
An Evaluation of Feminist Critiques of Just War Theory

by

*Sinem Hun**

Abstract: The just war theory, or the morality of the use of force, has been evaluated and interdisciplinarily discussed in various fields of the academia for a long time. This essay tries to explore how feminist scholars have handled this issue and have generated new perspectives regarding just war theory. The first part of the essay attempts to frame feminist critics to just war theory then presents non-pacifist alternative approaches reformulating the modern just war understanding. In the last part, the criticism of Lucinda Peach, Laura Sjoberg and J. Bethke Elstain that is brought to these non-pacifist alternatives is briefly mentioned.

“Just war is a discourse rather than a moral framework” (Sjoberg, 2006).

“We cannot identify ‘war itself’ as an entity apart from a tradition that includes poems, epics, myths, official histories, and first-person accounts, as well as articulated theories” (Elshtain, 1987).

Introduction

The morality of the use of force has long been one of the focal points of political ethics, international relations and military ethics. The just war theory that is the central doctrine to be criticized from a feminist (or feminine) understanding in this essay basically formulates under which philosophical, religious and political conditions the use of force, declaring war or taking part in an ongoing violent conflict is considered legitimate and moral. It is widely accepted and known in the academia that his doctrine asserts that a violent act or war cannot be categorically assessed as legitimate or illegitimate simply based on its original motivation; it must fulfil a series of requirements and conditions enabling us to test the level of legitimacy of the war.

* Sinem Hun has been recently completed her master in human rights at the London School of Economics and Political Science. Her master dissertation on the architecture of the symbolic violence in the Turkish judicial system against transgender community was marked with distinction. She has been working as a freelance legal adviser for six years and is setting up Hun Consultancy, the first human rights-based legal and strategic consultancy of Turkey in Ankara. She is fluent in English and French. sinem.hun@hundanismalik.com.

Although just war theory dates back to the 4th century, critiques from a feminist perspective were first formulated beginning at the end of 1980s. Especially changes in the international politics in favour of the frequency in use of humanitarian intervention in the post-cold war era, re-emergence of rhetorical discourses such as democracy, freedom or human rights as just causes of a war in the parallel of Michael Walzer's work on modern reading of just and unjust wars have pushed feminist thinkers to concentrate more on critiques of just war theory. Feminist critiques of just war theory have flourished in two main veins: one falls within the frame of the claim that war is an undeniable fact of modern life and may sometimes be a precondition of a permanent peace, while the other is an ontological rejection of militarism and of war grounded in the belief that the feminist standpoint has to be anti-militarist by nature. In this essay, I will first mention significant feminist critiques against modern just war theory, then present concepts evaluated by Ruddick and Elshtain in order to give a new pulse to feminist interpretation of just war and lastly address critiques of these perspectives excluding particular references to pacifist views and anti-militarist feminist objections to just war.

Significant Feminist Critiques of Just War Theory

Principal concerns of feminist criticism of just war theory are generally conceptualized with “its relation to the realism; its failure to insist that all criteria have been satisfied in accordance with rigorous standards, especially in relation to attempting non-violent alternatives; its tendency to abstraction and to dichotomize reality in accordance with gendered distinctions; the priority it accords to the state and to state authority vis-à-vis the individual” (Peach 1994, pp. 155-156). Governing criteria put forward by either traditional thinkers such as St. Augustine or modern thinkers as Walzer of just war theory to go to war (*jus ad bellum*), namely, the need for a just cause, right authority, right intention, proportionality, relative justice, last resort and reasonable hope for success and to conduct a war (*jus in bello*), namely, proportionality and discrimination are criticized first from the bare link they build upon the notion of realism and human nature. Realism purports that humans are by nature aggressive – that is why wars are unavoidable. While Ruddick objects to this paradigm misrepresenting human beings as “primarily centers of dominating and defensive activity trying to achieve a stable autonomy in threatening hierarchies of strength” (Ruddick 1989, p. 183) Elshtain depicts this realism as a powerful male-biased tool to limit female imagination to search for other possibilities than war (Elshtain, 1987, p. 88; Elshtain 1985, p. 41).

