Expressing Emotions for Sex Equality

by

Mercedes Maria Corredor

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
(Philosophy)
in the University of Michigan
2022

Doctoral Committee:

Professor Elizabeth S. Anderson, Chair
Professor Sarah Buss
Professor Susan Gelman
Professor Catharine A. MacKinnon
Professor Ishani Maitra

Mercedes Maria Corredor
mcorredo@umich.edu
ORCID iD: 0000-0002-9304-0874

For my parents, Ernesto and Maria, for all of their love and, somehow, so much more.

Acknowledgements

I feel immensely lucky for having found my way to the University of Michigan, where I was most obviously shaped by the guidance of my primary advisors: Elizabeth Anderson, Sarah Buss, and Ishani Maitra.

Liz, my transition to graduate school was not an easy one. Had it not been for your compassion, encouragement, and faith in me, I'm not sure I would have made it through the program. You pushed me to explore the questions that mattered most to me and to take intellectual risks. You made me feel like I'd found an intellectual home at Michigan. Thank you for modeling how to do philosophy: by taking on questions that matter, pursuing those questions with integrity, while also prioritizing your own joy and curiosity. I will continue to hold this as an ideal.

Sarah, your rigor and scrutiny has greatly improved my work. I will always appreciate our long phone calls in which no detail about the writing was too small. You got in the trenches with me and your willingness to do so was validating beyond belief.

Ishani, thank you for reminding me to focus on the big questions lurking in the background. Your suggestions throughout the process have kept me honest about what ultimately matters.

I also learned a great deal from my external committee members: Susan Gelman, in psychology, and Catharine A. MacKinnon, in the law school. Susan and Catharine, the classes I took with each of you were some of my favorites at Michigan and couldn't have come at a better time. Susan, I am so thankful to have learned from you about essentialist thinking, and

how it informs our social lives. Catharine, your work on women's (in)equality has made and will continue to make a great impact on my thinking.

In addition to my five official committee members, I was also lucky enough to have had a handful of non-official committee members who guided me throughout the process: Meena Krishnamurthy, Ann Cahill, Brendan de Kenessey, Martin Shuster, and David Manley. Each of you, at different stages of my development, gave me ammunition to grow and shift. I would also like to thank the other faculty members at Michigan who had a profound impact on my thinking and character. Thank you to Dave Baker, Derrick Darby, Maegan Fairchild, Peter Railton, Sarah Moss, Janum Sethi, and Eric Swanson.

Before my time at Michigan, I was an undergraduate at Hamilton College. The faculty at Hamilton made an outsized impact on the thinker I am today (so blame them for all the bizarro ideas found herein!) Had Marianne Janack not encouraged me to pursue graduate school, I am certain I would not have made the attempt. Thank you for caring for me the way you do. Rick Werner, you always encouraged me to think big. Mostly, thank you for being such a wonderful friend. Russell Marcus made me a more careful and serious student of philosophy; he has continued to mentor me closely to this day. Todd Franklin encouraged my will and kept me grounded. Thank you as well to Katheryn Doran, Douglass Edwards, Alex Plakias, and Bob Simon.

I learned just as much from the graduate students at Michigan as I did from the faculty. I am especially grateful for the many conversations I had with: Sara Aronowitz, Kevin Blackwell, Mara Bollard, Kevin Craven, Cat Saint-Croix, Guus Duindam, Daniel Drucker, Anna Edmonds, Ian Fishback, Gillian Gray, Johann Hariman, Rebecca Harrison, Josh Hunt, Sydney Keough, Zoë Johnson-King, Eli Lichtenstein, Shai Madjar, Eduardo

Martinez, Filipa Melo Lopes, Brendan Mooney, Caroline Perry, Ariana Peruzzi, Sumeet Patwardhan, Jonathan Sarnoff, Umer Shaikh, Patrick Shirreff, Laura Sotor, Angela Sun, and Elise Woodard. I also benefitted greatly from friendships with visiting graduate students: Claire Field, Reza Hadisi, Mariam Kazanjian, and Samia Hesni.

Filipa Melo Lopes: I have learned so much from you about living a good life. Thank you for making philosophy equal parts light and heavy, playful and serious. Frank's will forever have a special place in my heart.

Rebecca Harrison: you are an incredible person and an even better friend. Thank you for bringing so much joy and peace to my life.

There are many others that I have learned from through graduate school adjacent spaces (conferences, reading groups, summer programs, etc.). I am especially thankful to have crossed paths with: Chris Bousquet, Colin Bradley, Austin Heath, Sahar Heydari Fard, Jackson Kushner, Thomas Lambert, Sara Purinton, Katie Stockdale, Joe Moore, and Phil Yaure.

My Toronto community transformed "the 6" into a proper home for a solid chunk of my time in graduate school. Thank you to Alex Armstrong, Mike Barnes, Julian Carpenter, Willie Costello, Kesha Frank, David Hunter, Liz Jackson, Kevin Lande, Emma McClure, Michael Milona, Adelina Petit-Vouriot, Lara Small, Lauren Weindling, Alex Withorn, Kayla Wiebe, and Jessica Wright. To the two Michaels (Milona and Barnes): thank you for weaving together the work and play so seamlessly.

Thank you to my non-philosophy friends for bearing with me through far too much jargon and talk about the profession. You all kept my feet firmly rooted and made sure I never took myself too seriously. A special 'thank you' to Kate Bickmore, Hannah Chappell, Wynn Van Dusen, Anna Jastrzembski, Jorett Joseph, Erin Kaufman, Michael Kaufman, Lucy Keohane, Micah Stimson, Gaby Pico, Carly Poremba, and Courtney Walls.

