

# **Ethical Questions and International Non-Governmental Organisations**

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## **1: INTRODUCTION**

In recent decades there has been a great expansion in the number, size and influence of International Non-Governmental Organisations involved in international relief and development (henceforth simply 'INGOs'). These changes have led to increased scrutiny of such organisations, and this scrutiny, together with increasing reflection by INGOs themselves and their staff on their own practice, has helped to highlight a number of pressing ethical questions such organisations face. Should they attempt to provide emergency assistance even when doing so risks helping to fuel further conflict, for example? How should they manage any differences between their values and those of the people they seek to benefit? How open and honest should they be about their own uncertainties and failures?

Such questions are difficult and controversial. INGOs need to address them, though, for they cannot avoid making decisions about the matters that give rise to those questions. Of course, they also need to take care to ensure that doing so doesn't lead to the 'paralysis of analysis'. Decisions cannot be postponed indefinitely, even if there is persisting uncertainty about the consequences of different actions or policies, or about what principles should inform their choices. That, however, provides no reason not to tackle the relevant questions, including questions concerning what one should do when one has such uncertainties.

There is an emerging literature on such questions. The complex humanitarian emergencies of the 1980s and 1990s – above all, the Rwandan genocide and its aftermath – have prompted a relatively lively debate about humanitarian aid, including its ethical aspects.<sup>1</sup> There is also a growing literature on ‘development ethics’,<sup>2</sup> and some discussion of ethical issues in the broader literature on development.<sup>3</sup> Further, there is some discussion of the ethical issues faced by INGOs in particular in the literature on such organisations that has emerged since the early 1990s.<sup>4</sup>

Nevertheless, the ethical issues raised by development and humanitarian aid have not yet attracted nearly as much concentrated attention as the ethical issues in many other fields, such as medicine, business and the environment. While each of these fields has given rise to several journals (such as *The Journal of Medical Ethics*, *Business Ethics Quarterly*, and *Environmental Ethics*), for example, there is still no journal devoted to development ethics or humanitarian ethics or more broadly the ethics of aid, for example.

It was in part with the aim of stimulating more work on these issues that the editors of this volume organised the workshop – held at Melbourne University in July 2007 – that led to this book. The immediate aim was to bring together a group of people – for the most part, reflective practitioners and moral and political philosophers – to discuss some

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<sup>1</sup> For introductory reviews, see e.g. Collins 1998 and Weiss 1999. For book-length studies, see e.g. de Waal 1997 and Terry 2002.

<sup>2</sup> See e.g. Gasper 1994, Dower 1997 and Crocker 1998 for introductory accounts, and Goulet 1995, Gasper 2004, and Crocker 2008 for more detailed studies.

<sup>3</sup> See e.g. Quarles van Ufford & Giri 2003.

of the specific ethical questions that INGOs face. The rationale for the presence of the practitioners is obvious enough: they are the ones who have immediate experience of the conflicts such questions raise, and the ones who have to make the decisions about how to respond to them. Moral and political philosophers, for their part, spend their working lives studying moral and political issues, and this naturally led us to hope that they might have something useful to contribute to discussions about such issues in the context of international relief and development.

This book is the main result of that exercise.<sup>5</sup> The central chapters consist of papers presented at the workshop, revised in the light of discussion at the workshop and of feedback from the editors. We also gave some time at the workshop to more general discussion about issues concerning what the most pressing of ethical questions INGOs face are, and what the most productive ways of tackling them might be. In the Afterword, we summarise some of this discussion, together with some reflections by the editors of this book.

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<sup>4</sup> See e.g. Korten 1990, Clark 1991 and 2003, Smillie 1995, Fowler 1997, Edwards 1999, Riddell 2007, and the papers collected in Edwards and Hulme 1992 and 1996, Hulme and Edwards 1997, and [Bebbington](#), [Hickey](#), and Mitlin (2008).

