



**Help Alliance**

**HUMANITARIAN  
LEADERSHIP**

# Help Alliance

Together for Humanity

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*Keywords*

*Disaster Relief, Humanitarian Logistics, Coopetition, Help Alliance, Responsibility*

Global logistics, where companies spread all over the world are involved, are complex – especially in emergency situations when fast deliveries can be crucial in order to save lives. The International Committee of the Red Cross, a leading humanitarian institution, is confronted by this complexity in its daily work, as successful aid largely depends on the logistics involved. Therefore we see high potential for improvements on the enterprise level to support the ICRC's operations. Our idea is to create a 'Help Alliance' – an alliance of companies from different industries and sectors, which covers the entire end-to-end production – and supply chain for products needed in areas of conflict. The Help Alliance is self-organised and bound by the willingness to support the ICRC. By identifying companies as moral agents, we demonstrate their moral responsibility composed by positive and negative duties. Joining the alliance can fulfil these.

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## *1. Introduction*

On 26th December 2004, a strong earthquake struck northwest of Sumatra and activated a giant tsunami, which extended throughout the entire ecosystem. The Great Indian Ocean Tsunami was an extraordinary event in the history of natural disasters, which affected 18 countries in Southeast Asia and Southern Africa. It claimed approximately 230,000 lives.

1.7 million people were displaced, to say nothing about the number of people who lost their friends and families or were harmed physically and mentally. But the affected areas were not left alone. Over 40 countries and 700 hundred non-governmental organisations (NGOs) provided humanitarian help (cf. Swissre 2012). Among them was the International Committee of the Red Cross (ICRC), being one of the world's largest and most honoured humanitarian organisations. The ICRC delivers emergency supplies such as tarpaulins, buckets, cooking pots, clothing and hygiene items and supports the nationally represented Red Cross Society of the countries affected by evacuating and medicating the wounded. Therefore it plays a crucial role in saving people's lives.

Within several minutes, the tsunami precipitated hundreds of thousands into death and millions into ruin, needy for immediate assistance. In such a sudden disaster, saving people's lives is a race against time. Mobilising workers, resources, skills and knowledge to help vulnerable people is the challenge humanitarian organisations have to deal with in disaster relief. Precisely for this reason, humanitarian logistics and supply chain management is brought in action. This includes "planning, implementing and controlling the efficient, cost-effective flow of storage of goods and materials as well as related information, from point of origin to point of consumption for the purpose of alleviating the suffering of vulnerable people" (cf. Thomas and Kopczak 2005: 2). 80% of disaster relief is about logistics; therefore, this is the starting point to establish improvements in order to increase the effectiveness of humanitarian aid. Beside its enormous importance, logistics is also the most expensive part in disaster relief. Around US\$15 billion a year are raised for this purpose, which is about 80% of the total costs in disaster relief (cf. Van Wassenhove 2006: 475).

For the ICRC, as an organisation operating mostly in armed conflicts and war, efficient logistics and supply chain management prove difficult. The guidelines and the fundamental principles strictly followed by the ICRC, are the reasons for their almost worldwide appreciation and therefore of primary importance. However, the realisation of optimal logistic processes becomes much more complicated. Every cooperation partner has to be checked to see whether it fulfils the ethical guidelines and does not violate its impartiality. Therefore above all, cooperation with

the private sector is challenging. But especially the presence of private-sector companies in the humanitarian relief environment can be a great enrichment. They are able to provide technological support, logistics staff and can also provide specific services such as electricity supply, engineering solutions or postal services, which are often unavailable after the occurrence of a disaster or in the turmoil of war. Because of their core capabilities in logistics and supply chain management, private providers can enhance the speed and efficiency of relief efforts (cf. Cozzolino 2012: 6). By sharing resources, assets and knowledge, cooperation with private-sector companies could definitely increase the efficiency of the ICRC's emergency aid response, which in turn would help more people and save more lives with the same or even less effort. A way to handle the complexity of humanitarian logistics and the useful cooperation with the private sector, without burdening the ICRC additionally, is the Help Alliance.

In the following chapters, we will demonstrate the main idea of the Help Alliance, including how it is constructed, what components it contains and its efforts for the ICRC. Furthermore, we will show that companies are moral agents, as which they have a moral responsibility with positive and negative duties.

## ***2. Help Alliance***

### *2.1 Basic Idea*

The definition of alliance according to the Oxford Dictionary (n. d.) is a union or association formed for mutual benefit, especially between countries or organisations. Basically, the construction of the Help Alliance is consistent with this definition, but there are some divergences. First, the Help Alliance doesn't aim for mutual benefit. Instead, this association is formed for the benefit of the ICRC and therefore humanity. The second variance relates to the composition. The Help Alliance is an association of independent companies from all sectors and industries needed to cover the entire supply chain of emergency supply. These companies are bound by the willingness to fulfil their responsibilities towards humanity by supporting the ICRC. As mentioned before, humanitarian organisations, especially the ICRC with its high concentration in armed areas of conflict, can profit from such a business partnership because of their profound knowledge in logistics and supply chain management. The magic word is humanitarian business partnership, which is a new business model

between humanitarian organisations and companies focusing on building capacities and readiness to act in case of need. The idea of this kind of partnership started out after the above-mentioned tsunami in 2004. A later evaluation of the disaster relief showed that a lack of engagement between international or local non-governmental organisations and companies caused inefficiency in terms of cost, effort and time. A new business model in the form of an humanitarian business partnership, which coordinates the teamwork from the outset, would therefore bring relief and better outcomes (Global Humanitarian Platform: 2). This sort of partnership should be also assumed in the Help Alliance, in which some strength criteria have to be observed.

