

Rosemary Kellison: Expanding Responsibility for the Just War: A Feminist Critique

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There is an interesting debate going on in the field of reflections about morality and war, also known as the just war theory. Starting as a religious (especially Christian) tradition of thought, just war theory gained a significant strength in the 20th century, when it served as an underlying theoretical framework for international law and agreements such as the Geneva Conventions, the UN Charter, the Hague Conventions and the International Criminal Court. The main classical book in the field is Michael Walzer's *Just and Unjust Wars* (2015; first published in 1977), where he presents the orthodox or classical version of just war theory. However, major parts of the theory have been recently contested by the so-called revisionists, who argue that certain constitutive aspects of the classical just war theory, like the division between *jus ad bellum* and *jus in bello* principles or the collective ontology, are not suitable tools for moral reflections about war.¹

The book called *Expanding Responsibility for the Just War: A Feminist Critique* (2019) by Rosemary Kellison provides another important insight into the lively debate about morality and war. Kellison is an associate professor of philosophy and religion at the University of West Georgia and she has written several articles about just war, violence and ethics of war. In this, her first book, as the subtitle suggests, she tries to present a feminist critique of the just war theory. As Kellison acknowledges at the beginning of her book, feminists have largely failed to engage the just war reasoning as a tradition (p. 9) and being among the first ones who tries to enter the field, she introduces an account that largely differs from the usual understanding of just war. However, as she notes: "I seek neither to deconstruct just war reasoning nor to propose an alternative to it, but rather to engage in a feminist immanent critique of it" (p. 13).

After a brief overview of the feminist debate on war and also after structuring the book within this debate, Kellison presents three identifying characteristics of feminist ethics that she will employ in her discussion about just war. First, she argues for a different understanding of human personhood. According to Kellison, in the contemporary just war debate, human personhood consists primarily in a claim to inviolable rights derived from humans' natural autonomy and rationality. As opposed to that, Kellison focuses her attention on personhood as embedded within and constituted by social relationships. Second, she understands morality as a set of practices maintained in the context of social relations rather than a universal and objective reality one can often find in the contemporary just war debate. As she writes: "Morality is something that people do" (p. 35). And finally, she recognises that relations among people are not relations of equality and reciprocity, and therefore morality cannot be properly distinguished from power. Specifically, one group of people is made much more vulnerable in the context of war because of their particular situation within power relationships and that is civilians living in areas where violent force is being used. Kellison argues that contemporary just war reasoning denies the violence of war by suggesting that many forms of harms are necessary or unavoidable and there has not been much of a discussion about the harms that war itself may do to persons, their relations and communities. For that reason, Kellison devotes most parts of

the book's discussion to the issue of responsibility for harm to noncombatants, claiming that powerful individuals and collective agents who inflict harms during war should recognise them and respond to the vulnerable persons they harm.

The different account of personhood is crucial for Kellison's arguments. Understanding persons in terms of rights leads to a certain understanding of what it means to observe the just war criteria that focuses primarily on the fulfilment and the prevention of violation of various persons' rights. There are two main implications of this account, which Kellison describes in the second chapter. First, a significant amount of harms which are not easily described (or even cannot be described) in terms of rights violation are unrecognized and therefore are left out of the discussion. Second, there are ways of evading the responsibility for harms in terms of rights violation in the just war tradition such as the double-effect principle. Kellison reminds us that just war criteria not only restrain violence, but also justify and enable it, and with the possibilities of evading responsibility for harms, the criteria serve as a sort of list of rules which actors' actions have to be consistent with in order for them to bear no responsibility for the negative outcomes of these actions.

The picture changes significantly with Kellison's understanding of persons as relational, which is discussed in the third chapter. According to Kellison, to describe persons in abstract and universal terms neglects some of the most basic aspects of what it means to be a person. Violence is not only about the violation of one's rights. Some of the violence people suffer during wars can be best described in terms of the harms it inflicts on bodies and relationships as constitutive elements of human personhood. In order to recognise the numerous forms of harms caused by wars, Kellison offers a collection of testimonies of harmed persons as the best way to do that.

For example, she presents the testimonies of civilians living in North Waziristan, Pakistan, an area targeted by RPA strikes under the Obama administration, in which they describe "*emotional breakdowns, running indoors or hiding when drones appear above, fainting, nightmares and other intrusive thoughts, hyper startled reactions to loud noises, outbursts of anger or irritability, and loss of appetite and other physical symptoms ... [as well as] insomnia and other sleep disturbances*" (p. 87). Elsewhere, she presents a different type of harm which is unrecognized by the contemporary just war reasoning, and that is avoiding activities such as gatherings at funerals or at mosque services due to the higher chance of those gatherings being targeted. Sometimes, the avoiding of certain gatherings can have significant implications for the functioning of the community. Kellison mentions the case of *jirga*, a meeting in which male members of the community come together and discuss social issues. Since *jirga* is a gathering of adult men, it has a higher possibility of being the target of a signature strike. Therefore, many people avoid holding or attending *jirgas*, which, in Kellison's words, threatens a central practice of the maintenance of the moral community.

In these parts of the book, Kellison is able to connect a theoretical and abstract discussion about morality with everyday practical reality. It is arguably one of the best features of her book. Also, it is worth mentioning because the discussion about just war and the debate between traditionalists and revisionists quite often seem to be purely philosophical without a proper regard for the actual empirical reality of war (see, e.g., the critique of revisionists' abstract reasoning in Rigstad 2017).