<sup>5</sup> The only previous book focused on the ethical questions INGOs face that is the product of an encounter between reflective practitioners and moral and political philosophers (among others), to our knowledge, is Bell and Coicaud 2007. As one might expect that volume and this one engage with many common themes, but there are also a number of differences. Bell and Coicaud 2007 includes within its remit organisations that have their origin as human rights organisations, such as Amnesty International and Human Rights Watch, for one thing, while our volume does not. Consequently, that volume gives more attention to issues concerning civil and political rights. Our volume, on the other hand, gives more attention to issues such as INGO accountability and effectiveness, the dilemmas of humanitarian relief, and questions associated with the phenomenon of INGO growth and organisational structure.

In §3, we provide brief summaries of the chapters. First, though, we set out a general classification of some of the ethical questions INGOs face.

## **2: ETHICAL QUESTIONS AND INGOS: A CLASSIFICATION**

What, then, are the key ethical questions that INGOs face? The field here is a large and messy one, and there are a number of different ways of carving it up. Below is a sketch of one way to do so, with six broad categories, a number of subcategories in each of those categories, and examples of questions in each of those subcategories. The categories in question are not mutually exclusive; indeed, there is a great deal of crossover between different categories. Nor, of course, are they exhaustive: further categories could be added, as well as more subcategories. Even this partial and incomplete classification does something to bring out, however, the range of ethical questions INGOs face.

### **1: Ethical questions raised by specific kinds of activity INGOs undertake**

(A) *Emergency relief.* Should the right to emergency assistance be treated as absolute?

What if the price of providing such assistance is silence concerning human rights abuses, for example, or there is a high risk that doing so will help to fuel further conflict? When might protection be more important than the delivery of humanitarian assistance, and what role can INGOs be expected to play in this?

(B) *Service delivery.* Given the risks of such activities (fostering dependency, undermining local solutions, letting governments off the hook, etc.), should they be replaced entirely with activities aimed at lasting solutions? What if the risks in

question seem fairly small, lasting solutions are hard to find, and people would suffer greatly without immediate help? Does a rights-based approach assist in addressing these questions? If so, how exactly?

(C) *Development*. Is there reliable data showing that (certain kinds of) development activities or processes are more successful than others? If so should INGOs be more prepared to stop activities or processes that are relatively less successful, or for which evidence is harder to come by? If not, what justifies INGOs in continuing with such activities or processes, given that they may not just be less successful but have serious negative effects? What, in any case, gives INGOs the right even to aim at significant changes – social, cultural, and political – in the societies they work in? Does the claim that they are promoting human rights supply an adequate answer to this question?

(D) *Advocacy*. Should more (or fewer) resources be devoted to lobbying, advocacy, and campaigning? Do INGOs have a greater moral responsibility to change the policies of their home governments than those of others? What gives INGOs the right to engage in such work? What conditions must they meet before they can be said to speak on behalf of the poor? Given the difficulties associated with attributing policy or practice change to specific NGO actions – let alone the methodological challenges of assessing the diverse impact of policy and practice changes on the lives of people living in poverty – what conditions have to be met for INGOs to be justified in diverting resources from more direct relief or development activities to advocacy activities? When is it morally unacceptable *not* to speak out?

## **2: Ethical questions concerning the selection of activities and areas of work**

(A) *Strategic choices.* How should INGOs make such strategic choices concerning what general kinds of activity (relief, service delivery, this or that kind of development, advocacy) to engage in, and where? By a calculation of what is likely to have the best consequences overall? If so, how should they make such calculations? On the basis of need, human rights, comparative advantage or cost effectiveness? Or by some other criteria? If so, what criteria? Is avoiding harm ethically more important than failing to help?