Thank you as well to all my inherited friends: Arvind and Regina, Sam and Carry, Margot and Steve, Crystal and Eric, Michael and Sarah, Austin and Alexa, Josh and Kate, and Vieten and Shira.

Thank you to my family for incessant pep talks and faith in me. More than that, thank you for believing that my worth is unconditioned. Thank you to the Suds for loving me as your own: mom, dad, Ma, Anisha, Raj, Shiv, Anjali, Matt, Saavan, and Deva. Thank you to Archie. Thank you to my family: mis abuelos – Moraima, Cristobal, Elena, y Francisco, mis primos y mis tíos, as well as the rest of la familia Corredor. All of my love to my parents, to whom this dissertation is dedicated; I still can't quite wrap my head around how much you have sacrificed for me. If only 'thank you' could begin to capture this.

To Rohan, my partner in life: you are my everything.

Table of Contents

Abstract

In my dissertation, I explore how emotions operate under conditions of injustice. Specifically, my interest is in how one should deploy their emotions in order to combat patriarchally informed, affective ways of making sense of and responding to the social world. My dissertation consists of the following three papers.

In the first paper, **"Vindictive Anger,"** I argue for two claims. First, that anger is not necessarily made morally worse whenever and to the extent that it involves a desire for payback. Second, that in certain cases, anger's retributive component is precisely what moralizes the emotion. Victims of sexual violence, I argue, paradigmatically deploy their anger as a way of getting their transgressor or, in some cases, the broader moral community, to more fully understand, through affect, the wrongness of their action. One can see this occur in the anger expressed by Chanel Miller in her victim's impact statement, read aloud during the case of *People v. Turner*. When anger functions in this way, I propose, it serves to moralize the emotion.

In the second paper, titled **"Feminism and Suspect Femininity,"** I ask how feminists should feel towards women who conform to suspect norms of appearance, and of hyper-femininity in particular. I present a novel type of empathy – proleptic empathy – which avoids treating women as either pitiful victims or as accomplices deserving of harsh moral criticism. Proleptic empathy requires switching back and forth between two types of imaginings: on the one hand, simulating what it is like to be in the woman's shoes on the assumption that her suspect behavior stems from her will. On the other, simulating what it is like to be in the woman's shoes on the assumption that her suspect behavior stems from external cultural influences.

In the third paper, **"Transitional Moral Contexts,"** I address how one should feel towards the perpetrators who figure in the cases that have gone by the language of 'grey rape' or 'bad sex'. These cases are ones that are rife with disagreement, especially amongst members of the moral community, who even disagree over whether they ought to count as cases of 'sexual assault' or 'rape'. My suggestion is that the reason we have such difficulty adjudicating individuals' responsibility for cases of bad sex is because these are instances of *transitional moral contexts* where what it is to act morally is in the process of being actively negotiated by the moral

community. With this analysis in place, I present reasons for and against deploying shame against those who falter in these cases.

Introduction

1. Motivation for the Project

I am interested in questions concerning how the emotions can be made increasingly morally intelligent, specifically for feminist ends. In this dissertation I presuppose, without argument that under the right training and conditions, our affective system, consisting of our emotions and intuitions, can be oriented towards justice. Our affect, when properly cultivated, can help promote sex equality.

I became interested in this idea early on in graduate school in a social epistemology class, where I first encountered the debate concerning the possibility for moral-emotional intelligence. I came to these ideas in the context of figures like Jonathan Haidt (2001) and Peter Railton (2014), and their respective seminal papers. Given the impact these two papers had on my thinking at the time, I suspect that they informed the work in this dissertation in ways that surpass my understanding. It won't serve us to fully cash out the details of the debate here, but I will lay out some of the most significant plot points. Haidt (2001) defends a form of what he calls social intuitionism, which emphasizes the extent to which people rely on culturally supplied heuristics and stereotyped reasoning as a way of efficiently navigating the moral world. This alone would not be a problem but for the fact that individuals rely on these habitual modes of mind without paying much attention to whether their automatically deployed stereotypes and heuristics are true or truth-tracking, respectively. The

worry is that our affective responses are often irrational, in the sense that they lead us morally astray, without much concern for what the morally right response is.

That Haidt might be right about this mattered to me because it appeared to threaten feminist's ability to make progress in the domain of sex equality. One might think that part of why women occupy an unequal social position in society is because they are regarded as inferior at the level of affect. Many if not all of us, to varying degrees, intuit that women in general are not as intelligent, capable, interesting, or otherwise valuable, as are their male counterparts. And this shows up in both subtle and obvious ways: from how we treat young children (boys and girls), to how seriously we take women who occupy positions of authority. When we intuit women as inferior, our affective system is defaulting to stereotyped modes of understanding that lead us morally astray. I worried that this would impact all members of the moral community in fundamental ways: from how we perceive and interpret our gendered moral reality, to how and whether we are motivated to fix injustices. If Haidt is right about how entrenched our habitual affective responses are, this would threaten our ability to make progress. At the very least, it would present feminists with an impediment to progress that we would have to be mindful of when theorizing about how to bring about a more just society.

In comes Railton (2014). On this view, the affective system is not stereotyped and fixed, but is one "designed to inform thought and action in flexible, experience-based, statistically sophisticated, and representationally complex ways – grounding us in and attuning us to reality" (Railton 2014, 846). Put simply, our emotions and intuitions are not blind to information about the world (and more importantly for our purposes: the moral and social world) but are instead trained, over time and through a myriad of observations and experiences, to be attuned to

information in our environments in rather nuanced ways. So long as the individual has the right sorts[1] of experiences and acquires the right kinds of capacities, their implicit affective processes are plausible candidates for a sort of practical knowledge that can have some authority in guiding their moral theorizing.

