

The Motivation to Act:

A Kantian View of Humanitarian Intervention and the Responsibility to Protect in Afghanistan

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The Responsibility to Protect (R2P) is a United Nations (UN) doctrine which provides a guideline for how countries should respond to international humanitarian crises. This doctrine is based on Kantian human rights and intervention principles, but in its application, has strayed away from Kant-compliant uses. This essay will apply the R2P principle and Kantian theory to the current humanitarian crisis in Afghanistan, following the international withdrawal in 2021. It will adopt a conceptual framework, examining the advice Kantian theory has on international intervention, and how this could be applied to the specific case of Afghanistan. It will not address specific policies that could be adopted, nor will it provide a criteria for how international intervention should always occur. Since August 2021, Afghanistan has been run by the Taliban, and this government has committed various humanitarian atrocities, including killing civilians. From a Kantian perspective, these human rights violations imbue the international community with a duty to respond and intervene to stop humanitarian violations. This essay will argue that Kantian theory requires states to act in humanitarian crises, such as present-day Afghanistan, but that for intervention to be moral, it needs to be motivated by care for humans.

R2P was first introduced as a doctrine in 2001 in a report by the International Commission on Intervention and State Sovereignty (ICISS).<sup>1</sup> It was endorsed by the World Summit in 2005.<sup>2</sup> This doctrine aimed to provide a theoretical and ethical framework for what had previously been ad hoc decisions on intervention.<sup>3</sup> This report was not groundbreaking in its content, as it formalized an existing consensus among Western states about exceptions to state

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<sup>1</sup> Thomas G. Weiss, "On R2P, America Takes the Lead," *Current History* Vol. 111, 748 (2012), <https://www.globalr2p.org/publications/on-r2p-america-takes-the-lead/>.

<sup>2</sup> Jennifer Mei Sze Ang, "Kant and the Responsibility to Protect," *The International Journal of Applied Philosophy* 29, no. 1 (2015): 37, <https://doi.org/10.5840/ijap201561739>.

<sup>3</sup> Dan Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" *European Journal of International Relations* 16, no. 3 (2010): 444, <https://doi.org/10.1177/1354066109350051>.

sovereignty.<sup>4</sup> This consensus emerged after in the 1990s after there were several instances of the international community failing to act in during mass killings, such as the Rwandan Genocide.<sup>5</sup>

This doctrine states that sovereign states have a responsibility to protect their citizens from catastrophe, but when they fail to do so, this responsibility must be borne by the larger community of states.<sup>6</sup> In essence, states have sovereignty until they allow catastrophes or commit atrocities?. It reads, “Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.”<sup>7</sup> This doctrine allowed for a reframing of the sovereignty of states from absolute, to contingent.<sup>8</sup> Under R2P, genocide, war crimes, ethnic cleansing, and crimes against humanity demand an international response.<sup>9</sup> If these occur, they no longer have a claim to sovereignty, and other states have a responsibility to intervene and protect civilians.

Under this theory, there are three main responsibilities of all states. These are the responsibility to prevent, react, and rebuild.<sup>10</sup> Firstly, they have a responsibility to identify early warning signs of trouble and take action.<sup>11</sup> This imbues states with a responsibility to prevent or halt human rights atrocities. Secondly, there is a responsibility to react to situations with appropriate measures.<sup>12</sup> This is a vague clause that can be understood to mean that states have

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<sup>4</sup> Bulley, “The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?” 444.

<sup>5</sup> Arminka Helic, “After Afghanistan: What the UK and Europe should do next,” Politico, August 20th, 2021, <https://www.politico.eu/article/afghanistan-war-uk-europe-responsibility-to-protect-defense-global-britain-nato/>.

<sup>6</sup> Helic, “After Afghanistan: What the UK and Europe should do next.”

<sup>7</sup> Gareth Evans et. al., “The Responsibility to Protect,” *Report of the International Commission on Intervention and State Sovereignty*, December 2001, XI, <https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001>.

<sup>8</sup> Weiss, “On R2P, America Takes the Lead.”

<sup>9</sup> Mei Sze Ang, “Kant and the Responsibility to Protect,” 37.

<sup>10</sup> Weiss, “On R2P, America Takes the Lead.”

<sup>11</sup> Todd Burkhardt, “Justified Drone Strikes are Predicated on R2P Norms,” *The International Journal of Applied Philosophy* Vol. 29, 2 (2015): 170, <https://doi.org/10.5840/ijap201612047>.

<sup>12</sup> Burkhardt, “Justified Drone Strikes are Predicated on R2P Norms,” 170.

agency in determining the proper and best methods to act. However, it is typically interpreted in a militaristic way and often results in R2P being used to justify military intervention. Thirdly, there is a responsibility to rebuild. When intervention occurs, it can cause a great deal of unwanted damage, particularly to civilian infrastructure.<sup>13</sup> There is a responsibility on behalf of any bodies who are involved to assist with the rebuilding process after an intervention.