(B) *Specific choices.* Whichever general kinds of activity an NGO chooses to employ, how should they decide which particular instances of that kind to select? Again, by a calculation of what is likely to have the best consequences overall? Or by other criteria? Should they focus their efforts on those who are worst off, for example, even if it is easier and cheaper (and hence more efficient) to bring about improvements in the conditions of those who are not so badly off? How much influence, if any, should contributors to such agencies or other stakeholders have on these decisions? How much influence, if any, should those they aim to help have? What should INGOs do if the views of different stakeholders clash?

(C) *The risk of negative effects.* Experience shows that even promising activities can have negative effects. How should INGOs respond to such risks? If the risk is high enough, should they hold back? Or should they go ahead if the positive effects are expected to outweigh the negative by a sufficient amount? If so, how much might a 'sufficient' amount be, and how might it be calculated? Does it make a difference

whether those negative effects come about as a direct result of the activity of the NGO, for example, or indirectly? Does it make a difference whether those who will suffer if those negative effects come about make an informed decision to consent to the activity in question? Does it make a difference if those negatively affected are from less poor communities?

### **3: Ethical Questions concerning the relationship between INGOs, their ‘partners’ and those they aim to benefit**

(A) *Participation*. Must INGOs always ensure that their partners and those they seek to benefit participate in any decisions that concern them? If so, what exactly does this requirement come to in practice and how would one assess whether it has been met? Whether or not any such participation is necessary, is it also sufficient for an activity to be legitimate, or morally acceptable? Or is a more thoroughgoing handing-over of power essential so that the men and women they seek to benefit do not merely participate in decision-making, but lead the process?

(B) *Autonomy*. More broadly, is respecting the autonomy of partners and those they seek to benefit – roughly speaking, their right to determine for themselves how to operate and indeed live – an important value in development (and relief) work? If so, what constraints might respecting this value place on INGOs? Does it mean, for example, that INGOs should only seek to support initiatives that people living in poverty have started by themselves?

(C) *Cultural differences.* What should INGOs do when local norms or cultural practices clash with their values? Should INGOs always respect such norms and practices, and if so what might such respect come to in practice? Does the notion of human rights offer any help in answering these questions? Does the fact the culture is dynamic and often locally contested make a difference?

(D) *Accountability.* Should INGOs be more accountable to their partners and those they aim to benefit than they currently are? If so, in what ways precisely? Might sanctions be appropriate if things go wrong, for example? How are these accountabilities to be balanced with other accountabilities INGOs have (see (4) below)?

(E) *Systems and procedures.* What adjustments in the systems and procedures of INGOs might be necessary if they were to truly seek more effective and equal relationships with their 'partners' and those they seek to benefit?

#### **4: Ethical Questions concerning the relationship between INGOs and their contributors and the wider public in Northern countries**

(A) *Accountability*. In what ways should INGOs be accountable to their contributors and supporters? Should they always make evaluations of their activities available, for example, or at least summaries of those evaluations? If not, how can private contributors and potential contributors have confidence that the work INGOs are doing is achieving good results? What other accountability measures might be considered necessary?

(B) *Openness*. More generally, how open and honest should INGOs be about their activities? Should they be required to publish their accounts in such a way that really makes clear how much of their income they spend on different activities, for example? Is it justifiable to present their activities in a way that will appeal to contributors, even if such a presentation is not strictly accurate? Might it be permissible to exaggerate the risk of a potential emergency in order to raise extra funds, for example? Is it reasonable to expect INGOs to be completely open and honest about the problems and complexities of aid? What if more openness and honesty would lead to fewer donations – would this be a sufficient reason to maintain the status quo?

(C) *Fundraising*. Which methods of fundraising are morally acceptable? Is child-sponsorship acceptable, for example? If not, why not? What about pictures of starving children? Relatedly, is it morally acceptable for INGOs to ensure they have a presence in places where the media will be present, in order to maintain their profile, even if they could be doing more good elsewhere?

(D) *Active engagement*. Should INGOs seek to engage supporters in ways that allow them to become active citizens in a process of social change rather than passive donors to a distant agency? If so, how might they best do so?

