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COLLATERAL BENEFIT*

By Michael Blake

I. Introduction

Political philosophers often imagine themselves as advisors to political leaders. Much of what such philosophers do consists in offering principles by which the decisions of political leaders might be guided, criticized, and assessed. We offer, as it were, moral standards by which the actions of governments might be evaluated; the more ambitious of us hope that such governments might, indeed, be guided by our words.

This is a perfectly legitimate goal for political philosophers. It need not be, however, the only focus of philosophical inquiry in political life. In what follows, I want to begin an exploration into a different area of political ethics. We need, to be sure, ethical principles applicable to the decisions of those agents directly controlling the decisions and policies of governmental power. We would also, I believe, benefit from an examination of ethical principles applicable to the behavior of those agents whose relationship to governmental power is less direct. There are, after all, a multitude of agents with roles to play in the political process: citizens, unions, ethnic associations, political parties—all these, and more, have roles to play in the wider process of governance. The specific task of some of these agents, however, consists primarily in the response to governmental policy, rather than in the direct exercise of governmental power. I refer to such agents as "second-order political agents" when their primary mode of agency involves the critical response to governmental action, rather than the exercise of state power. The decisions faced by such agents, that is, often involve deciding what to do in the face of state policy, rather than in the direct formulation of such policy.

If such a distinction is possible, then there seems to be a need for ethical principles directly applicable to such agents. These principles, I think, will not be reducible to those applicable to the more standard questions of political justice. Second-order agents, I suggest, have a distinctive role to play in the process of political governance; the specific nature of the decisions they face makes it appropriate for us to examine what ethical principles might be employed to evaluate their actions. It is, I think,

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possible that the roles such agents play provide them with distinctive sets of ethical permissions and responsibilities. Second-order agents, on this analysis, must look directly at the ethical principles appropriate for their political role, rather than at the ethical principles appropriate for the decision making of statesmen and governmental officials.

Or so, at any rate, I will attempt to argue. In what follows, I will examine this thesis with regard to one particular form of second-order agent, and in the context of one particular form of political question. The question I want to examine is the ethical justifiability of humanitarian military intervention; the type of second-order agent I want to focus on is the human rights nongovernmental organization (NGO). A wide variety of such agents have arisen in recent years, in an attempt to place the moral importance of human rights on the political agenda.[1] These agents have a wide variety of specific competences; many of them specialize in the reporting and documentation of human rights abuses. They also, however, have the ability to enter the public debates surrounding policy issues more generally, by marshalling their considerable moral authority to condemn or praise specific acts of government.[2] The question we must therefore ask is: What ethical principles ought to guide human rights NGOs in their decisions on how to respond to governmental military actions?

One simple answer, of course, is to rely upon moral canons developed for the justification of military actions overall. On this analysis, the primary question to be asked by such humanitarian organizations is whether or not a given military action is justifiable as a humanitarian intervention. This methodology has recently been employed by the human rights NGO Human Rights Watch (HRW) in its analysis of the recent military action in Iraq.[3] The methodology reflects, I believe, the default position of many human rights organizations—namely, that a military action ought not be defended by a human rights NGO unless the intervention is itself a morally justified action for a governmental agent to undertake. There is, on this analysis, a single moral question to be asked by both governmental agents and NGOs: Does the proposed military action constitute a humanitarian intervention, on our best moral reading of this term?

This simple answer, I suggest, might be inadequate. NGOs concerned with the preservation and protection of human rights might, I think, have a legitimate role-based permission to defend and promote military inter-

[1] A good survey of such organizations can be found at http://www1.umn.edu/humanrts/links/ngolinks.html.

[2] It is possible, indeed, that such condemnation and praise is difficult to avoid; human rights NGOs deciding whether or not to accept government conditions such as embedding within the military context are aware that their decisions will be interpreted as supporting or condemning the military decisions themselves. I am grateful to Daniel Wikler for discussion of this topic.

[3] See Ken Roth, "War in Iraq: Not a Humanitarian Intervention," the keynote essay of the 2004 HRW Report on Human Rights. Document available at www.hrw.org.