With R2P there are also caveats or limits. Firstly, for intervention to be justified there must be serious or irreparable harm occurring immediately, or imminently likely.<sup>14</sup> Intervention can not be justified on a vague perception of danger, but must be grounded in a reality where a humanitarian crisis will occur without intervention. Secondly, intervention can only be to halt or avert human suffering.<sup>15</sup> Under R2P there is no legitimization, in theory, for intervention for non-humanitarian purposes. Thirdly, intervention should be a last resort.<sup>16</sup> Intervention can cause significant harm, even if this harm is unintended. As such, less harmful actions should be taken first, with direct intervention being saved for the most emergent situations. Fourthly, intervention should be proportional to the harm that is being caused.<sup>17</sup> Large issues require large responses, and the converse also applies. Finally, the consequences of inaction must be worse than the consequences of action.<sup>18</sup> This means that intervention should cause greater harm, more than the choice to not intervene harms. Following these responsibilities and caveats provides a guideline for countries abiding by R2P rules.

Afghanistan is a country that has long experienced conflict. The most recent phase of conflict lasted from 2001-2021, and involved Western nations, led by the US, to militarily intervene in the country. This was prompted by the events of 9/11 and the subsequent War on

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<sup>13</sup> Burkhardt, "Justified Drone Strikes are Predicated on R2P Norms," 170.

<sup>14</sup> Evans et. al., "The Responsibility to Protect," XII.

<sup>15</sup> Evans et. al., "The Responsibility to Protect," XII.

<sup>16</sup> Evans et. al., "The Responsibility to Protect," XII.

<sup>17</sup> Evans et. al., "The Responsibility to Protect," XII.

<sup>18</sup> Evans et. al., "The Responsibility to Protect," XII.

Terror policy.<sup>19</sup> An estimated 243,000 people died as a direct result of the war, a figure which does not include individuals who died from disease, loss of access to food, water, infrastructure or other indirect deaths as a result of war.<sup>20</sup> On August 30th, 2021, the international community, led by the Americans, completed their military withdrawal from Afghanistan, and the Taliban took over the government.

Since international withdrawal, the number of civilian casualties has increased.<sup>21</sup> The Taliban have been deemed responsible for the majority of deadly incidents.<sup>22</sup> The majority of these deaths have been caused by explosive devices, including suicide bombings in public locations, and methods of violence which place civilians at risk.<sup>23</sup> Also placed at risk during this conflict has been essential civilian infrastructure, further putting civilians and their livelihoods in danger.<sup>24</sup> This demonstrates that the Taliban as a governing power are both failing to protect and willfully killing their civilians and violating their human rights. These violations have taken the form of extrajudicial killings, torture and inhumane treatment of captives.<sup>25</sup> Children, girls, and the disabled are particularly vulnerable to these abuses.<sup>26</sup> Additionally, high-profile members of

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<sup>19</sup> Yuka Hasegawa, "The United Nations Assistance Mission in Afghanistan: Impartiality in New UN Peace Operations," *Journal of Intervention and Statebuilding* 2, no. 2 (2008): 214, <https://doi.org/10.1080/17502970801988123>.

<sup>20</sup> Watson Institute of International and Public Affairs, "Human and Budgetary Costs to Date of the US War in Afghanistan, 2001-2022," Brown University, August 2021, <https://watson.brown.edu/costsofwar/figures/2021/human-and-budgetary-costs-date-us-war-afghanistan-2001-2022>.

<sup>21</sup> United Nations Assistance Mission in Afghanistan, "Afghanistan Protection of Civilians in Armed Conflict Midyear Update: 1 January to 30 June 2021," UNAMA. July 26, 2021, 10, [https://unama.unmissions.org/sites/default/files/unama\\_poc\\_midyear\\_report\\_2021\\_26\\_july.pdf](https://unama.unmissions.org/sites/default/files/unama_poc_midyear_report_2021_26_july.pdf).

<sup>22</sup> Al Jazeera, June 27, 2023, "Over 1,000 Afghan civilians killed since Taliban takeover: UN," News, <https://www.aljazeera.com/news/2023/6/27/over-1000-afghan-civilians-killed-since-taliban-takeover-un>.

<sup>23</sup> Al Jazeera, "Over 1,000 Afghan civilians killed since Taliban takeover: UN."

<sup>24</sup> United Nations Assistance Mission in Afghanistan, "Afghanistan Protection of Civilians in Armed Conflict Midyear Update: 1 January to 30 June 2021," 11.

<sup>25</sup> Amnesty International, "No Escape: War Crimes and Civilian Harm During the Fall of Afghanistan to the Taliban," 19.