(E) *Institutional imperatives*. More broadly, how should INGOs manage the balance between what are sometimes called ‘institutional imperatives’, such as keeping the funds flowing in and surviving as an institution, on the one hand, and ‘developmental imperatives’, as specified in their mission statements, on the other? How far do institutional imperatives contribute to, or constrain, INGOs’ abilities to be true to the answers to the questions listed in (A), (B) and (C)?

## **5: INGOs and politics**

(A) *Being political*. Should INGOs adopt specific political stances or orientations? If so, how open should they be about doing so? Should they state their political orientation in the same kind of way that political parties do, for example? What implications might this have for their sources and types of funding?

(B) *Legitimacy*. Do INGOs have the right to intervene in political processes at home or abroad? If so, what gives them that right? Conforming to certain rules, regulations or standards? Representing a certain constituency? Their experience on the ground? Their successful performance? Or something else? If so, what exactly?

(C) *Internal politics*. Should INGOs be (more) democratic? Is there something wrong if their internal processes don’t reflect what they are fighting for in their work (for example, by being hierarchical or authoritarian or non-democratic)? If so, what kind

of fault would they be displaying? Hypocrisy? A lack of integrity? Or might there be legitimate reasons for such apparent inconsistencies? If so, what are those reasons?

(D) *Funding from governments of developed countries.* Should INGOs take money from governments? If so, how should they handle the familiar risks of doing so – becoming more reluctant to criticise government policy, adopting government agendas and practices, and so on? Alternatively, should they refuse all government funding in order to remain independent, and therefore able to act freely? Might this be one area where a division of labour between INGOs would be helpful – some accepting government money and others not?

(E) *Relations with governments of developing countries.* How should INGOs deal with governments and other authorities that are not sympathetic to their aims? Does it make a difference if the government in question is democratically elected? Again, is there one best policy that all INGOs should follow in this area, or would it make more sense for different INGOs to follow different policies?

(F) *Acting illegally.* Are there circumstances where breaking the law would be the right thing for INGOs to do? If so, what are these circumstances? What might be the limits to this? Would one stop at civil disobedience, for example, or are there circumstances where supporting violence might be acceptable?

## **6: Ethical Questions related to broader questions of individual and collective governance, structure and accountability**

(A) *Governance*. What new forms of governance, structure and accountability might be appropriate for INGOs, given the ethical issues raised above? Are improvements in the internal governance and accountability structures of such organisations likely to prove sufficient to respond to these problems? Or will more energetic self-regulation, codes of conduct, external governance, or external regulation of such organisations be necessary? If so, what form should such regulation or governance take?

(B) *Corporatisation*. Is the increasing growth and ‘corporatisation’ of INGOs changing their values, and diminishing their ability to act flexibly, be responsive and adapt quickly? Is the associated concern with branding and profile leading to a greater focus on institutional rather than humanitarian or developmental imperatives? Is the adoption of largely western corporate management models by INGOs antithetical to their mission?

(C) *Collective action problems*. Some of the problems raised above have certain features of collective action problems – e.g. avoiding ‘pornography of poverty’ fundraising. The obvious way to tackle such problems is by binding agreements not to engage in practices that are harmful at the collective level. What such agreements currently exist? How effective are they? What other such agreements might be feasible? Again, what kinds of collective governance structures would be needed to make them work? In particular, what kind of collective agreements might be needed when the actions of individual INGOs might be positive but the combined actions of many INGOs negative? Alternatively what kind of moral division of labour between

INGOs might be appropriate (for example between advocacy or Human Rights INGOs and humanitarian relief agencies in Darfur)?

*(D) Institutionalising changes.* More briefly and generally, what governance arrangements in individual agencies might make it most likely that the answers to questions raised in (A), (B), and (C) will be addressed, and what collective action is required for individual agencies to be able (or willing) to do this?

