on continued

[3] John Norris and Bronwyn Bruton, *Twenty Years of Collapse and Counting: The Cost of Failure in Somalia*. Washington, D.C.: Center for American Progress, September 2011, ⟨http://www.americanprogress.org/issues/security/report/2011/09/14/10286/twenty-years-of-collapse-and-counting/⟩, p. 1.

[4] Development Initiatives, *Global Humanitarian Assistance Report 2012*. 19 July 2012, ⟨http://issuu.com/developmentinitiatives/docs/gha_report_2012_web_double_/⟩, p. 17.

[5] ibid., p. 4.

[6] ibid., p. 25.

[7] According to the World Health Organization, there were an estimated 15 million deaths in 2008 due to communicable diseases, nutritional deficiencies, and maternal and perinatal conditions, or 27.5% of all deaths. Although these causes are typically associated with poverty, the category includes illnesses that don't specifically target the poor. However, nutritional deficiencies alone accounted for 418 000 deaths. By contrast, there were only 182 000 deaths due to war in 2008, or 0.3% of total deaths. When we separate these figures according to whether the country in which they occurred registered deaths due to war, we see that the broad "communicable disease" category registers twice as many deaths in countries at war (or whose armed forces are active in other countries), among a population that is slightly smaller than that in countries with no war deaths. For nutritional deficiencies, 255 000 deaths occurred in conflict zones, against 163 000 in countries at peace.

[8] World Health Organization, *Global Health Observatory: Cause-Specific Mortality*. Geneva: World Health Organization, 2008, ⟨http://apps.who.int/gho/data/⟩.

media coverage. Aid workers have reported shipments of goods such as left shoes, or discarded household electrical items, which prove to be useless in alleviating suffering or improving the situations of victims. Money given by compassionate people to the victims of a war might be diverted by a large disaster elsewhere.

These issues can reduce the effectiveness of aid that is given, and when considered along with negative unintended consequences and the ways that aid can be manipulated, they raise legitimate questions about whether aid indeed saves lives or whether it hurts more than it helps. A person being asked to contribute to projects that aim to help victims of conflict may ask why he should help someone who lives in a different country, whom he has never met, particularly when he shares no responsibility for the situation that is causing their suffering. Even if we are able to give satisfactory answers to these reasonable questions, such a person might argue that he works hard to earn his money; why should he give it away to other people, who haven't worked to earn that money?

To answer these questions, we can examine arguments that have been proposed around a similar problem: the situation of people whose lives are threatened not by war, but by poverty. Extreme poverty, the type of poverty that threatens lives, affects about 1.4 billion people worldwide, causing millions of early deaths every year.[9] The World Health Organization estimates that out of a sample of a hundred people, nine more will die premature deaths in a lower-middle income country than in a high income country. For every hundred people, 23 more will die early deaths in a low income country than in a high income country.[10] According to UNICEF, nearly seven million children under five died in 2011, the overwhelming majority in poorer regions.[11]

In his 1972 article, "Famine, Affluence and Morality", and in books such as *The Life You Can Save* (2009), Peter Singer proposes that we all have a duty to help such people who live in extreme poverty, in the same way that we would have a duty to wade in and rescue a child drowning in a pond. By giving money, Singer believes, we can save the lives of some people living in extreme poverty.

[9] Peter Singer, *The Life You Can Save: Acting Now to End World Poverty*. London: Picador, 2009, p. 8.

[10] World Health Organization, *Global Health Observatory: Adult Mortality*. Geneva: World Health Organization, 2009, ⟨`http://apps.who.int/gho/data/`⟩.

[11] UNICEF, *Committing to Child Survival: A Promise Renewed*. New York: UNICEF, September 2012, ⟨`http://www.unicef.org/publications/index_65820.html`⟩, p. 7.

1.2 Giving aid to prevent suffering due to poverty

Singer argues that we have a responsibility to help people whose lives are in danger due to their severe poverty: children who die of hunger, for example, from lack of access to vaccinations or basic medical facilities, or because they don't have safe drinking water or reasonable sanitation. In the same way that a passer-by who spots a child drowning in a pond has a moral responsibility to rescue the child, even at the cost of ruining a new pair of shoes or muddying his suit, Singer believes that we have a responsibility to help people whose lives are threatened because of their poverty.

Singer structures his argument by establishing three premises that lead to his conclusion:

> First premise: Suffering and death from lack of food, shelter and medical care are bad.
>
> Second premise: If it is in your power to prevent something bad from happening, without sacrificing anything nearly as important, it is wrong not to do so.
>
> Third premise: By donating to aid agencies, you can prevent suffering and death from lack of food, shelter and medical care, without sacrificing anything nearly as important.
>
> Conclusion: Therefore, if you do not donate to aid agencies, you are doing something wrong.[12]

As Singer points out, the first premise is not controversial. Given that his argument is about poverty, it is important to note that there is not always a direct relationship between poverty and a reduced life expectancy due to lack of food, shelter and medical care. For example, Kerala, a state in southern India, has high levels of poverty but also high life expectancy and low child mortality.[13] When Singer discusses poverty, he is referring not to the type of poverty where one does not own a television or a car, but to the sort of extreme poverty that results in premature death or disability, and the first premise reflects this specific focus.

The fact that the children who are dying of poverty usually do so at a distance, far from the wealthy, means that their plight is easy to overlook, and people who could afford to help such

[12] Singer, *The Life You Can Save*, *op. cit.*, pp. 15–16.
[13] Paul Gomberg, 'The Fallacy of Philanthropy', *Canadian Journal of Philosophy* 32:1, March 2002, p. 39.

people instead spend their money on luxuries. Resources that could be used to reduce poverty do exist: there are thousands of people with a net worth of over a billion U.S. dollars; the super-rich own luxury yachts, private aeroplanes, and homes around the world; even those who are much less well-off than that routinely buy expensive watches and clothes that they do not wear, and waste billions of dollars worth of food. In the same way that we would think poorly of a passer-by who was able to save a drowning person, but chose not to because she didn't want to ruin her clothing or didn't see it as her responsibility, Singer believes that a person who chooses not to spend some portion of his income to help someone in dire need is failing to be a good person.

The second premise may inspire more argument than the first. One may disagree that one has a responsibility to prevent bad things from happening to other people, or question what counts as "nearly as important". Both the second and third premises are vague on what we are obliged to give. The "nearly as important" qualifier allows some scope in deciding what counts as being as valuable as saving a person's life, but Singer expects that few people will consider buying a CD or a T-shirt to be as valuable as saving a life. Of course, a CD or a T-shirt can reasonably be expected to be regarded as substantially less valuable than the life of a child, but a parent might feel differently about the necessity of buying educational toys for his or her own child, as opposed to spending the same money on food for a poor child in a distant country, and Singer does not dispute that items such as educational toys may be too important to a child's development for a parent to consider sacrificing them.

Singer also recognises that people might be less willing to give money if they are asked to give a great deal, and offers two differing suggestions: how much we are morally obliged to give if following his logic in a strict sense, and a more moderate version that he believes will still have a significant effect on poverty. The strict version is a direct logical consequence of Singer's argument: if you spend the money you might have otherwise spent buying a CD on the more valuable goal of helping to feed a child, it makes sense that giving more money can help more children. It follows that you should keep reducing any spending that is not essential, and donating that money to the poor, until you reach a point where if you reduce your spending any further, you will be sacrificing something "nearly as important" as a child's life, such as

education for your own children.[14]

However, Singer recognises that this is an unrealistic goal for most people—and, indeed, if everyone were to follow suit, likely to be unnecessary. Rather than have people reject his argument as overly demanding, he settles on a more moderate version, in which everyone who is "financially comfortable" should give five percent of their annual income and, for the very wealthy, substantially more.[15] Singer reckons that, in addition, the top five percent of earners should give a tenth of their income; people in the top one percent should give 15 percent of their income; and those in the top half a percent of earners should give one-fifth of their income.[16]

The core of the third premise, that by donating to aid agencies you can prevent suffering, prompts a greater objection: even if one accepts that one has a responsibility to prevent suffering and death, it is not clear that donating money to aid agencies will effect that goal. Singer does not claim that it will prevent all suffering, just that donating a relatively small amount might be sufficient, for example, to save the life of a child. On the other hand, the money might not be enough to save someone's life, and could instead be wasted on unnecessary administration or redirected into other projects. The premise gives little guidance about a range of related questions, such as how to choose between different aid groups, each with differing priorities. Efficiency is one metric: if three children are drowning in one pond, and one in another, all other things being equal, we might presume that for Singer it would be better to try and rescue the three children. This may be an objectionable analogy, forcing us to choose between two ghastly alternatives, but it raises questions about efficiency that are important when there are not just four children who should be saved, but hundreds of millions who live in extreme poverty.

1.3 The limitations of individual charity

Aid agencies today face all manner of difficult choices, of which efficiency is only a part. Allowing a donor to choose a child to sponsor increases rates of giving, but the administrative overhead of connecting the child and the sponsor means that the child gets much less help

[14] Singer, *The Life You Can Save, op. cit.*, p. 18.
[15] ibid., p. 152.
[16] ibid., pp. 162–163.

than if the agency were to allocate money to families without ensuring the donor gets a personal response.[17] If the agency were to use the money to support large infrastructure projects, it could help even more children, but might risk losing donors, due to the lack of this personal connection. Presumably, Singer has left the third premise open-ended to allow individuals to select groups that they believe will prevent suffering, choosing projects that reflect particular interests or priorities. However, the real difficulty lies in assessing how effective an aid agency is in alleviating suffering.

Leif Wenar contrasts Singer's approach to aid effectiveness in Singer's original 1972 article on the topic of aid, "Famine, Affluence and Morality", with his approach in his 2009 book. In "Famine, Affluence and Morality", Singer wrote that an expert assessment of the facts about aid was not required, because in 1972 "it was not in dispute that aid was effective."[18] As Singer puts it, "it is [not] disputed that we can do something about [famine], either through orthodox methods of famine relief or through population control or both."[19] By 2009, Singer acknowledges that aid is not as straight-forward as it was once thought to be, and that "working out the likely real-world consequences of aid is often more complicated than we thought.... Whether the complications involve 'Dutch disease', bad institutions, or population growth, they introduce an element of uncertainty into our efforts to provide assistance."[20] As Wenar points out, Singer devotes a quarter of his 2009 book to assessing the facts about aid.

As part of this assessment, Singer relates a handful of anecdotes that demonstrate how effective aid can be, and suggests a number of organisations that he believes provide such aid, or help in finding productive agencies. Singer mentions groups like Charity Navigator in the U.S., and Intelligent Giving in the UK, which report the ratio of administrative overhead to income, but acknowledges that the focus on administrative costs "tells you nothing at all about the impact the charity is having."[21] He cites another organisation, GiveWell, as offering a more data-driven approach to judge the quality of NGOs, but as Wenar indicates, GiveWell uses only

[17] See, for example, Michael Maren, *The Road to Hell: The Ravaging Effects of Foreign Aid and International Charity*. New York: The Free Press, 1997, p. 143.

[18] Leif Wenar, 'Poverty Is No Pond: Challenges for the Affluent', in Patricia Illingworth, Thomas Pogge and Leif Wenar, editors, *Giving Well: The Ethics of Philanthropy*. Oxford: Oxford Univeristy Press, 2011, p. 123.

[19] Peter Singer, 'Famine, Affluence, and Morality', *Philosophy & Public Affairs* 1:3, 1972, p. 242.

[20] Singer, *The Life You Can Save, op. cit.*, p. 124.

[21] ibid., p. 83.

a handful of data points about the agencies it vets to arrive at the judgement. According to the group that Singer points to as GiveWell's top-rated organisation, a distributor of bed nets to combat malaria, the average cost to save a life is $820, taking into account the number of bed nets they distribute; the cost of the project; the likelihood that the nets will be used; and the chance that a bed net will save a life.[22] For Wenar, to say that this reflects the true cost of saving a life is problematic, depending on a limited amount of information, disregarding counterfactuals (if this agency had not distributed a bed net, might another have done so at lower cost?), and ignoring the question of harm—the agency's method of distribution may have in fact reduced the number of bed nets in use; some of the money in the $820 may have been redirected into politicians' pockets in poorly-run countries; or the fact that NGOs were distributing bed nets might have allowed the government to side-step its obligations to its citizens, and perhaps spend the money saved on vanity projects or arms purchases.[23]

As Paul Gomberg points out, there is another limit in the analogy between the situations of the drowning child and that of people suffering from extreme poverty: it doesn't matter to us how the child came to be drowning. Whether he fell or was pushed, we are still required to effect a rescue. But it may be relevant how people came to be poor: it may affect how we carry out a rescue, and according to some views, whether we have a responsibility to help at all.[24] The consequences of rescuing a drowning child are also reasonably easy to forecast: no matter the harm done to the child, he is alive where, had he not been rescued, he would have drowned. By contrast, the consequences of providing aid to the poor are hard to judge.