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vention abroad in a wider set of cases. These organizations play a specific role within the overall process of political argumentation; this role, I believe, may provide them with a distinct set of moral principles, on which it might be permissible to defend and promote even some forms of warfare not legitimately defensible as humanitarian interventions. Just as a defense attorney has a role-based permission to look specifically to the interests of her client, rather than the overall justice of the court's disposition of the case, so might human rights NGOs have a role-based permission to defend military interventions benefiting human rights—even when such interventions would not rise to meet the moral tests applicable to the decision making of state officials. The acceptance of such role-based moral principles, I believe, might ultimately do a better job of protecting human rights abroad than the simple moral answer described above.

In what follows, I will try to establish this conclusion. My argument will have three parts. I will begin by examining the moral relevance of intention. On this analysis, even if right intention is a legitimate criterion for an intervention's moral status as humanitarian, human rights NGOs have no need to demand right intention as a precondition for the moral approval of military intervention. Military interventions undertaken even for selfish or narrowly political reasons might have sufficiently beneficial consequences for human rights to justify an NGO's approving of such interventions; the notion of "collateral benefit," I believe, might provide the starting point for this analysis.[4] The second part of my argument will examine the possibility of morally supporting an intervention when its consequences for human rights are significant and beneficial, but not sufficient to justify the intervention overall. In this context, I will argue, human rights organizations may legitimately rely upon a role-based permission to defend the intervention, even when the moral canons of evaluation might condemn the governmental agents undertaking the intervention. The final portion of my argument will address two potential objections to my position, and offer some tentative conclusions.

II. Intention, Intervention, and Permissibility

The motive of the intervenor is frequently held to be morally relevant to the legitimacy of the intervention. A humanitarian motive, in particular, is frequently taken as a prerequisite for moral approval as a legitimate humanitarian military intervention. There is no agreement, of course, on the degree of purity required to justify humanitarian action; more realistic theorists admit that state actions frequently have multiple rationales. Condemning interventions taken partly out of state interest, on this account,

[4] I use the term "collateral benefit" as the inverse of the term "collateral damage." Collateral benefit, that is, represents beneficial results of a military action, where such benefits do not form any part of the justification or motivation for undertaking that action.

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runs the risk of making all intervention illegitimate; all that is required for moral approval is a dominant or primary humanitarian motive.

There are, of course, a variety of ways of criticizing even this more relaxed position. We might, after all, derive an account of humanitarian military intervention in which moral approval is not conditioned even slightly upon the nature of the intervenor's motive. For the moment, however, let us assume that the legitimacy of an act of intervention depends in part upon the motive of the agent. What must be the case for such an analysis to hold true? Any plausible account of such a moral view, I believe, will be amenable to a distinction between the ethics applicable to the decisions of a governmental agent and the ethics applicable to the decisions of a second-order political agent such as a human rights NGO. To make this case, we may note that there are two ways in which motive might matter to the moral permissibility of an intervention. It might matter intrinsically, in that the proper intention is itself a prerequisite to the very possibility of legitimate intervention; or it might, in contrast, matter derivatively, in that only interventions undertaken for the proper reasons are likely to be pursued with a proper concern for human rights. We will consider these in turn.

What, then, would it mean for intention to matter intrinsically in this context? The most promising version, I think, would make a humanitarian motive a conceptual prerequisite for legitimate humanitarian military intervention. To act *as* a humanitarian intervenor, that is, simply is to act for the right reasons; the limited moral exception carved out from state sovereignty requires right motive as well as right circumstance, so that motive is conceptually necessary for legitimate humanitarian intervention.

Some version of this analysis might be sufficient as a basis for the decision making of governmental agents. It seems, however, that no such analysis could apply to the decision making of agents such as human rights NGOs. When reasoning about another's actions, after all, we may legitimately distinguish between judgments of the permissibility of the action and judgments regarding the character of the agent.[5] To see this, imagine a third party evaluating the action of an agent who acts for another's benefit, but from selfish or unworthy motives: say, a man who saves another from drowning, but only in the hope of thereby gaining fame and public acclaim. The best analysis of this situation, I think, would distinguish between the moral permissibility of the action, and the character of the one who acts. We may legitimately endorse the action of saving another from drowning, while condemning the unpleasant character of one who performs this action only for selfish motives. Sufficient moral reasons exist to mandate saving another from drowning; an agent of good character will find these motivating, but the mere fact that such

[5] This analysis draws on T. M. Scanlon's analysis. See T. M. Scanlon, *What We Owe to One Another* (Cambridge, MA: Harvard University Press, 1998).