I agreed with Railton that under the right conditions our affective system could serve the ends of justice. But I still worried, with Haidt, about how often we default to stereotyped modes of interpreting and responding to the moral world, which are not necessarily responsive to what we owe to one another from the moral point of view or from the point of view of what is just. Moreover, I worried about the effects of ideology on our thinking, and how these polluted our affective systems, orienting them towards injustice rather than justice.

I believe that we must work to keep both thoughts in our head at once. Under the right training and conditions our emotions and intuitions can be oriented towards justice. Our affect can help promote sex equality. But, at the same time, I believe we must be cautious about the ways that our emotions have been trained, especially when we have overwhelming evidence that suggests that they have been structured under unjust, patriarchal, and sexist conditions.

One assumption of the dissertation is that genuine transformations of the moral emotions can occur between people, and that this is important for feminist progress. Emotional transformations, as I am thinking of them, refer to the learning that goes on at the level of affect, such that affect becomes increasingly attuned to justice. To this end, I focus on the social and political dimensions of how the emotions come together in ways that either encourage or stall moral learning, particularly for feminist ends. I am

[1] Cashed out in terms of both quality and quantity of experiences.

therefore interested in the emotions as they show up on both sides of social and interpersonal interactions: with the person expressing their emotions as well as with the person(s) for whom the emotion is directed at or for, and the interplay of these two.

The three chapters of the dissertation have us ask: how do we achieve more of the good moments, the moments of genuine moral learning, and fewer of the bad ones, the moments of either burrowing into ones old and morally fraught habits, or of enticing others to conform to our own morally suboptimal worldviews? One theme that shows up in my work is that we owe it to others, and to ourselves, to express our emotions in ways that help bring about the former. In other words, we owe it to others and to ourselves to build societies in which people really understand at the level of affect, the wrongness of an injustice. We should want them to understand the badness of injustice because they feel its moral pull. The reason we should care about this – advancing genuine moral learning in interpersonal contexts – is because *this* is what's needed for more thoroughly advancing political transformation.

2. Chapter 1: Vindictive Anger

In the first chapter of the dissertation, I explore the moral status of anger in the context of sexual violence. On the standard views of anger's moral status, anger is thought to be made worse insofar as it is vindictive. Some opponents of anger argue that anger is always morally problematic precisely because it is vindictive. While, on the other hand, defenders argue that there is a genuinely moral anger precisely because anger is not necessarily vindictive. What I noticed in approaching this literature is that all sides of the debate seemed to agree that vindictiveness, whenever present in anger, is a bad-making feature of the emotion. Anger is made morally worse to the extent that it is vindictive.

Around the same time, I came across Chanel Miller's powerful but brutal autobiography, *Know My Name*. In this memoir, Miller recounts the details of her assault on Stanford's campus by Brock Turner, as well as the investigation and trial that followed. Throughout, Miller articulates the rage she feels towards Turner and expresses, I think, a clear case of anger that is also vindictive. In reading her account, it struck me that even though Miller's anger is clearly vindictive it is also, I think, morally righteous. Indeed, it struck me that her vindictiveness was not merely incidental to her anger's moral appropriateness. Rather, it seemed that the desire for payback was itself serving a moral role.

In this chapter, I argue that Miller's desire for payback is genuinely retributive and that it is moral despite this vindictiveness. Moreover, I explore the possibility that the vindictiveness itself helps to moralize the emotion. That is, part of why Miller's anger is morally appropriate or permissible is explained by the emotions link to payback. I argue that because the vindictiveness aims at a moral reckoning, cashed out as a shameful process of moral learning, it is morally valuable.

3. Chapter 2: Feminism and Suspect Femininity

In the second chapter of the dissertation, I ask how feminists should feel about women who conform to hyper-feminine norms of appearance. The motivation from this paper stems from a longstanding disagreement with a colleague, over the question of how, if ever, feminists ought to criticize other women for presenting in modes that appear to play into their own subordination. Though I am interested in the broader question of how feminists should feel about and respond to instances of femininity in general, I limit the scope of this paper to cases of hyper-femininity. The reason for this is that too much noise is introduced when the scope is broadened. We are disposed to lose sight of the problematic nature of

feminine behaviors when the behaviors are subtly or mildly feminine. This, I think, is for good reason. It's not quite obvious, nor should it be, that, say, having long hair is necessarily tied up with women's oppression and subordination. My intuition on this, however, waivers when we start thinking about hyper-feminine behaviors, exemplified by exaggerated plastic surgeries.

This paper starts from an observation: that many feminists feel conflicted when they encounter women who conform to hyper-femininity. On the one hand, feminists feel that the woman is making a choice that seems to make her happy, and that this gives us some reason to respect that choice. Feminists feel some responsibility to defer to these women as having special access to facts about what makes their lives go well. On the other hand, this is in tension with one of the roles of feminist critique: namely, to understand the mechanisms by which woman's subordination replicates.

I ask how feminists should feel in these cases. I argue that feminists owe the women in question empathy of a very particular and, admittedly, unusual kind. I propose that feminists ought to engage in an empathy that oscillates between two competing hypotheses: that the hyper-feminine behavior is best explained by the woman's will, on the one hand, and that it is best explained by facts external to the woman's will (e.g. social and cultural pressures), on the other. I argue that ideally, this process should go on indefinitely. What matters, as a practical fact, then, is that feminists never feel confident or settled with respect to one of the hypotheses in isolation of the other. I argue that this is a way of respecting the women in question, while also serving the end of bringing the women into the moral fold in a way that better serves their agency than do any of the alternatives feminists have presented.