The consequentialist basis of Singer's argument implies that we have a duty to alleviate poverty in a sustainable fashion. The difficulty of determining whether aid does indeed alleviate suffering suggests that approaches to aid other than, or complementary to, the individual charity that Singer advocates, might offer better results. As Gomberg puts it, "*Chronic* and *pervasive* problems—because they are chronic and pervasive—cannot be intelligently addressed without discovering their causes and assessing which practical approaches best address them."[25] When Singer first laid out his argument in 1972, it was widely accepted that low levels of development

[22] ibid., pp. 88–89.
[23] Wenar, *op. cit.*, pp. 125–126.
[24] Gomberg, *op. cit.*, pp. 36–37.
[25] ibid., p. 47 (emphasis original).

were due to "missing money"—lack of financial resources led to poor infrastructure that handicapped poor societies—and Singer's suggestion of donating non-essential income implies that remedying the shortage of funds available to the poor is an essential element in any effort to reduce poverty, but development scholars and analysts are now inclined to believe that bad or missing institutions bear a larger part of the blame for the problems of development.[26]

For Gomberg, focussing on private charity and philanthropy distracts us; it "short-circuits the deepest political analyses of the causes of poverty. It causes us to take for granted the context of social relations that *create* poverty and inequality."[27] Similarly, Andrew Kuper believes that "[c]haritable donation sometimes helps—and sometimes harms—but is no general solution to global poverty, and can be positively dangerous when presented as such."[28] Kuper argues that Singer's prescriptions, giving up luxuries like foreign vacations or consumer goods, are not always useful: in South Africa, "manufacturing exports, tourism, and other service industries are among the few successful mechanisms that have kept people from falling further into grinding poverty."[29]

Characterising spending on luxuries as wasteful misses the fact that the market in luxury goods does affect the lives of poor people. It is not always a beneficial effect, to be sure, but a simple view of charity as poverty relief neglects the many ways in which poverty fits into, and is perpetuated by, features of the global system. At best, it misses many productive avenues for improving the lives of the poor, and at worst, it allows the wealthy to congratulate themselves on their social conscience even as the system of which they are beneficiaries forces more people into poverty.

Singer's analogy of the drowning child has proved controversial among a variety of thinkers, becoming something of a distraction from the three premises that form the philosophical undergirding of his argument as each investigates some or other important way in which the analogy deviates from real-world examples. Nonetheless, it is useful as a thought experiment; Anthony

[26] Clark C. Gibson et al., *The Samaritan's Dilemma: The Political Economy of Development Aid*. New York: Oxford University Press, 2005, p. 14.

[27] Gomberg, *op. cit.*, p. 64 (emphasis original).

[28] Andrew Kuper, 'Facts, Theories, and Hard Choices: Reply to Peter Singer', *Ethics & International Affairs* 16:1, 2002, p. 125.

[29] Andrew Kuper, 'More Than Charity: Cosmopolitan Alternatives to the "Singer Solution"', *Ethics & International Affairs* 16:1, 2002, p. 112.

J. Langlois poses his objection to individual charity by reframing the analogy in a compelling manner: the passing rescuer, having saved the child, then gathers together a group to watch the pond, and eventually to fence or fill in the pond, and other ponds like it, to lessen the danger to other children.[30]

If a number of children were to fall into the same pond, this would certainly suggest that neighbouring people and the local authority had failed the stricken children, ignoring a known problem that ultimately led to their endangerment and possibly death. In the same way, Langlois suggests that there are other reasons to be critical of the approach of individual charity: because there is no guarantee that aid that is available in one year will be available the following year, it may be difficult to create sustainable projects, and because the choice to donate is left to the individual, there is no way to be sure that the projects with the best outcomes are the ones that are funded. The poor are not entitled as a matter of law to receive aid, so it is left to the donors to decide which organisations to favour. The result, Langlois says, is that aid projects "are often inappropriately structured and fail to be of sufficient size or duration to adequately address the problem of global poverty."[31] And in some situations, aid can exacerbate the situation of the poor, encouraging or worsening dynamics that deprive people of their livelihoods or opportunities to improve their position.

Singer recommends donating to aid agencies as the best means of alleviating poverty, but presumably would commend any strategy that meets his basic goals, of "saving lives, reducing misery, and meeting people's basic needs."[32] One such approach is to propose that, in addition to having a positive duty to assist vulnerable people, as Singer argues, we have a negative duty: not to impose international rules that hurt the poor (along with a concomitant positive duty to remove existing rules that hurt the poor). Like Singer, Thomas Pogge argues for a duty to the poor, but rather than suggesting that we have a duty to help extremely poor people solely in order to minimise human suffering, he believes that the poor are victims of an unjust system that benefits the well-off. As a result, the wealthy have a duty to reform, or at least not to support, the international rules that he suggests cause much of that poverty.

[30] Anthony J. Langlois, 'Charity and Justice in Global Poverty Relief', *Australian Journal of Political Science* 43:4, December 2008, p. 687.
[31] ibid., p. 686.
[32] Singer, *The Life You Can Save, op. cit.*, p. 114.

1.4 Pogge's argument for social justice

Thomas Pogge argues that the current global system, designed according to the domestic interests of powerful states rather than the needs of all people, and emphasising relations between states rather than between their people, qualifies as a human rights abuse due to the harm it visits upon vulnerable people. For Pogge, "There are feasible alternative designs of the global institutional order, feasible alternative paths of globalization, under which this catastrophe would have been largely avoided."[33] He uses the example of relatively recent reforms, the OECD Anti-Bribery Convention, enacted in 1999, (along with the 2000 UN Convention Against Corruption) to show one of the ways in which international institutions affect the poor. Prior to the passage of the convention, most developed countries allowed firms operating out of those countries to deduct bribes made to foreign officials from their taxes, "providing financial incentives and moral support for the practice of bribing politicians and officials in poor countries."[34] This allowed companies pursuing public contracts in poor countries to skew the awarding of such contracts, increasing their profits at the minor, tax-deductible cost of a few bribes, and diverting official attention from the quality of the received goods.

The policies of powerful governments and international institutions can have a serious effect on the lives of poor people, working to protect the positions of powerful countries and satisfy their domestic constituencies, at the expense of people who live in poorer, less influential countries. As Pogge points out, tens of thousands of people die every day, and millions every year, from poor nutrition, and lack of access to clean water, medical care, shelter or sanitation.[35] When one considers these deaths to be a result of global rules, as Pogge does, those rules violate human rights, at a minimum the right to "life, liberty, and the security of person."[36]

According to the logic of many of these institutions, however, these rules are legitimate because they were agreed to by the rulers of the poorer, less influential nations; poorer countries must therefore abide by the result. However, if proposed alternatives were even more harmful, one might argue that this consent is illegitimate and therefore non-binding. For example, a

[33] Thomas Pogge, *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric*. Cambridge: Polity Press, 2010, p. 50.
[34] ibid., p. 46.
[35] ibid., p. 31.
[36] United Nations, 'Universal Declaration of Human Rights', 1948, ⟨`http://www.un.org/en/documents/udhr/`⟩.

poor country might accept World Trade Organization rules because, although the WTO rules are prejudicial to its trading interests, failure to agree to these rules would make trade even more difficult, and generate even less income for the country.

Even if it were not the case that alternatives such as not signing global agreements were more damaging than acceding to unfair rules, the fact that these rules work to violate human rights means that the argument for consent fails, just as, if a person gave their consent to be sold into slavery, it would not legitimate the enslavement. As Pogge points out, "on the usual understanding of moral and legal human rights, they are inalienable and thus cannot be waived by consent."[37]

A second objection holds that all countries, rich or poor, have a primary responsibility to their own people, not to the citizens of other countries, or to some notion of global justice. But if we consider the anti-bribery case, we can see the shortcoming of this objection. For states that punish the bribing of their own officials, facilitating the bribing of officials from other countries, and then sheltering the responsible parties and rewarding them with tax deductions, establishes a double standard that runs contrary to the spirit of that state's own laws. Parents who want their children to have access to good educational opportunities are not allowed to sabotage other children in order to achieve the best chances for their own children. And just as citizens of a country cannot kill foreigners for financial gain, a country's government should not create international rules that favour domestic constituencies if, in doing so, they threaten the lives of vulnerable people in other countries. As Pogge puts it, "partiality [to one's own citizens] is legitimate only in the context of a 'level playing field'."[38]

For Pogge, the result is a situation where, when people die of preventable illnesses and poor nutrition as a result of rules that prejudice their chances of living a decent life, their rights are violated. "It is not the *gravest* human-rights violation… because those who commit it do not intend the death and suffering they inflict either as an end or as a means. They merely act with willful indifference to the enormous harms they cause.… But it is still the *largest* such human-rights violation."[39] As such, it is worthy of significant attention.

[37] Pogge, *Politics as Usual, op. cit.*, p. 40.
[38] ibid., p. 23.
[39] ibid., p. 51 (emphasis original).

The remedy may not be easy, but the situation is not hopeless: "Even now, severe poverty could be rapidly reduced through feasible reforms that would modify the more harmful features of this global order or mitigate their impact."[40] Pogge believes that the removal or moderation of rules that hurt the poor—such as WTO treaty rules which allow rich countries to use tariffs, domestic subsidies, anti-dumping duties and quotas to shield domestic industries from cheaper foreign imports—would bring several hundred million people out of poverty, and generate "welfare gains in excess of $100 billion annually".[41]

1.5 Integrating institutional change and individual charity

People who have grown up under rules that limit their opportunities may not have the education or infrastructure to take advantage of better opportunities; people whose development has been stunted by disease or malnutrition may never truly be able to compete on a level playing field. Pogge agrees, suggesting that both reform and charitable approaches may be necessary: "In such areas a special effort, not purely market driven, is needed to jump-start development. It is only after people there have access to adequate food and shelter, vaccines, safe water, basic sanitation, basic health services, and primary education that these poorest areas will attract significant private investment, which may then be sufficient to sustain and continue the advance on its own."[42]

For Gomberg such thinking is unhelpful. The limited supply of time and money that is available to combat poverty means that money spent on relief cannot be used to encourage reform on a broader scale: "both projects, relief and prevention, are so huge that in doing more of one we do less of the other. In addressing poverty these are *competing* ways of using our time, energy, and other resources. So the proposal 'do both' is not a viable way to defend philanthropist duties of rescue."[43]

In part, this conflict between proponents of charitable donations and of institutional reform arises because each fears that the other's approach will work against people fulfilling their duty to the poor—Singer believes that a focus on systemic change will prove too overwhelming

[40] ibid., p. 50.
[41] ibid., p. 20.
[42] Thomas Pogge, 'Priorities of Global Justice', *Metaphilosophy* 32:1, January 2001, p. 13.
[43] Gomberg, *op. cit.*, p. 64 (emphasis original).

for individuals, causing them to ignore the problem; Kuper, Gomberg and Langlois conclude that individual giving won't resolve the problem, but will distract attention from the systemic change that they believe will resolve the problem.

Gomberg's concern about the limited nature of the time or money available to fight poverty is most likely founded on the pitiful amounts that are currently spent on aid, but that does not mean that the two approaches always operate in a zero-sum game—increasing the amounts available might yield enough to address both approaches in a comprehensive manner. Singer calculates that his suggested scheme for donations, a sliding scale based on one's income (20 percent for the richest half-a-percent of people; 15 percent of income for the next half-a-percent; ten percent for the remaining five percent of the richest people; five percent of income for the top ten percent), yields $1.5 trillion each year, eight times what is estimated to be required to meet Millennium Development Goal targets, "ample to cover not only the aid itself, but also research and experimentation into what forms of aid work best."[44]

This suggests that even by a modest standard of commitment—less than may be morally required of us, but far more than is given at present—there are sufficient resources available to explore a number of different approaches in addressing poverty. Singer's concern is for people to follow a morally decent course of action, and while we might criticise a wealthy man who gives nothing to charity, or who supports institutional arrangements that hurt the poor, as not fulfilling his moral duty, few people would criticise someone for giving money rather than campaigning for change, or for campaigning rather than donating.

1.6 Objections to helping victims of conflict

Someone who accepts that it may be morally praise-worthy for him to give some portion of his income to people who are in desperate need of help, or to attempt to change elements of the international system that hurt the poor, may still raise a number of objections about helping victims of conflict, or distant people whose lives are threatened by extreme poverty. Such a person might argue that while such a responsibility exists, our duty to the poor does not extend to all humanity—it is limited by distance, for example, or to those with whom we share some

[44] Singer, *The Life You Can Save*, *op. cit.*, pp. 167–168.

form of civic bond: only towards members of our own society, who have agreed to abide by the same laws and political rules. Or he might argue that one has no responsibility to help people who, through their own fault, and perhaps by disregarding earlier advice or intervention, find themselves in a bad situation, like extreme poverty or war—perhaps a lifeguard has no responsibility to rescue a man attacked by a shark, putting her own life at risk, if he was warned that a shark was active in the area. A wealthy person who does not want to donate money might say that these objections indicate that, while a person who does not rescue a drowning child has done something wrong, we should not think poorly of someone who does not help extremely poor people in foreign countries, or people whose lives have been badly affected by conflict.