<sup>26</sup> Amnesty International, "No Escape: War Crimes and Civilian Harm During the Fall of Afghanistan to the Taliban," 16.

society, former government, aid or media workers, and members of ethnic minority groups such as Hazara and religious Shi'a Muslims are disproportionately targeted.<sup>27</sup>

Afghanistan is experiencing a humanitarian crisis. This crisis is currently not being adequately responded to by the international community. Aid supplies and services have been significantly hampered, and are not reaching those most vulnerable.<sup>28</sup> Afghan civilians are not being protected by their government, and there is a need for the international community to provide this protection.

The R2P policy is a primary humanitarian policy. It is designed to apply to cases where humanitarian abuses are occurring, and then to be used to demand and justify humanitarian intervention. Despite these humanitarian origins, the R2P has been interpreted to justify military intervention. The incorporation of military and humanitarian/charitable intervention has a long history. Charity work has always been embedded in military issues, as the military has received aid, and protected those providing aid.<sup>29</sup> After the Cold War, there was a multiplication of peacekeeping operations, which were often labeled humanitarian.<sup>30</sup> The war on terrorism has only served to exacerbate the militarization of humanitarian aid. This is seen in cases like Afghanistan, where the fight against poverty and the export of Western democratic norms were seen as a way to fight terrorism, thus they were incorporated into the country's military project.<sup>31</sup>

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<sup>27</sup> United Nations Assistance Mission in Afghanistan, "Afghanistan Protection of Civilians in Armed Conflict Midyear Update: 1 January to 30 June 2021," 5.

<sup>28</sup> Dayne Curry et. al. "Afghanistan's Two Years of Humanitarian Crisis Under the Taliban," United States Institute of Peace, September 19, 2023, <https://www.usip.org/publications/2023/09/afghanistans-two-years-humanitarian-crisis-under-taliban>.

<sup>29</sup> Marc-Antoine de Montclos, "The (de)Militarization of Humanitarian Aid: A Historical Perspective," *Humanities (Basel)* 3, no. 2 (2014): 233, <https://doi.org/10.3390/h3020232>.

<sup>30</sup> De Montclos, "The (de)Militarization of Humanitarian Aid: A Historical Perspective," 234.

<sup>31</sup> De Montclos, "The (de)Militarization of Humanitarian Aid: A Historical Perspective," 234.

By the time 9/11 triggered military intervention in Afghanistan, the concept of military involvement in humanitarian projects had become typical.<sup>32</sup>

While security is often a desired precondition of aid delivery, military and humanitarian intervention do not have to be tied.<sup>33</sup> It is possible to offer food, water, and run shelters without militarily invading a country. While this aid would need to be offered on the precondition that the government did not actively oppose aid being given, this collaborative approach may be possible.

When examining Kantian theory, there is no obligation to have a military force present while providing humanitarian aid. While R2P has humanitarian goals, in practice, it entails attempts at political reform and regime change.<sup>34</sup> Kantian theory is resistant to the idea of government overthrow and intervention for these purposes. Kant denies a population the right to a rebellion.<sup>35</sup> Additionally, he does not believe that progress can be achieved by such a rebellion, revolution, or overthrow of a government.<sup>36</sup> Instead, he believes in gradual reform to a more just state.<sup>37</sup> If a population is not encouraged to overthrow their government, then it is clear that under Kant's view, international actors should not be intervening to orchestrate government overthrow. Additionally, Kant believes that when intervention is justified, it should be limited to restoring the rights of men, and not regime change to serve hegemonic interests.<sup>38</sup> Under this understanding, R2P should be limited to humanitarian aid and intervention, and should not be expanded to justify an attack on a state, regardless of the humanitarian abuses they may be

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<sup>32</sup> Michiel Hofman, "The Evolution from Integrated Missions to 'Peace Keepers on Steroids,'" *Global Responsibility to Protect* 6, no. 2 (2014): 249, <https://doi.org/10.1163/1875984X-00602009>.

<sup>33</sup> Hofman, "The Evolution from Integrated Missions to 'Peace Keepers on Steroids,'" 247.

<sup>34</sup> De Montclos, "The (de)Militarization of Humanitarian Aid: A Historical Perspective," 234.

<sup>35</sup> Paul Guyer, "'Hobbes Is of the Opposite Opinion' Kant and Hobbes on the Three Authorities in the State," *Hobbes Studies* 25, no. 1 (2012): 91, <https://doi.org/10.1163/187502512X639623>.

<sup>36</sup> Matthew C. Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," *Kantian Review* 22, no. 2 (2017): 199, <https://doi.org/10.1017/S1369415417000012>.

<sup>37</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 199.

<sup>38</sup> Mei Sze Ang, "Kant and the Responsibility to Protect," 47.

threatening. As it states in its name, R2P has a responsibility to protect. Prosecuting human rights abuses is out of its scope.