To enter a partnership with the ICRC, a company has to satisfy strict criteria derived from the committee's seven fundamental principles of humanity, impartiality, neutrality, independence, voluntary service, unity and universality. The deciding ethical criteria for a possible partnership and therefore conditions to join the Help Alliance are the following: (cf. ICRC 2013)

1. The ICRC does not seek nor accept support from companies involved in the direct manufacture of sale of arms, or having a majority stake in such companies.
2. The ICRC does not seek nor accept support from companies involved in violations of international humanitarian law, based on the information available to the ICRC through its worldwide presence in conflict-prone areas.
3. The ICRC does not seek nor accept support from companies, which do not respect internationally recognised human rights and fundamental labour standards, including the Universal Declaration of Human Rights and the International Labour Organisation's (ILO) Declaration on Fundamental Principles and Rights at Work.
4. The ICRC does not seek nor accept support from companies whose products are widely recognised as deleterious to health, or against which there are credible allegations of non-observance of widely recognised rules and regulations such as those elaborated under the World Health Organisation (WHO).
5. The ICRC further pays attention as to whether there are major public controversies tied to the products, policies or activities of a company, based on the reports and assessments provided by professional rating agencies and other information available from credible sources (ibid.).

In addition to these main criteria, the ICRC also emphasises sustainability and ecological management of environmental resources. Therefore the ICRC currently relies on at least two ethical rating

agencies that continuously provide the ICRC with information about the companies' behaviour concerning these criteria. Regarding this condition, it is obvious that the pool of qualified companies decreases and that monitoring the observance of all these requirements takes a huge amount of effort. Long term partners of the ICRC, as for example the UEFA, do not have to be checked only once when entering the partnership, but regularly and repeatedly. If the company does not follow the strict principles anymore, the partnership has to be dissolved.

Our main idea basically is to institute a Help Alliance to reduce the ICRC's efforts and make co-operation more efficient.

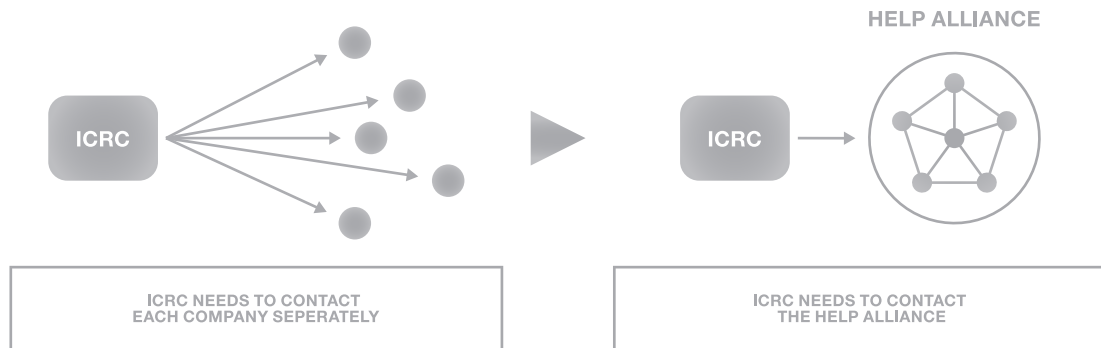


FIGURE 1: CONTACTING FOR DISASTER RELIEF (SOURCE: OWN ILLUSTRATION)

Currently the ICRC has to screen and contact each company separately. Instead, we suggest that it would be more efficient if the ICRC were connected to a self-generated Help Alliance as outlined above. If a network like Help Alliance existed, which includes several firms from the private sector with similar ethical understandings and a willingness to help in case of emergency, the situation would be much easier for the ICRC. Instead of contacting the firms separately and losing crucial time, it would then only have to take the first step of approach: contacting the Help Alliance. Hence, the monitoring costs would fall apart for the ICRC. A membership in this alliance would guarantee the observance of the requested criteria and will in the long term be screened by mutually checks and balances inside the Help Alliance (further explanations in 2.3). So the costs would shift from the ICRC to the Help Alliance, which means a great relief.

To explain the assignment the Help Alliance has to cover, we first have to point out the different stages of humanitarian logistics and supply chain management. A well-known segmentation of the functions a disaster relief includes is the Disaster Management Circle (cf. Warfield 2008). It includes four phases: mitigation, preparation, response and reconstruction.

The mitigation phase is the provisory part of disaster relief including the preparation of disaster prone areas with laws and mechanisms that reduce the social vulnerability and limit the impact of prospective disasters. This phase falls into the responsibility of governments (cf. Cozzolino 2012: 8) Hence, it does not belong to the Help Alliance’s business. The preparation phase is crucial to emergency supply and should be therefore a task of the Help Alliance. In this phase, the physical network design, information and communication technology systems and bases for cooperation are developed (ibid.: 10). The third relevant stage is the response phase. It is called into action whenever a disaster occurs. Then all the actors have to be activated immediately and operate as fast as possible. This phase is, so to say, the output of all the preparation and organisation work done before. The first 72 hours are crucial (ibid.: 9). Here, the advantages of a Help Alliance clearly come to light. The members are a team of specialists, who combine all their capabilities and knowledge. Thanks to the consistent composition and the permanent contact within the alliance, their cooperation will develop a certain routine and guarantees high agility and a qualified and fast service. After