The first objection, that our obligations are limited to those with whom we share some sort of emotional or political bond, can exist in several varieties. Most people believe that we owe certain duties to people related to us. Parents have well-defined obligations to children, for example, such as feeding, educating, and clothing them, and offering them emotional support. In many cultures, children are believed to have strong obligations to their parents as well, such as respect or obedience. Outside the family, one might argue that one's duties are limited by some sort of reciprocity: we owe help only to those who have agreed to help us. We share a contract with other members of the political organisations to which we belong: we follow the laws of our country, protecting one another, or engaging in mutual defence when we are all threatened, or depending on the country, providing a common purse to ensure financial or medical security, regardless of wealth; we expect everyone else to follow those same laws in return. To the extent that we recognise international laws, treaties and other agreements, we may have obligations to members of other polities, but since such treaties do not extend to assisting extremely poor people, or helping victims of conflict, our obligations in those situations should be limited.

The most obvious problem with this type of thinking is that it assumes that our political decisions have no effect on people outside our polity. French laws, for example, don't just affect France, or members of the European Union; given the extent of their international trade relations, the military reach of such countries, and their interests in their former colonies, laws passed in one country can have detrimental effects on the citizens of many other countries, in areas not covered by international laws and treaties. If the citizens of one country are to be

held responsible for the harmful effects of their actions on non-citizens, then their obligations cannot be limited to those with whom they share reciprocal agreements.

We can see this using another example: if someone was bleeding in the street, we wouldn't refuse to take them to hospital simply because they were foreign. Indeed, we would think poorly of someone who did refuse assistance based on the victim's citizenship. The distinction between citizen and foreigner is morally arbitrary when someone's life is at risk. Even if our country was at war with the foreigner's government, we would usually consider seeking medical help for the victim to be the ethical course of action, unless helping the victim put our own life at risk.

The second objection is that we shouldn't bear any responsibility for rescuing people from bad situations that arise as the result of their own poor decisions. Singer's argument arises as a response to suffering; for Singer, innocence or culpability has no bearing on our duty to help people who are at risk. In any case, it is not clear that this objection carries much weight when applied to extreme poverty: one would have to argue either that extreme poverty has arisen as a result of a series of bad decisions by the extremely poor, or that the political rules by which one abides have no negative repercussions for the poor.[45]

The case for conflict is more complex. In many cases, it is not apparent that richer countries, or reasonably wealthy people in general, have any responsibility for the conflicts that plague many countries. In some cases, detailed investigations may reveal that richer countries have played a role in encouraging rebellions, in order to effect favourable policy changes, or to gain control of resources at cheaper prices. But in others, the conflict may reflect entirely indigenous disagreements, without the support or encouragement of foreign parties.

Even if the conflict is entirely local in origin, it does not follow that the victims of the conflict are responsible. It would be strange to say that we should not help children whose families have been killed in a war because they are share political responsibility for the conflict, even the children of soldiers or corrupt political leaders. For victims who do share some sort of political responsibility, such as supporting a rebellion that could reasonably have been foreseen to cause damaging conflict, it still does not necessarily follow that we should not help someone whose

[45]There is evidence to suggest that the contrary is true. Oxfam's "Make Trade Fair" campaign, launched in 2002, claims that for every dollar given in aid by rich countries, two were stolen by unfair trade practices. These include restricting market access by poor countries; dumping of government-subsidised products from rich nations on poorer countries; and forced liberalisation of poor markets, removing protection for growing industries.

life has been endangered by their own bad decisions. It is reasonable to suggest that people bear the consequences of their poor decisions: we may be justifiably loathe to provide food to soldiers who volunteered for a conflict which has resulted in the collapse of the local economy. But in some situations, practical issues should override blame. For example, providing food and other assistance might convince such soldiers to lay down arms. In other situations, it may be difficult to judge culpability for a conflict: aggressors may themselves be press-ganged victims, or the false promises of political leaders may have obscured the better judgement of their supporters.

A stronger objection to assisting victims of conflict is that the positive effects of aid are not long-lasting, or that aid turns out to be of no help at all, or even ends up hurting victims. For example, if you give refugees or internally-displaced people food or shelter, it may save their lives for a day or a month, but since the conflict continues, their lives will be equally at-risk once the donated food has run out, or once combatants return to their area and steal or destroy the shelter. Giving aid is unsustainable; a temporary break in aid-giving, whether due to donor fatigue or simply because a port is blockaded or a supply plane shot down, is enough to threaten lives once more.

In the next chapters, I shall first discuss why victims of conflict are especially deserving of assistance, and examine the problem that this objection raises in more detail: why injecting aid into war zones is particularly problematic. I then look at ways in which it might be possible to assist people threatened by war without diverting money from places where it could be used more cost-effectively, to help more people.

2 The Problems of Aid During Conflict

Singer and Pogge's arguments consider the circumstances of people in situations of life-threatening poverty. But given our limited resources, it is inevitable that we have to make hard choices as to whom to help first. "If we can rescue only some small percentage of people", Langlois asks, "should we pick and choose among them—the healthy, the productive, the smart, the most likely to survive anyway? Or… should we treat all as equal and therefore simply help those we come across first until our resources are depleted? Or should we prioritise the worst off, those suffering the most? Clearly these differing possibilities go to the core of our basic moral intuitions."[46]

In some situations where the need for assistance is most urgent, aid that is given is less efficient than it might be in less desperate circumstances, where it could help more people. Pogge has argued that, in order to make a morally adequate decision about whom to help first, an international non-governmental organisation (INGO) that tackles poverty must take into account four constraints: the seriousness of the harm that a person suffers (where a person whose life is in danger is considered to be at immediate risk of more serious harm than a person who is prohibited from voting, for example); the amount of harm that they suffer (where a person who lives below the poverty line is more in need of help than a person who also lives below the poverty line, but earns twice as much as the first); the number of people who suffer (where there is more moral value in helping a greater number of people than a small number); and the amount of money that needs to be spent to alleviate the harm, or the risk of harm (that is, cheaper projects should be preferred, because more people can be helped).[47]

Pogge aggregates these four principles as follows: "Other things being equal, an INGO should choose among candidate projects on the basis of the cost-effectiveness of each project, defined as its moral value divided by its cost. Here a project's moral value is the harm protection it achieves, that is, the sum of the moral values of the harm reductions (and increases) this project would bring about for the individual person it affects."[48]

[46] Langlois, *op. cit.*, p. 689.

[47] Thomas Pogge, 'Moral Priorities for International Human Rights NGOs', in Daniel A. Bell and Jean-Marc Coicard, editors, *Ethics in Action: The Ethical Challenges of International Human Rights Nongovernmental Organizations*. Cambridge: Cambridge University Press, 2007, pp. 222–228.

[48] ibid., p. 228.

When we consider people who are most vulnerable, and have an especially heightened need for assistance, there is good reason to believe that those who have been negatively affected by conflict and war should hold a special priority. The nature of conflict is such that civilians in these situations are often reduced to poverty—although it is possible to earn a great deal of money in wartime, it is usually through force or the threat of violence, rather than by pursuing peace-time professions. Added to the problem of poverty, people caught in war zones face a high risk of death due to violence, and frequently suffer the loss of family members and friends in the conflict, and the loss of community structures (from national government to charitable and self-help associations) that provide stability, and, in many cases, assistance to the worst-off. While the global problem of poverty is undoubtedly larger than the problem of civilians in war, the amount and seriousness of the harm that civilians in conflict situations face, owing to the threat of mortality and the deprivation inherent in their situation, suggests that refugees and people affected by conflict have need of assistance that is of at least of equal priority to the need experienced by most suffers of extreme poverty, and arguably of a greater priority.

However, many argue that the results of the investment in humanitarian aid in conflict zones to date has not simply been insufficient, but has been ineffective. Michael Maren, writing about unregulated, uncontrolled intervention in Somalia, described it as "a tumour… set loose in a body without an immune system."[49]

The critical problem that faces suppliers of aid in any conflict situation is the combination of a dearth of resources, most of which are redirected into the war, and the lack of reasonable enforcement of basic laws. As a result, aid that is sent to an area of conflict is a prime candidate for resource-starved warriors, offering a host of potential financial and strategic opportunities to commanders who can manipulate or commandeer the resources that aid provides. In addition, the lack of an effective law enforcement structure often means that aid can be misused, or can worsen a situation of conflict without being manipulated by fighters.

[49] Maren, *op. cit.*, p. 218.

2.1 Financial gains for combatants

Looting of aid resources is one of the most obvious strategies open to militants. Aid, whether in the form of money, food, or other resources, has to be transported to an area in which it is needed, often through rough terrain. Transport convoys can be diverted, in whole or in part, with relatively little risk to soldiers. Many aid organisations reject the use of protection such as armed guards, leaving them vulnerable to hijackings or looting at checkpoints. In refugee camps in Goma, set up for Rwandans in the Congo in 1994, some aid organisations estimated that Hutu militias in the camps stole 60 percent of aid supplies, either for their own use, or to sell to other refugees.[50]

According to Michael Maren, in Somalia, the looting of humanitarian aid became the reason for the conflict: "In fact, it was the petty nature of the Somalia dispute—small men lusting after power and loot—that made the conflict so intractable. There were no issues, no ideological differences, nothing to negotiate. As long as the UN remained in Somalia, it continued to supply the raw material of the conflict: loot."[51]

When aid organisations do use armed guards, they can become vulnerable to protection rackets, as, in many cases, the only people sufficiently well-armed to fight soldiers in a war zone are other combatants. Control of scarce resources, like protection and transport, combined with a willingness to use force, leaves belligerents in a position of power over humanitarian organisations, who may not have the resources to organise independent means of transport or protection for themselves or the people they are trying to help. In Somalia, outraged over the looting of resources, some aid groups hired local guns to protect their aid convoys. On occasion, the gunmen they hired would themselves hijack the convoys.

Looting can take a slightly different form, that of taxation. Combatants can control access to vulnerable populations, or to particular areas, and may demand a share of goods entering the area they control. Others may require money in exchange for allowing medical staff access to areas in which they hold power, for example, limiting the reach of immunization campaigns or life-saving operations. Linda Polman recounts a conversation with a Sierra Leonean rebel

[50] Linda Polman, *The Crisis Caravan: What's Wrong with Humanitarian Aid?* New York: Picador, 2010, p. 30.
[51] Maren, *op. cit.*, p. 251.

calling himself "Colonel Vandamme": "'The white men are soon gonna need drivers, security guards, and houses. We're gonna provide them... Them NGO wifes done reach already for come count how much sick and pikin [children] de na di area.' The rebels call aid workers 'wives' because they care for people. 'I told them they couldn't just come here and do that. They're my pikin and my sick. Anyone who wants to count them has to pay me first.'"[52]

Governments involved in warfare can use legitimate taxation to appropriate a share of humanitarian resources for their war effort. Even legitimate humanitarian aid given to governments, and spent on healthcare or education, can have a similar effect. Limited government resources, instead of being spent on healthcare, can be redirected to military spending. Paul Collier estimates that around 11 percent of aid money leaks into military spending in this manner. This implies that up to 40 percent of poor governments' military spending is derived from aid money.[53]

Another strategy that can take advantage of aid for a government's benefit is currency control and exchange manipulation. By setting a high rate of exchange, governments can bring additional foreign currency into their country. Aid itself may be imported free of charge, but taxes levelled when it arrives will usually be paid in foreign currency. In addition, humanitarian organisations in a war zone will have to pay for services and goods they need to operate. Exchange rate manipulation allows a poor country to reap additional benefits from humanitarian involvement, benefits that may not be used to help vulnerable people. As the 2006 Nobel Peace laureate Muhammad Yunus has written, "we've learned that when aid is free, not only do the poor get the least of it, but everyone inflates their needs."[54]

2.2 Strategic gains for combatants

Aid can also be manipulated in ways that offer strategic, rather than financial, benefits. Control of aid can be used to influence population movements, concentrating people in particular areas. In Ethiopia, much of the 1984 famine was the result of a strategic campaign of starvation by Mengistu Haile Mariam's government, forcing people to move to different areas of the

[52] Polman, *op. cit.*, p. 165.
[53] Paul Collier, *Wars, Guns and Votes: Democracy in Dangerous Places*. London: The Bodley Head, 2009, pp. 111–112.
[54] Muhammad Yunus, 'A Hand Up Doesn't Always Require a Handout', *Wall Street Journal*, 14 October 2006, ⟨`http://online.wsj.com/article/SB116078038541792551.html`⟩.