### **3: THE PAPERS IN THIS VOLUME**

Though the chapters in this volume do not of course address all of these questions, they do offer insights into many of them, and there are some common areas touched upon by several of the papers. These include:

- The need for more consideration of collective INGO agreements and processes, particularly in relation to collective action problems, as well as more effective ‘moral divisions of labour’ between INGOs, particularly when a number of different responses to a given situation might be required.
- The potential of ethical reflection and rights-based approaches to assist INGOs in determining relative priorities between different types of activity.
- Ideas about how to address some of the complexities and challenges of knowing and communicating ‘what works’ and what does not and thus making ethical judgements on the basis of (cost-)effectiveness.

- Suggestions about how asserting the importance of organisational values, adjusting structure, and promoting learning and accountability can assist in developing ethical and moral decision making and behaviour.

We finish here by briefly summarising each of the papers.

**Paul Ronalds** frames the debate by asking whether the world's wealthier states have ethical obligations to those beyond their borders, and if so what the nature and extent of those obligations are. He discusses a number of different answers to these questions, focusing mainly but not exclusively on cosmopolitan proposals. In order to obtain enough political support to make such proposals politically realistic, he argues, the cost of such measures must not be excessive, and citizens must be able to see some connection between such expenditures and their own self-interest. And he argues that both of these requirements would be met by an obligation to meet the basic needs of the global poor. Such a requirement, then, he concludes, constitutes a moderate position which is both ethically desirable and politically feasible.

**Kieran Donaghue** asks what implications having a rights-based approach to development might have. (This would fall mainly under (2B) in the outline sketched above.) He begins by sketching the influential account of basic rights given by the philosopher Henry Shue, and then asks how that account might help INGOs committed to a rights-based approach to determine their moral priorities. He argues that that account implies that in general such INGOs should focus on basic rights (that is, those rights that are necessary to the enjoyment of other rights), and that they should give duties to protect rights-holders from being deprived of their rights by third parties

priority over the duty to aid those who have been deprived, though he also acknowledges a number of qualifications to this generalisation. Finally, he applies this analysis in some detail to a number of practical choices INGOs face.

**Peter Ellis** focuses on a set of questions concerning INGOs and politics (hence (5), especially (5A)). He notes that INGOs have recently been criticised on political grounds both in recipients' countries, for being tools of imperialist governments, and in donor countries, for being illegitimate political advocates. Such criticisms, he adds, are amplified by government funding of INGOs. The appropriate response, he argues, is for INGOs simply to acknowledge the political nature of their activities, and then to begin thinking about the ethical challenges this implies. This will include considering what sources they derive their political legitimacy from, and what ethical standards should regulate the political aspects of their work. He also sketches a number of precepts that might be put in a code of conduct covering those aspects, including issues such as transparency and organisational integrity.

The next three chapters focus mainly on a set of related questions concerning how INGOs might demonstrate the impact they are having, especially to the public in developed countries ((4), especially (4A)).

**Keith Horton** writes from the point of view of individuals living in developing countries who have no special expertise on aid. In order to determine whether or not they should give to INGOs, he argues, such individuals need to form some idea concerning how good or bad the effects of the kinds of work such agencies do are. It is very difficult, however, for them to do so. Horton calls this the 'Epistemic Problem',

and argues that it has a number of unfortunate consequences. Accordingly, he then goes on to consider a number of measures that might be taken to make it easier for potential contributors to find out how good or bad the effects of the work aid agencies do are.

**Chris Roche** begins by acknowledging that those living in developed countries have an obligation to give to INGOs only if they are able to satisfy themselves that the effects of the work of such INGOs are sufficiently positive. And then he focuses on what INGOs' response to this challenge should be. He begins by discussing a number of recent initiatives to increase accountability and standards initiatives in the humanitarian sector, in each case considering how such initiatives might be extended to other sectors, such as development and advocacy. He then asks why the evidence concerning impact and effectiveness is currently so weak. After summarising some of the main challenges and approaches to learning and accountability in INGOs, he discusses three broad responses to those problems: the 'Scientific' or 'Measurement' solution, the 'Adaptive Systems' solution, and the 'Political' or 'Power-based' solution, summarising the advantages and disadvantages of each. Finally, he considers the implications all this may have for INGOs facing the challenge sketched above.