Secondly, for Elshtain and Ruddick, the last resort criteria of just war theory, which insists that every method should have been tried before using arms, is in contradiction with the realist background of the theory. What is accentuated by feminists is the limit of the last resort rule. Is the pacifism considered as a last resort for a war? Can a war without searching for and generating pacifist solutions be recognized as a just war? Ruddick and Elshtain replying negatively to these types of questions contest that the non-recognition of pacifist alternatives to war undermines the just character of a war. However, for Elshtain, concerns are concentrated on the possibility that this type of non-violent search before war may lead to flour-

ishing of a new type “armed civic virtue” (Elshtain 1992, p. 43). Like Peach (1994), who argues that the last resort criterion needs to be interpreted more strictly, Sjoberg gives insight to this concern indicating two points: in the reformulation of the last resort there should be an open dialogue on assuring implementation of other means of coercion except from war and a feminist reading of last resort has to properly contextualize the “meaning” lying behind the last resort. She says, “[I]f policymakers place their faith in war, it will be the first (but in theory last) resort. If policymakers believed that only giving everyone sunflowers would automatically solve international problems, sunflower distribution would be the first (but in theory last) resort” (Sjoberg 2006, pp. 83-84).

The third critique is based on the abstraction of just war theory. Specifically, the description of a war similar to a video game or a simulation by just war theorists is harshly criticized by feminist scholars on the basis that it neglects “the atrocities of war and its impact on individual bodies, the perception of the enemy as ‘other’ and concentration on principles of justice and rights rather than needs and interest of specific persons in particular conflicts” (Peach, p. 1994). Ruddick, for example, reflects on the notion of abstractness of just war theory righteously stating that, “our perceptions of war turn our attention from bodies and fate to abstract causes and rules for achieving them” (Ruddick 1989, p. 150). Actually, this erasure of the body has roots in medieval ages of St. Augustine who first theorized just war theory. For him, the evil of war does not subsist in the physical deaths of people but the emergence of eulogy for violence and death or “lust of power” (Holmes 1969, p. 64). This core understanding finds a voice in modern just war theory under a technostrategist-sauced discourse refraining from defining, for example, nuclear war, as described by Carol Cohn, “the “utter absence of the burning, explosive, flesh-tearing, radiation poisoning, life-annihilating devastation” (Cohn 1989, p. 156) since this may lead to recalling the body and the destructive power of the war over human lives and bodies.

Moreover, Gilligan recaptures the effect of this style of abstraction on the denial of sufferings. As Ruddick posits, this abstraction is an instrument of a gendered war making system to sustain the mentality of war omnipresent, omnipotent and perpetual. The maternal thinking of Ruddick, for instance, was propounded as an antidote to the deliberately abstract thought of just war theory which generates, “a sturdy antimilitaristic conception of the body in which birth is privileged over death” (Ruddick 1987, p. 216).

This abstraction forges in the last instance an “othering” and alienation impact; comprehension of the counter party as a “block evil”, a block of people who are alien therefore killable and destructible for the sake of “us”. The dichotomy of “other” and “us” not only deepens alienation of humanity but also prevents occurrence of any type of engagement alternate to war that may generate new languages of negotiation and non-violent ways replacing war as a last resort. Interestingly, Nodding (1989, p. 202) asserts that this discriminatory discourse is more prevalent among men than women since the socialization of women is on the basis of relationality and connection conveying to peace but that of men on separation and autonomy inciting militarism (Peach 1994, p. 159) and the circularity of the discourse strengthens the gendered structure of the literary description of “other” im-

printed on collective perception and international political jargon. Lastly, the abstraction of just war is criticized by feminist legal theorist Joan Shaughnessy, mentioning that a focus on just cause fails “to recognize that people do not exist in isolation but rather within a complex, imperfect structure” (Shaughnessy 1988, p. 12). On this point, Gilligan felicitously indicates that this insistence on resetting the just cause rule on individual rights stems from the tacit intention of male gendered approach of war promoting separation not connection contrary to female discourse depending on nonviolence (Gilligan 1982, pp. 173-74). In the same line, Sjoberg, admitting that the modern reading of just cause is ahistorical and inconsistent in terms of coherence between aim and act, suggests that there should be some just causes for feminists such as gendered and sexual violence. “A just war might, in certain circumstances, be less unjust than gendered and sexual violence.” (Sjoberg 2006, p. 79). To overcome the risk of abstraction, the discussions on just cause should be participatory, holistic, creative and open to dialogues (Sjoberg 2006, p. 78). Feminist intervention guided by empathy to these discussions “would pay attention to the physical and political needs of those at the margins who would be most affected by war making and war fighting.” (Sjoberg 2006, p. 78). This revelation of feminist distributive justice would prevent any attempt of the powerful to gain more power in international political interaction and monitor how much just war affects people living at the global political margins (Sjoberg 2006, p. 78).