country, in part to disrupt support for the Tigrayan Peoples' Liberation Front. During Operation Lifeline Sudan, implementing an agreement in 1989 between the Sudanese government, rebel forces, and the United Nations, the government would prohibit shipments of aid except to specific areas, leading to widespread starvation in other regions. Refugees and rebels would gather in the areas that had received food, and the government would launch attacks against them, killing rebels and capturing food aid.[55] According to Raymond Bonner, writing in the New York *Times* in 1998, "nearly a decade and more than $2 billion later, the situation is virtually identical, despite what Operation Lifeline describes as one of the largest relief operations ever. The impoverished in southern Sudan are still starving and dying, and the war goes on."[56]

In situations where humanitarian agencies have access to stronger forces than rebel groups, the protection racket can be reversed, with combatants acting as refugees, using camps as safe havens, bases for their combat operations, and recruiting stations. After the Rwandan genocide of 1994, Hutu militias and politicians notoriously controlled many aspects of life in the refugee camps of Goma, in the former Zaire. Polman sketches the level of organisation:

> The exodus from Rwanda has not been a defeat but a tactical withdrawal. They hadn't moved to Goma because they were beaten but to avoid defeat: in the refugee camps they were safe from the Tutsi army, which wouldn't follow them over the border.... The Hutu leaders created prefectures in the camps, which they subdivided into communes and sectors, which, in turn, were divided into districts and subdistricts.... On all food rations distributed by aid organizations, the Hutu government, from its tourist hotels, levied a "war tax" to pay its army... The inhabitants of the camp, well-rested, well-nourished and inoculated, were a source of new recruits.... Almost every night, militias crept back over the border into Rwanda to go "hunting Tutsi."[57]

No one in the international community wished to intervene in the struggle between Hutu and Tutsi, to hold the Hutu *genocidaires* in the camps accountable, or to separate civilian refugees

[55] See, for example, Polman, *op. cit.*, pp. 123–130.

[56] Raymond Bonner, 'Aid for Sudan's Hungry Keeps War Well Fed', *New York Times*, 11 October 1998, ⟨`http://www.nytimes.com/1998/10/11/world/aid-for-sudan-s-hungry-keeps-war-well-fed.html`⟩.

[57] Polman, *op. cit.*, pp. 25–27.

from “refugee-warriors”.

One of the most pernicious ways in which aid leads to counter-productive results is by the creation of perverse incentives for belligerents (or, indeed, for vulnerable civilians, although here I concentrate on combatants’ responses to aid). Séverine Autesserre records the consequences of the focus on rape as a weapon of war in the Congo. The emphasis on rape in the Congolese conflict, beginning with a 2002 report by Human Rights Watch that drew attention to the issue of sexual violence, has grabbed headlines and elicited attention for the conflict because of its emotional impact. The focus on sexual violence brings extra resources to bear on the problem (which may be no bad thing, even if it leads to some neglect for other forms of violence used in the conflict), but it also signals to combatants that, in order to gain attention, they need to create as much sexual violence as possible. Autesserre gives the example of the August 2010 mass rapes in Luvungi:

> A local militia called Mai Mai Sheka, which allied with the foreign rebel group the Democratic Forces for the Liberation of Rwanda, gang-raped 387 civilians over the course of three days in a remote part of Walikale territory. According to several sources, Sheka ordered his soldiers to systematically rape women, instead of just looting and beating people as they usually do, because he wanted to draw attention to his armed group and to be invited to the negotiating table. He knew that using sexual violence was the best way to reach this goal, because it would draw the attention of the international community, and various states and advocacy groups would put pressure on the Congolese government to negotiate with him—which is exactly what happened.[58]

Media coverage of wartime atrocities in Sierra Leone led to a similar outcome, but for amputations rather than rape. The final report of Sierra Leone’s Truth and Reconciliation Commission revealed allegations that the amputations that had characterised the war had been a specific strategy, by both the Sierra Leonean Army (SLA) and the rebel Revolutionary United Front (RUF). Neither side felt they were getting enough international recognition, and both recog-

[58] Séverine Autesserre, ‘Dangerous Tales: Dominant Narratives on the Congo and their Unintended Consequences’, *African Affairs* 111:443, April 2012, pp. 217–218.

nised "how much international coverage the amputations were getting as compared to other aspects of the war". The result was "a joint decision [by the SLA and the RUF] in the jungle around Koinadugu in late 1997/early 1998 that they should conduct amputations". As a result, according to one TRC witness, "When we started cutting hands, hardly a day BBC would not talk about us."[59] With international attention came aid money, and ultimately, a peace-keeping operation that was the UN's biggest at the time.

The Commission's final report comments,

> Regardless of whether such a meeting did take place, the notion that the degree of media coverage of amputations influenced the degree of perpetration of this violation, especially when factions were loosing [sic] and retaliating, seems to make sense.... This seems to be a deranged way of addressing problems, but for a faction in decline... and members of which are concerned about their own chances of survival, especially under a new government, it might be a plausible way of thinking.[60]

In conflicts in poor countries, aid can be a sufficiently attractive incentive for the conflict to steer towards any type of violence that is likely to attract more aid. For one SLA army veteran, the logic is clear: "For any war there must be an atrocity for the outside world to know there is something wrong in the place."[61] In these sorts of situations, aid can act as a form of foreign direct investment, where atrocities bring renewed international attention and extra resources. Without atrocities and war, the country would slip back into obscurity, losing the funds upon which both combatants and the society as a whole have come to rely.

2.3 Unregulated aid and unintended consequences

Aid in war zones can have negative consequences that are not due to specific manipulation by combatants, but arise because of the way aid is distributed, and the limitations that operating in a war zone impose on humanitarian agencies. One of the effects that is most difficult to predict is the effect of aid on the local economy, whether in war or peace-time. The presence of aid

[59] Sierra Leone Truth and Reconciliation Commission, *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission*. 2004, ⟨http://www.sierraleonetrc.org/index.php/view-the-final-report⟩, Appendix 5, p. 17.
[60] ibid.
[61] ibid.

money in a country's economy can lead to a form of Dutch disease, where large amounts of aid money coming into a country change the value of important local goods.[62] When large amounts of aid flow into a country and cause a temporary boom in an otherwise depressed economy, it can happen that "the public sector, recipient of aid, crowds out the private sector through its increased spending associated with aid."[63]

This happens in two important ways: unbalancing food commodity pricing and skewing employment markets. Handouts of food aid, if not carefully managed, can depress the price of food, meaning that any farmers still able to produce food and bring it to market may not earn enough to continue. This can lead to a dependence on imported food aid in subsequent years. One solution is for humanitarian organisations to purchase food from local sources, where it exists, but even this can have negative effects, raising the price of food commodities out of the reach of poor people who are not covered by feeding schemes. Amartya Sen's work on famine demonstrates that starvation can occur even when there is adequate food in a country, due to lack of sufficient money to purchase food among poorer people. Wars can destroy entire economies, but in many cases, the economy radically shifts, changing the distribution of wealth. These changes mean that "food prices may shoot up because of the increased purchasing power of some occupational groups [in the case of war, most likely warriors and war profiteers], and as a result others who have to buy their food may be ruined because the real purchasing power of their money incomes may have shrunk sharply. Such a famine may occur without any decline in food output, resulting as it does from a rise in competing demand rather than fall in total supply."[64]

Similarly, aid agencies usually need local staff in order to help them meet their goals. When paying large salaries to foreign nationals, there is pressure to offer equivalent levels of compensation for local staff. This often means that aid agencies pay extremely well compared to local companies and government, and can attract the top talent away from local organisations. This can have severe implications for the success of local industries. Hospitals, for example, may find their doctors taking well-paid consulting jobs with international organisations, and thus

[62] See, for example, Polman, *op. cit.*, p. 188.
[63] Mwanza Nkusu, 'Aid and the Dutch Disease in Low-Income Countries', *International Monetary Fund* Working Paper 04/49, March 2004, p. 7.
[64] Amartya Sen, *Development as Freedom*. Oxford: Oxford University Press, 1999, p. 167.

lack the staff to adequately respond to local emergencies.

The creation of refugee camps and nutrition centres can also have a significant effect on local economies. Concentrating people in a particular area is an efficient means of distributing food aid, but it can also expose people who may already be in fragile health due to malnutrition, wartime injury or illness, to fast-moving diseases like cholera. As Amartya Sen points out, moving people off their land shifts labour away from jobs like farming and lowers productivity.[65] Farmers and farm labourers moving off their land are likely to have a significant impact on food availability in subsequent years. This is perhaps less problematic for aid in the case of war, where farmers might move off their land due to fear of violence rather than because of abundant food in camps, but when the problem is lack of food, concentrating people in feeding camps is likely to compound the problem, sometimes as part of an intentional strategy, as in the case of the 1984 Ethiopian famine, discussed above.

Aid provision, because it is often not subject to regulations in regions that may lack effective governance, can also cause a number of problems from destructive competition between aid agencies to unlicensed surgery. Since war zones typically lack effective governance structures, and aid groups are not required to register with any central humanitarian body, they often operate without oversight. For large NGOs with many donors and a prominent brand to protect, donor and media scrutiny may be sufficient to reduce bad behaviour to competition with other large aid agencies for media attention, but for smaller organisations, raising their funding from smaller communities, can often act as they see fit, without having to account for their actions. In the worst cases, this can result in multiple, contradictory medical consultations, or reckless surgery performed by unqualified doctors. According to Linda Polman, "One [NGO] that wandered through a refugee camp in Liberia in 2004 consisted of a group of American medical students, who carried out procedures they weren't licensed to perform in the United States."[66] Another small group in Sierra Leone justified risky surgery on a new-born baby by arguing, "Nobody's going to help this child unless we do something. . . ." As Polman points out, at the time, they ignored the fact that many other NGOs with extensive medical experience, such as *Médecins Sans Frontières* and the International Committee of the Red Cross, were working in

[65] ibid., p. 177.
[66] Polman, *op. cit.*, p. 58.

Sierra Leone. Poor medical judgement, insufficient surgical preparation, and the lack of follow-up care from these small NGOs meant that patients who had received surgery could experience significant complications, which required further intervention from larger NGOs.

At their worst, unregulated aid organisations, whether from a misguided desire to help, or a cynical desire to make money off war victims, are alleged to have engaged in behaviour such as child trafficking. In 2007, the UN news agency IRIN reported Vivian Cherue, a Liberian government official, as saying "Most of the children living in almost all of the orphanages in this country are not actual orphans, but have been used by orphanage owners to seek external funding for their personal gains." According to the article, the owners of orphanages "block efforts to re-integrate children into their families and even snatch children."[67]

It can be difficult for donors to ensure that the money they contribute goes to organisations that are providing useful services, and not to organisations that are set up to exploit lucrative donations for personal benefit. Security problems that aid agencies encounter in war zones can hinder effective reporting, and ruin efforts to ensure that aid reaches the people who need it most. When NGO staff are at risk, it is logical for an organization to prohibit field visits, without which it can be hard to determine where aid goes, how it is distributed, and the true needs of the communities to whom aid is sent. In Afghanistan, the vulnerability of aid agencies to attack has meant that projects are subcontracted, and often monitored only by photographs and receipts. Polman quotes one Afghan accountant, working for USAID: "Sometimes I'm shown a hundred and fifty receipts with the same signature.... I sometimes see pictures of exactly the same project with different donors. Aid groups are happy to be financed three times over. After all, the donors don't come and look."[68] Because monitoring is most difficult in areas controlled by the Taliban, according to Polman, aid in these areas is most vulnerable to being siphoned off by fighters, to strengthen their support or to further their combat goals.

In war zones, there can also be tension between ending a conflict and offering relief, in part because of the difficulty of distinguishing between combatants and civilians. A well-known example occurred in 1993 in Liberia, when Ecomog, the peace-keeping force of the Economic

[67] IRIN News, 'Fake orphans to attract donor funds', *IRIN Africa*, 17 May 2007, ⟨http://www.irinnews.org/Report/72222/LIBERIA-Fake-orphans-to-attract-donor-funds⟩.
[68] Polman, *op. cit.*, p. 148.