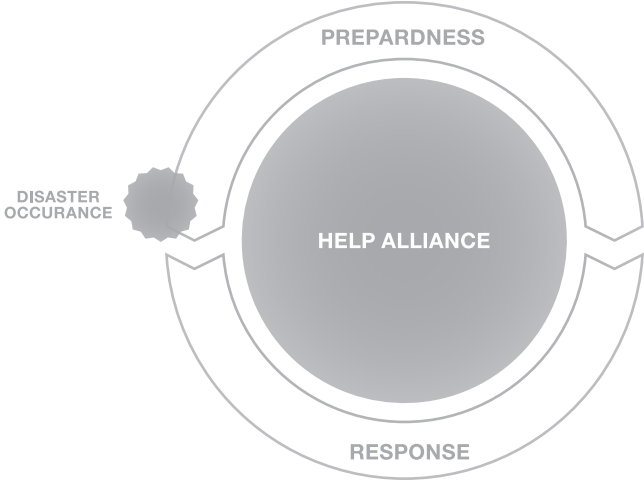


FIGURE 2: HELP ALLIANCE’S FIELD OF FUNCTIONS (SOURCE: OWN ILLUSTRATION)

a disaster has occurred and first relief efforts have been made, the reconstruction phase follows, where the problems raised should be solved in a long-term perspective. (ibid.: 10) Yet this phase does not fall under the Help Alliance's scope of responsibility. Consequently, the main field of Help Alliance's involvement is the preparedness and the response.

So far, we have seen how by the set-up of a Help Alliance effort made by the ICRC can be considerably reduced and why it therefore seems rational to establish such a network. Furthermore, we have shown what the Help Alliance's field of activity would be and why preparedness and response are the most important components. Let us now examine which companies should be part of a Help Alliance and which roles they play in it.

## *2.2 The Member's Role*

“The diversity of the humanitarian community is an asset if we build on our comparative advantages and complement each other's contributions” (Global Humanitarian Platform 2007). To recall, the Help Alliance should be composed of private sector companies from different sectors and industries and consist of all stages of the entire supply chain. Thus there have to be, for example, pharmaceutical companies, logistics companies, textile manufacturers as well as food and beverage companies. These players show a high degree of heterogeneity in terms of financial conditions, purposes, interests, influences and capacities. What brings them together is their ethical and sustainable vision based on their ethical standards and values. In the common market environment, they are competitors or may have a business partnership. The overall goal and sense of purpose is maximising profits. As members in a help alliance, this state of competition between its companies is rescinded. Instead of rivalry, they complement each other in favour of the ICRC.

A fitting concept, therefore, is the cooperation based on Nalebuff and Brandenburger. Cooperation means the perfect combination of cooperation and competition between companies, by which the maximal value can be created (cf. Brandenburger and Nalebuff 2008: 11). This will be fulfilled by the alliance. The members are competitors, on the one hand, and cooperators on the other. Thereby there is always the incentive of each member to optimise their processes and their efficiency, which in turn benefits the cooperation within the Help Alliance. Hence acting as a Help Alliance member, the company acts beyond competition. To define the relation between the ICRC and the companies, one should analyse the different kinds of humanitarian - business partnership.



In this constellation, a company can support the humanitarian organisation as a collector, a donor or as a provider (cf. Cozzolino 2012: 14). As a collector, the support proceeds in the form of financial donors. The company collects donations from its customers, employees and suppliers for the humanitarian partners. In the second role, the donor gives his own financial contributions to fund aid operations in form of cash. The third role a company can play in this kind of partnership is the provider. In the form of an in-kind donation or a selling action, the company supports the humanitarian partner by providing goods or services while performing logistic operations (ibid.: 14). By applying this definition in terms of the Help Alliance, the companies within the alliance are acting as providers as well as by donating and by selling. Depending on their financial situations, members do their bit. Being part of the Help Alliance should not affect a company's financial stability. Everyone should give as much as possible as long as the members have enough capacities to build reserve assets (needed for participation in preparation phase) while keeping track of their daily business.

As a squad for extremely urgent operations, the Help Alliance should always be ready to be deployed. So whenever a disaster strikes, the alliance should be able to give an immediate response to the ICRC's needs. In the preparation phase, the alliance has to make sure that procurement, transportation, storage and can be arranged for the response phase. Therefore, the Help Alliance has to feature strategically pre-positioned stocks of operational support equipment, emergency staff to immediately appoint experts and distribution equipment by air, road and sea. Attention should also be paid to the missing infrastructure the ICRC is often confronted with. As in many areas of conflict, there is no developed road network, not to mention rail traffic. To reach needy people in hardly reachable areas, the equipment has to include terrain trucks, helicopters and landing craft (ibid.: 21). If all this is in place, the ICRC is ready to send their workers to conflict areas without worrying about logistic problems or missing equipment. Once activated by the Help Alliance, all logistic and supply aspects are automatically managed beyond the ICRC's management so that the ICRC can fully concentrate on the current operation and thus increase the effectiveness of its help.

An example for a successful humanitarian-business partnership can be seen with Coca-Cola, one of the leading beverage companies worldwide. The company entered into a partnership with the local Red Cross society and other aid agencies and used its capacities and soft-drink production lines to support them in disaster relief. Coca-Cola used its own network of distribution to deliver water bottles to areas of crisis. Further companies also take advantage of this kind of relationship. For example, British Airways, UPS, FedEx and DHL, in cooperating with a humanitarian

organisation, used their capacities for a good cause and undertook transportation either for free or subsidised (ibid.: 24). This is a way in which profitable incentives, optimised strategies and mechanisms can be used for humanitarian non-profit objectives. This is exactly what the Help Alliance should implement and increase.

### *2.3 Functionality of the Help Alliance*

So far we have pointed out which companies can join the Help Alliance and in which relation they hold towards the ICRC. The advantages of the Help Alliance have also been outlined. But how is the network actually structured internally and how are companies screened by the Help Alliance in order to enter or to remain in the alliance? As mentioned before, there is a high degree of heterogeneity among the members; therefore, a clear strategy from inter-agency to cross-sector coordination is needed (ibid.: 7). First, we have to make clear in what kind of relation the companies stand to each other and how their mutual work is constructed.