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reasons exist is sufficient for us to think that the action of saving a drowning swimmer is morally permitted. If this is true, then what matters most for the permissibility of a given act of intervention is not whether the agent acts for the right reasons, but whether the intervention is itself a morally justifiable act. To put this another way, it is not whether a humanitarian reason motivated the intervention, but whether sufficient reason exists to justify such intervention, that ought to be our concern when we judge whether the act of intervening ought to be performed.

To hold the reverse, I think, borders on the precious. Imagine what might be said to the potential beneficiary of a morally justifiable intervention—one for which sufficient reason to intervene exists—if we condemn the intervention out of a concern with motivation. It would be good if you were helped, we might say, but you can only be legitimately helped by an agent concerned primarily with your welfare. Any other intervenor is morally blocked from providing such aid. The response of such a potential beneficiary, I think, would most likely be bewilderment or anger. If an intervention has sufficient reason to be undertaken, then observers may legitimately applaud the act of intervening—even if the intervenor's motives show a deficiency of moral character. The purity of the intervenor's heart is unlikely to be of primary importance to those whose dignity the intervention will end up protecting.[6]

The more plausible version of the relevance of intention, I think, is the second possibility discussed above: the possibility that motive might matter derivatively. This version rests not upon the inherent moral relevance of humanitarian motives, but upon the likely causal consequences of intervening without a humanitarian motive. On this analysis, humanitarian military intervention requires a humanitarian motive for predictive and probabilistic reasons; the intervenor makes a wide variety of decisions during the course of the intervention, and only a humanitarian intention ensures that the proper moral concerns will be the basis of such decision making.

This version of the story seems to be the foundation of HRW's insistence that intention is relevant for the evaluation of the legitimacy of intervention.[7] While this analysis seems more persuasive, I think there is still reason here to question whether or not a second-order agent such as HRW ought to limit its support to interventions undertaken for the right reasons. There are, in this context, two specific factors I wish to analyze:

[6] I use the notion of dignity in its Kantian sense here, as a moral concept potentially capable of grounding the more specific human rights referred to in international law. If this notion of dignity is rejected, no damage seems to follow to my present thesis—the more specific rights can be used instead of the grounding moral concept.

[7] "[A] dominant humanitarian motive is important because it affects numerous decisions made in the course of an intervention and its aftermath that can determine its success in saving people from harm." Roth, "War in Iraq: Not a Humanitarian Intervention." For a similar analysis, see Samantha Power, "Humanitarian Intervention: A Forum," *The Nation,* July 14, 2003; available at http://www.thenation.com/doc.mhtml?i=20030714&c=4&s=forum.

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the framing of the relevant policy alternatives, and the possible prudential benefits of mixed motivation.

First, how we understand the relevant alternatives may make a difference to our moral analysis of the situation. The analysis employed by HRW and others seems to imagine a choice between two alternatives: a humanitarian military intervention undertaken for the right reasons, and one undertaken for selfish or malign reasons. This is, perhaps, an appropriate frame of reference for how military and governmental agents ought to analyze their own proposed policies. They may have good reason to articulate a humanitarian motive, so that their own decisions—and, as importantly, the decisions of those charged with the implementation of the intervention—are consistently aimed at the preservation and protection of human rights. This is not, however, the only frame of reference we might imagine. We might also imagine a choice between the suboptimal, selfishly motivated intervention, and no intervention at all. This latter frame of reference, I believe, might be a better vision of how second-order political agents ought to understand the specific decisions they face in deciding how to critically respond to governmental policy.

To make this more concrete, note that HRW's analysis condemns the intervention in Iraq by means of a comparison with a hypothetical intervention undertaken with humanitarian motivation. This is, perhaps, an appropriate comparison set for governmental agents, who have responsibility for designing and implementing a policy from the ground up. It is not clear that it is an appropriate comparison for second-order agents such as HRW, who are charged not with the design but with the evaluation of political policy. They face governmental action, that is, in a much more restrictive context—as, in part, consumers, rather than producers. If this is so, then they have good moral reason to consider the policy proposed in comparison with its absence, rather than with some imagined superior alternative. To do otherwise seems morally perverse; it seems, in short, to let the perfect be the enemy of the merely beneficial. If the proposed policy falls short of a hypothetical ideal policy, but is nonetheless more justifiable than mere inaction, then it seems quite unjustified to condemn such a policy because it is not what it might have been. NGOs such as HRW have good moral reason to support even ethically imperfect interventions; so long as the proposed intervention is justifiable in terms of its likely effects, it is morally perverse to condemn such an intervention with reference to an intervention it might conceivably have been.