4. Chapter 3: Transitional Moral Contexts

In this paper I address cases of unjust sex that do not clearly rise to the level of assault or rape. These cases have gone by the name of 'bad sex' and 'grey rape'. In the case of the #MeToo movement these were the cases that were exemplified by the allegation against Aziz Ansari and the fraught sexual relationship depicted in the popular short story Cat Person, and the public's response to each. These cases are ones over which there is significant disagreement even with respect to whether something morally objectional had transpired.

I argue that these cases are best understood as 'transitional moral contexts.' Transitional moral contexts are contexts in which the moral norms and standards in play are in the process of being negotiated and articulated by the moral community. I believe the best way to get in the headspace of what a transitional moral context is, as I am imagining it, is to consider some plausible examples. With this in mind, consider: language that is arguably ableist (e.g. "that's lame" or "that's crazy" or "that's dumb); certain borderline-cases of microaggressions (e.g. "where are you from" asked in the context of new friends getting to know one another but where one person reads as non-white and where the other is interested in learning about the other's familial background); feminists criticizing women's behaviors (e.g. criticizing a woman for getting Botox or for sleeping with her boss in order to get ahead in the workplace); neglectful treatment of the elderly (our parents, grandparents, etc.); individuals who eat meat not because they don't have the resources to eat a vegetarian diet but because eating meat is a way of preserving their cultural heritage; individual engagement in other structural wrongs (buying from sweatshops, flying on planes, inculcating bourgeois values in students in bourgeois institutions). Though this list is just a start, I think it paints a picture.

What is distinctive about transitional moral contexts is that these are cases in which members of the moral community, including moral trailblazers, are not in a position to have a high degree of confidence with respect to the moral standards in play; moral standard concerning rightness and wrongness; moral obligations, reasonable expectations and permissibilities; goodness/badness; conditions for flourishing; the moral ideal itself. The reason for this, again, is that these are contexts which are too ripe to justify one's having a high degree of confidence.

I argue that understanding bad sex cases in this way has implications for how feminists and other members of the moral community should respond to bad sex cases. I explore reasons for and against deploying shaming practices in response to bad sex cases. While I think that there are reasons why shame might be valuable – especially in their capacity as proleptic mechanisms – I argue that there are moral and political risks involved that must be taken seriously. More specifically, using shame as a way of transforming those who have transgressed in bad sex cases into the sort of people who can feel the pull of the shame, has the risk of using them as means to an end, which is not only morally dubious, but which also provides fodder for misogynist backlash.

Chapter 1: Vindictive Anger

There are those who caution against anger and see in the emotion either an intrinsic, irredeemable wickedness or, at best, a tendency to further escalate already tense situations. And there are those who defend anger against these charges and argue that the emotion is "not all bad" since it is able to recognize and draw attention to the presence of injustice. For all their disagreements, both sides of the debate are aligned on one issue: that the desire for payback that people in the grip of anger paradigmatically have, puts the emotion on shaky moral ground. In this article, I want to suggest that we needn't be so worried about the desire for payback that is linked up with anger.

One can be morally virtuous while also desiring that their wrongdoer suffer payback for what they did. I propose that this is evidenced by a plausible story about the nature of anger's desire for payback; specifically, that the desire for payback is designed to play a central role in teaching wrongdoers a painful moral lesson, which I call a moral reckoning. Contrary to the orthodoxy, then, I will argue for two claims of increasing contention. First, that anger is not necessarily made worse by its link to a desire for payback. Second, that the desire for payback itself can serve moral ends. In certain situations, the presence of a payback-desire does some work to explain why, in that instance, a feeling or expression of anger was morally permissible.

Of course, this is not to argue that anyone who desires payback is acting in a morally appropriate way. Vindictiveness, like anger more

generally, can be excessively destructive, unwarranted, and evil. This may even be the case more often than it is not. The main point is that the payback component of anger can be and sometimes is of unique and noteworthy moral and political value, which has so far been unexplored.

My argument is meant primarily for anyone who believes or suspects that a desire for payback works to morally pollute anger whenever and wherever it arises. Against these views I show that this is not always the case. Genuinely retributive anger can function, at least some of the time, to transform the sensibilities of the moral transgressor directly or the culture more broadly. When the desire for payback functions in this way, I will argue, it helps moralize anger. This, in turn explains how it can be morally permissible to have or express anger that is also vindictive.

I begin by giving a brief overview of anger, paying special attention to the aspects of anger that are most relevant to my present aims. After this, I discuss how the vindictive component of anger has been dealt with in the literature. In the following section I present my twin arguments: that anger can be both vindictive and moral, and that it can be moral because it is vindictive. I then, in the next section, motivate these arguments by looking at a case that illustrates an anger that is vindictive but is nonetheless morally permissible. Here, I present the case of Chanel Miller, who was sexually assaulted while unconscious, and who expressed vindictive anger in her memoir recounting the assault and its aftermath. I use this section to illustrate that anger that arises amongst victims of assault rises (at least) to the level of moral permissibility precisely because of its vindictiveness. Following this, I give a broader theory of what is going on in these cases – a theory of moral reckoning – before, in the following section, concluding by way of considering some objections to my view.