There are three basic kinds of relationships in an inter-agency coordination (ibid.: 18). These are: Coordination through the market by prices; a hierarchy by instructions; and cooperation by agreements. Hence the members of the Help Alliance are beyond competition and their services for the ICRC are made up of free or subsidised goods and services, so the coordination by the market drops out. Additionally, hierarchy would not be the right coordination form for such a relationship. It is indeed successful in situations of decision problems, stress and pressure. The ICRC itself is structured hierarchically internally and coordinated by instructors, and it would definitely guarantee speed logistics and effectiveness as can be seen in the military. But in the Help Alliance, all members are independent and voluntary without self-interest as the main incentive. They are competitors on the market beyond the Help Alliance, so it would not be motivating to let one company give instructions to another without any previous agreement. So we see cooperation by agreements as the right form of coordination inside the alliance, although this requires a well organised management to bring positive results. The main factor influencing this kind of cooperation is communication. Every company is on the same level, apart from its size of contribution. To guarantee a successful preparation phase and quick response in disaster occurrence, the members constantly have to be in contact and communicate. Therefore each member has to arrange a Help Alliance Department. This department embodies two competent people in power; one is responsible for the preparation within its company, and the other is responsible for the response.

The responsibilities of each company build together the Help Alliance Preparation Team and the Response Team, which communicate continuously to exchange information on their states of affairs and raised issues. They coordinate the responsibilities and supporting scopes of each company in order to clarify which capacities of pre-stocks, staff and emergency supplies are needed, and every company can calculate its financial losses. The established contacts between the ICRC and the Help Alliance are phased out by the Response Team. Whenever a disaster occurs and the ICRC is needed, the Response Team is notified and sets the Help Alliance in operation.

This singular contacting is a great relief for the ICRC. Instead of contacting each company involved in the emergency supply when a disaster occurs, the alarm is activated by only one action: contacting the Alliance’s Response Team. URL: that moment on, the ICRC can rely on the Help Alliance in regard to logistics. Briefly, the Help Alliance offers the ICRC a couple of qualified companies in only one action. Not having to contact every partner on their own and giving them information about what scope of support is needed saves time and costs. Furthermore, “time saved means lives saved” and “costs saved means more lives helped” (ibid.: 10).

As mentioned before, there still exists the problem of finding and screening the ICRC’s long-term partners in terms of them following the ethical guidelines. The Help Alliance undertakes these efforts. Only the first check of whether a company fulfils the conditions to become a partner has to

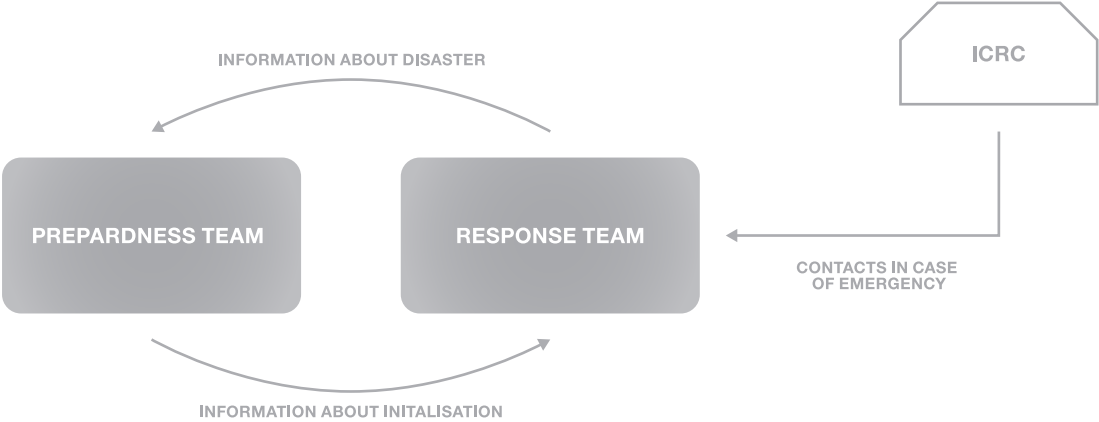


FIGURE 3: INFORMATION FLOW WITHIN THE HELP ALLIANCE (SOURCE: OWN ILLUSTRATION)

be done by the ICRC or a deployed rating agency. But as soon as a company has joined, adherence to the guidelines will be guaranteed.

Being part of the Help Alliance is effectively an ethical seal of quality and a signalling effect. All members can identify in their corporate philosophy the willingness to support the ICRC. Comparable with the Star Alliance, which honours its member airlines for security and quality, the Help Alliance is a kind of brand, which stands for being economical in an ethical and sustainable manner and with the protection of human rights. Of course, each member has some advantages because of this seal of quality and its social prestige. Having someone in the alliance who does not act in these manners would damage the whole reputation of the alliance. So each company has its incentives to screen the others and a certain system of checks and balances within the alliance has to develop. The responsibility for this is also the field of the Preparation Team of each participating company. Its members have the full supply chain at its glance and are in a position to evaluate the work of their partners. If some inconsistencies are found, this has to be discussed in the Help Alliance Team, which is also permitted to exclude by agreement.

### ***3. The Companies' Perspective***

#### *3.1 Understanding of Moral Responsibility*

So far we have shown why optimising humanitarian logistics and supply chain management is crucial to save lives and how it benefits the ICRC. Founding a Help Alliance as developed above seems to be an easy and highly efficient solution. By empowering companies to join a self-regulated help organisation, the transaction costs of both the duration of organisation and costs spent can be immensely reduced. This in fact means more time and money available to be spent in other life-saving actions. However, we have not yet explained why companies should even join an alliance like 'Help Alliance'. Joining indirectly implies the acceptance of the idea that companies have a moral responsibility and duty to help in case of emergencies or the occurrence of disasters. In the following chapter, we are going to explain two major topics: first, why companies can be seen as moral actors with responsibilities and second, why this leads to not only negative duties but furthermore to positive ones.