All this, of course, depends upon the consequences of the intervention being sufficiently positive and sufficiently predictable to justify intervention. This is the second factor I wish to analyze under the general heading of the extrinsic moral relevance of intention. HRW's policy argues that a humanitarian military intervention must be undertaken for humanitarian motives, or else the consequences for human rights are likely to be malign. This is, of course, a probabilistic response; we cannot with any certainty

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know what the full consequences of any intervention will be. It is crucial, in response, to note that there are important reasons to think that selfishly motivated interventions may sometimes be more likely, rather than less, to produce good effects for human rights. On occasion, that is, there may be sufficient collateral benefit to justify the intervention—and the NGO's support for such an intervention.

To see this, note that intervention requires not simply the willingness to intervene, but the willingness to maintain intervention in the face of potential violence and loss of life. Such political will, in turn, seems to be more easily provided when the intervention is justified not simply through reasons of morality, but through reasons of state as well.[8] The experience of the American intervention in Somalia provides a bitter example of how easily altruistic motivations can vanish in the face of significant violence.[9] In the face of images of mutilated American bodies, the United States quickly began to scale back the scope of its intervention; given the purely humanitarian nature of the conflict in Somalia, the political will evaporated in the face of such violence. Where more selfish reasons exist to motivate intervention, there may be found more willingness to bear the costs—both material and human—of such intervention.

Nothing in this, of course, mandates the conclusion that humanitarian motives will be—all things considered—less effective than selfish motives at achieving aims of human rights. All I hope to have established at present is that this question is, ultimately, an empirical one. Organizations such as HRW have introduced reasons to think that an intervention not grounded in humanitarian motivations will not effectively defend human rights. If what I have said here is correct, then such organizations have a duty to pay attention to both sides of the issue. There are factors favoring both selfish and altruistic interventions; which is more likely to produce effective protection for human rights awaits a more complete analysis. Humanitarian NGOs have good moral reason to be careful before dismissing interventions based upon non-humanitarian motivations. Inasmuch as they are charged with the effective protection of human rights, they have good moral reason to approve of those policies which are likely to offer such protection. It is a mistake to look at only one part of the probabilistic equation and condemn governmental policy without a wider examination of the potential benefits of even thoroughly selfish intervention. Such organizations, in sum, have good moral reason to examine the

[8] This is also noticed by the Danish Institute of International Affairs. See *Humanitarian Intervention: Legal and Political Aspects,* submitted to the Minister of Foreign Affairs, Denmark, December 7, 1999.

[9] The United States attempted a humanitarian intervention in Somalia in 1993; it quickly withdrew its troops following televised images of mutilated American soldiers dragged through the streets of Mogadishu. See Simon Tisdall, "Mogadishu Outrage Puts Clinton in Firing Line," *The Guardian,* October 5, 1993, 10. Similar images of mutilated Americans in Iraq did not cause the same demand for withdrawal. See Gwynn Dyer, "Footage Could've Brought a Mogadishu Moment," *Minnesota Star-Tribune,* April 4, 2002, 1AA.

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beneficial effects of imperfect interventions rather than waiting for ethical perfection in governmental policy.

I do not, of course, claim that the current action in Iraq necessarily falls under this heading. That, on my analysis, ultimately awaits the answer to a host of empirical questions. I will not attempt to answer these questions here. Nor will I address several other questions which might be legitimately raised in this section—such as questions about the risks of American hegemony, and the moral status of international law.[10] What I hope to have shown is that NGOs need to develop a distinct ethic appropriate to their role, rather than simply asking questions about the legitimacy of humanitarian intervention. I hope also to have shown that even if governmental agents have good reason to act for humanitarian motives in intervening, NGOs may have good reason to support intervention even when such motives are absent. I turn now to some more partial and tentative conclusions in an even more complex area of inquiry: May such NGOs offer their support even to interventions where sufficient moral reasons to intervene are not to be found?