There is, however, a responsibility to do something when human rights abuses are occurring. This responsibility can be located within Kant's beneficence principle. This is Kant's theory of moral obligation to help people, in as much as it is possible to do so.<sup>39</sup> Kant says that people should aim to fulfill the beneficence principle, but have fulfilled it as long as they have tried.<sup>40</sup> If attempts fail, or it is out of their means, the principle is still satisfied.<sup>41</sup> The beneficence principle applies because the characteristic of humanity demands respect, as humans are capable of reason.<sup>42</sup> As such, there is a duty to respect people and attempt to provide help whenever possible. Crimes against humanity, such as killings, are expressions of injustice, and thus are cases where the beneficence principle applies.<sup>43</sup> Humans have a right to dignity because of their moral potentialities and capacity for reason.<sup>44</sup> Under this formulation, there is a duty to protect victims of human rights abuses.<sup>45</sup> There are currently human rights abuses occurring in Afghanistan, and as such there is a duty to respond and help the people experiencing them. These are cases of injustice, and as such, response is called for.

The beneficence principle is an imperfect duty as it qualifies as much as possible.<sup>46</sup> Imperfect duties cannot be coerced.<sup>47</sup> This means that people have latitude in terms of whom

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<sup>39</sup> John W. Lango, "Moral Theory," In *Ethics of Armed Conflict*, (United Kingdom: Edinburgh University Press, 2014), 64.

<sup>40</sup> Lango, "Moral Theory," 65.

<sup>41</sup> Lango, "Moral Theory," 65.

<sup>42</sup> Michael Sandel, *Justice: What's the Right Thing to Do?* (New York: Farrar, Strauss and Giroux, 2009), 104.

<sup>43</sup> Heather Roff, "A Provisional Duty of Humanitarian Intervention," *Global Responsibility to Protect* 3, no. 2 (2011): 165, <https://doi.org/10.1163/187598411X575658>.

<sup>44</sup> Vincent Samuel Jones, "The Ethics of Letting Civilians Die in Afghanistan: The False Dichotomy between Hobbesian and Kantian Rescue Paradigms," *DePaul Law Review* 59, no. 899 (2010): 931, <https://repository.law.uic.edu/facpubs>.

<sup>45</sup> Mei Sze Ang, "Kant and the Responsibility to Protect," 38.

<sup>46</sup> Lango, "Moral Theory," 64.

<sup>47</sup> Mei Sze Ang, "Kant and the Responsibility to Protect," 38.



they choose to respond.<sup>48</sup> It also means that while Kant says people should respond, this response is not mandated. Kant says “fulfillment of [imperfect duties] is merit . . . but the failure to fulfill them is not itself culpability . . . but rather a deficiency in moral worth.”<sup>49</sup> While it is a moral obligation to fulfill the beneficence principle, it is not something that can be mandated legally. Under Kantian theory, people cannot be coerced into acting for the right motives, and thus the law cannot require action.<sup>50</sup> Extending this to the international system, the international community cannot be required to respond, as this would interfere with their freedom.<sup>51</sup> Additionally, in cases where there is a military response, individuals cannot be compelled to participate. This is because there is potential for harm, and compelling them to become involved would mean using them as means to complete an interventionary mission, rather than as ends in themselves.<sup>52</sup> If people are to intervene, they must do so voluntarily for it to be just and meritorious. Applying this to the case in Afghanistan, it is clear that while intervention is justified and needed, this intervention cannot be forced. While the international community can, and should, call on states to respond, it is up to individual states, aid workers, and soldiers to determine if they will get involved.

The duty to respond and humanitarian intervention is also a provisional duty. Provisional duties are cases where centralized authority and coercive mechanisms are lacking, and therefore individual agents must pass judgment on what is right, and how to respond.<sup>53</sup> The international system currently does not have any true enforcement mechanisms. States maintain sovereignty as there is no world government. While other states may intervene and infringe on the sovereignty

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<sup>48</sup> Roff, “A Provisional Duty of Humanitarian Intervention,” 156.

<sup>49</sup> Mei Sze Ang, “Kant and the Responsibility to Protect,” 41.

<sup>50</sup> Altman, “The Limits of Kant’s Cosmopolitanism: Theory, Practice, and the Crisis in Syria,” 182.

<sup>51</sup> Roff, “A Provisional Duty of Humanitarian Intervention,” 154.

<sup>52</sup> Mei Sze Ang, “Kant and the Responsibility to Protect,” 40.

<sup>53</sup> Roff, “A Provisional Duty of Humanitarian Intervention,” 154.

of a specific state, there is still no mechanism above the state. As such, the international system is provisional under a Kantian view, as actions cannot be coerced by a world government.

However, as Kant does not believe that actions should be coerced, this lack of world government is not an issue under his theory. Kant proposes a League of Nations in his theory.<sup>54</sup> This would take the form of a confederation of states, united by a covenant to advance towards peace.<sup>55</sup> It is not a proposition of world government. Instead, Kant envisages an international society built on sovereignty, but which holds states responsible for observing moral principles.<sup>56</sup> This idea is the basis of the UN system. As such, the UN does not have enforcement mechanisms, but can encourage states to take moral actions when human rights abuses occur. Applying this theory to Afghanistan, the UN should encourage states to take humanitarian action in Afghanistan, but this action should not be mandated.