Another critique brought to just war theory is related to the dichotomized thinking over key concepts: rights versus war, earthly in contrast to spiritual or male opposite to female. The dualistic side of just war theory tacitly by-passes secular institutions and reifies their impact over on-going war (Elshtain 1987, p. 157) by promoting religious faith and by trivializing human capacity of choice, referring to the Christian eschatological focus which makes distinction between inner world and outer material life (Ruddick 1989, pp. 134-136). Another objection to this dualism is based upon the contemporary cultural images of males and females depicting women as “beautiful souls” and “civic cheerleaders” or “a collective other” and men as “just warriors” (Elshtain 1985, pp. 42-43). Just warriors are “war heroes fulfilling their expected gender roles” (Sjoberg 2006, p. 97) which include being a “good soldier, civilian strategist, military son and good comrade” (Murphy 1998, pp. 95-99; Hooper 1998). On the opposite side, the product of male imagination, “beautiful souls” serve symbolically and literally “as that which requires protection”, a construction which denies agency (Peterson and Runyan 1996, pp. 116-7; Sjoberg 2006, p. 98). Their presence is crucial in terms of “bearing and rearing children on the home front” meaning that women collaborate with just warriors in producing wars by means of their biological reproductive features (Peterson and Runyan 1996, p. 116). This relationship sheds light on, for example, the question of Scheper-Hughes regarding Irish mothers proudly and joyfully sending their sons into war (Scheper-Hughes 1998, p. 177). This gendered role enhances the rhetorical discourse on pacifism and victimization of women who are believed to be less competitive and more interested in equality and solidarity but justifies that “beautiful souls’ peacefulness is a quality to be respected but it cannot be sustained without warriors fighting for it” (Sjoberg 2006, p. 98). Additionally, according to Elshtain, the dualism of just war theory “leads to a conception of peace as simply

the absence of war rather than a “chastened patriotism” which would restrain thinking in wariest terms. As Cohn notes, such attitudes about peace tend to confirm rather than belie the wariest presumption that peace is “soft-headed” (Cohn 1989, p. 128; Peach 1994, p.161).

The last significant critique of the just war theory is based on the relationship between authority and the individual claiming that just war theory’s general stress on the good of the social order at the expense of individual is misplaced (Peach 1994, p.162) and affirming that although the foundation of just war is built upon individual rights it enunciates that the physical sacrifice of one’s life makes greater contribution to the public’s greater good. Sjoberg also criticizes the right authority criterion of just war theory mentioning that “state organizational practices are 'structured in relation to masculine values therefore, the masculinity of the state lies in masculine values in states’ models of human nature, citizenship, subjectivity, rationality and political agency’” (Peterson 1999, p. 38; Sjoberg 2006, p. 65). Feminist critique in jus ad bellum on recognition of the state as the right authority presents a vision that in a world of relational autonomies the existence of rational authority is not possible (Sjoberg 2006, p. 66). The state should give weight to individual subjectivity and feminist practices. Gendered militarism and competition between states obscure the potential for empathy, gendered power or power-over (Allen 1998) meaning “the ability to constrain the choices of other factors through credible threats of harm” (Sjoberg 2006, p. 68) in international politics.

The feminist gendered lenses suggest two alternatives to power-over. One is the power-to which is “the capacity of an agent to act in spite of or in response to power wielded over her by others” (Allen 1998, p. 34) so power-to concerns choices that an “actor has within a choice-constrained situation. If relational autonomy restrains actors, power-to is what they can still accomplish, given those restraints (or how they can alter those restraints)” (Sjoberg 2006, p. 69). The other one is power-with concept inspired by Hannah Arendt’s formulation on social power as “human ability to act in concert and begin anew” (1970). With power-with, the appropriate moral authority to declare war has to have two components: “critical interrogation of every claim to right authority and dialogical license” (Sjoberg 2006, p. 70). These two features enable feminists to strategically intervene in war decision-making procedures by asking questions and producing counter-narratives (*Ibidem*). This strategic intervention which is a feminist discourse coalition to interrogate the need for right-authority for war making aims to mobilize discourses of empathy and relational ethics as an alternative to discourses of state sovereignty, militarism and violence and to ultimately pay attention to political marginalities (Sjoberg 2006, pp. 71-72).