1. An Overview of Anger

Anger is largely understood as an umbrella concept used to pick out various blaming emotions such as indignation, resentment, fury, outrage, irritation and rage. In this paper I will follow suit and use 'anger' to refer to any one of these emotions. Characteristically, these emotions have a biologically, and phenomenologically, distinctive profile. When we become angry, it typically feels a certain way. A person in the grip of anger might feel hot, their cheeks might flush, their hands might tremble, and their heart might race. These are not necessary nor sufficient features of feeling or being angry, but they are typical, especially when one's anger is fresh and especially intense.

I want to highlight this last point, which concerns how anger goes through phases. Like any emotion, anger evolves as it goes through time. In standard cases, a particular event triggers anger, which gives rise to its phenomenologically distinctive character: a pang of rage or upset. What precisely this angry feeling will feel like will depend on a whole host of contingent features having to do with the person experiencing the anger and the event that gave rise to it. But regardless of the level of intensity at the outset, the nature of one's anger typically transforms as time passes beyond the main provocation. Most notably, anger is disposed to weaken as time goes on which, in turn, means that it typically comes to take up less cognitive space and emotional energy than it initially might have.

Right after one is made angry, one might find that it is difficult to think about much else. But as the distance between an angry person and the anger-provoking event increases, a person paradigmatically reverts to a sort of emotional equilibrium. When we turn to a discussion of the moral status of anger in light of its characteristic vindictiveness, in the next section, this will become relevant. My suggestion will be that even though anger is sometimes morally permissible in spite of (and even in virtue of)

being vindictive, this is a temporally-sensitive claim. The claim is *not* that morally permissible vindictive anger is morally permissible at every stage, as it extends across time. Rather, the claim is that there are certain times or stages at which anger's vindictiveness is morally permissible.

We can also distinguish between anger's feeling (i.e. the feeling of being angry) and anger's expression (i.e. the communication of one's anger). These can come apart. In some cases, one might feel angry without necessarily expressing one's anger. Though this distinction is also sometimes muddled in the literature, it is crucial that what we end up saying about anger's moral status is clear on whether it is the feeling of anger or the expression of the feeling that is being evaluated. Presumably, there will be some cases where it will be morally appropriate to feel but not express one's anger. So, in the same way that it is important to specify which stage (if any) of a person's anger is being evaluated in a theory's assessment of the moral status of the anger at issue, it is equally important to specify whether it is a person's feeling of anger versus their communication of that feeling that is apt or inapt.

What does it mean for anger (its feeling or communication) to be apt or inapt? This language of 'aptness' refers to analyses of anger's fittingness. The question of whether anger is fitting concerns, in part, whether the emotion has as its object some act, event, or situation that in fact constitutes a moral violation. Fitting anger picks out an injustice and responds to the right degree.[2] On fittingness views of anger, anger directed towards a

[2] There's an interesting question about whether anger is fitting once and for all or if anger can become unfitting (or at least less fitting) by factors such as the passage of time or the wrongdoer's sincere acknowledgement and apology. My preferred view is that the answer to this will largely depend on details specific to the nature of the relationship between the wrongdoer and the person wronged, on the one hand, and the severity of the wrong done to the victim on the other. There might be some cases where victims are entitled to remain angry indefinitely especially when the magnitude of the wrong is especially severe (victims of genocide might be one such example), even if most cases are ones where it

perpetrator of an alleged wrongdoing is sometimes inappropriate. For instance, if the purported wrong done is not actually wrong or unjust, then one does not actually have a good reason to be angry. As others have noted, one reason this feature of anger is important is that it shows that there are cases where anger's fittingness may come apart from its instrumental value (Srinivasan 2018). As we will see in the next section, some philosophers believe that anger is never fitting, even if it is instrumentally valuable, because, or to the extent that, it is tied to a desire for payback. Against these views, I will argue that even vindictive-anger can be fitting, especially at the earliest stages of one's anger. Ultimately, I will argue that anger is sometimes fitting in virtue of being vindictive.

2. Anger's Desire for Payback

In this section, I will sketch the state of the debate concerning the moral value (or disvalue, depending on the view) of anger's vindictive component. I want to flag, though, that the debate has played out in a way that relates to my aims but also digresses in important ways. As we will see, one central question of the anger wars is whether anger is necessarily vindictive. This is not, however, my question. Though, I find this question interesting, what I have to say about vindictiveness remains neutral on this metaphysical dimension of anger. That is, I am not ultimately concerned with whether anger is necessarily vindictive. My aim, rather, is to argue that even if anger is vindictive, that does not mean that feeling (or expressing) that anger is necessarily morally impermissible. More controversially, I will end up arguing that vindictiveness sometimes plays a central role in our moral lives and that we would not be better off were we to get rid of vindictiveness from every instance of anger. Sometimes, the

would be fitting for the victim to give up their anger at some time after the occurrence of the wrongdoing.

vindictive component of anger contributes to its moral virtue. With this caveat in place, it is still worth sketching the state of the literature concerning anger's vindictiveness. Doing so permits us to see who precisely the target of my view is.

2.1 Opponents of Anger on Vindictiveness

According to the received view of anger, in addition to having the features sketched in Section 1, anger is tightly linked to a desire for payback.[3] What I am calling 'the received view' comes in a weaker and stronger form. The weaker form argues that we typically desire payback when we are angry. The stronger form argues that we always or necessarily desire payback when we are angry. Payback, which I will use interchangeably with 'retribution', 'revenge' and 'retaliation', refers to the act of harming someone in response to a perceived harm that person caused you or someone you care about. One paradigmatically looks to get payback when one feels one has been wronged. In turn, one wishes to "get even" with that person over what they did.