Under R2P, a form of Kantian theory, there is state sovereignty but there are cases where states lose their sovereignty. Firstly, Kant argues for a rule of non-intervention among just states.<sup>57</sup> This can be taken to mean that if states are not just, then intervention is legitimate, as states have lost sovereignty. States are only granted the status of being just and sovereign if they respect the human rights of their civilians.<sup>58</sup> States would then be deemed unjust if they were committing injustices against their populations, such as genocide, ethnic cleansing, or murder. This idea has been used to justify intervention in Syria and Iraq.<sup>59</sup> It could also be used to justify intervention in Afghanistan. The Taliban is committing human rights abuses, and as such, they could be labeled an unjust state, thus forfeiting their right to non-intervention.

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<sup>54</sup> Andrew Linklater and Hidemi Suganami, *The English School of International Relations : A Contemporary Reassessment*. (Cambridge: Cambridge University Press, 2006), 161.

<sup>55</sup> Linklater and Suganami, *The English School of International Relations : A Contemporary Reassessment*, 161.

<sup>56</sup> Linklater and Suganami, *The English School of International Relations : A Contemporary Reassessment*, 173.

<sup>57</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 186.

<sup>58</sup> Burkhardt, "Justified Drone Strikes are Predicated on R2P Norms," 171.

<sup>59</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 186.

Secondly, intervention may be justified under a responsibility to protect civilians.<sup>60</sup> As Kant's beneficence principle requires people to lend assistance to others, this could override state sovereignty. Under R2P principles, it is thought that states lose their right to non-intervention when they fail to honour basic human rights.<sup>61</sup> Therefore, intervention can be justified when states are committing, or allowing, serious and irreparable harm to their civilians.<sup>62</sup> This would also justify intervention in Afghanistan, as the international community would be justified in intervening to restore basic human rights among the population and to protect civilians under the beneficence principle.

Even when intervention is justified, there is a key caveat; intervention must occur for the correct intentions. For Kant, this would mean that intervention must occur only for the purpose of reducing human suffering.<sup>63</sup> As such, intervention for purposes such as resource acquisition, land seizure, political takeover, or other ideological motivations is not moral or justified. Kant would agree with R2P on a theoretical level, as at its core, it promotes respect for and protection of people. However, Kant would not agree with how R2P has been applied and all of the interventions which it has been used to justify.

One example is the war in Iraq. In Iraq, the US used humanitarian framing to justify their intervention.<sup>64</sup> However, this humanitarian language was just a veneer, which was used to cover their neo-imperial ambitions.<sup>65</sup> These neo-imperial ambitions would not be supported by Kant. Similar framing was used in Afghanistan during the 2001-2021 conflict. Initially, the US admitted to not intervening on humanitarian grounds, stating that they aimed to fight terrorism.<sup>66</sup>

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<sup>60</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 186.

<sup>61</sup> Burkhardt, "Justified Drone Strikes are Predicated on R2P Norms," 169.

<sup>62</sup> Burkhardt, "Justified Drone Strikes are Predicated on R2P Norms," 170.

<sup>63</sup> Heather Roff, "Response to Pattison: Whose Responsibility to Protect?" *Journal of Military Ethics* 8, no. 1 (2009): 83, <https://doi.org/10.1080/15027570902805190>.

<sup>64</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 444.

<sup>65</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 444.

<sup>66</sup> Hofman, "The Evolution from Integrated Missions to 'Peace Keepers on Steroids,'" 249.

However, as the conflict continued, their framing became broader, and the US framed the conflict from an ethical humanitarian lens.<sup>67</sup> The Taliban was considered a regime without respect for its people, which committed atrocities.<sup>68</sup> This was then used to justify intervention on the grounds of protecting civilians.<sup>69</sup> At times, if viewed uncritically, it could be thought that a moral responsibility to protect was the primary reason behind American intervention. However, while the framing of this conflict was humanitarian, and would be supported by Kant, the true motivations would not be. Kant would not agree with intervention for the purpose of the war on terror, or to install a new government. As in the cases of Iraq and Afghanistan, intervention occurred for primarily non-humanitarian purposes, and thus Kant would not support this application of R2P.

It is, however, hard to differentiate between imperialist aggression and humanitarian intervention.<sup>70</sup> Aggressors typically claim humanitarian motives, despite what their true motives may be.<sup>71</sup> Determining the motives of an actor externally is also not possible.<sup>72</sup> Only the person committing an act can truly determine what their motives are, and if these motives are moral. It is reasonable to be skeptical of the motives for intervention in Afghanistan from 2001-2021, as it is seen in the statements of world leaders. Former President Bush saw the war in Afghanistan as a nation-state-building mission to make the country safe from terrorism in the future.<sup>73</sup> President Macron echoed this, reflecting on French involvement as being part of a nation-building

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<sup>67</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 448.