Milton Friedman once said that the only social responsibility a company has is to increase profit (1970). Several tendencies in business ethics show that this view has been outworn. Corporate Social Responsibility (CSR) perhaps is one of the most famous theories in business ethics. It indicates that companies have a social responsibility that excludes their core business (cf. Herchen 2007: 25 f.). Unfortunately the ‘Social’ in CSR has never been defined properly. So, what is it that companies have a social or moral responsibility for?

To begin with, let us examine what responsibility in fact means. In everyday life, we do not only use ‘responsibility’ in terms of ‘being responsible for’ and therefore being liable/accountable for something we have done, but furthermore to emphasise that someone can ‘hold responsibility’ for something or someone, which can be understood as a responsibility of concern (cf. Kleinfelder 1998: 246 f.). Our main interest in this paper lies in showing that companies are not only responsible in the sense of being accountable for what they have done but besides that, they have a responsibility of concern which leads to a moral responsibility which in fact excludes their core businesses. But are companies actually capable of holding such a responsibility and how can we then draw the connection between actions, morality and responsibility?

There are two central aspects to when an actor is morally responsible. The first condition is the ability to decide and act freely within a certain scope. An actor, then, is free to decide which action to choose or not to choose – hence, he is responsible for his action. Second, to be morally responsible includes being able to evaluate your action alternatives from a moral standpoint (cf. Neuhäuser 2011: 56 ff.). Evaluating your decisions from a moral point of view means letting moral principles influence your process of deciding and considering. Only if an actor is capable of doing so can he be blamed for doing the opposite (ibid.: 64). He therefore is morally responsible for his actions. But however, does it also imply that companies can be moral actors?

### *3.2 Companies as Moral Actors*

Intuitively, most people would agree that it seems reasonable to accept companies as moral actors. Individual actors seldom are able to fulfil the demands that arise in a cooperative environment. Companies instead are provided with an unproportionally larger scope of action (e.g. due to their high and flexible capital) (ibid.: 90 f.). Hence, they are more likely to be able to spend time and energy reacting to future or current needs and caring for their environment than individuals do. In fact, modern society tends not only to assign a higher potential of responsibility to the private sector,

but furthermore seems to believe that the private sector is much more suitable to cope with moral demands (cf. Wieland 2001: 23). But, unfortunately, intuition is not sufficient to prove any duty.

Christian Neuhäuser argues in his work “Unternehmen als moralische Akteure” (2011) that only moral actors are able to take responsibility. This was the second condition claimed above – an actor needs to be able to see whether an action is morally right or wrong. Consequently, it follows that he is moral responsible for his actions. If we want to assign any moral responsibility or duty to companies, we have to prove that they in fact are moral agents. In doing so, we will first show why in this context employees are crucial to enterprises and how they enable an enterprise to have the capabilities of moral actors (or as we will conclude: persons). The second step will be to show in what aspect companies through that role of moral actor can be seen as persons and how this produces certain duties for companies.

#### *Companies as Moral Actors - Importance of Employees*

First of all, let us give a brief summary of what is meant by a ‘moral actor’: An actor is a moral subject if he recognises certain responsibilities and is willing to accept them (cf. Kettner 2001: 148). Matthias Kettner suggests that an actor can only be a moral one if he possesses four capabilities (ibid.: 149 f.):

- F1: Freedom of action: being able to choose among different possibilities of action and inaction.
- F2: Foresight: being able to recognise the possible consequences depending on which action is chosen.
- F3: Reason responsiveness: being able to evaluate and considerate rationally among the alternatives and define corresponding intentions.
- F4: Sensitivity: being sensitive towards morally wrong or right actions and let this influence F1-F3.

Moral actors primarily are reasonable and rational actors. They possess self-confidence and are able to evaluate and even correct their desires and decisions under a moral point of view (cf. Neuhäuser 2011: 120 f.). We will henceforth claim that companies borrow those special capabilities from their employees and that through them, companies – similarly to children – have a disposition for moral acting (ibid.: 130).

Employees are the function owners of a company: Companies are not capable of acting in the proper sense. They can only do so if their primary are individuals that are willing to provide this capability for the company - in order to sign a contract for example (cf. Kleinfelder 1998:

330) Therefore, employees can be seen as individual beings acting as agents of corporate actors in order to achieve a joint goal (cf. Wieland 2001: 130). Therefore, their special capabilities can be assigned to the company. Firms, then, are reasonable and moreover moral actors only because their individual employees already own these capabilities (cf. Neuhäuser 2011: 123). Annette Kleinfeld, for instance, illustrates in *Persona Oeconomica* (1998) that it is part of human dignity to not only be able to act morally, but in addition to be willing to do so. It thus is part of individual fulfilment to live out this moral potential (cf. Kleinfeld 1998: 317). A company already has employees that have a moral self-concept of them and wish to also embrace this in their role as function owners of the companies (cf. Neuhäuser 2011: 130 ff.).

Individuals typically have intentions in their daily lives: they plan in order to achieve personal goals. Intentional behaviour of companies consists of the intentional behaviour of the individuals working in the company (ibid.: 96). It then is a necessary condition for a company's success that its employees aim their intentions at the goals and plans of the company (ibid.: 130 ff.). Only if the firm itself has moral plans, or to be more specific, if they let the moral convictions of their staff influence their interests is it finally possible for their employees to let moral considerations also influence their decisions in professional life and become moral agents of corporative actors.