What it means to desire payback, then, is to want the world to look a certain way; you wish for the world to be one in which the person who wronged you gets their due. You might want to strike back yourself or you might just want the person's life to go badly some other way as a consequence for what they've done. Either way, a desire for payback is the desire that the other person suffer, in some way and to some degree, for having made you suffer. In desiring payback, you judge, either implicitly or explicitly, that the other person deserves to suffer for what they have

[3] As I will sketch shortly, nearly everyone agrees that anger and payback are tightly linked. That is, nearly everyone agrees that someone who is angry paradigmatically seeks revenge. Now, it is true that some (most notably Darwall, Smith, Srinivasan, Cherry), think that there are pure types or instances of anger that are not retaliatory in nature. But these types of anger are not, even on their views, the norm. For a notable exception to this, see (Silva 2021) who argues that anger paradigmatically seeks recognition rather than retaliation.

done. I will use 'vindictiveness' interchangeably with this type of desire. One is vindictive to the extent that they desire this form of punishment for wrongdoing. A person who is vindictive – a person who is angry and seeks payback – seeks for their wrongdoer to suffer as just desert for the harm they inflicted onto them or someone they care about.

This idea, that anger is tightly linked to a desire that the wrongdoer suffer, is not new. Aristotle includes a desire for revenge as part of his definition of anger. "Let anger be [defined as] a desire accompanied by pain for perceived revenge caused by a perceived slight, of the sort directed against oneself or one's own, the slight being undeserved" (Cope 1877). Aristotle is not alone. Seneca argues that anger "throws itself upon the very weapons raised against it, hungry for a vengeance that will bring down the avenger too" (Seneca 2010). For Bishop Joseph Butler, resentment "is in every instance absolutely an evil in itself, because it implies producing misery" (White 2006, 98). Owen Flanagan, who argues against the retributive dimension of anger by drawing from the Buddhist perspective, has argued that anger, insofar as it "is in the business of passing pain," is irredeemable (Flanagan 2017, 203).

What precisely is the nature of the tight link between anger and the desire for retribution? As noted above, there is some disagreement on this. Those who accept the weak version of the received view believe that the nature of the link is merely contingent or causal. According to these views, anger is likely to be accompanied by a desire for revenge. Anger paradigmatically causes or disposes us to want to lash out at our offenders. Those who accept the stronger view, however, follow Aristotle in thinking that the nature of the link is a constitutive one. These philosophers believe that a necessary feature of being angry is to want to get revenge. So,

according to those who think that seeking revenge is never justified, anger (the feeling)[4] is never fitting.

Nussbaum has developed one such strong-version of the received view. Her version of the constitutive argument is that all expressions of anger are composed, in part, by "a wish for things to go badly, somehow, for the offender in a way that is envisaged, somehow, however vaguely, as a payback for the offense" (Nussbaum 2018, 23). Someone who is in the payback mentality, therefore, "looks forward with hope to doing something unwelcome to the offender" (Nussbaum 2018, 21). On her view, anger "seeks the pain of the offender because of and as a way of assuaging or compensating for one's own pain" (Nussbaum 2018, 24).

Nussbaum goes on to identify a dilemma that stems from this tight link between payback and anger. Whenever anyone desires payback (1) it is because they believe that getting back at their wrongdoer will remedy the original wrong done to them, which relies on wishful thinking, which is irrational, or (2) alternatively, they seek to bring their wrongdoer down a peg through a process of downranking, which is morally defective. From this, Nussbaum concludes that we would be better off not feeling anger and, instead, feeling more constructive emotions.

One such "appropriate" moral response is what Nussbaum refers to as "transition-anger," an anger-adjacent emotion in which the entire content of the emotion is, "How outrageous! Something must be done about this" (Nussbaum 2018, 35). The emotion is not technically a form of anger since, on the constitutive view, there is no real way to have a case of non-

[4]Note that theories that claim that the very feeling of an emotion is impermissible are saying something (much) stronger than those that claim that the *expression* of an emotion is impermissible. So, if a theory says that feeling an emotion is impermissible, they will say that expressing that emotion (as a result of feeling the emotion and seeking to communicate it) is also impermissible. The inverse does not hold. One can, of course, think that it is morally permissible for a person to feel an emotion even if one does not endorse the permissibility of expressing that emotion to others (or to a particular target).

vindictive anger. A necessary feature of anger, for these views, is that it is accompanied by a desire to get payback or retribution. Still, the emotion is thought to be rather similar to anger in that it preserves the only part that is allegedly good about anger: the emotion locates an injustice, calls it out, and signals the need for repair. Transition-anger is solely concerned with calling attention to a moral violation in order to mend the situation. Unlike proper anger, which concerns punishment, is only backwards-looking (in calling out the injustice) as a way of concerning itself primarily with forwards-looking ends (repairing the injustice). Thus, it is because transition-anger is primarily concerned with forwards-looking aims that, on Nussbaum's view, it is an acceptable and mature emotion to have in response to injustice.

2.2 Advocates of Anger on Vindictiveness

It is not only opponents of anger, such as those just surveyed, who believe that vindictiveness is a bad-making feature of the emotion. Even amongst defenders of anger (i.e. those who think that anger is at least some of the time a morally appropriate emotion to have) there exists a general consensus that insofar as anger is accompanied by vindictiveness, it is thereby made morally worse off. That is, even those who defend the moral appropriateness of anger believe that vindictiveness is a bad-making feature of the emotion whenever it figures into it.