<sup>68</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 448.

<sup>69</sup> Hofman, "The Evolution from Integrated Missions to 'Peace Keepers on Steroids,'" 249.

<sup>70</sup> Gerald Caplan, "Afghanistan and the limits of Responsibility to Protect," *The Globe and Mail*. March 4, 2011, <https://www.theglobeandmail.com/news/politics/second-reading/afghanistan-and-the-limits-of-responsibility-to-protect/article569422/>.

<sup>71</sup> Caplan, "Afghanistan and the limits of Responsibility to Protect."

<sup>72</sup> Caplan, "Afghanistan and the limits of Responsibility to Protect."

<sup>73</sup> Patrick Wintour, "What's next for American foreign policy?" *The Guardian*, Diplomatic Editor, September 8, 2021, <https://www.theguardian.com/world/2021/sep/08/what-next-for-american-foreign-policy-9-11-afghanistan-military-intervention>.

project.<sup>74</sup> Thirdly, President Biden said that objectives were achieved in Afghanistan once Osama bin Laden had been killed and extremist training camps were eliminated.<sup>75</sup> These three statements from world leaders demonstrate that the primary motivation of involvement was not for humanitarian reasons, but rather for nation-building or anti-terrorism purposes. These motives would not be supported by Kant and he would not consider them moral reasons for intervention.

The international interventions from 2001-2021 would not be justified by Kant, and he would view them as immoral. This is because these interventions treated Afghan people as means, not ends in themselves. Kant believes that to respect people, they should always be treated as ends in themselves.<sup>76</sup> In the case of international intervention, they were not treated as people in need of support, and thus ends in themselves, but rather were treated as part of a larger anti-terrorism project. If further intervention was to occur, Kantian theory would demand that this intervention happen differently from previous interventionary attempts. If intervention should occur it should be motivated by humanitarian purposes, respect people, and should treat all people as ends in themselves.

Kant would also implore combatants to respect the intrinsic value of civilians when fighting.<sup>77</sup> Failure to do so may result in them treating civilians as ends, allowing barbaric harm to befall them, or committing atrocities.<sup>78</sup> This occurred in Afghanistan during international involvement. The US and US-supported government of Afghanistan carried out military action

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<sup>74</sup> Wintour, "What's next for American foreign policy?"

<sup>75</sup> Wintour, "What's next for American foreign policy?"

<sup>76</sup> Sandel, *Justice: What's the Right Thing to Do?* 105.

<sup>77</sup> Jones, "The Ethics of Letting Civilians Die in Afghanistan: The False Dichotomy between Hobbesian and Kantian Rescue Paradigms," 925.

<sup>78</sup> Jones, "The Ethics of Letting Civilians Die in Afghanistan: The False Dichotomy between Hobbesian and Kantian Rescue Paradigms," 925.

in civilian areas which carelessly killed civilians.<sup>79</sup> This demonstrates that they failed to treat civilians with respect, and thus acted immorally from a Kantian perspective.

Kant does not rule out the possibility that unintended harm may befall civilians. With this, he introduces the Law of Double Effect. This is the idea that grave action can be morally permissible if it is the side effect of a legitimate, morally permissible goal.<sup>80</sup> In other words, if in the course of a morally permissible goal, such as humanitarian protection, harm occurs, the attempt is still moral. Actions are not wrong if they reflect goodwill.<sup>81</sup> For Kant, the intention is more important than the consequences.<sup>82</sup> Additionally, it is morally laudable to try, even if these efforts accomplish nothing.<sup>83</sup> As long as the intentions are moral, the consequences of the action are less important.

This however does not permit any means necessary, and reasonable limits occur. If intervention is occurring to protect human life and this protection is coming at the expense of lives, then the action is irrational.<sup>84</sup> Kant unequivocally condemns deliberately harming people to achieve ends.<sup>85</sup> This is not only irrational, it also treats these people as ends, which is directly oppositional to Kantian theory. Thus, when intervention is being considered, the possibility of harm to civilians should be considered. Methods of intervention should only be considered if they have a reasonably low possibility of accidentally killing or otherwise harming civilians.<sup>86</sup>

This is not a utilitarian calculation, which would weigh lives lost against lives saved by policy

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<sup>79</sup> Amnesty International, "No Escape: War Crimes and Civilian Harm During the Fall of Afghanistan to the Taliban," Amnesty International, December 15, 2021, 5, <https://amnesty.ca/human-rights-news/afghanistan-government-collapse-marked-by-repeated-war-crimes-and-relentless-bloodshed-new-report/>.

<sup>80</sup> Jones, "The Ethics of Letting Civilians Die in Afghanistan: The False Dichotomy between Hobbesian and Kantian Rescue Paradigms," 920.

