

Financial-Legal

Diamond Ethics 101

Professor Peter Singer of Princeton University discusses the ethical dilemma the diamond industry is facing

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RAPAPORT... Martin Rapaport discussed the ethical questions facing the diamond industry today with Peter Singer, the Ira W. DeCamp Professor of Bioethics at Princeton University. The conversation focused on the current buying and selling of diamonds from countries associated with human rights abuses. Singer is also the Laureate Professor at the University of Melbourne, in the Centre for Applied Philosophy and Public Ethics. He has written, co-authored, edited or co-edited more than 40 books on the subject of ethics, including most recently, *The Life You Can Save*. His works have appeared in more than 20 languages. He is the author of the major article on ethics in the current edition of the *Encyclopedia Britannica*.

MARTIN RAPAPORT: *What are ethics?*

PETER SINGER: Ethics refer to standards of what we ought to do, how we ought to act — what's right and wrong. If something is ethical, it must meet the most defensible or justifiable standards for how we ought to act.

MR: *Is there a difference between being legal and being ethical?*

PS: Yes. Obviously, legal refers to a legal system of a particular country or, sometimes, international law. But we can have countries with legal systems that are immoral, so that it can be unethical to do as the law requires. Of course, there may also be a lot of things outside the law. Sometimes, the law can be seen as a minimum standard and it may be ethically required for us to go beyond the law. So the two are quite distinct and you certainly can't conclude that because something is legal, it's therefore ethical. In many instances, we have ethical obligations to do more than the law requires.

MR: *Is there any limit to ethical behavior?*

PS: Some philosophers believe there is. They think that you're ethically required to do certain things, but there is something that goes beyond that. They refer to it as a supererogatory, which basically means "beyond obligations." Some people will say, for example, that an ethical person will give something to charity. In the Christian and Jewish views, there is the idea of a tithe, that you give 10 percent of your income to the poor. But it wouldn't be wrong to give 20 percent of your income; that would be a supererogatory. It's a good thing to do, but some people would say 20 percent goes beyond what ethics require.

MR: *The diamond industry is faced with a dilemma. On the one hand, there are credible reports of diamond diggers being subject to severe human rights violations and, on the other hand, hundreds of thousands of diamond cutters need these rough diamonds to earn their livelihood. The cutters claim that if they refuse to cut the diamonds, someone else will, and they will lose their livelihood and be unable to support their families.*

PS: I think that argument makes sense. Basically, what that person is saying is that "if I refuse to cut these diamonds, it's a pointless gesture. It's purely symbolic. It's not going to achieve anything because somebody else will cut them and all I will do is put myself out of business." I'm sympathetic to that because I don't think there's much point in purely making a gesture. I think you do have to look at the consequences of what you're doing.

The question though is: Are these the only options? Are the only options either refusing to cut the

diamonds and putting yourself out of business, or just cutting the diamonds like everyone else is and allowing the human rights abuses to continue? Is there anything else you can do, such as trying to get together with the other cutters and saying together we'll refuse to buy these diamonds? Or is there some way of strengthening the certification system so that these diamonds involved in human rights abuses don't get through the certification process? I think the right thing to do is to explore other options that will stop the human rights abuses.

MR: *Is the diamond industry responsible for human rights violations involved in the mining or production of diamonds? Just who is responsible and does responsibility extend to jewelers and consumers?*

PS: I think everybody who is participating in the process has some responsibility for the decisions. From an ethical perspective, if you're making some contribution to a process that involves gross violations of human rights, there's something wrong that you're doing. I think that comes through at all stages. It comes through at the point of the consumer. If the consumer knows or reasonably could know that by buying these diamonds, he or she is supporting these human rights violations, then the consumer ought not to be buying those diamonds. If the retailer knows that, then the retailer ought not to be buying the diamonds. If there are other people involved in the trading process who know that, they should not be part of that trading process. And if there are diamond associations, or organizations, that could intervene to prevent the process that leads to those human rights violations, then I think they ought to intervene. It's not that it's one or the other — I would say, basically, it's all. If you can intervene in the cause or process at any point and you're not doing it, and this is something that would stop these gross human rights violations, I think you ought to be intervening.

MR: *So, basically, everybody is accountable?*

PS: Yes, I think that's correct. There have been plenty of similar cases. Many economists and philosophers have raised the issue of the so-called resource curse in Africa and other developing countries. International corporations buy oil from places like Equatorial Guinea, where they know the money they are paying for the oil, or for the rights to explore for oil, is going into the pockets of a dictator, while the population of the country remains desperately poor. Ultimately, I think the consumers who put the gas into their tanks are responsible. The problem is that consumers don't actually know about it and they can't distinguish where their gas is coming from. So I would say it's the oil company that has the greatest responsibility.

MR: *There's this issue of mixing. Suppliers mix diamonds involved with human rights abuses with millions of carats of other diamonds and it's very hard for retailers to be able to differentiate. So retailers are saying: "I don't know where these diamonds were sourced exactly. Maybe 1 percent of the world's diamonds are blood diamonds, but it's only 1 percent and I can't shut down my whole business, so what do you want me to do?" Should the retailer be talking to his supplier more forcefully and saying "I need you to guarantee to me that you are careful about where you're buying your diamonds and that none of them come from Zimbabwe"?*

PS: Yes. That's probably what an ethical retailer would do. Consider parallels. There has been some discussion about the use of child slavery in cocoa production. An ethical chocolate manufacturer would not just say "The cocoa from child slavery is less than 1 percent of the total cocoa production so I can't be selective." No, I think he would say, "I want to shake up my sources and wherever I'm buying my cocoa from, I want some sort of guarantee that there aren't any child slaves working on the plantations." The pressure has to come from the buyers and there has to be some way of excluding these unethical products.

MR: *In some instances, specific diamonds may not be involved with human rights abuses but the beneficiaries of the diamond revenue may participate in unethical activities not associated with the diamond production. Is it ethical to buy such diamonds? Should we be focusing on the diamonds, or the people benefiting from the diamonds?*

PS: I think you're right to focus on the diamonds rather than the moral character of the people who are

benefiting from the sales. It gets impossibly wide if you limit purchases based on the beneficiaries and you also could say it doesn't give those people much option. If you don't buy their legitimate diamonds, then they might as well sell illegitimate diamonds. I think if you buy their legitimate diamonds, perhaps you encourage them to make a living by running a legitimate diamond mine. That's a better thing than making them indifferent to how they produce their diamonds

MR: *How bad does a regime have to get before we ignore the "encouragement to legitimacy" argument and stop buying their diamonds?*

PS: Of course, if someone is committing atrocities, we should not support them at all. And when there is an international sanctions regime in place against a tyrannical ruler, we have an obligation to support that sanctions regime. There are good grounds for placing sanctions on Zimbabwe, to encourage regime change. It's not ethical to be a party to violating those sanctions.

MR: *Should trade organizations be responsible for eliminating human rights abuses?*

PS: No, I think you have to start with individuals. You can't rely on a trade association to set standards because they represent the business interests of the trade. It very often takes individuals to stir things up and get things moving. So I think there's a responsibility on individuals, if they have those avenues open to them, to try to change the situation.

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