As far as I can tell, there are two general strategies *advocates* of anger deploy for dealing with the vindictive component of anger, each of which demonstrates in its own way a commitment to this idea that vindictiveness is necessarily bad. The first strategy begins by distinguishing between virtuous and non-virtuous anger and proceeds by defending only the former. This approach emphasizes that anger is unlikely to be either "all good" or "all bad"; rather, anger is sometimes moral and sometimes

immoral. If, for instance, an angry feeling is gratuitous or is inapt for some other reason, perhaps because the situation does not actually call for or give one a legitimate reason to be angry, then that is simply not the type of anger this defender of anger is concerned with. The same holds for anger that is vindictive. The defender of anger will just say of this type of anger: *that's just not the type of anger I have in mind*. Defenders of anger who take up this first strategy, thus, have at their disposal a tool to defend anger against claims that vindictiveness is a bad-making feature. For their strategy is not to morally vindicate every instance of anger but rather to give an account of what anger does well when it is of the right form – that is, when it is behaving itself on moral grounds.

This first strategy thus proceeds by arguing that anger's defects are merely contingent, non-necessary features of the emotion. We see this move in Darwall (2013) who defends a theory of resentment as a form of properly moralized anger. For Darwall, resentment is an emotion "whose object is not to retaliate against someone who has injured one, but to hold him responsible in a way that expresses respect for him as a member of a mutually accountable moral community" (Darwall 2013, 52).[5] This idea is inspired by Adam Smith's famous suggestion that "the object…which resentment is chiefly intent upon, is not so much to make our enemy feel pain in his turn, as to make him conscious that he feels it upon account of his past conduct, to make him repent of that conduct, and to make him sensible, that the person whom he injured did not deserve to be treated in that manner" (Smith 1759, II.iii.1.5). More recently, Srinivasan (2018) and Luz Silva (2021) have defended anger on the grounds that it sometimes seeks recognition, not payback. We even see a glimmer of this strategy in Nussbaum's defense of transition-anger, discussed above. For her, "anger

[5] For other examples of this type of strategy see Cherry (2018), Cherry (2020).

is often appropriate enough with respect to its underlying values, and the love and grief that focus on these same values are often fully appropriate; *the problem comes with the idea of payback*." (Nussbaum 2018, 38).

The first strategy argues that anger is not necessarily doomed to immorality since anger is not necessarily tied to a desire for payback (Smith 1759, Darwall 2013, Luz Silva 2021). There are two parts to this claim: (1) that anger is sometimes morally permissible and (2) that whenever it is morally permissible, it is not vindictive. I think that claim (1) has intuitive appeal and is quite plausible. Anger is sometimes virtuous, especially when it calls attention to a serious moral wrong and seeks recognition. On this point I follow Darwall and Smith who point out that anger can and sometimes does function as a "properly moralized" emotion.[6] If correct, this would explain why we are not prone to morally criticize those who are angry because they have been clearly and significantly wronged. What I want to preserve from these theories is the plausible thought that anger can be morally permissible. Recall the second claim that makes up this strategy: (2) that whenever anger is morally permissible, it is not vindictive. This strategy, then, purports that anger is only properly moralized when it seeks recognition, or something like it, but *not* when it seeks payback.

Those defenders of anger who take up the second strategy are suspicious that anger's desire for payback can be cordoned off as neatly as the former suggests. Agnes Callard, for example, has recently argued that

[6] This idea has fairly broad support beyond those cited above. Feminists who have dealt with anger have defended it on the grounds that for victims of oppression, getting angry is a way of standing up for oneself and cultivating self-respect. For views along these lines see Srinivasan (2018), Cherry (2018), Cherry (2020), Jagger (1989), hooks (1996), Lorde (1981), MacLachlan (2010), Walker (2004), Frye (1983). To the extent that these views sidestep the issue of the value of vindictiveness proper, then they share a good deal in common with the first strategy. The biggest difference with my approach and theirs is that my focus concerns vindictiveness proper in order to understand if vindictiveness might itself serve moral ends.

the vengeful part of anger is essential to our practices of holding others to account. She poignantly asks:

> Everyone assumes that we can retain the moral side of anger while distancing ourselves from paradigmatically irrational phenomena such as grudges and vengeance. But what if this is not the case? What if we humans do morality by way of vengeful grudges?

The upshot, for Callard, is that vengeance plays a central role to our moral lives. Even if we could get rid of anger, we shouldn't want to. As we will see, I agree with this conditional claim of Callard's. Where we disagree is on the conclusion Callard draws from her argument. She goes on to argue that because vengeance plays a central role in our moral lives, it condemns us to immorality. It is precisely because anger functions as it does – as a mechanism that lashes out, seeks blood, and looks to cause others harm – that it is evil, even if a necessary one. So, even though anger is ultimately worth defending *qua* emotion that allows us to *do* morality, it is never morally good or right to be angry. Anger, for all it is good for, nevertheless "implicates all of us in moral corruption" (Callard 2020). Against this, I will argue that vindictive anger is not necessarily morally corrupted.