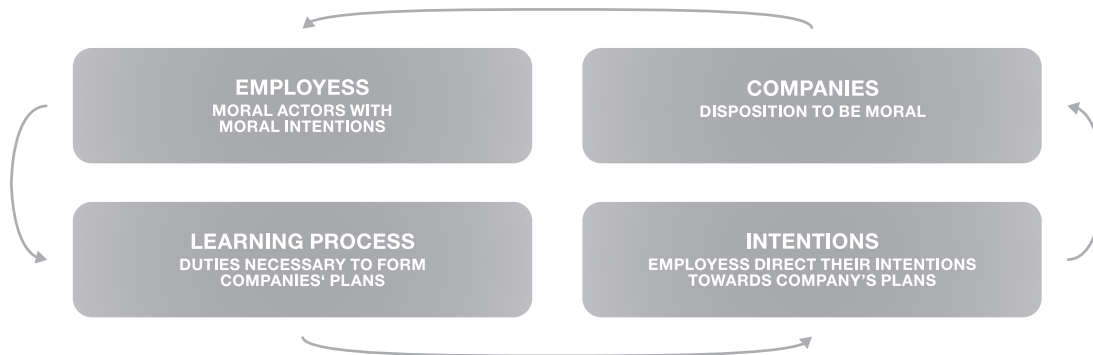


FIGURE 4: COMPANIES' DISPOSITION THROUGH EMPLOYEES (SOURCE: OWN ILLUSTRATION)

Therefore a moral company needs moral duties which influence their acting and planning – similar to children who due to a certain learning process (parental control and social customs) internalise how to be moral. But how do such moral duties arise for firms?

### *Companies as Moral Actors - Companies as Persons*

A basic approach in the realm of Anglo-Saxon business ethics is the attempt to connect the concept of a ‘person’ to companies. Being a ‘person’ includes being able to morally evaluate (ibid.: 94) and being willing to let those considerations influence your actions (cf. Kleinfeld 1998: 317). This leads to moral responsibility and moral duties. Hence, if we could show that companies have the required capabilities to be persons, we could automatically conclude that they, as moral persons, also have moral duties. Prima facie claiming that companies are persons seems uncommon. Obviously, they do not have a particular body, but still, as shown before, they have the required mental capabilities due to their employees. Still, intuitively, there seems to be a difference between a moral person and a company as a moral actor. Neuhäuser, for instance, believes that companies cannot be (complete) persons. As there are humans who are persons despite the fact that they do not possess the required capabilities, companies are not (complete) persons, though they do have the capabilities, which are necessary by definition (cf. Neuhäuser 2011: 109). Still it seems to be somewhat true that companies embody certain aspects of a ‘person’ due to their employees’ capabilities.

Let us take animals as an example. Animals are not capable of acting morally as they do not possess the required mental capabilities of evaluation or even comprehension of what a moral act is. Nevertheless, they have to be morally considered as they are sentient and able to suffer (cf. Singer 1994: 85). Companies in contrast are not sentient, but they are able to act morally. A complete moral ‘person’ entails both features. Therefore neither an animal nor a company is a complete moral person; still, they can be seen as kind of ‘half’ persons. Hence, we conclude that animals do not have moral obligations since they lack the required capabilities, but have moral rights because they are capable of sensation. Firms then have no moral rights and do not have to be morally considered, but still have moral obligations since they are capable of acting and evaluating.

So far we have seen that companies not only are moral agents due to their employee’s capabilities but that they furthermore possess various duties, because they can be seen as half persons with moral duties. Next, we will see what kind of duties these could be and how they can be assigned to companies.



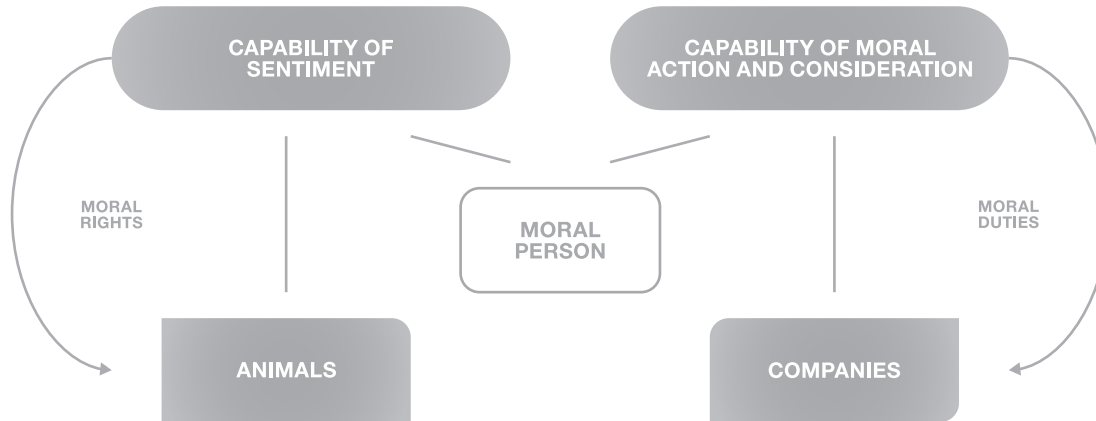


FIGURE 5: COMPANIES AND ANIMALS AS HALF PERSON (SOURCE: OWN ILLUSTRATION)

### 3.3 Negative and Positive Duties

Human dignity is inviolable – independent of the different rules of law, there seems to be universal consent about the dignity of human beings. This approach goes back to the vision elaborated by Kant. He postulated that ‘man must be treated according to his inherent dignity’ and that ‘no human being should be obliged to only serve the purposes of others’ (cf. Dierksmeier et al. 2011: 81 ff.). According to Kant, people, due to their dignity, are the only things or beings, which cannot be exchanged or replaced. They possess a value which is not only intrinsic, but beyond that is not comparable to anything else (cf. Kant 2004: 68 f.). Therefore the loss of one person cannot be compensated by any further good. This belief in the unconditional value of a person is universal (cf. Neuhäuser 2011: 188 f.). The concept of Human Rights is generally based on these considerations, and especially on the inviolability of human dignity (which is fixed, for example, in Artikel 1 in German Constitution Law). But, consequently, if someone holds a right, this logically implies that someone else has the obligation or duty to adhere to this right. So, dignity of human beings and human rights generate duties for others (cf. Fredman 2008: 10 ff.). Since we have already shown that companies are moral actors, they are obliged to obey these rights or demands. The emerging duties can be split into two sections: first, negative duties and second, positive duties. Negative duties consist of the obligation not to violate existing rights or demands. Positive duties,

in contrast, also include the obligation to establish not existing rights and reconstitute or benefit violated rights (cf. Feinberg 1984).