However, this does not mean that Kellison does not pay enough attention to theoretical and purely philosophical reflection. Chapter four of her book, devoted to a discussion about intentions, is probably the most theoretical one in the book. She offers her own feminist reinterpretation of the concept of intention, which is one of the central tenets in the just war tradition. In her view, intention is socially constituted and instantiated in practices rather than a disembodied and private momentary thought, as the just war theory tends to understand it. Her approach leads to the extension of intention and thus also to the extension of responsibility. She also points out that her view is different than those of

authors like Andrew Fiala (2008) or Talal Asad (2010), who share with Kellison concerns about the just war understanding of intentions.

The last two chapters deal with the expansion of responsibility for the types of harms that are not recognised in the rights violation approach of the just war theory. According to Kellison, many harms which are nowadays considered to be a part of collateral damage, should be reclassified, and instead of trying to evade responsibility for harms during war, the just war theorists should adopt an approach that would expand the responsibility towards noncombatants and civilians. To do that, Kellison presents some concrete and practical proposals, which should be taken into account.

The first step to taking responsibility for harms inflicted on other persons is to be able to recognise the harmed persons as persons. Kellison writes: *“if civilians in a particular place are not easily recognized by others as fellow humans, then they are not protected by the same norms that protect humans from violence”* (p. 33). This means that if people look different, speak different languages and belong to different cultural and religious communities than many Americans, they do not have to fit easily into many Americans’ frames of personhood. Kellison mentions the case of Faheem Qureshi, a Pakistani child who was permanently injured in one of the RPA strikes and never had his harm acknowledged. She writes: *“After Obama apologized for a 2015 RPA strike that killed two al Qaeda hostages, one American and one Italian, Qureshi asked, ‘Are we not the same human beings as these two Westerners who were killed?’”* (p. 199).

Kellison presents other proposed practices that would make it easier to recognise these types of harms and take responsibility for them such as (public) mourning for the ones who were harmed, accurate recording of the inflicted harms and body counts followed by a transparent reporting of those data, the issuing of public apologies, fair monetary compensations and many more. All her proposals are in line with the second aspect of feminist ethics mentioned above, according to which morality is first and foremost a human practice, something that people do. What is more important, though, is that none of these proposals somehow disprove the just war theory, and its reasoning can be reconstructed to accommodate the relational view of persons that Kellison advocates. She says: *“When just war reasoning is practiced from a perspective that emphasizes human relationality and resulting expanded responsibility, these practices are consistent with its norms”* (p. 200).

In spite of the indisputable qualities of the book, there are two main objections that can be raised against it. Taking into account the ongoing debate outlined in the first paragraph of this review, it is a little bit disappointing that Kellison does not enter this debate properly and ignores a large part of it. It even seems like she missed the fact that the debate is taking place.² It is true that her account differs from the understanding that is common to both traditionalists and revisionists, and so it makes sense for her to talk about one just war tradition; however, in different parts of the book, she touches upon questions that are highly relevant for the debate (see, for example, pages 14, 34, 67, 68, 107, and 146) and it could be easier for the book to gain attention within the field if it was willing to engage in this debate. Even if the dispute may not seem significant from Kellison’s perspective since both accounts are close to each other (again, both views share the understanding of personhood in terms of rights), there are authors who put forward similar views such as Pattison (2018) with his non-ideal morality of war. Given other resemblances between Pattison and Kellison and the fact that Kellison sometimes mentions an interesting notion which is relevant for the debate, there seems to be an unutilized potential for making the book even more attractive for its readers.

The second objection is related to the organization of the text and the writing style. It seems that Kellison sometimes repeats herself, and the construction of the text and the chapters lacks a certain “red line”. While the general structure of the book is perfectly understandable, some of the concrete discussions about specific topics are a bit chaotic.

A frequent practice is that Kellison presents a concrete issue, then adds some other notions to it, presents it again and repeats it one more time, and these repetitions are often in different parts of the book (the discussion about the double-effect principle could be an example of this). It would be less confusing for the reader if all the parts that discuss a single aspect or similar aspects were in the same place. However, as if Kellison was aware of it, she quite often provides links and references to what was said in the previous parts of the book and what will be discussed in the following ones, which helps a bit with the orientation.

Notwithstanding some of the shortcomings mentioned above, *Expanding Responsibility for the Just War: A Feminist Critique* is a well-written, in-depth analysis and feminist critique of the just war reasoning with an immense understanding of even small nuances of the debate. This is not an introductory book so a reader who is not familiar with the just war theory might get lost in some of the discussions about certain principles or traditions. However, for those who are acquainted with the major arguments and have some understanding of the tradition, the book provides an enormous amount of original insights and arguments. It also comes at the right time, as recently the classical view of the just war theory has been challenged from many different perspectives and there are serious concerns about the future of the theory that underlies so much of the international law. If this is not the right time for presenting a radically different view to the debate, I do not know what is.

¹ Jeff McMahan is considered to be the main proponent of revisionism (see his book *Killing in War*, published in 2009). For a good overview of the debate see Lazar (2017).

² Kellison mentions McMahan as the critic of the traditional theory in a footnote on page 14 and then mentions the “revisionist school” related to McMahan and Frowe on pages 65–66. All the variations in the “school” as well as many other authors and their arguments are neglected.

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