

Jonathan Moore (ed.)

Hard choices: Moral dilemmas in humanitarian intervention

Rowman & Littlefield, Lanham, Oxford, 1998, 322 pages

The end of the Cold War, the proliferation of internal conflicts and the changing nature of sovereignty have created new prospects for humanitarian intervention. One idea that all contributors to *Hard choices*, a collection of essays edited by Jonathan Moore and sponsored by the ICRC, seem to share, however, is that while opportunities for such intervention have never been so great, there has never been such a need for ethical reflection on its nature. Indeed, with the decline in the “excessive and rather smug faith in the morality of humanitarian action”, as Rony Brauman puts it, has come a gradual realization that “sincerity of intentions” is no “guarantee of virtue”, and that humanitarian workers have a “compelling moral obligation to mistrust the premise upon which their action is built”. Failure to do so, as Kofi Annan warns, may result – quite literally – in “bloody failure”.

Ethical dilemmas relating to humanitarian intervention make for hard choices because they are both unavoidable and complex. They are unavoidable inasmuch as there are no ready-made recipes to test the morality of any given aspect of international relations. The arms trade, as Roger Williamson points out, is the legitimate means whereby States acquire the resources they need for their self-defence. Yet at the same time the arms trade can be a cause and aggravator of internal violence.¹ It is not the arms trade as such that is unethical, therefore, but rather the way it fits into the broader dialectic of ends and means.

¹ Larry Minear makes a similar point in relation to the dual nature of sanctions as a means of implementation and thus an «effective expression of international law and expression of human

rights and humanitarian values» on the one hand, and as a cause of «hardship for the targeted country» on the other.

Ethical dilemmas are complex because, as Jonathan Moore suggests, they involve competition not only between material, political and ethical considerations, but also between different ethical paradigms. Foremost among these is to what extent one should be faithful to one's core beliefs and how much attention one should give to the consequences of one's actions – the deontological versus the consequentialist. *Hard choices* argues convincingly in favour of a moral pragmatism that rejects any form of extremism.

One of the difficulties with the book is that its contributing authors are in fact dealing with two separate issues. When talking about dilemmas of humanitarian intervention, some refer to the dilemma of whether the international community should intervene militarily in the affairs of a sovereign State on humanitarian grounds. Others assume that such an operation is already under way – or simply equate humanitarian intervention with humanitarian assistance – and discuss the moral issues that arise therefrom. In other words, some are concerned with the ethical dilemma of intervention (when and why), while others discuss the ethical dilemmas arising from intervention (what and how). This is not entirely coincidental. It is in itself a reflection of the degree to which political and military intervention has tended to come in the guise of humanitarian assistance. How far one type of intervention can go without impairing the other is, unsurprisingly, one of the key questions which the contributors, who come from both academic and operational backgrounds, seek to address.

J. Bryan Hehir seeks to apply the theory of just war to intervention and points in particular to the legitimizing function of multilateralism. Yet beyond theory lies a road fraught with difficulty. Too little military intervention or intervention that comes too late, as the cases of Bosnia-Herzegovina and Rwanda have demonstrated, is unethical. A promise of intervention not acted upon is even worse (African Great Lakes). Yet there is also such a thing as over-intervention. The heavy-handedness of the UN intervention in Somalia hampered efforts to gain acceptance from the population and may have been counterproductive.

This raises many questions for the humanitarian community. Ultimately, the total failure of intervention may sometimes make humanitarian action impossible because of the breakdown of any "humanitarian space", and this would seem to point to a bottom line where the issue simply cannot be ignored. The international community's failure to disarm the *génocidaires*

in eastern Zaire, for example, gravely undermined the success of humanitarian action. Should humanitarian actors, therefore, have been ready and willing to advocate military intervention?

Once military intervention is under way, the question arises as to how humanitarian actors should manage their relations with the military. Several authors make a cogent case for the idea that the risk of being enlisted by political players and the military, both operationally and strategically, means that independence is the only viable ethical option. This independence is especially useful when the political handling of the matter by the international community tends to become part of the humanitarian problem rather than offering a solution. Larry Minear has strong words to describe how the use of sanctions, notably against Iraq, has made the UN “morally schizophrenic” by placing “political and humanitarian imperatives” on a collision course.²

Another more general question discussed is what posture humanitarian actors should adopt in the face of grave human rights violations. The assumption that human rights are an essential component of peace-building is widely shared. Justice Goldstone insists that peace and justice are not contradictory, and José Zalaquett points to the need for a “moral reconstruction in the wake of human rights violations and war crimes”. Although the authors take due note of the fact that in the thick of humanitarian intervention there may be a fundamental tension between assistance and protection, access and advocacy, none of them seems to have any taste for restraint in voicing concerns about human rights violations. Rony Brauman, for example, focuses on the existence of circumstances “in which political considerations override all else” because benefits gained by adherence to strict neutrality in terms of good access are outweighed by the cost to the population of failing to denounce atrocities. In such circumstances, this author warns, a neutrality that lets itself be manipulated – neutrality without independence – is really no neutrality at all.

Another key issue that *Hard choices* addresses, albeit implicitly, is how far humanitarian action should stretch: should it be involved in finding solutions to the root causes of the conflicts that give rise to the need for intervention? To what extent should humanitarian workers take into account long-term concerns for reconstruction? The fact that the book devotes

² Colin Granderson's reminder that the joint OAS/UN International Civilian Mission in Haiti (MICIVH) ended up having to monitor the human

rights record of the UN Mission in Haiti (UNMIH) also highlights the need for such independence.

attention to topics as varied as development, democracy, human rights, justice, health care and the impact of television is revealing of how much the word “humanitarian” has come to encompass. *Hard choices* is more noteworthy for highlighting that diversity, however, than it is for trying to make sense of it.

One of the wonders of *Hard choices* is that it shows how many ethical dilemmas could be reworded into operational dilemmas. Indeed, an important truth that filters from the book is that when it comes to humanitarian intervention, ethics make operational sense, particularly in terms of perceptions. As Mu Sochua’s account of the UN intervention in Cambodia through the eyes of a Cambodian refugee vividly underlines, ethical behaviour builds credibility and therefore enhances the efficiency of humanitarian action.³

Awareness of the existence of ethical challenges is already a step towards taking them into account. In this regard *Hard choices* is a remarkably frank attempt to consider the consequences and the shortcomings of humanitarian intervention.⁴ With so much soul-searching involved, Romeo Dallaire’s contribution is aptly entitled “The end of innocence”. A promising step, no doubt, towards the beginning of wisdom.

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³ Mary B. Anderson makes a similar point when she remarks that the growing professionalization of humanitarian aid, and its control by Western donors, contributes to the alienation of victims. Treating «victims as partners» instead is likely to substantially affect the way in which humanitarian work can be conducted.

⁴ Particularly noteworthy for their frankness and their willingness to accept failure in some circumstances are the contributions of Kofi Annan and Romeo Dallaire.

⁵ At the time of writing the author was an attaché at the ICRC International Organizations Division in Geneva.