Community of West African States (Ecowas), restricted aid supplies to a narrow corridor through the port of Buchanan, in an effort to suppress suspected arms smuggling through relief supplies from Côte d'Ivoire. This embargo was causing malnutrition in areas inaccessible from the corridor, and *Médecins Sans Frontières* continued delivering aid, despite the embargo. Ecomog responded by bombing an MSF convoy. After the incident, the UN's special representative to Liberia, supporting Ecomog, was reported to have commented, "Certain organizations have the task of bringing relief to those in need. We have a more important task: bringing peace. If relief gets in the way of peacemaking then there will be no relief."[69]

2.4 Prolonging conflict

Given these conditions, some commentators have worried that aid and humanitarian intervention can end up prolonging conflict, with attempts at alleviating suffering resulting in more deaths. In Ethiopia between 1982 and 1988, Alex de Waal concludes, "There is no doubt that [the] relief programme supported President Mengistu militarily and politically. In Tigray, very few people and very many soldiers were fed by the relief. The humanitarian effort prolonged the war, and with it, human suffering."[70]

Ian Smillie came to a similar conclusion about the provision of aid to Biafra in 1968, in that polity's struggle to secede from Nigeria. Aid was airlifted into Biafra, in response to widespread fears of a Nigerian genocide against Biafrans were the secessionist movement to collapse. Smillie describes the relief effort as "an act of unfortunate and profound folly.... A great deal of post-war effort went into refuting the charge that the churches and NGOs prolonged the war. Because if it is true, they must have also prolonged the suffering, contributing to the deaths of 180 000 people or more."[71]

The aid that is given today often aims to supply what was initially thought to be lacking in under-developed countries in the immediate post-colonial period: money. Under-developed countries lacked the financial resources to invest in infrastructure or skills training, and the

[69] Quoted in Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action*. Ithaca, N.Y.: Cornell University Press, 2002, p. 24.
[70] Alex de Waal, *Famine Crimes: Politics and the Disaster Relief Industry in Africa*. Bloomington: Indiana University Press, 2009, p. 127.
[71] Ian Smillie, *The Alms Bazaar: Altruism Under Fire*. London: Intermediate Technology Publications, 1995, p. 104.

obvious solution was to make up for the short-fall, giving developing countries the money necessary to build that infrastructure. But in recent years, the "missing money" hypothesis has been modified, after the realisation that the money given to under-developed countries has not substantially reduced levels of poverty in those countries, and that many countries, after all the aid has been sent, are actually poorer. "After decades of trying to understand the problems of development, it is now widely accepted that the core problem is 'missing institutions' or 'perverse institutions' instead of 'missing money'."[72] The problem that war zones present to well-intentioned humanitarians is that wars tend to destroy institutions that don't advance the cause of the war. As a result, giving money can appear to be a more suitable solution than attempting to build fragile institutions, which in any case are unlikely to survive the end of the war.

Not all aid falls into these traps. A successful project, with well-informed and motivated aid workers, may be able to negotiate with soldiers to create a safe space for affected civilians. However, this is not always possible. If we do have a duty to help people who have been affected by conflict, then we most certainly have a duty to avoid worsening the conflict. The presence of such a duty compels us to look for solutions that alleviate the problems that aid can introduce, or to help by reducing the likelihood that conflict will arise in contested situations. Humanitarian aid, as it is practised, may be a legitimate part of a response to the suffering in war, but it cannot be the only response.

[72] Gibson et al., *op. cit.*, p. 14.

3 Potential Solutions

The objection to a duty to give assistance to people whose lives are threatened by conflict, that aid can worsen, or fail to improve the position of people so affected, is not easily dismissed. If we wish to address the objection, we must analyse other strategies that can help victims of violent conflict, to see if any of these offer more relief, whether it be withdrawing support given to these victims in order better to assist others (and avoiding hurting those we intend to help); attempting to resolve the conflict without causing more misery; or changing the way the international system deals with conflict-affected areas.

3.1 Moving aid elsewhere

One immediate potential solution to the problem presents itself: that of reducing material support. Having seen the types of problems that can occur when external money enters a conflict, one might conclude that withholding this money might resolve the problems, or produce an early conclusion to the war. Instead of giving aid to people who desperately need it, whose lives have been ruined by war, we might instead reserve the money for situations where it can make the biggest difference, even if the victims' plight is not as desperate. As Thomas Pogge argues, "It is often foreseeable that candidate INGO projects would cause harm to innocent people. It may be foreseeable, for example, that warring factions will rob some of the resources we might dispatch into some volatile region and will then use them to inflict further violence.... In such cases, ordinary cost-effectiveness reasons against choosing this project... are enhanced by negative moral reasons not to add to the (risk of) harm suffered by such potential victims."[73]

Pogge argues that it makes sense to concentrate aid in a few desperately poor countries with a proven record of using it effectively, rather than to distribute it widely and have the effect of the aid diluted by poor policies or risky political environments.[74] Focussing on the effectiveness of aid, rather than on the situation of the people it aims to help, can improve aid outcomes. Providing aid to good governments, for example, creates incentives towards good governance. Similarly, steering aid towards the poorest countries first ensures that aid projects, using locally-

[73] Pogge, 'Moral Priorities for International Human Rights NGOs', *op. cit.*, p. 251.
[74] ibid., p. 231.

sourced resources, are cheaper to implement; if it is cheaper to help people, the aid will spread further and make an impact on more peoples' lives.

However, the strategy of withholding aid is problematic for a number of reasons. Improving the social outcomes for the poor in underdeveloped countries that are not at war may help to prevent war in future, but that delivers no benefit to people whose lives and livelihoods are threatened now. Indeed, if donors followed this strategy, the existence of a war, and the instability it generates, would prevent victims receiving outside help, whether humanitarian aid, development assistance, or financial investment. Humanitarian aid may worsen or help prolong conflict, but the promise of aid at the end of a war can also provide an incentive for warring parties to forge a peace, even though donors who give aid do not know whether the institutions that may emerge after the peace will be effective, or govern well.

There is a further problem: even withholding aid can benefit aggressors in a conflict. As Mary Anderson writes, "When international assistance is given in the context of a violent conflict, it becomes part of that context and thus also of the conflict."[75] Abstaining from helping is not a neutral act either. Just as giving financial assistance to a rebel faction fighting a bad government signals that donors approve of the rebels and provides a measure of legitimacy, to withhold aid from that faction can support the status quo, even if no financial assistance is given to the government: "Decisions to remain on the sidelines can be considered a form of intervention in that by failing to help the oppressed, humanitarians comply with the oppressors."[76]

Humanitarians might respond by emphasising that their aid is intended neither for the unjust government, nor for the rebels (who, after all, may be no better when in government), but for the civilians caught up in a war not of their own making. But this logic assumes that victims have no political allegiances to particular factions, and that partisans cannot be victims. In Somalia, David Rieff asks whether humanitarian aid, attempting to weaken support for Mohamed Farrah Aidid, a Somali leader whose attempted capture by U.S. military forces led to the Black Hawk Down incident, had that effect: "Was it really safe to assume that *none* of these starving

[75] Mary B. Anderson, *Do No Harm: How Aid Can Support Peace—Or War*. Boulder, Colo.: Lynne Rienner Publishers, 1999, p. 1.

[76] Amir Pasic and Thomas G. Weiss, 'The Politics of Rescue: Yugoslavia's Wars and the Humanitarian Impulse', *Ethics and International Affairs* 11:1, 1997, p. 113.

people had any politics, or that it was impossible to be, simultaneously, an Aidid supporter *and* a victim of the famine in Somalia?"[77] Giving aid, even to famine victims, may have the effect of supporting the leaders who provoked the crisis. In Rwanda, the difficulty in distinguishing between Hutu fighters and civilians fleeing led to charges that humanitarians had unintentionally protected the very people that were responsible for the genocide.

It may be necessary to remove aid from conflict situations where the aid is not having positive effects, but few humanitarians will be satisfied with this strategy as a solution to the plight of victims of war. Of course, aid may not be as essential to the victims of war as those who give the money believe it to be. Fiona Terry writes about the aid community's "ingrained belief that humanitarian action is indispensable to the survival of refugees and other victims of disasters. Although studies of local coping mechanisms [that have developed to relieve starvation in the case of famine] may contradict this assumption… it remains the axiomatic starting point for humanitarian action".[78]

However, even if a decision to withhold aid is justified by the negative effects of the aid, staying clear of the conflict may have its own negative effects. Withholding aid may strengthen the position of a corrupt government, and lack of intervention may enable them to carry out ghastly actions. The scale of humanitarian action in Rwanda was due in part to the realisation that the international community had done nothing to prevent the slaughter of over half a million people. In Bosnia, according to David Rieff, humanitarians concentrated on feeding people, rather than stopping the war: "Stop the war… and there will be no humanitarian emergency. Let the war continue, and you will just be creating well-fed corpses."[79] This suggests another approach that might better assist victims of war.

3.2 Taking sides to resolve conflict

Rieff's point about stopping the war is well-taken: the best approach may be to focus on political solutions to the problem of war. A well-known remark from Sadako Ogata, the UN High Commissioner for Refugees from 1991 to 2001, says, "There are no humanitarian solutions to

[77] David Rieff, *A Bed For the Night: Humanitarianism In Crisis*. London: Vintage, 2002, p. 36 (emphasis original).
[78] Terry, *op. cit.*, p. 233.
[79] Rieff, *op. cit.*, p. 144.

humanitarian problems."[80] Or, as Fiona Terry puts it, "A full belly does not provide civilians with protection. What is the point of securing humanitarian access to people if it deters us from recognizing that they are in danger of losing their lives to violence?"[81] One obvious solution to the problem would be to try and end wars as quickly as possible, either by having a strong outside party—whether a powerful state like France or the United States, or a coalition endorsed by the United Nations Security Council—picking a winner, and supporting them in winning their war and forming a government; or by enforcing a peace, in effect the kind of military intervention practised in Kosovo in 1999, or in Libya in 2011.

Paul Collier puts forward a compelling version of this argument, in the form of a guarantee offered to democratically-elected governments by militarily powerful governments, offering military support in suppressing coup attempts. Collier's argument is that wars are extraordinarily expensive for a society, even when they are against bad governments. Coups offer a better chance of removing a bad government without incurring the massive social disruptions of war, although one coup attempt tends to incite further coup attempts, even against a new and better government, which can lead to war. Governments that have been elected in free and fair elections would be offered a guarantee of military support in the case of a coup, which would operate as a deterrent against coups. Governments that steal elections would get no guarantee, creating an incentive for opponents to engineer a coup and unseat the illegitimate government. To prevent the coup escalating into conflict, a government formed after a successful coup would receive the same guarantee, conditional on elections being held at some pre-determined future point. At the point at which such a government is regarded as having reneged on its commitment to hold elections, the guarantee would be withdrawn, putting them at risk of another coup.[82] Such a scheme does not remove the prospect of a democratic government being overthrown by a coup, nor does it ensure that coups result in good governance, but it could reduce the bad effects of some coups, without making legitimate governments less stable.

There is an extensive literature on humanitarian military intervention, or military inter-

[80] See, for example, Vivian Tan, 'Ogata calls for stronger political will to solve refugee crises', *Reliefweb*, 27 May 2005, ⟨http://reliefweb.int/report/afghanistan/ogata-calls-stronger-political-will-solve-refugee-crises⟩.

[81] Terry, *op. cit.*, p. 234.

[82] Collier, *op. cit.*, pp. 205–207.

vention aimed at safeguarding civilians and ending conflict. Engaging in detail with this topic is beyond the scope of this project. However, there are reasons to argue that military intervention to help civilians dying in conflict situations should not be a duty that we owe to civilians affected by conflict.

Most interventions do not aim to end coup attempts and restore stability to legitimate existing governments, but to end protracted wars in countries that have political significance for the intervening powers, often fought by multiple belligerents who may have all committed atrocities. In some cases, military intervention can be a useful tool for halting a low-level conflict, enforcing a peace between combatants, or removing groups whose financial backing outweighs their popular support and who lack credible post-conflict goals. However, leaving aside issues such as the difficulty of encouraging powerful nations to intervene, taking sides may mean choosing between two (or more) groups who may share appalling human rights records, making all options unpalatable to anyone concerned with the welfare of poor citizens. Outsiders' knowledge of a struggle can be coloured by cultural misunderstandings and faulty intelligence; information in wartime is notoriously unreliable. The choice of an outside judge in such a dispute may not accord with the will of the local people, and imposes a certain responsibility for the outcome upon the judge.

If the international community were to impose a settlement or force a peace through military means, a host of additional problems may present themselves, from compliance issues to the difficulty of acting (and being seen to act) as an external, neutral policing force in the midst of a hard-fought war. Resolving local social problems that led to the conflict can also prove to be a difficult enterprise. Such problems can take many years to resolve, and the risk of a relapse is such that continuing intervention may be necessary for many years after the end of the conflict.