Like Chris Roche, **Jamie Isbister** writes from a practitioner's perspective. Though he acknowledges the force of demands for INGOs to demonstrate what impact they are having, he sounds a warning note. First, he articulates a number of serious problems involved in answering questions about impact in relation to complex activities like those INGOs engage in. Then he goes on to argue that the increasing pressure to demonstrate impact is having a number of negative effects on INGO practices, and especially on their values. The accountability mechanisms that currently exist, he argues, tend to be

over-bureaucratic, and few are directed towards those communities that are most directly affected by INGO activities. Indeed, many of these mechanisms, he argues, risk moving INGOs further from being accountable to such communities. He concludes with a number of suggestions concerning how the demand to demonstrate impact might be satisfied without such negative consequences, emphasising in particular evaluations and accountability frameworks that focus on demonstrating alignment with INGO values.

Next, there follow two papers that focus on collective action problems in relation to emergency aid (predominantly (1A) and (6C)).

**Garrett Cullity** begins his paper by reviewing a number of contrasting views concerning what agencies should do if acting on a ‘humanitarian imperative’ risks being exploited by others, or reinforcing the structures of disempowerment that create destitution. Then he distinguishes three different aspects of morality, focusing especially on the ‘morality of cooperation’, which comprises the ways in which we ought to treat each other when pursuing common projects. And he then goes on to explain the bearing that the morality of cooperation has on humanitarian action, focusing especially on situations in which, if *each* agency does what would produce the best results available to it in the context, they still *collectively* contribute to making things worse than they otherwise would be. This analysis, he argues that can clarify just what is right and wrong about each of the views sketched at the beginning of his paper.

**Ramon Das** takes the framework adopted by Cullity as his starting point. He argues that there are strong grounds for thinking that aid agencies are members of larger groups that are collectively harming the very individuals such agencies are trying to help or protect.

If this is right, how might it affect what such agencies should do? Das argues that because of this, aid agencies are morally required to take on a much more politically activist role than they have to this point. In particular, in the medium to longer term, they are morally required to engage cooperatively in political advocacy toward ending the harms perpetrated by those larger groups to which they belong, even if other agencies do not.

Respect for local people and their culture is a value that virtually all INGOs emphasise. At the same time, though, many INGOs have a radical social change agenda. **Conny Lenneberg** asks how it might be possible to reconcile these two tendencies in an ethically acceptable way. She reviews the literature on these issues and discusses of some real life cases, emphasising that development practitioners inevitably bring their own values to their development work, and the consequent need to be transparent about what those values are. She also she puts forward a number of conclusions as a basis for further debate. These conclusions feature an emphasis on social justice as the ethical basis for INGOs' actions, and include a set of questions to guide critical reflection about the legitimacy of proposed social development interventions.

**Linda Kelly** focuses on the fundamental question: What is it for an INGO to behave ethically? On the basis of case studies of three INGOs that she takes to exemplify high ethical standards, she picks out two answers to that question. The first is that ethical INGOs behave with integrity, in that they do what they claim to do, even when doing so is difficult or involves considerable costs. And the second (which Kelly thinks might be even more important) is that they act in the way that is likely to be most effective, again even when doing so is difficult or costly. Kelly also draws a connection between these

two answers, arguing that effectiveness depends not only on what INGOs do, but on who they are as organisations, and whether there is consistency between their organisational values and how they operate. She finishes by suggesting that in order to meet these ethical criteria, INGOs may need to change themselves and their systems in quite fundamental ways.

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