<sup>81</sup> Chris Brown, "Tragedy, 'Tragic Choices' and Contemporary International Political Theory," *International Relations (London)* 21, no. 1 (2007): 7, <https://doi.org/10.1177/0047117807073764>.

<sup>82</sup> Brown, "Tragedy, 'Tragic Choices' and Contemporary International Political Theory," 7.

<sup>83</sup> Sandel, *Justice: What's the Right Thing to Do?* 107.

<sup>84</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 196.

<sup>85</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 196.

<sup>86</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 196.

proposals. Instead, it is a judgment of how reasonable it is to think that civilians would die, and if civilian deaths would be inadvertent enough that they would fall under the Law of Double Effect.<sup>87</sup> In Afghanistan, this would speak to implementing policies which do not involve killing civilians, such as bombings or landmines, and should instead implement policies which do not have a high risk to civilians, such as the provision of food.

When planning and judging if a certain behaviour is moral, combatants should also conduct themselves in a way that could be universalized. Kant theorized that for an action to be moral, it should be able to be universalized without issue.<sup>88</sup> Combatants should therefore conduct themselves in a way that if their actions were to be universalized, it would be permissible.<sup>89</sup> Applied to Afghanistan, this would support most humanitarian policies, as these could be unproblematically universalized. However, it would not support bombing. If everyone dropped bombs in areas where there may be terrorist activity, much of the world would be destroyed.

Kant believed that his theories should be applied to real-life situations.<sup>90</sup> However, he created theoretical frameworks, not specific criteria or instructions. In recent decades, there has been a trend to include specific criteria when writing in favour of humanitarian intervention.<sup>91</sup> Regarding R2P specifically, notable examples of criteria are Wheeler's Four Criteria, Teson's Five Principles, and Farmer's Five-Part Test.<sup>92</sup> These criteria seek to depoliticize a situation and make complex situations simple based on a specific set of rules.<sup>93</sup> However, creating these types of criteria is insufficient. They would have to determine what actions fall under the rule, but would also need a rule to determine whether the initial rule is properly applied, and so on,

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<sup>87</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 196.

<sup>88</sup> Sandel, *Justice: What's the Right Thing to Do?* 121.

<sup>89</sup> Jones, "The Ethics of Letting Civilians Die in Afghanistan: The False Dichotomy between Hobbesian and Kantian Rescue Paradigms," 905.

<sup>90</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 181.

<sup>91</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 454.

<sup>92</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 454.

<sup>93</sup> Bulley, "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" 454.

presenting an impossibility.<sup>94</sup> As such, it is essential to conduct moral judgment on each situation and determine what response is required.<sup>95</sup> As Kantian theory does not propose specific policy ends, and the creation of criteria is an impossibility, this paper does not suggest a matrix for responses to how states should respond to humanitarian crises overall. Instead, it has offered an analysis of how Kant's theory can be applied to the specific situation in Afghanistan today. As this situation changes, the response to it should also change, as judgments on what is right, and how to achieve moral action will shift.

Under this analysis, the following Kantian concepts should be taken into consideration. Firstly, humanitarian intervention does not need to include the military and should be limited to a primary humanitarian response. The beneficence principle means that action is morally required, but the form this action should take is not mandated and a response cannot be compelled. Thirdly, states can lose their sovereignty, but there is still no organization above the state. During interventional missions, civilians should be treated as ends, and approaches should be able to be universalized. Lastly, the Law of Double Effect reduces moral consequences for unintended harm. With these conclusions, it is clear that a response is required in Afghanistan. Humanitarian abuses are occurring and civilians are being harmed by their government. However, intervention should not be conducted in a similar way to the military campaign from 2001-2021. This intervention was not for primarily humanitarian purposes, treated civilians as means, was not universalizable, and caused significant civilian deaths. While intervention should occur, it should occur voluntarily, and exclusively to protect civilians.

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<sup>94</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 181.

<sup>95</sup> Altman, "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria," 181.



## Bibliography

Al Jazeera. June 27, 2023. "Over 1,000 Afghan civilians killed since Taliban takeover: UN." News.

<https://www.aljazeera.com/news/2023/6/27/over-1000-afghan-civilians-killed-since-taliban-takeover-un>.

Altman, Matthew C. "The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria." *Kantian Review* 22, no. 2 (2017): 179–204.

<https://doi.org/10.1017/S1369415417000012>.

Amnesty International. "No Escape: War Crimes and Civilian Harm During the Fall of Afghanistan to the Taliban." Amnesty International. December 15, 2021.

<https://amnesty.ca/human-rights-news/afghanistan-government-collapse-marked-by-repeated-war-crimes-and-relentless-bloodshed-new-report/>.

Ang, Jennifer Mei Sze. "Kant and the Responsibility to Protect." *The International Journal of Applied Philosophy* 29, no. 1 (2015): 37–51.

<https://doi.org/10.5840/ijap201561739>.