III. Impermissible Interventions, Permissible Support

The foregoing section has concerned itself with one way in which NGOs may be permitted to support ethically imperfect interventions. Such interventions are those where the motive of the intervenor is not humanitarian, but the humanitarian consequences are sufficient to justify the intervention. That is, although reasons of humanitarianism did not motivate the political agent, these considerations are present in such cases to such a degree that they might have formed a legitimate rationale for the intervention. In such cases, I have suggested, NGOs such as HRW have good reason to support the intervention, even though such interventions might fail to accord with moral principles designed to guide political leaders.

What I now want to consider is a more difficult situation: that of interventions which could not be justified in terms of human rights—where, that is, no sufficient justifying reason exists which might be employed to legitimate the intervention. In particular, I want to ask about interventions that are likely to cause a significant improvement in human rights—but where that improvement is not enough to justify the intervention itself. Many such cases can be imagined. Interventions may be undertaken into states whose antecedent human rights record is not sufficiently horrifying to justify intervention. Alternatively, we may imagine an intervention that is likely to cause a significant increase in respect for human

[10] These questions, I suggest, might ultimately be placed under the heading of consequential considerations to be weighed in the probabilistic balance. I do not try to prove this in the present context, however.

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rights—but at a cost that is out of proportion to the benefit to be attained. As I have discussed elsewhere, there is almost universal support for the thesis that governments ought to limit their interventions to those cases in which the abuses of human rights are most egregious.[11] Are human rights NGOs permitted to support interventions that go beyond these limitations?

The first question we might ask, of course, is why an NGO would even want to do so. If an intervention ought not be undertaken in the first place, what reason would an NGO have to offer its moral authority in support of such an intervention? There are, I think, several possibilities here. It may be politically advantageous for an NGO to offer its support to a government, thereby ensuring a greater voice for considerations of human rights in foreign policy. It may also be the case that such support is sufficient to keep considerations of human rights at the forefront of popular debates about the intervention in question. NGOs with specific areas of expertise—such as Physicians for Human Rights—may be more able to bring that expertise to bear if they become partial allies in the intervention at issue. Most generally, I suggest, it is possible that by such selective defenses in the public sphere, human rights NGOs may be able to provide some normative pressure upon governmental policy; in the long term, such public endorsement may make it easier for governments to justify interventions when significant human rights benefits result from such interventions, and comparatively less easy to justify less beneficial military actions. In this way, human rights NGOs may be able to act to increase practical support for human rights. By selectively endorsing proposed military actions in this way, NGOs might act as an additional point of normative pressure, making it easier to justify such military actions when they are likely to provide substantial benefits for human rights. Whatever the reason, we may imagine that an NGO wants to offer its support for an intervention which is not justifiable, but which is likely to lead to an increase in respect for human rights. Is this action morally permissible?

The answer to this question, I think, is not to be found in the simple fact of the moral impermissibility of the intervention itself. Whether one must act to stop an act of injustice—or, more controversially, whether one may act to enable another to commit injustice—is a separate area of moral inquiry. If one agent attacks another agent, for instance, an observing third party does not necessarily have a duty to stop the attack; there may be good reasons—in this case, reasons stemming from self-preservation and the imposition of risk—to permit the third party to refrain from intervening. Our focus here will be on whether there are good reasons to permit a third party to offer support and encouragement to an agent

[11] Michael Blake, "Reciprocity, Stability, and Intervention: The Ethics of Disequilibrium," in Don Scheid and Deen Chatterjee, eds., *Ethics and Foreign Intervention* (Cambridge: Cambridge University Press, 2003).

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committing an injustice—but, as above, an injustice likely to produce beneficial effects for human rights.

Such reasons, I think, do exist; and they may be found in considerations surrounding the role of human rights NGOs within the systems of international and domestic politics. Within these systems, agents do not act simply as persons; they act from a particular standpoint, with a particular responsibility to defend and foster concern for a particular issue. Actions of second-order agents such as NGOs are, I think, therefore best evaluated in terms of role-based moral permissions. In domestic role-differentiated contexts, there are limited permissions offered to parties inhabiting certain roles to aim not at the overall good, but at the partial good of some person or point of view.[12] The most prominent example here is the practice of law within adversarial legal systems. The lawyer acts not with a concern for overall justice, but for his or her client; the lawyer has a permission, moreover, to engage in badgering, rudeness, verbal chicanery, and a wide variety of ethically unsavory techniques in defense of that client. The permission to act in favor of a partial point of view is defensible, in this context, by the presumption that such an adversarial system produces justice overall. Individual agents need not act in the interests of justice, so long as the system within which they act is able to do so.[13]