Perhaps the most convincing reason not to support such a solution in pursuing our duty to the poor is that humanitarians may have legitimate ethical objections to war. David Rieff relates the dilemma that faced humanitarians in Somalia. Faced with widespread looting of humanitarian convoys and violent action against aid workers, humanitarians began to employ armed guards to protect the aid: "From the intervention in Somalia forward, humanitarians all but insisted that the soldiers guarding them had to shoot the looters so they could get the

supplies through to the beneficiaries. Whereas taking lives in order to save lives had once been anathema to relief workers, it was increasingly understood as something that might be necessary, at least in the most extreme situations."[83] From there, it was a short step to full military intervention. According to Michael Maren, "Somalia is not a story of how a humanitarian mission became a military mission. It's about how the people running a humanitarian mission became so dedicated to their cause that they started to see strafing, bombing, and killing as humanitarian acts."[84]

Military intervention, acting as a humanitarian tool to reduce suffering, is extremely problematic. For some, military intervention is the only sure way to protect innocents in a war. For others, becoming implicated in the violence that they are trying to stop is a betrayal of humanitarian goals. The value of intervention is not simply a matter of balancing "lives saved" against "lives taken" by intervention forces. An intervening power may well start to reconsider its objectives when its soldiers or peace-keepers die, either withdrawing from the conflict or altering military strategy. Civilian casualties—so-called "collateral damage"—as well as the denial of non-combatants' basic human rights, are an inevitable risk of any military operation, and such casualties can rise even higher when intervention forces act to protect their soldiers through the use of drone strikes, anti-terror measures and high-altitude bombing campaigns. Just as donating humanitarian aid can make the plight of civilians in conflict situations worse, military intervention can cause harm to civilians that calls into question any positive political effects. As Rieff comments, "a humanitarianism that supports the idea of war carried out in its name is unworthy of that name. ... Humanitarian war should be seen as a contradiction in terms, not an increasingly sought-after 'solution' to the ills of the world."[85] Labelling a war as "humanitarian" can suppress criticism and dissent, regardless of the real goals of intervention forces, and we should be sceptical of interventions that are so named, to ensure that the actions of intervening forces are consistent with the stated goals of such interventions. Military intervention can be a useful means of ending a conflict, but the destructive force of war means that if our goal is to prevent suffering and death, it is difficult to justify engaging in war in order to discharge our

[83] Rieff, *op. cit.*, pp. 258–259.
[84] Maren, *op. cit.*, pp. 217–218.
[85] Rieff, *op. cit.*, p. 258.

duty to assist victims of war.

3.3 Sanctions

One strategy that may have some effect against dictators and rebels is to apply sanctions against their governments, restricting the goods and services that they can buy or sell on the international market, or diplomatic relations between countries. When broadly implemented by a number of prominent countries (for example, under UN Security Council sanctions), this can limit the ability of leaders to wage war, starving them of resources.

There is much disagreement about the effectiveness and utility of sanctions, whether applied generally, or in specific situations. Governments against whom sanctions have been applied may have great trouble keeping their economy afloat; however, if the government does not rule by common consent, and does not suffer when its reputation and, as a result, its public authority, is diminished, sanctions may prove ineffective. Sanctions may harm the population more than the rulers against whom the sanctions are effected: bad rulers, because they are few in number, are able to acquire sufficient wealth to insulate themselves from the effects of some types of sanctions, even as their population suffers from the limited availability of imported goods and export markets.

Nonetheless, in appropriate circumstances, sanctions may prove an effective tool in limiting the ability of a bad government or rebel force to wage war. A ban on arms imports into a country at war, for example, may curb a bad government's ability to prosecute a war. Moreover, if civilians are at risk because of the dangers of war, the additional harm posed to them by sanctions may not be substantial, relative to the impaired effectiveness of the war effort, or may be less severe than the bad effects if aid to civilians is redirected to support the war effort or manipulated to help achieve measures that hurt civilians such as forced resettlement.

Sanctions are most likely to be effective when targeting combatants in precise ways, according to the specific situation. Because sanctions need to be tailored, and are of limited use outside of discussions of government policy, they would not be a tactic well-suited to resolving a general duty to assist people caught in war.

If political solutions such as military intervention and sanctions are unpredictable, and

removing aid raises as many questions as giving aid, we might instead consider a broader class of action, which aims not to affect one particular situation, but to alter the situation of people affected by conflict more generally, by looking at features of the international system that spread poverty, and encourage conflict. Governments wishing to halt a conflict should consider the potential positive effects of various types of sanctions, but there exists a more direct, and more general, route to limiting the fund-raising capabilities of combatants.

3.4 Removing trade rules that hurt the poor

One of Thomas Pogge's suggestions to combat poverty is to remove WTO treaty rules permitting the use of domestic tariffs, quotas and anti-dumping duties, which bar poor countries from fully participating in international markets, limiting economic opportunities and preventing the poor from improving their situation. One set of WTO-approved policies that hurt the poor are agricultural subsidies in rich nations such as the United States and the European Union. The EU's Common Agricultural Policy provides direct subsidies to farmers and farm-owning corporations which amount to around €40 billion a year;[86] in the U.S., government subsidies to agriculture total about $18 billion a year.[87] Removing these, many argue, would promote access to world markets by poor countries.

Subsidies of this sort are controversial, both locally and internationally. Within the U.S. and the EU, a substantial portion of the subsidies are directed to large corporations that own huge farms, rather than the small-scale farmers that the subsidies were originally designed to help. Internationally, the subsidies allow large American and European farms to sell produce at rates that producers in smaller, poorer countries cannot match, and to run excesses which are dumped in foreign countries as a form of aid. In poorer countries, it may be cheaper to import American and European food than to buy from local farmers, which drives local farmers out of business and disrupts food security and job markets. Moreover, farmers who are able to compete locally may have trouble competing internationally, limiting the market for their

[86] Stephen Castle and Doreen Carvajal, 'Europe's Vast Farm Subsidies Face Challenges', *New York Times*, 29 December 2009, ⟨http://www.nytimes.com/2009/12/30/business/global/30subsidy.html⟩.

[87] William Neuman, 'Farmers Facing Loss of Subsidy May Get New One', *New York Times*, 17 October 2011, ⟨http://www.nytimes.com/2011/10/18/business/when-one-farm-subsidy-ends-another-may-rise-to-replace-it.html⟩.

produce.

Removing or minimising these subsidies could help poorer countries to participate in the international market, generating greater profits and productivity, as well as lowering taxes for the residents of richer nations.

Improvements that reform international institutions and remove the rules that lead to high mortality rates among poorer people and violate human rights might not be sufficient to address the problem of extreme poverty in many cases, and it is unlikely that removing the subsidies will do much to benefit people during conflict, when they are most vulnerable. Even if reform is successful, the positive effects that reform achieves may not reach the poor if they live with social structures that hurt economic growth, or under a bad government whose policies are worse for the poor than the harmful international rules, or their country has geographical features that limit access to international markets.

Greater access to international markets can help a country that is recovering from a war, creating a more stable peace. Strong international ties can also raise the cost of war, making it less likely to occur. Removing agricultural subsidies and other market restrictions, and reforming trade rules that hurt poor nations may, as Pogge suggests, be a substantial part of our duty to help the poor. But it is unlikely that people living in countries with bad governments, or in countries at war, will benefit directly because, as Singer points out, the government may be "following ill-advised economic policies or because politics, customs, and social structures are so inimical to economic productivity that few are willing to invest".[88]

In this case, Singer argues, "aid aimed at improving local food production and providing education and basic health care may be the best, indeed the only, way of helping the nation's poor."[89] Because there are clearly identifiable reasons—conflict, and the behaviour of local aggressors—for the plight of victims of war, it may appear to be the case that alleviating the worst deprivations, or forcing a halt to the conflict, offers the best hope of improving their situation. However, these clear reasons can hide less obvious, but equally influential factors such as the incentives that provoke leaders to resolve problems through warfare. These incentives can arise from the international rules that have the effect of allowing bad governments and lo-

[88] Singer, *The Life You Can Save, op. cit.*, p. 114.
[89] ibid.

cal warlords to raise money and consolidate control by manipulating resources and areas of influence.

3.5 Borrowing and resource privileges

Pogge suggests a number of ways in which the international order is set up that encourage conflict, particularly in resource-rich but otherwise poor countries, in the form of privileges that are extended by the international community to any group "controlling a preponderance of the means of coercion within a country", which is "internationally recognized as the legitimate government of the country's territory and people—regardless of how this group came to power, of how it exercises power, and of how much popular support it has."[90]

This recognition allows the government of a country to sell that country's resources, regardless of how the money is distributed or spent (the *resource* privilege); to borrow money from international institutions, which may require legitimate future governments to repay the debt (the *borrowing* privilege); and to buy arms and equip state organs such as the military or police force, which may be used against the population (the *arms* privilege).[91]

The resource privilege allows rulers to sell their country's natural resources. In countries with legitimate governments, this is uncontroversial, equivalent to the owner of goods selling them. However, in cases where the government is illegitimate, having come to power through a coup or stolen elections, this arrangement can be problematic: the money is likely to be spent not on the population of that country, but on advancing the aims or personal wealth of the rulers, or to buy support. Pogge gives the example of a group of criminals overpowering the guards at a warehouse. In the ordinary case, someone who buys the loot may possess that loot, but is not legally recognised as its owner. But an individual or organisation buying resources from a group that has seized power in a country is legally recognised as the owner of the goods, with all the rights and liberties that come with ownership.[92] Just as stolen property does not rightfully belong to subsequent buyers, resources that are bought from illegitimate

[90] Thomas Pogge, 'The Role of International Law in Reproducing Massive Poverty', in Samantha Besson and John Tasioulas, editors, *The Philosophy of International Law*. New York: Oxford Univeristy Press, 2010, p. 428.

[91] It also allows governments to sign international treaties, potentially placing constraints on the population of a country, even under future governments; however, I will not concentrate on the detail of this or the arms privilege.

[92] ibid., pp. 428–429.

governments should remain the property of the people of that country.

The resource privilege may provide an incentive for people with sufficient political or military backing to launch a coup or civil war, in order to grab control of the sale of resources; it also gives outside groups incentives to offer them support, in exchange for preferential access to the resources, or to bribe officials in exchange for cheaper resources.[93] Although there is some disagreement about statistical evidence for the former, it is generally agreed that, even if resources do not make war more likely, the looting of resources does appear to extend the duration of conflicts by subsidising the fighting, in some cases becoming so profitable so as to weaken any incentive to sue for peace.[94]

Resources on their own can increase the risk of conflict, providing "a ready source of finance for rebel groups, ... a honey pot to fight over, and... [enabling] the government to function without taxing the incomes of citizens, which gradually detaches it from what the citizens want."[95] The resource privilege is a mechanism that encourages conflict in these situations. In Liberia, for example, Charles Taylor sold vast quantities of Liberia's lumber and diamonds (as well as diamonds from eastern Sierra Leone), in order to finance his military adventures. He launched a civil war against the government of Samuel Doe in 1989, with backing from Libya's Muammar Gaddafi, and eventually became president of the country from 1997 until 2003.

A related problem applies to the borrowing privilege, which allows a government to impose obligations against future governments of the same territory, which those future rulers must repay in order to themselves borrow money: "A later government that refuses to honour debts incurred by a corrupt, brutal, undemocratic, unconstitutional, repressive, unpopular predecessor will be severely punished by the banks and governments of other countries. At a minimum, it will lose its own borrowing privilege by being excluded from the international financial markets."[96] As with the resource privilege, this can offer an incentive to coup leaders: if the coup is successful, they are able to borrow money with which to finance their goals; repayment is a problem for the future, and for the country as a whole, even if the money they borrowed ad-

[93] ibid., p. 429.
[94] Michael L. Ross, 'What Do We Know about Natural Resources and Civil War?', *Journal of Peace Research* 41:3, May 2004, pp. 341–346.
[95] Collier, *op. cit.*, p. 126.
[96] Pogge, 'The Role of International Law', *op. cit.*, p. 429.

vanced their personal goals, or personal wealth.

There is another, even more worrying consequence of this: when a war-torn or coup-riven country does achieve stability, the new democratic rulers are still obliged to repay the debts incurred by their warlord predecessors, money which is unlikely to have been spent on useful infrastructure. As a result, the democratic government's ability to invest in nation-building projects is limited, and the government becomes more likely to fail: less successful and therefore less stable.

Limiting the options open to governments that are not accountable to their people, or imposing conditions on the use of money raised through resource and borrowing privileges could remove the incentive for, or moderate the ability of, rebel movements to stage coups or wage war. Collier estimates that the economic cost of a typical civil war in a poor country is around $20 billion, "the equivalent of losing two years of income."[97] As he comments, "Unless the rebels are unquestionably a whole lot better than the government, then the cost inflicted for the one-in-five chance that the rebellion will lead to the government being overthrown is far too high, and the rebellion should be discouraged."[98,99]

In some respects, limiting resource and borrowing privileges may appear to have the same effect as sanctions: both attempt to limit the funding available to bad governments. However, aside from the obvious differences in cause, there are also a number of important differences in scope. Where sanctions are applied on a case-by-case basis, applying leverage against particular areas likely to most affect a bad government, restricting these privileges requires a small number of changes that affect a broad variety of different situations. Sports sanctions, for example, are unlikely to have an effect in most war-torn countries; restricting travel and freezing the assets of bad rulers may have a good effect in many situations, but will be relatively useless against warlords who don't travel or haven't access to foreign capital. Given the cost of waging war, restricting the ability of bad leaders and warlords to sell resources or borrow money may have a significant effect on their ability to fight.