Apparently there seems to be a difference between those two definitions, since negative duties demand that an agent refrains from violating someone's rights. Hence, for negative duties there seems to be a specific range of expectations, which is not defined within the scope of positive duties. For instance, if you ask a child to stop mobbing his classmates (which is a negative duty), you have expressed explicit expectations towards his behaviour, which the child can easily comprehend. Positive rights instead ask for more (cf. Berlin 1969). If you ask a child to act against mobbing and therefore to decrease suffering, he probably will not immediately understand what you want him to do. Similarly, it is easier for companies to only have to accept that certain rights need to be respected and cannot be violated and that this logically leads to negative duties for them. But what is the situation regarding positive duties? As already mentioned, there is no distinct border for positive duties – there is always one further action, which would benefit the rights of another person. So, how much can we expect of companies? They are still institutions with one primary goal: making profit. To request them to forget about their interests and to only obey any positive rights would be a complete misinterpretation. Unqualified acceptance of positive duties can lead to excessive demands of actors (cf. Neuhäuser 2011: 202). Therefore there must be restrictive boundary lines to which extent companies are responsible to interfere in order to still be able to pursue their own interests. As we will see later, these boundaries could be given by the Help Alliance.

Certainly there are good reasons needed before someone is made chargeable for something. If it comes to negative duties, which simplified are consistent with the forbearance of an action, it is fairly obvious that only the moral actor himself who caused the violation of the negative rights can do so and therefore only he himself is liable for it (ibid.: 204 f.). Referring to positive duties, allocation is much more difficult. It surely seems plausible that the actor who caused the damage should also correct it. This is what is generally understood as 'accountability'. Unfortunately, there are many occasions like natural disasters where moral actors in fact did not cause the harm, or the causing actor cannot be identified (for example, due to an assassination). There are also war situations thinkable where an actor has caused the harm but denies advocating for it. In such occasions, it is crucial to quickly find actors who are willing to take over the resulting positive duties, even if they have not violated the previous negative duties; interference of an uninvolved third party is inevitable (cf. Miller 2007: 81 ff.). As we have explained earlier, this interference is necessary for the dignity of human beings and resulting human rights, since dedication against

abasement is an expression of respect towards the fragile dignity of the involved individuals. As already mentioned, no human being can be replaced. Hence, it is out of greatest importance to diminish any suffering as quickly as possible.

### *3.4 Assignment of Responsibility and Help Alliance*

As we have seen, when it comes to positive duties, it is much more difficult to define who is liable for something. According to Baier, there are three different ways how actors get to their responsibilities (cf. Baier 1991: 118 ff.):

1. 'Responsibility by choice'  
An actor here accepts his responsibility by choice (for example, godfathers/godmothers).
2. 'Responsibility by coincidence'  
An actor can hold responsibility simply because there is no one else available to hold it.
3. 'Responsibility by assignment'  
Responsibility can be assigned by an independent third person because it is the most reasonable and effective solution.

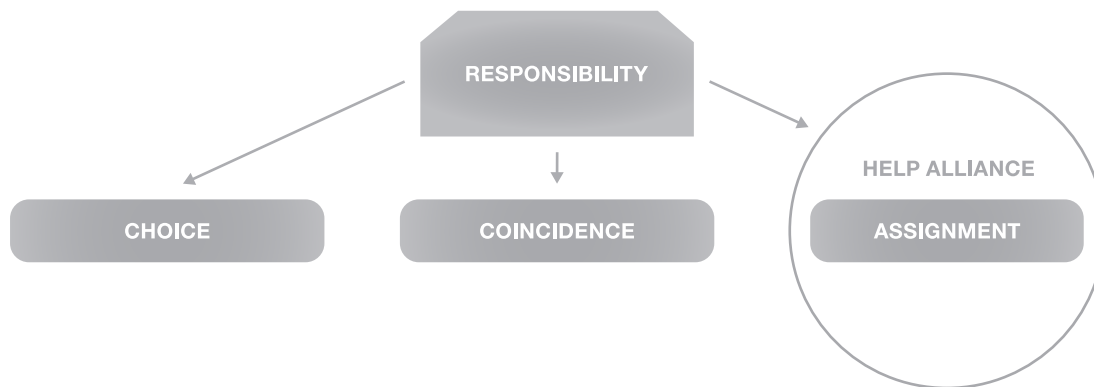


FIGURE 6: THREE TYPES OF RESPONSIBILITY (SOURCE: OWN ILLUSTRATION)

So far, we have not yet taken the third point into account as to how a Help Alliance could take over the assignment. Let us illustrate its importance with an example. Suppose there is a group enjoying a sunny day at the lake. Suddenly, the group notices that a child is drowning in the water. Fortunately, one of the members of the group happens to be a lifeguard. Naturally, the rest of the group expects the lifeguard to save the child - even though he is off duty and not responsible for the person drowning. People are right to expect him to step in and save the life, since it is a component of being a lifeguard to do so (cf. Neuhäuser 2011: 205).