Non-Pacifist Alternatives to Just War Theory

Having considered some of the above mentioned feminist critiques, Ruddick and Elshtain embodied two non-pacifist alternatives to just war theory: Ruddick’s “maternal thinking and peace politics” and Elsthain’s “revitalized civic discourse”.

Ruddick developed a concept of maternal thinking starting from ethics of care and a common human work called mothering. “Human children share prolonged

physical fragility and therefore prolonged dependence on adults for their safety and wellbeing. In all societies, children need protective care, though the causes and types of fragility and the means of protective vary widely. This universal need of human children creates and defines a category of human work” (Ruddick 1989, p. 18). Her pacifism prioritizing that “there are entirely or principally nonviolent ways of fighting them [*violence acts*] that are at least as effective as violence” (Ruddick 1983, pp. 475-476) galvanized her in formulating maternal thinking on the basis of three major practicalities of mothering: “preservative love, fostering nurturance, and training conscience and its latent peacefulness” (Ruddick 1989, pp. 40-56; 137). Preserving the lives of children is the fundamental and invariant aim of maternal practice and the commitment to accomplish that goal is the constitutive maternal act. According to Ruddick, maternal practices may be learnt by everybody but still require an “on-going attention to human suffering” and invention of “myriad non-violent actions ...including non-violent resistance” (Ruddick 1989, 139, pp. 174-175).

However, maternal thinking is found problematic especially by Peach and Sjoberg who firstly criticize that it still falls within the frame of essentialism, albeit not that of just-war realism mentioned above but another type of realism justifying that the ideal mothers of Ruddick have the capacity of maximum caring for others but not for themselves. This depiction of mother presumes that non-mothers have similar caring capacity. Secondly, although she rejects in her work on maternal thinking that her concept is derived from an essentialist view, claiming that mothers tend more to preserve the peace depending on the woman’s capacity of giving birth and caring indicates something else contrary to her statement (Code 1991). Besides, a similar dichotomized thinking of just war theory appears in Ruddick’s work as well when she says: “*prima facie* opposition between maternal and military work,” that “mothering begins in birth and promises life” whereas “military thinking is characterized by its justification of organized, deliberate death” (Ruddick 1987, p. 247; 1989, p. 148). In this point, Kaplan (1994) criticizes Ruddick contesting that maternal thinking reinforces patriarchy by accepting its dualisms, disempowers women and is supportive of militarism. Lastly, Ruddick’s concept fails in demonstrating its strength in terms of adaptability and feasibility; she cannot well entwine the connection between mothering as a private performance and the interest of collective public sphere. It is weak in terms of adaptability to specific context of wars and in replying to contemporary questions on just war, for example, how maternal practices would have prevented ethnic war in Bosnia or war between two tribes in Rwanda ending up with the one of the bloodiest genocides of 20th century?

On the other hand Elshtain, who rejects gendered Manichean dichotomies such as “beautiful souls” and “just warriors”, proposes to overthrow armed civic virtue, which is crystalized in the fact that “in the beginning, politics gave birth to war. Better, in the beginning politics was war” (Elshtain 1987, p. 250). Therefore, a feminist moral standpoint should first seek a new discourse “problematizing war narratives, then move beyond ‘the grand narrative of armed civic virtue’”(Elshtain 1987, p. 251). In accordance with her estimation, this will give “men and women the opportunity to share risks as citizens, to take up nonviolence as a choice, not a

given” (Elshtain 1987, p. 257). However, Peach opposes Elshtain, raising similar objections as those of Ruddick’s maternal thinking, stating that her approach is blurred on how it may improve just-war rhetoric and the possibility to alter practical decision-making mechanism.