I have not discussed the arms privilege in detail, in part because it is self-evident that allow-

[97] Collier, *op. cit.*, p. 137.

[98] Collier excludes coups from this judgement, as he believes that they can lead to better outcomes than outright war; his analysis suggests a coup costs a country only around seven percent of a year's income.

[99] ibid., pp. 143–144.

ing bad governments to purchase armaments might worsen the situation of civilians in those countries. In addition, because the potential harm is so obvious, this problem can be addressed by sanctions in a reasonable manner. However, a blanket rule prohibiting arms transfers to countries (and rebel groups) that are engaged in civil war, or that fail to demonstrate that they legitimately represent their people, might be preferable to case-by-case sanctions. A more ambitious scheme might tie arms sales to engagement in peace talks or adherence to a cease-fire; to aid facilitation that prevents fighting groups from taking advantage of humanitarian aid to feed soldiers, generate revenue, or manipulate enemies or civilians; or to inspections, following the model of nuclear non-proliferation inspections by the International Atomic Energy Agency, that evaluate the extent to which fighters target civilians. Such schemes would have to be carefully managed, as they could conceivably have negative effects, and the idea of tying arms sales to peace talks in particular could lead to bad outcomes if not controlled to ensure that the arms are used to police a cease-fire, rather than having participants attend peace talks in disingenuous fashion, simply to receive arms.

There are a number of reasons that the borrowing and resource privileges remain features of the international system. Chief amongst them is they both arise from the Westphalian notion of the nation-state, with its emphasis on the inviolate sovereignty of individual states. In principle, for other states to make decisions about the legitimacy of other governments could invite questions about their own legitimacy.

This need not cause problems for reformers who wish to restrict these privileges, largely because of the increasing belief that foreigners, and foreign states, may have a responsibility to help the poor and disenfranchised. Development aid, for example, is increasingly breaking down traditional guarantees of sovereignty; and the increase in military intervention in conflicts over the past decade, based on Kofi Annan's doctrine that foreign states have a duty to protect civilians in situations of war, has further limited any expectation of sovereign privileges in war.

Both of these processes can be problematic. In the past, military interventions that have been justified in terms of the suffering of civilians have sometimes yielded greater political advantages for the intervention force than protection for civilians; development aid can similarly

be politicised. These concerns, however, are not intractable. They suggest that the process of restricting the privileges available to illegitimate governments can be swayed, based on that government's political connections and overall role in broader regional developments. However, this is not fundamentally different from the present situation, where powerful nations may withhold recognition of new governments for political ends, or where decisions about military intervention may be influenced by a range of factors other than the legitimacy of the government in question.

A second concern, related to that about sovereignty, is about the threshold at which a government is judged sufficiently legitimate to merit privileges such as that of borrowing money and selling resources to raise funds. Restricting these privileges to democratically-elected governments might raise problems for governments that are generally held to be legitimate and answerable to their citizens. A reasonable compromise might be to require that, for organisations engaging in trade with, or lending money to governments embroiled in wars (or for those organisations' own governments), rather than certify the legitimacy of the government, they be required to ensure that the profits or loaned resources are spent for the benefit of the people of the country, rather than on the political ends of the rulers of that country, such as arms acquisitions, or patronage. It may be the case that the rulers use borrowed money to finance health projects, and withdraw the money they would have otherwise spent on those health projects to spend on insalubrious projects instead. Such loans should be withheld from governments that are illegitimate, or should be restricted to governments that can demonstrate that the loans will not lead to any increases in military or intelligence budgets, and will be used for the benefit of ordinary citizens, such as through infrastructure improvement. Such demonstrations might be accomplished by separating the loans into stages; before a new stage can be approved, earlier stages must pass financial checks. It should be possible to monitor changes in government spending—and military spending in particular, by tracking arms purchases and deliveries and increases in military equipment or force size—to restrict these types of abuse. Or borrowing governments may be required to consent to inspections or oversight to ensure that the loans are used for the good of all citizens, rather than to further the aims of politically powerful members of government. Such requirements, rather than weakening sovereignty, can have the effect

of strengthening of sovereignty in the sense of the state acting in the best interests of its citizens, rather than simply indicating control of the territory.

There are also practical issues such as the difficulty of enforcement and the possible effects on trade. The restriction of these privileges would be contingent on global adherence to the restrictions; if only a few states respected the restrictions, they would have little power. Trade in particular could present enforcement difficulties: if the government of a large state with extensive trade relations, offering substantial price concessions in exchange for support, were judged to be abusing their resource privilege after a coup, in order to wage war against the remains of a legitimate government, there may be substantial political pressure to overlook their illegitimacy. Some states have large reserves of resources that are essential for manufacturing particular goods, and restricting trade with their governments could create global shortages. In practice, though, all collective acts in the international arena are vulnerable to these problems; the existence of these problems does not, in itself, offer a sufficient counter-argument.

The strategies of reforming resource and borrowing privileges are not vulnerable to the same criticism of the removal of market restrictions, or of moving aid resources to other communities, that they do nothing to improve the situation of people in wartime. Conflict areas are especially unlikely to have good governments, or to be in a position to take advantage of improved trade rules and opportunities for economic growth. This shortcoming is less applicable to reforms of international rules like the borrowing and resource privileges, which aim to make conflict less likely, rather than to provide economic opportunity to desperately poor people.

Reform of these privileges also offers a solution that is more generally applicable than sanctions, which have to be adjusted for each conflict situation to fit the specific dynamics of that situation. This is not to say that applying sanctions to a conflict cannot have a useful effect on the conflict; however, when creating a response to conflict that can be reasonably regarded as a discharging general duty, applied to a wide range of conflict situations, and communicated to large groups of people, motivating for a targeted solution such as sanctions is better left to policy groups and governments. Military intervention suffers from similar problems, while its potential for destruction and harm suggest that we should first seek other strategies to assist victims of conflict. To the extent that we wish to help people in the midst of a war, rather than

during post-conflict reconstruction, strategies such as reforming resource and borrowing privileges should take a higher priority than market reforms, military intervention, removing or moving aid, or sanctions.

3.6 The difficulty of reform

Singer raises a second objection, which relates to reform itself, rather than the type of reform. For Singer, the political difficulty of achieving reform means that campaigning for change is less effective in combating poverty than charitable contributions. He is willing to concede that institutional reform may better address the problem of poverty, but believes that agitating for reform is less helpful than donating money, because there are "powerful political interests allied against the elimination of trade barriers [which] makes political change unlikely."[100] He acknowledges that the objection depends on a number of factors: "whether our money and time would make a success of such a campaign more likely, how great the gain for the poor if such a campaign succeeded, and how much good our donation could do if given for other forms of aid."[101] Singer describes the battle over the United States' 2008 Farm Bill, which provided agricultural subsidies to farmers. The bill was opposed by "virtually every economist in the country other than those working for the farm lobby" and was vetoed by then-president George W. Bush. Despite the opposition, the U.S. Congress raised the required two-thirds majority to overturn the veto. Singer concludes, "Defeats like this suggest that our efforts are better spent elsewhere, where we can be confident of making a difference."[102]

Leaving aside the issue of whether we can be confident that donations will make a difference, Singer's verdict, that the powerful political interests allied against change make reform less effective than donations, is questionable. While there are well-organised domestic and international lobbies that support existing trade policies, and have a vested interest in the existing configuration of the international system, concerted advocacy can be effective in achieving meaningful change. The urgency and priority of the problem of poverty in general, and of people affected by conflict specifically, is such that, if Singer is correct about the nature of our duty,

[100] Singer, *The Life You Can Save, op. cit.*, p. 114.
[101] ibid.
[102] ibid.

the campaign to help afflicted people should be as important as efforts like the women's suffrage movements, the U.S. civil rights movement, and the anti-apartheid struggle, all of which inspired widespread action to overcome established interests.

Political interests holding out against change are vulnerable to bad publicity and public pressure, and if it's possible to encourage more people to advocate for change and raise awareness of the problem than currently donate time or money to anti-poverty efforts and humanitarian relief, it may prove easier than Singer believes to shame lobbies into accepting reforms.

Singer's argument also addresses trade policies like agricultural subsidies, which are especially intractable issues. By comparison, the resource and borrowing privileges are more difficult to defend. Proponents of subsidies can attract a good deal of support by using arguments about food security and domestic competitiveness. While there are corporations that benefit from the resource privilege, the arguments for the extension of this privilege to corrupt or warmongering governments are not strong, and are unlikely to afford these corporations substantial support in any attempt to retain the privilege for such governments.

The advantage of the approach of systemic change is that better policies, once effected, will continue to improve the position of the poor, even without sustained advocacy. While donations might temporarily improve the lives of extremely poor people, and, in the best case, may lift large numbers of people out of poverty, the bad institutions and disadvantageous policies that have driven people into poverty will continue to operate, even as donors get fatigued and turn their attention to new causes. By contrast, institutional reforms that have good effects will continue to lift people out of poverty, leaving advocacy groups, and people who take seriously their duty to assist the poor, free to build upon those good effects with other targeted reforms.

One strong argument against institutional change is that such measures do not directly assist people at risk. Singer relates an anecdote about a panel discussion featuring the economist William Easterly and philanthropist Bill Gates at the World Economic Forum in 2007. Easterly points out that aid given to Africa over the years has not stimulated economic growth; Gates responds, "I don't promise when a kid lives it will cause a GNP increase. I think life has value."[103]

[103] ibid., p. 115.

Humanitarian aid can bring food aid, doctors, and other essentials that save lives in a direct and measurable way. Institutional reform does not save a dying child or feed a starving family; there are no dramatic interventions that can be captured in photographs.

It is not hard to see why an aid worker, knowing the perils of aid gone wrong, might prefer to continue working with a broken system, rather than to withdraw and know that suffering continues, without an attempt being made to alleviate it. But however counter-intuitive it may be to withdraw aid donations and concentrate on other strategies, considering the potential ill effects of humanitarian aid in extreme situations, demonstrates why, after much debate, some aid agencies have chosen to withdraw from particularly difficult situations, just as some branches of *Médecins Sans Frontières* did from Rwanda and Zaire in 1995 in response to problems with the provision of aid in refugee camps. As with the other approaches discussed in this chapter, the strategy of limiting resource transfers and borrowing privileges has its shortcomings. Nonetheless, following Langlois's reformulation of Singer's pond analogy, it may be better to go to city hall and insist the pond be fenced in, rather than (or in addition to) simply waiting at the pond to rescue any passing child who falls into it.

4 Responding to Our Duty

The goal of removing institutional injustices and easing the plight of people trapped by war is not a trivial one; the current institutional order, like any system, creates winners and losers, and people who benefit from the system are unlikely to accede to the removal of elements from which they profit. As a result, while governments, large corporations, and international organisations may be best-placed to address the institutional rules that encourage conflict, individuals also have a responsibility to work towards a more just international system. As I have suggested, concerted advocacy, while a slow mechanism for change, can be effective in overturning established rules. There are examples from which we can draw lessons, of unjust rules that have been addressed or removed, such as implicit support for the corruption and bribery of foreign officials, or the trading of conflict diamonds.

4.1 Advocating change

This advocacy can take many forms. For example, instead or, or in addition to donating money to aid agencies, as Singer suggests, we might give to organisations that advocate for change, or organisations that, like Oxfam, mix advocacy with aid. While there are not as many organisations that advocate for change as there are aid agencies with a presence in conflict zones, there are prominent groups that work on advocacy issues relating to poverty, such as the Jubilee campaign, which aims to cancel debt for the poorest countries, and Make Poverty History, which is an umbrella organisation of charities, religious groups, and other coalitions that combat poverty, either through aid or through advocacy.

For those who are unable or unwilling to donate to advocacy groups, there are a variety of other options. The scale of humanitarian aid operations means that you cannot simply fly into a war zone and attempt to help people, but it is possible to advocate on your own, as well as through contributing to groups. You can write to your democratic representatives or government officials to argue against unjust international rules or objectionable government policies. You can organise or sign petitions, to raise awareness of the issue or, if a great many people sign, to force a rethink of government policy. Organisations like Avaaz can boast millions of mem-

bers, and, although direct responsibility for policy change cannot always be attributed to their efforts, it is reasonable to think that governments targeted by petitions listing millions of signatures will be aware of increased public scrutiny. You can also raise awareness and encourage others to take action, by talking to friends or writing to newspapers.

