Jocelyn Downie and Jennifer J. Llewellyn (Editors)

Being Relational: Reflections on Relational Theory and Health Law

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"The text offers natural and engaging next steps for thinking after feminist challenges to individualism in the literatures surrounding relational autonomy, reparative justice, and forward-looking responsibility."

Being Relational: Reflections on Relational Theory and Health Law brings together new approaches to feminist theory with the aim of further articulating relational views of ethics, justice, law, and health in light of political contexts. The volume aims to showcase new work that develops relational theorizing starting from concerns with concrete issues: nonhuman animals, resource allocation, reproductive health law, aboriginal health, mental health, and global justice. The text offers natural and engaging next steps for thinking after feminist challenges to individualism in the literatures surrounding relational autonomy, reparative justice, and forward-looking responsibility.

The core concepts at issue in the volume are autonomy, judgment, equality, justice, memory, identity, and conscience. The text aims to establish multiple perspectives on the self that start from neither liberal nor communitarian approaches. As editors Jennifer Llewellyn and Jocelyn Downie write in the introduction: "The relational theory found in this volume rejects the individualism of the traditionally liberal self, although in doing so it does not lose individuality... [The account of the relational self] affirms the significance and centrality of relationship but is not solely dependent upon existing communities and attachments for identity" (7–8). The authors strengthen feminist conceptions of relationality that appreciate rather than glorify the constitutive role relationships play in individuals' lives.

The introduction outlines how the volume is deliberately relational not only in content but also in creation: it is the result of two in-person meetings of all the contributors, multiple rounds of workshopping one another's papers, and subsequent revisions through dialogue with others in the group. This process manifests in the text, both in explicit inter-referencing among chapters, and even more in the implicit connective tissue of relational insights and challenges throughout. Following the editors' introduction are

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pieces from twelve scholars in philosophy, law, and health ethics. Read in full, the volume demonstrates not only points of agreement and resonance, but also fruitful points of tension where conversations are not finished--like attending a well-organized feminist conference, participants leave with a lot to consider.

In this review, I will detail the major topics addressed in part 1 of the book (Relational Theory), before giving a short outline of the connections drawn in part 2 (Health Law and Policy). I conclude by reflecting on how this text offers unique approaches to a question occupying many feminist theorists: namely, how can relational thinking be made even more central to future developments in anti-oppressive theory?

Relational approaches to global injustices are of central importance in the collection. Susan Sherwin's new work on "Relational Autonomy and Global Threats" begins part 1 of the volume, building the case for a "public ethics" (partly analogous to frameworks of "public health") to address massive and interconnected injustices, like those of environmental degradation, poverty, ethnic and religious hatreds, and the spread of serious diseases. Building on earlier work on relational autonomy (Sherwin 1998 Mackenzie and Stoljar 2000; Meyers 2004), Sherwin argues that:

it is *because* the actions of individuals and those of the organizations they belong to are deeply intertwined that the moral responsibilities of actors at each level must be determined in relation to the opportunities made available at other levels. . . . [T]he options available to each agent are likely to be determined by decisions at other levels of human organization. (23–24)

Sherwin calls for an ethics of multilevel action against injustice that recognizes the complex relational contexts that may make only some actions possible or reasonable for agents, and that anticipates barriers to action at many levels while recommending strategies for overcoming them. In "A Relational Approach to Equality," Christine Koggel takes up related concerns about global injustice to argue that capabilities approaches fail to account for the relational character of equality and inequality. Building on her earlier work, Koggel argues that an account of equality that will help address global injustice must make relationships rather than individuals central (Koggel 1998). Serious global inequalities, like those experienced by Indonesian groups especially vulnerable to environmental crises, will not be sufficiently addressed by slight adjustments to the way capitalist systems support individuals. Working from her experience of a local NGO in Yogyakarta, Koggel argues that dimensions of power in relationships must be attended to, and the knowledge of less powerful individuals must direct the actions of those who are more powerful.

Further central to the text are questions about relational approaches to reparative efforts after mass harm, as after genocide, war, or colonization. Jennifer Llewellyn's "Restorative Justice: Thinking Relationally about Justice" offers a clear and informative reading of the importance of recognizing restorative approaches in law as *relational justice*. For Llewellyn, restored relationships are characterized by equal respect, concern, and dignity. Llewellyn advances a particular view of restorative justice that emphasizes relationality. This view is "not committed to preserving existing relationships or returning to some prior state, but, rather, requires careful attention to the current conditions and terms of relationship so that they might be altered or changed as needed to find the equality of relationship that justice requires" (102). Restorative justice is relationship-focused, inclusive, comprehensive, and forward-looking, aiming to ensure that decisions about justice are made as closely as possible to those affected by the decisions, and in a thoroughly dialogical mode. Focusing on a particular context of reparative justice, Sue Campbell's chapter "Memory, Reparation, and Relation: Starting in the Right Places" shifts the discussion to a focus on memory and harms against First Nations during the attempted cultural genocide perpetuated by the Indian Residential School System in Canada, arguing that such harms can be properly understood only when the relational character of memory is fully appreciated (134; see also Campbell 2003). The residential school system mandated the forcible removal and segregation of the most vulnerable remembers from their families, communities, languages, practices, and land. Campbell draws on Indigenous and non-Indigenous testimony and theory to argue that "the intent of the Residential School System was to shift the nature of group identifications so as to extinguish Indianness by controlling how memory was shared across groups" (152). Campbell concludes with a call to recognize how group identities are constituted partly through relational memory practices, so that shifts in ways of sharing memory can change the ways groups identify and relate to one another. Those

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interested in the literature on repair in contexts of mass harm will find Llewellyn and Campbell's chapters especially instructive.