Brown, Chris. "Tragedy, 'Tragic Choices' and Contemporary International Political Theory." *International Relations (London)* 21, no. 1 (2007): 5–13.

<https://doi.org/10.1177/0047117807073764>.

Bulley, Dan. "The Politics of Ethical Foreign Policy: A Responsibility to Protect Whom?" *European Journal of International Relations* 16, no. 3 (2010): 441–461.

<https://doi.org/10.1177/1354066109350051>.

Burkhardt, Todd. “Justified Drone Strikes are Predicated on R2P Norms.” *The International Journal of Applied Philosophy* Vol. 29, 2 (2015). 167-176.

<https://doi.org/10.5840/ijap201612047>.

Caplan, Gerald. “Afghanistan and the limits of Responsibility to Protect.” *The Globe and Mail*. March 4, 2011.

<https://www.theglobeandmail.com/news/politics/second-reading/afghanistan-and-the-limits-of-responsibility-to-protect/article569422/>.

Curry, Dayne et. al. “Afghanistan’s Two Years of Humanitarian Crisis Under the Taliban.” United States Institute of Peace. September 19, 2023.

<https://www.usip.org/publications/2023/09/afghanistans-two-years-humanitarian-crisis-under-taliban>.

De Montclos, Marc-Antoine. “The (de) Militarization of Humanitarian Aid: A Historical Perspective.” *Humanities (Basel)* 3, no. 2 (2014): 232–243.

<https://doi.org/10.3390/h3020232>.

Evans, Gareth et. al. “The Responsibility to Protect.” *Report of the International Commission on Intervention and State Sovereignty*. December 2001.

<https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001>.

Guyer, Paul. “‘Hobbes Is of the Opposite Opinion’ Kant and Hobbes on the Three Authorities in the State.” *Hobbes Studies* 25, no. 1 (2012): 91–119.

<https://doi.org/10.1163/187502512X639623>.

Hasegawa, Yuka. "The United Nations Assistance Mission in Afghanistan: Impartiality in New UN Peace Operations." *Journal of Intervention and Statebuilding* 2, no. 2 (2008): 209–226. <https://doi.org/10.1080/17502970801988123>.

Helic, Arminka. "After Afghanistan: What the UK and Europe should do next." Politico. August 20th, 2021.

<https://www.politico.eu/article/afghanistan-war-uk-europe-responsibility-to-protect-defence-global-britain-nato/>.

Hofman, Michiel. "The Evolution from Integrated Missions to 'Peace Keepers on Steroids.'" *Global Responsibility to Protect* 6, no. 2 (2014): 246–263. <https://doi.org/10.1163/1875984X-00602009>.

Jones, Vincent Samuel. "The Ethics of Letting Civilians Die in Afghanistan: The False Dichotomy between Hobbesian and Kantian Rescue Paradigms." *DePaul Law Review* 59, no. 899 (2010): 899-942. <https://repository.law.uic.edu/facpubs>.

Lango, John W. "Moral Theory." In *Ethics of Armed Conflict*, 48–76. United Kingdom: Edinburgh University Press, 2014.

Linklater, Andrew, and Hidemi Suganami. *The English School of International Relations : A Contemporary Reassessment*. Cambridge: Cambridge University Press, 2006.

Roff, Heather. "A Provisional Duty of Humanitarian Intervention." *Global Responsibility to Protect* 3, no. 2 (2011): 152–171. <https://doi.org/10.1163/187598411X575658>.

Roff, Heather. "Response to Pattison: Whose Responsibility to Protect?" *Journal of Military Ethics* 8, no. 1 (2009): 79–85. <https://doi.org/10.1080/15027570902805190>.

Sandel, Michael. *Justice: What's the Right Thing to Do?* New York: Farrar, Strauss and Giroux, 2009.

United Nations Assistance Mission in Afghanistan. "Afghanistan Protection of Civilians in Armed Conflict Midyear Update: 1 January to 30 June 2021." UNAMA. July 26, 2021. [https://unama.unmissions.org/sites/default/files/unama\\_poc\\_midyear\\_report\\_2021\\_26\\_july.pdf](https://unama.unmissions.org/sites/default/files/unama_poc_midyear_report_2021_26_july.pdf).

Watson Institute of International and Public Affairs. "Human and Budgetary Costs to Date of the US War in Afghanistan, 2001-2022." Brown University. August 2021. <https://watson.brown.edu/costsofwar/figures/2021/human-and-budgetary-costs-date-us-war-afghanistan-2001-2022>.

Weiss, Thomas G. "On R2P, America Takes the Lead." *Current History* Vol. 111, 748 (2012). <https://www.globalr2p.org/publications/on-r2p-america-takes-the-lead/>.

Wintour, Patrick. "What's next for American foreign policy?" *The Guardian*, Diplomatic Editor. September 8, 2021. <https://www.theguardian.com/world/2021/sep/08/what-next-for-american-foreign-policy-9-11-afghanistan-military-intervention>.