Is something similar available to the human rights NGO? I think it is, at the very least, plausible to answer yes. As I have said, second-order agents in political life are understood not as mere collections of natural persons, but as representatives and advocates of particular interests and points of view. Focusing on such NGOs, rather than simply on political leaders and an undifferentiated citizenry, may lead us to think that an adversarial process undergirds much of political as well as legal life. If this is so, then human rights NGOs such as HRW may have a permission to encourage and defend even unjust interventions, so long as those interventions tend to increase respect for human rights. There are many powerful constituencies that have representatives in adversarial politics; the human rights community represents those who are least powerful of all—those who face major abuses of basic human rights. The voices of such people, understandably, tend not to be heard. If a human rights NGO decides to support those interventions which tend to increase respect for human rights, it is at least possible that such support might increase the degree to which human rights are made effective in the actual world

[12] Arthur Applbaum, *Ethics for Adversaries: The Morality of Roles in Public and Professional Life* (Princeton, NJ: Princeton University Press, 1999).

[13] It is an open question for me as to how this latter idea is to be fleshed out. Applbaum suggests that the system as a whole must be justified for such permission to exist; my own view is that such a permission might exist when the presence of one's role within the system increases the justifiability of the system—even when the system as a whole receives no moral justification. This latter notion, of course, would provide more defense for the human rights NGO role I describe—as well as for the defense lawyer in her practice of adversarial lawyering. On this, see Applbaum, *Ethics for Adversaries*, 45–75.

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of politics. If this is true, then the fact that such interventions are unjust does not seem sufficient to condemn the actions of such NGOs. If an increase in respect for human rights is a morally significant goal—and it seems hard to deny that it is—then surely those who advocate for human rights within an adversarial system may aim at that goal, rather than focusing on the justification of particular cases of intervention. They may, in other words, stress the collateral benefit of some cases of military intervention—so that the moral relevance of human rights gets an adequate hearing in the wider process of political discussion.[14]

This conclusion, naturally, is in need of amplification; there are undoubtedly cases where this adversarial permission would fail. I will not explore the precise strength of this permission here. I will limit myself to one final question: If NGOs participate in and support unjust forms of intervention, do they thereby share in the injustice? Are they, that is, worthy of being condemned for their support just as they are also worthy of commendation? The answer, I think, is likely yes; the notion of dirty hands seems now to apply as much to second-order political agents as to political leaders. Just as political leaders must sometimes perform blameworthy actions in order to achieve praiseworthy goals, so must second-order political agents engage in morally problematic actions in the pursuit of political justice.[15] The reason for this, ultimately, is that political action depends upon action within a given political role. Our political roles are set up so that pursuing justice effectively may require us to engage in morally questionable actions along the way. There is no place, within a political system resting upon conflict and cooperation between adversaries, for ethical puritanism.

This conclusion applies, however, with as much force to those who respond to political decisions as to those who make them. Whether or not the phenomenon of dirty hands is a real ethical phenomenon, I cannot here say. I will note only that if there are true cases of dirty hands, they are as likely to apply to second-order political agents as to political leaders. Human rights NGOs may have to get their hands dirty, then, in order to work for the dignity of all.

IV. Conclusion

I want to conclude by replying to two potential objections to what I have said here. The first concerns the legal notion of humanitarian mili-

[14] Arthur Applbaum has suggested to me that one means by which this might be accomplished is the politically minded use of intentionality. As I have argued above, human rights NGOs have no reason to regard selfish motivation as always sufficient to discredit military action. But they might argue as if they did, for those interventions without adequate collateral benefit, and remain silent on the matter of intention when the intervention would prove beneficial. This partial mode of arguing, I think, would be justifiable as an analogue to the defense lawyer's partial decision of what to emphasize in the defense of a client.

[15] The notion of dirty hands is, of course, morally controversial. The canonical discussion of the idea in current philosophical literature is found in Michael Walzer, "Political Action: The Problem of Dirty Hands," *Philosophy and Public Affairs* 2, no. 2 (Winter 1973): 160–80.