These sorts of actions can also put pressure on companies that benefit from unjust rules to reform, or to put in place measures to prevent abuse, much as the diamond industry instituted the Kimberley Process to prevent countries or rebel organisations that were selling so-called "conflict diamonds"—diamonds from war zones in Sierra Leone and Liberia in the late 1990s and early 2000s, or the Democratic Republic of the Congo and Côte d'Ivoire—from realising a profit that could drive violence or undermine legitimate governments. The success of the Kimberley Process has been questioned in recent years, in part due to a lack of political will by member nations to enforce the protocol's rules, and because diamonds are only classified as conflict diamonds when sold by rebel groups; diamonds sold by governments with poor human rights records—as is the case in Zimbabwe—are not classified as conflict diamonds.[104] This illustrates the difficulty, once international rules have been changed to improve outcomes for victims of conflict, of enforcing those new rules, but such difficulties do not mean that changing rules such as the resource privilege is not a worthwhile goal.

There are a number of ways of restructuring both resource and borrowing privileges that could remove the potential harm. Most directly, people can lobby organisations that buy resources from war-torn countries to instead buy resources from nations at peace. Countries like the Democratic Republic of the Congo and Angola are able to raise a great deal of money from the sale of resources such as oil and columbite–tantalite. In many cases, these businesses are prominent, producing products such as cellular telephones that are marketed directly to individuals. In the eastern part of the Democratic Republic of the Congo, the Rwandan army was alleged, in a report to the UN Security Council, to have exported about 100 tons of columbite–tantalite per month between 1997 and 2000, earning "at least $250 million over a period of 18 months."[105] They judge that this amount would be "substantial enough to finance the war", or

[104] John Eligon, 'Global Witness Quits Group on "Blood Diamonds"', *New York Times*, 5 December 2011, ⟨http://www.nytimes.com/2011/12/06/world/africa/global-witness-quits-group-on-blood-diamonds.html⟩.

[105] UN Security Council, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other*

at least Rwanda's part in the Congolese conflict.[106]

In other cases, companies have positions that are at odds with the practical effects of their resource purchases. American televangelist Pat Robertson, for example, was alleged to have used planes that were supposed to be transporting relief supplies to Liberia to instead transport diamond-mining equipment, as part of a deal with then-president of Liberia Charles Taylor which gave Robertson gold-mining concessions in south-east Liberia.[107]

Public pressure on companies that buy such resources, engaging with fighters and funding conflicts, can be effective in forcing reform. Even when the resulting reforms are imperfect, as we saw with the Kimberley Process, they can reduce the funding that armed groups can use to prosecute a war. Similarly, pressure on organisations and corporations that lend money to armed groups and illegitimate governments can stop such loans from being used to fight a war, or allowing the redirection of other monies, from health or education budgets, into military uses. In addition, public pressure could force organisations that are requiring payment by newly-democratic governments of past loans, made to undemocratic past governments, to forgive the loans or recognise the ill effects of loans that should not have been made, and make recompense.

Pressure can also force governments to change their positions with respect to loans to and resources bought from illegitimate governments and rebel organisations. Governments can prohibit or regulate trade between companies based in their country and bad governments, using tools like sanctions, or by requiring companies to demonstrate that resource purchases from countries that have illegitimate governments do not lead to arms purchases or increases in military spending in those countries.

Waging war is expensive. Paul Collier points out that, while the well-funded British Conservative Party had revenues of $50 million in an election year, the Tamil Tigers of Sri Lanka had an annual revenue of $350 million, seven times higher, even in a much smaller country.[108] This

Forms of Wealth of the Democratic Republic of the Congo. Geneva: United Nations Security Council, 12 April 2001, p. 29.

[106] ibid., pp. 29–30.

[107] Anna Schecter, 'Prosecutor: Pat Robertson Had Gold Deal with African Dictator', *ABC News*, 4 February 2010, ⟨http://abcnews.go.com/Blotter/pat-robertsons-gold-deal-african-dictator/story?id=9749341⟩.

[108] Collier, *op. cit.*, pp. 133–134.

suggests that there are a number of ways that third parties might exert a good influence as rebel organisations and warring governments seek to raise money for their conflict.

This is a small selection of strategies for correcting injustices in current international practises. Committed advocates may find that other strategies have a greater effect, or may prefer to lobby not for specific changes, but instead set a general goal of correcting injustice, leaving the specifics to be determined by policy-makers.

4.2 Objections to activism and advocacy

One might object to this means of fulfilling one's duty—advocating for change—by arguing that, although advocacy may be desirable, it will not bring about change for people affected by conflict situations, or that the level of involvement that it requires of us is too low to adequately reflect the importance of the duty to assist people in need. Singer suggests that we give up everything that is not essential to our well-being—short of sacrificing anything nearly as important as the deprivation of the poor—and instead donate those resources to charity. Participating in low-key activism efforts such as signing petitions, raising awareness, or writing to representatives may not be as demanding as is required by Singer's logical formulation of our duty to the poor.

Singer applies his argument specifically to financial resources, but it is worth considering how it would apply if we instead gave our time, attempting to raise awareness or volunteering. It can be difficult to judge what level of financial giving sacrifices something as important as the lives of people who are dying of poverty; assessing our other resources, such as time, can be even more difficult. How much leisure time is essential to our well-being? How much time away from work should we spend with our families, rather than writing letters and lobbying for change? While it does not usually take much time to write a letter, and even less to sign a petition, there are other types of engagement that may require a substantially greater investment of time or resources, such as volunteering, or creating and marketing a petition.

Singer believes that such a demanding standard, giving everything that you can without sacrificing anything as important as someone's life, may be too much to ask of people, and he favours an approach that requires extremely wealthy people to give a moderate portion of their

income, and well-off people only a small portion, five percent, of their income. In this case, rather than recommending that individuals give up one day in a week, one day in a month, or some comparable period, it may be preferable to suggest goals (a petition signed; a letter written). Some goals may require only a fraction of the time we have spare, not spent providing for ourselves or our families. Other goals may be more onerous, such as volunteering for or otherwise contributing to organisations that aim to make a difference in situations of conflict, or boycotting a company that uses minerals mined in conflict-ridden areas to make desirable goods such as cellular telephones.

In addition, if we are able to discharge our duty to vulnerable people by raising awareness of their plight and about what might be done to alleviate it, it is to be hoped that more people might embrace the duty. And because it is an important duty, high levels of participation are desirable, likely to have a greater impact than if we require people to sacrifice non-essential comforts. Petitions may be a relatively weak form of engagement on an issue, but it is also possible that a petition signed by millions (or even hundreds of thousands) of people, each taking a few minutes to sign, can have a greater effect than the concerted efforts of a team of dedicated activists. Even petitions that fail to gather sufficient numbers of signatures to force policy changes can have positive effects on attitudes. Such a petition can encourage new awareness of an issue, and stimulate new ideas and broader discussions. In cases where policies are decided by commercial interests, it may be the case that even a small number of signatures may be sufficient to either sway the commercial interests, or to encourage policy-makers to reject commercial interests that run counter to expressed preferences of their constituents.

If too few people responded to such a duty, signing a petition or embracing a boycott, we could not necessarily expect any change in attitudes or policies, although a petition that fails to reach some threshold may still generate media attention and highlight the cause it aims to advance. A similar problem might occur if we asked people to donate money, and few people contributed: the difficulty of operating in the midst of a conflict means that, if too few people donate money to a group that organises relief programmes in war-torn countries, that group may not be able to continue functioning, or may need to redirect resources from other deserving areas. However, in principle, a few donations can at least help some people in need, whereas

if too few people sign a petition to reach the threshold required to enact change, those signatures may seem to be wasted. For this reason, our duty should not simply be to sign petitions, but requires us to encourage others to join us in agitating for change. Just as one wealthy individual who donates money can have as great an effect as the donations of a thousand less wealthy people, one dedicated person can inspire thousands of others to add their voice.

Given the low barrier in signing a petition, it is likely that more people will be willing to make such a statement than would be willing to donate. We should criticise a person who does no more than sign a petition for his low level of involvement, and encourage him to engage with greater enthusiasm—to speak to his representatives in government and write to (or boycott) companies which buy resources that fund conflict, to volunteer for organisations that address these issues, and to encourage others to take similar action—but even a minimal level of engagement can have a meaningful effect when large numbers of people are involved.

4.3 Individual and governmental responsibilities

While donations to charitable organisations are clearly within the scope of individual action, advocating changes in international institutions may seem more appropriate as a government responsibility. In the same way that a government is usually held to be responsible for protecting the human rights of its citizens, a government has a broader, albeit more limited, responsibility to the citizens of all countries. It may be limited because rather than ensuring the citizens of all countries have a right to due process or freedom of association (which may be regarded as an excessive burden), a government may reasonably be held to have a responsibility to ensure its laws and rules don't unduly prejudice or injure non-citizens, beyond the competition that may be expected between countries operating on a level playing field.

I am sympathetic to the notion that governments are best-placed to bring about changes in international institutions, but this does not mean that we have no personal, individual duty to assist people stricken by conflict. To see why, we can examine Singer's argument, that we have a duty to the less fortunate that is individual and specific, not necessarily corporate; such a duty can be discharged by a representative body, but he applies it to individuals rather than governments. In part, this is because Singer is more concerned with individual moral agency,

and while three-quarters of international aid comes from governments, individuals can give money directly to aid agencies as easily as their governments. By contrast, changing international rules such as the resource privilege requires collective action on a global scale, at the level of governments and large international organisations, suggesting that the responsibility for such changes should rest with governments.

But aid that is donated by democratic governments is usually given explicitly on behalf of the people they represent. In the same way, international agreements made by a democratic government should reflect the preferences of its citizens. Because governments are the vehicles through which people can affect international institutions, the ultimate responsibility for changing unjust institutions does not rest only with governments, but applies equally to the people they represent.

Governments are often conservative in altering their laws and international agreements; some legitimate, democratic governments resist duties specified in UN human rights conventions or in international covenants, for example those relating to the status of refugees, even when those legal duties are widely recognised to have strong moral significance. It may be the case that the citizens of such a government reject these moral arguments, but some of the time, citizens may accept the moral argument while doing little to ensure that their government's policies follow their ethical beliefs. In such cases, citizens of these countries have a duty to hold their governments accountable, and to reform unjust rules to which their governments have acceded, to bring government policies in line with their ethical obligations.

4.4 Conclusion

Conflicts, particularly those which generate large amounts of media coverage and international attention, attract a great deal of aid from generous donors around the world. However, our obligation to the people suffering from the violence and deprivation of those conflicts does not end when we donate some money to a worthy cause.

As we have seen, resources are in great demand in a conflict zone, and the lack of independent law-enforcement, combined with an abundance of weapons, means that combatants are able to control any resources, such as aid, that come into territory that they control. While

not all fighting groups do deprive non-combatants of their aid supplies, many will do so, or attempt to control the distribution of those supplies in order to best meet their own goals. As a result, aid can end up prolonging a conflict, providing soldiers with additional food or money, and worsening the position of victims of the conflict.

This suggests a strong objection to the idea that we have a responsibility to assist victims of conflict by giving humanitarian aid: if the aid hurts more than it helps, a reasonable response is to refrain from giving aid. This may not help people in need, but it avoids hurting them even further. However, a better response is to look for other means of helping people trapped by conflict which do not risk making their positions worse.

Initially, I have argued, this should take the form of restricting the sale of minerals and other resources by rebels and governments at war, as well as their ability to borrow money, where these resources are used to fight the conflict. This may take the form of a blanket ban, or of some mechanism designed to ensure the proceeds are used to benefit all citizens of that country, without allowing the government to redirect existing resources into other channels such as military spending.

In the best case scenario arising from the solutions I have examined, where the most damaging international rules have been changed for the better, some wars may be avoided and others may be shortened, but not all conflicts will be eliminated. This does not mean that our duty to victims of conflict would have been discharged by effecting policy changes: the suffering of people affected by new and ongoing conflicts would still prompt a response from us.

The most appropriate response in such situations might take the form of sanctions, or of some form of military intervention. There may be other important policy changes that can assist in this goal, or that can rectify some of the problems that limit or overturn the good effects of aid. For example, at present in Syria, United Nations aid is required to be distributed according to rules set by the Syrian government, which means that little of the aid goes to needy people in rebel-controlled areas.[109] In this case, it may prove beneficial to change UN rules to empower some neutral third party to allocate aid, rather than a government who may have a

[109] David D. Kirkpatrick, 'In Parts of Syria, Lack of Assistance "Is a Catastrophe"', *New York Times*, 8 March 2013, ⟨http://www.nytimes.com/2013/03/09/world/middleeast/in-syrias-rebel-strongholds-foreign-aid-yields-anger.html⟩.

stake in manipulating aid flows. It may be that aid can be an important component of any assistance, not just in helping stabilise a post-conflict peace, but in helping victims during a war, in places where it is possible to avoid the most common pitfalls of such aid, and where we can be reasonably certain that the aid is reaching its intended recipients. But in situations where aid can be manipulated or used to continue a conflict, we should ensure that in helping victims of conflict, we don't make their position worse.

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