Reviewed Work: Between Samaritans and States: The Political Ethics of Humanitarian INGOs by Jennifer Rubenstein

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Jennifer Rubenstein in *Between Samaritans and States: The Political Ethics of Humanitarian INGOs* inquires, “What kind of actors are humanitarian INGOs?” (207). The answer to this question informs the ethical predicaments of humanitarian INGOs. Rubenstein argues INGOs are a distinctive political actor in that “rather than do-gooding machines or devils, INGOs are thus themselves a kind of moral compromise” (112). The compromise is reflected in the book’s title where INGOs are neither Good Samaritans in being “private and charitable, not governmental” (58) nor states as “official actors with moral authority that serve governance functions” (62). Instead, they are private organizations that are sometimes somewhat governmental. Thus, “what makes humanitarian INGOs distinctive is their between-ness” (207).

This between-ness reflects in INGOs political ethics to create unique predicaments. Consider the “problem of spattered hands,” which Rubenstein derives from “dirty hands” and arises because “INGOs often have unintended negative political effects, which in turn give them good reasons to reduce their presence, or even withdraw” (71). In other words, INGOs often face a stay or go question. The book begins with the predicament faced by INGOs in the aftermath of the 1994 Rwandan genocide when rebels seized control of refugee camps on the border, and began siphoning off aid intended for the camps legitimate inhabitants. The predicament is especially acute for INGOs engaged in “conventional governance,” such as providing basic services (57). Rubenstein proscribes some strategies that make it easier to deal with the spattered hands problem and primary among them is urging INGO self-recognition that they “cannot simply walk away in order to ‘keep their hands clean’” (105). Instead, “the spattered hands framework emphasizes that humanitarian INGOs are neither individual good Samaritans whose hands never touch moral dirt, nor government officials who get their hands fully dirty in it” (104). Their status always reflects moral compromise.

While this understanding of INGOs as in-between Samaritans and states provides unique leverage to their ethics, it also ends up reifying particular characterizations of public and private governance. For instance, in the last quotation, assuming government officials are dirtier than Samaritans requires additional substantiation. Furthermore, Rubenstein emphasizes the “second-best” nature of INGO conventional governance meaning that they are never the first choice actor for providing services or distributing resources or setting up rules or organizing violence. But as Rubenstein observes, “determining whether a given INGO is a first- or second-best actor involves complex normative and empirical judgments” (75). This caveat seems to originally apply only to INGOs' self-examination but we can certainly extend it to scholarly and public representations of governance as well. Rubenstein seems attentive to this when discussing normative concerns; for instance, “we do not have a good idea of what it means for a government—or any other actor—to be just or unjust in helping to shape perceptions of what *counts* as an emergency” (72). However, it seems fruitful to offer the same attention to the categories of governance. In other words, we do not have a good
idea of what it means for a government—or any other actor—to be governmental much
less whether they are first or second best at the job.

It matters whether we think of INGOs as second-best or not because it highlights
a tension between balancing theory and practice. For instance, Rubenstein argues
INGOs are second-best representatives as they “do not operate under the threat of formal
or informal sanction by the people most directly affected by their advocacy” (124). Most
scholars of global governance would agree. However, the claim about “second-best”
takes as a prior that governments, and in particular democratic governments, are
responsive to their constituents because of a threat of formal or informal sanction. Without
tediously reviewing the audience cost literature in International Relations and
Comparative Politics, it is suffice to say this a contested claim in lively scholarly debates.
One particular difficulty, then, is how the theory reifies certain contentious practices of
governance when setting up the Samaritan/State dichotomy.

There is another way to think about the between-ness of INGOs that avoids this
reification and its potential practical disconnect. While Rubenstein spends the majority of
the book on the particular reading of between-ness as between Samaritans and states,
the concluding chapter raises two additional in-between positions. First, INGOs “exercise
tremendous power over aid recipients, potential recipients, and (sometimes) domestic
NGOs, while at the same time, donors, host governments, and combatants exercise
tremendous power over them” (209). For instance, INGOs like World Vision represent a
“fundamental problem built into the structure of INGOs as actors: their very existence
depends on voluntary contributions from individuals whose lives and experiences are far
removed from those of the people INGOs wish to assist” (206). Navigating the near and
distant becomes crucial to thinking about INGO governance arrangements. Second,
INGOs are “in between’ other INGOs …[where they] compete with each other for
publicity, moral authority, and funds” (210). If World Vision and Save the Children
compete for the same funds for the same recipients, how do they differentiate and how
do they collaborate?

Both in-between positions invoke what Rubenstein refers to as “dramatically
distributed agency, where what is dramatic is the range of intentions and objectives of the
actors whose agency has joint effects” (89). More importantly, both positions refer to
networks of governance rather than the “governmental/nongovernmental” binary. This
networked governance approach to INGOs is more compelling for two reasons. First, it
better reflects the current empirical contributions from global governance scholars.
Second, it directly addresses ethical predicaments where empirical illustrations fall short
or more commonly assume away ethics. Toward this second contribution, Rubenstein
emphasizes: “Coming to grips with merely distributed agency requires acknowledging that
one’s agency is intermixed with that of other people and things, without losing sight of
one’s agency entirely. … We must recognize we can have meaningful agency without
being entirely sovereign over ourselves” (112). Crucially, networked governance only
slightly alters the flavor of Rubenstein’s carefully argued ethical predicaments. For
instance, the problem of spattered hands remains but the exercise of political judgment
pivots to determining first and second best networks of actors (as opposed to single
actors). Within this framework, some predicaments might appear even more entrenched
while others may have an easier out than anticipated. Throughout, however, “the worry
is not only about being overtaken by the larger ‘assemblages’ in which one participates;
it is also about how to appropriately judge one’s moral responsibility under conditions when it can be easy to vastly over- or understate it” (113).