A final major cluster of themes in the text is that of identity, judgment, and conscience in the development of relational selfhood. In "The Self *in Situ:* A Relational Account of Personal Identity," Françoise Baylis characterizes selfhood as thoroughly relational. Returning to Marya Schechtman's work on narrative and personal identity, and drawing on a substantial feminist archive, including the work of Margaret Urban Walker, Annette Baier, Susan Sherwin, and Hilde Lindemann Nelson, Baylis argues that an identity-constituting narrative requires a relatively stable balance or equilibrium between how a person understands herself and how others understand her. Considering the case of Barack Obama's contested black, biracial identity, Baylis articulates how such balance can be threatened when individuals are harmed by oppressive circumstances, where there can be significant discrepancies between our self-perceptions and others' perceptions of us. In "The Reciprocal Relation of Judgment and Autonomy," Jennifer Nedelsky draws on Kant and Arendt to offer a relational analysis of judgment as a component of autonomous identity as a capacity for autonomously making claims about one's reflective understanding of the world that, unlike mere statements of preference, invite others to judge them as valid or not. Drawing on the example of judgment about her own stylings as a feminist interested in high heels, Nedelsky elaborates the need for the development of autonomous decision-making through enlarged mentality. For Nedelsky, "Autonomous judgment is made possible by judging one's own judgments in light of the perspectives of others" (46). Responsibly exercising capacities for judgment requires standing in relations of respect and equality with others who are also developing judgments. Carolyn McLeod's chapter "Taking a Feminist Relational Perspective on Conscience" concludes the first section of the text with a critical analysis of conscience, especially as it often appears in health care contexts, such as in physicians' conscientious objections to providing abortions. McLeod argues that the dominant view of conscience, as functioning to keep agents in a proper relation to ourselves where we promote our own inner unity, is deficient from a relational perspective. She argues instead in favor of the value of conscience when it is "to some extent determined by the social relations in which the health care professional is embedded" (177) and when it promotes moral integrity in her sense of honoring our best moral judgment.

In part 2 of the book, the contributors carry particular insights from the relational theory advanced in part 1 into further practical domains of Canadian health law and policy. Bringing relational theorizing to the example of gender-reassignment surgery, Dianne Pothier considers resource allocation and what kinds of treatment needs are seen as medically necessary or required by the Canada Health Act and, by contrast, which are excluded and not guaranteed funding by provincial health care systems. Jocelyn Downie brings relational considerations of conscience and judgment to two legal contexts of pregnancy: the exclusion of abortion services from inter-provincial billing coverage (making many women in need of abortions less likely to be able to access them for reasons of travel, health risk, and cost), and recent moves to protect the rights of health care providers to conscientious objection at the expense of women's health. Constance MacIntosh offers a relational approach to understanding determinants of health and the particular health risks of Indigenous communities in ways that do not focus exclusively on the health of individuals, but on the way the health of communities and environments are inter-dependent. Sheila Wildeman considers the implications of relational theory for concerns about practices of involuntary psychiatric treatment, offering a relational account of "insight," not as a neuro-biological ability of patients to comprehend their status and illness, but as a relational process of negotiation and interaction that makes meaning of an individual's experience. Maneesha Deckha's piece concludes the volume by bringing relational theory and ecofeminism into contact, suggesting that those considered within the domain of "the relational" must be expanded beyond just humans to include the recognition of relationships with and among other animals, and to call for their protection, especially in harmful contexts of human health research.

I take the major question of this collection to be: how are feminist ethics, political theory, legal theory, and bioethics enriched by insistence on relational thinking and resistance to assumptions about individual humans as the primary possessors of well-being, justice, health, and responsibility? Anticipating where individualist starting points will creep back into feminist analysis is challenging, and the book is a substantial resource here. I hope there will be more collaborative texts like this one, including ones that highlight the particular challenges of health inequity, anticolonialism, restorative ethics, and reproductive

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harms in US and international contexts. The contributors grapple with similar quandaries as have Iris Marion Young (2011) and many other feminists--how to address major injustices like global poverty, health disparities, cultural genocide, and ecological emergency when no one agent will be able to address them alone--but add distinct insights concerning the dynamic relationships involved. This makes for a refreshing sightline: one that recognizes structures of injustice while magnifying their contingent, living parts. When injustice seems overwhelmingly complex, feminists can ask: what are the relationships at issue, and what shifts in relationship are necessary? This collection encourages us to make such questions central, allowing them to energize the development of relational ethics in the future.

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