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tary intervention itself and asks whether the willingness to consider collateral benefit rather than humanitarian intervention might weaken the moral "currency" of humanitarian intervention. The second concerns the moral authority of humanitarian NGOs and asks whether such authority might be undermined by the more pragmatic role I have suggested for such organizations. I will answer these objections in turn.

The first objection, I think, can be met by considering the purposes of maintaining the concept of humanitarian intervention as part of our conceptual vocabulary. Such a concept is valuable insofar as it provides moral (and, more controversially, legal) justification for military intervention; such intervention, in turn, is valuable to the extent that it provides concrete assistance in the process of defending human rights. It is possible, I think, that the concept itself may have only limited value in this latter context. If it is possible that human rights would be more effectively protected by humanitarian organizations focusing upon collateral benefit, rather than upon the concept of humanitarian intervention, then the argument in favor of maintaining such a concept might not be persuasive. It is possible, of course, that the concept's moral importance might be established if it could be shown that beneficial military interventions would be reduced in number and scope in the absence of this concept. This latter question, of course, is largely empirical in nature; I am, however, extremely skeptical that such evidence would ever be forthcoming. The relatively small number of military interventions meeting the canonical tests for humanitarian interventions suggests that effective protection of human rights norms might be best achieved by the more role-dependent methodology I have here described.

The nature of this role-dependent morality, however, gives rise to our second objection. The moral authority of the human rights NGO, it might be suggested, is established primarily from its position as moral exemplar—concerned only with the defense of human rights, neutral in the face of political conflict, and not beholden to any particular government or political program. This authority, it seems, might be undermined if a human rights NGO began to make arguments of the form described above. In asserting the desirability of even an unjustifiable intervention, would such an NGO not lose much of its moral authority?[16]

[16] Michael Ignatieff has suggested to me that the organizers of many human rights NGOs believe that their organizations ought to stand for the absence of compromise, in part to counter the persistent need for compromise in the world of political agency. Whereas most political agents must be willing to compromise and seek the lesser evil, those who run organizations devoted to the moral relevance of human rights frequently take themselves to have duties both to defend the moral relevance of principle and to embody such principles in their own behavior. If what I have said here is correct, however, then such organizations may have a duty to deviate from principle in behavior—to be willing, that is, to engage in more ordinary forms of political compromise—if they are to be able to effectively defend such principles in the wider political context. Defending the moral rights of others, on this analysis, may require those who work for this goal to be more open to political compromise than they conventionally believe.

This objection, I believe, has a great deal of merit; it represents, in my view, the most powerful objection to the argument I have made above. I do not think, however, that the argument is dispositive. Human rights NGOs have reason to value moral authority only to the extent that they can use that authority to defend human rights as a political value. Even if the argument I have made might implicate NGOs in what might be derided as petty gamesmanship, the resulting loss of moral authority might be more than justified by the increased protection offered to human rights. This is, of course, only an empirical contention; human rights NGOs would have reason to be very careful to maintain their moral status, so as to preserve the possibility of their playing a useful role within the political process over the long term. Moral authority is useless without concrete effects, but such effects might not be forthcoming without some continuing source of moral authority. In the end, I suggest, a balance must be struck by human rights NGOs: they must carefully preserve their moral authority for the long term, while ensuring that such moral authority is used effectively in the present. I would suggest, in this context, only that it is not clear to me that such moral authority requires a refusal to play the political role I have described here. It would require, to be sure, playing the role carefully—avoiding, for instance, significant destruction of moral capital for limited benefit. But it would not require, I think, a complete withdrawal from the engagement with collateral benefit. If this makes the job of a human rights NGO considerably more difficult than it is presently understood to be, I would reply only that it seems that the role of such NGOs may indeed be more demanding than we often believe.

I will conclude by emphasizing the tentative and partial nature of what I hope to have established here. I have not tried to establish any particular conclusions about the present conflict in Iraq; still less have I tried to articulate a complete ethical framework for second-order political agents. I will be happy if I have given some reason to think that such a framework is required, and that it is likely to be distinct from the framework applicable to political leaders. Contrary to the position of HRW, human rights NGOs have good reason to support even interventions not motivated by humanitarian concerns. Such NGOs may, indeed, have permission to support interventions which political leaders could not justly undertake. All of this, I hope, is sufficient to demonstrate the desirability of a distinct role-based ethic appropriate for such agents. We have good reason to examine more carefully the role of second-order political agents in our explorations of political morality.

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