In matters of companies, responsibility is a narrow property and companies seldom entail in their definition such components as the lifeguard does. On account of this, responsibility should be assigned in an economically clever manner. Hence, the idea of an independent institution that allocates responsibility to the most adequate actor (or a company in case of the Help Alliance) seems reasonable. The best-case scenario, then, would be an allocation that assigns different responsibilities to the most effective actors. This would lead to a network, which contains all those actors who see themselves as moral actors and feel the obligation to help in case of an emergency. Help Alliance could be such a network. By joining the Help Alliance, companies accept the obligation to care for damages that developed from a violation of negative duties that they have not caused. They therefore accept their positive duties. But as declared above, the assignment of positive duties is much more difficult than the assignment of negative ones. This difficulty can be resolved by reintroducing the basic idea of section 2.3 and consequently, things come full circle:

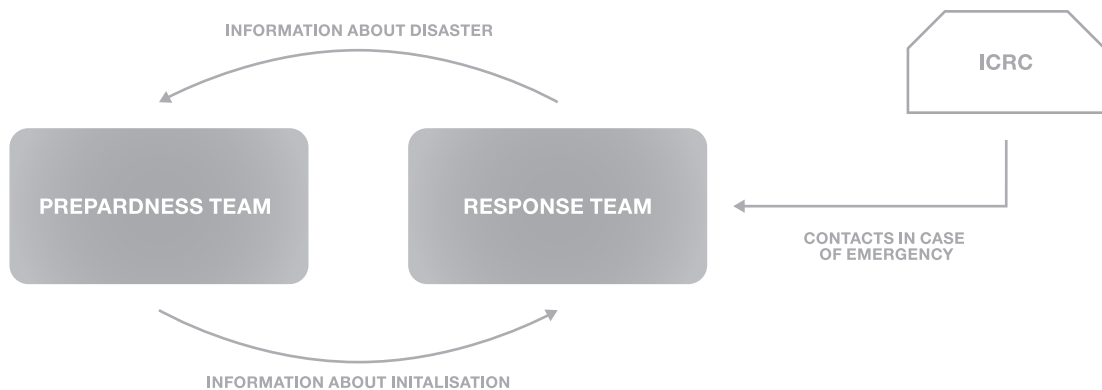


FIGURE 7: INFORMATION FLOW WITHIN THE HELP ALLIANCE (SOURCE: OWN ILLUSTRATION)

By organising the assignment in the Help Alliance through a Preparedness and Proportion Team, the most effective allocation is possible. Once the ICRC has informed the Response Team, the latter knows exactly which things are needed for the quick relief of the disaster situation. The Response Team then informs the Preparedness Team which checks the needs with the available potential of the separate firms. The Preparedness Team finally gives back information to the Response Team that answers ICRC's request, which enables quick and frictionless help.

Furthermore, Help Alliance guarantees not only a more effective allocation, but also a more just one, since it establishes certain constraints (ibid.: 209 ff.):

1. 'Assignment to the most qualified actors'  
Through the Response Team, it is possible to assign responsibility to the most suitable actor in order to make allocation more efficient.
2. 'Proportion to other actors'  
The burden for each company can be split since there are (in best case) several companies from one branch.
3. 'Proportion to own interests'  
The assignment, furthermore, has to be in accordance with the actor's own interests.
4. 'Right of excuse'  
Actors need to have the right to be excused if they, for financial or economic reasons, are not able to do as demanded.

Finally, if any assignment of responsibility is legitimate and interference is crucial, actors are obliged to help.

#### ***4. Conclusion***

In the last decades, the number of natural disasters as the Great Indian Ocean Tsunami (mentioned at the beginning) has increased and considering the effects of climate change, this trend will continue (cf. Centre for Research on the Epidemiology of Disasters 2015). Furthermore, the number of man-made disasters such as technological hazards, terrorism or armed conflicts has not abated.

All of these contribute to human suffering and put people in a position with a need for help. The ICRC is born from the desire to prevent and alleviate human suffering resulting from war.

Therefore it was our fundamental idea to create something with the objective of supporting the ICRC in fulfilling its desire. The Help Alliance creates opportunities to increase the efficiency of the ICRC's operations. To clarify, we conclusively list its advantages.

Advantages of the Help Alliance on the part of the ICRC:

1. In cases of emergency, the ICRC no longer has to contact each company to activate and inform them about the extent of needed supply. Instead, it can activate the supply system by alerting the Help Alliance.
2. The Help Alliance is a pool of hard-to-find companies qualified for a partnership, which otherwise are hard to find for the ICRC.
3. The Help Alliance ensures the constant state of preparedness of their members by the coverage of needed supplies with extra pre-stocks.
4. Reverting to the Help Alliance in disaster occurrences, the ICRC saves time which means saving lives and costs, which in turn means helping even more lives.

Advantages on the part of the joining companies:

1. Through a membership in the Help Alliance, companies, as moral agents, fulfil their responsibility, as they implement not only negative but also positive duties.
2. Every member of the alliance can impact a great deal with comparatively low losses. Through the implicit cooperation with other companies, they can add their knowledge and capabilities and achieve great efforts for humanity.
3. Natural or man-made disasters imply great economic losses and also influence the business situations of companies. These negative effects can be reduced by well-prepared disaster relief. Higher effectiveness of the ICRC's operations is also to the benefit for a company.

The disasters, conflicts and wars of today and the future can be no longer circumscribed in certain categories. Wars are not conducted by states, but by individuals; natural disasters are accompanied by human and technological failure. The borders blur and thus their consequences get out of hand

and become more difficult to handle. It is high time that these borders also blur in reducing these consequences. Therefore disaster relief is not only a field of humanitarian organisations but rather the business of the entire society and those entities which shape the society: the companies. For a successful disaster relief in future, the private sector has to participate and companies have to work hand in hand, together for humanity.

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