Conclusion

The first and second parts of this essay may be read as a collection of remarkable feminist critiques to modern just war theory’s conditions from standpoints of feminist scholars such as Elshtain, Sjoberg and Peach. The third part aims to present two modern alternatives not prioritising pacifism but still criticizing the classical just war theory. Although this essay targets to stress the presence of non-pacifist concepts criticising modern just war theory I am in the opinion that they should not distance us from the anti-militarist, deconstructivist and feminist “eye” voiced in quotations stated at the beginning of this essay underscoring the double-edged interrelation and interdependence of fundamental social constructions of society, international politics relations, state and war that produce gender and is produced by the gender system at the same time. To this end, the mainstream anti-militarist feminist understanding and comments on just war theory which are not dealt in this essay on purpose should be debated along with above mentioned concepts in order to reach a sustainable and permanent new order.

Bibliography

- Allen, Amy (1998) “*Rethinking Power*”, *Hypatia* 13, no.1 (Winter), 21-40.
- Arendt, Hannah (1970) “*On Violence*”, New York, Harvest Books.
- Code, Lorraine (1991) “*Review essay: Will the ‘good enough’ feminists please stand up?*” *Social Theory and Practice* 17(10), 85-104.
- Cohn, Carol (1989) “*Emasculating America’s linguistic deterrent. In Rocking the ship of state: Toward a feminist peace politics*”, ed. Adrienne Harris and Ynestra King. Boulder, Westview Press.
- Elshtain, Bethke J. (1985) “*Reflections on war and political discourse: Realism, just war and feminism in a nuclear age*”, *Political Theory* 13(1), 39-57.
- Elshtain, Bethke J. (1987) “*Women and War*”, *Washington Square*, New York, New York University Press.

Elstain, Bethke J. (1992) "*Just war and American politics*", *Christian Century* 109(2), 41-44.

Holmes, Arthur (1969) "*War and Christian ethics*", Grand Rapids, MI, Baker Books.

Hooper, Charlotte (1998) "*Masculinist Practices and Gender Politics: The Operation of Multiple Masculinities in International Politics*", the *Man Questions in International Relations*, ed. Marysia Zalewski and Jane Prapart, Boulder, Westview Press.

Gilligan, Carol (1977) "*Concept of the self and of morality*", *Harvard Educational Review*.

Gilligan, Carol (1982) "*In a different voice: Psychological theory and women's development*" Cambridge, MA, Harvard University Press.

Kaplan, Laura Duhan (1994) "*Women as Caretaker: An Archetype Which Supports Patriarchal Militarism*", *Hypatia* 9(2), 123-133.

Malone Naomi (2004) "*From Just War to Just Peace: Re-visioning just war theory from a feminist perspective*", University of South Florida, Graduate School Thesis and Dissertation.

Murphy, Craig (1998) "*Six Masculine Roles in International Relations and Their Interconnection: A Personal Investigation*", the *Man Questions in International Relations*, ed. Marysia Zalewski and Jane Prapart, Boulder, Westview Press.

Noddings, Nel (1984) "*Caring: A feminine approach to ethics and moral education*", Berkeley, University of California Press.

Noddings, Nel (1989) "*Women and evil*", Berkeley, University of California Press.

Peach, Lucinda (1994) "*An Alternative to Pacifism? Feminism and Just-War Theory*", *Hypatia*, 9(2), 152-172.

Peterson, Spike V. (1999) "*Sexing Political Identities/ Nationalism as Heterosexism*", *International Feminist Journal of Politics* 1, no.1, 34-65.

Peterson, Spive V. and Runyan, Anne S. (1996) "*Global Gender Issues*", Boulder CO, Westview Press.

Ruddick, Sarah (1983) "*Pacifying the forces: Drafting women in the interests of peace*", *Signs* 8(3), 471-89.

Ruddick, Sarah (1987) "*Remarks on the sexual politics of reason*", *Women and Mural Theory*, ed. Eva Kittay and Diana Meyers, Stonybrook, New York, Rowman & Littlefield Publishers, Inc.

Ruddick, Sarah (1989) "*Maternal thinking: Towards a politics of peace*", Boston, Beacon Press.

Sjoberg, Laura (2006) *“Gender, Justice and the Wars in Iraq”*, Oxford, Lexington Books.

Scheper-Hughes, Nancy (1998) *“Maternal Thinking and the Politics of War”*, Lorentzen & Turpin ed. *The Women and War Reader*, 227-233.

Shaughnessy, Joan (1988) *“Gilligan's travel”*, *Law and Inequality* 7, 1-27.

Walzer, Michael (1977) *“Just and unjust wars”*, New York, Basic Books, Inc.