So far, we have encountered general strategies for dealing with the desire for payback people have when they are in the grip of anger.[7] The three, taken together, I call the orthodoxy view. For our purposes moving forward, we can set aside some of the details and think in terms of two general approaches to how anger is dealt with in the literature: there are anger-apologists and anger-realists. The former are committed to making room for the moral value of anger, while the latter, who are purported realists about how tightly linked up anger and retribution are, give up on

[7] I'll use 'desire for payback', 'vindictiveness', and 'retributive-desire' interchangeably. They all capture the desire to strike back at one's purported wrongdoer as a way of righting, or getting back at someone for, a perceived wrong.

the prospect altogether. What matters is that nearly all views of anger are such that the emotion is made morally defective whenever and to the extent that it is retributive. As we have seen, this view is just as common amongst supporters of anger as it is amongst its critics.[8]

For the sake of exploring the bounds of anger's moral status, I propose we ask: what would happen if, as Nussbaum and Callard propose, it *is* the case that anger always seeks revenge? My concern is not with how *often* (always, almost always, paradigmatically sometimes, never, etc.) anger actually seeks revenge, and the implications of that. Rather, my concern is with working out just how bad it would be if anger did turn out to be linked, however tightly, with a desire for payback.[9] Can anger be morally permissible despite being vindictive? Might it even be possible for anger to be permissible precisely because it is vindictive? The remainder of this paper is a response to these questions.

To make headway, I begin by identifying two problems with the orthodoxy view; that is, the view that says that anger, whether salvageable on moral grounds or not, is made worse (morally speaking) to the extent that it is vindictive. First, the orthodoxy view fails to properly distinguish between two desires: the desire for payback as a mere end and payback as an end for a reason. I will argue that the latter, while a proper form of payback, has forward-looking aims that have gone unrecognized and

[8] I want to flag that there may be reason to think there is a third camp. Many feminist discussions of anger highlight that for victims of oppression, getting angry is a way of standing up for oneself and cultivating self-respect. For views along these lines see Jagger (1989), hooks (1996), Lorde (1981), MacLachlan (year), Walker (year), Frye (year). Not much turns on this but I do believe that insofar as many of these views sidestep the issue of the value of vindictiveness proper, then they share a good deal in common with the first strategy. The biggest difference with my approach and theirs is that I home in on vindictiveness proper in order to understand if vindictiveness might itself serve moral ends.

[9] In other words, the *strength* of the link does not interest me nearly as much as the plausibility of the *existence* of such a link. My concern is with exploring what would follow were such a link to exist.

which, when brought to light, allow us to see how even vindictiveness can serve moral ends. Second, the orthodoxy view fails to take into account the dynamic nature of anger. Here I will focus on how anger evolves over time in order to suggest that there are stages of anger at which it might be morally appropriate to feel vindictive even if there are stages further down the line of anger's evolution, at which it is not. Moreover, I will show that the nature and shape of the payback wish is itself disposed to transform across time.

3. The Nature and Value of the Payback-Desire

3.1 Vindictive Anger's Moral Value: Non-Instrumental?

So, what does it mean for a person, particularly one who is angry, to desire payback? Desires for payback are characteristically backwards-looking phenomena. When we desire or wish for someone to get their due, we don't characteristically do so because we are coming to the social interaction with the intention to improve their character. If that were the case, then it is not clear that we would have a true desire for payback. We would not be in a vindictive mindset, rather, we'd be in a restorative one. Thus, we can think of desires for payback as having noninstrumental value, if and to the extent that they are valuable at all. The payback wish *itself* is not for some further end (reform, deterrence, etc.); its concern is with getting back at one's wrongdoer. Payback just concerns inflicting punishment as desert for what happened in the past. And the desire for payback is the desire for this kind of punishment.

Yet there is still room to ask: are desires for payback *only* concerned with the suffering of one's wrongdoer? Or might they be concerned with the suffering of one's wrongdoer for a reason – and so, *not in vain*. Now, strictly speaking, desires for payback aren't concerned with anything really. It is individuals who have desires for payback who themselves may or may

not be concerned with the suffering of one's wrongdoer and what proceeds their suffering. So, we might reframe the question: are those in the grip of anger concerned with payback as its own end or are they concerned with payback for some further reason?

But, you might be thinking to yourself at this point, *I thought you said you were going to give a justification of desires for payback that are noninstrumentally valuable!* Surely, talking about payback that is valuable "for some further reason" means that we're approaching territory of a payback-desire's instrumental value. And, to the degree that this kind of vindication verges on a discussion of desires for payback that aren't *quite as vindictive, harsh* or *severe* as the sort of payback the proponents of the orthodoxy view have in mind, this just is not as exciting or ambitious an endeavor. Well, let me say up front that, for better or for worse, I am interested in the more ambitious claim. My aim really is to show that the mean and scary desire for payback that accompanies anger – a payback of the form "you deserve to suffer *for having wronged me"* – is not actually all that mean or scary. So, how does this work? How can one defend the payback-desire that is linked with anger while also arguing that it – a genuinely backwards looking desire – is made moral by its relationship to change (namely, a forwards-looking good in the form of a moral reckoning)? There are three ways, which I gesture at now. No one of these three primers is meant to be fully convincing on its own. Rather the three, taken together, are meant to paint a sort of picture of what it is that I have in mind.

3.1.1. Noninsturmental goods can be conditioned on instrumental goods

Sometimes, things that are noninstrumentally valuable are valuable only because they are also instrumentally valuable. That is, sometimes the noninstrumental value of a good is conditioned on its instrumental value.

Anderson (2019), for instance, makes this move with respect to democracy's value by considering an example:

> In our consumer culture, we take it for granted that shopping is an activity many people enjoy, beyond its instrumental value in enabling people to acquire goods they desire…For these consumers, shopping has noninstrumental as well as instrumental value. Yet its noninstrumental value is conditional on its instrumental value. Although some people can content themselves with pure window-shopping for goods beyond their reach, most would stay home if shopping malls contained only goods that they could not acquire by shopping.

I think a similar point can be made in the case of desires for payback. It is true that desires for payback have noninstrumental value; in a sense they are valuable as primarily backwards-looking phenomena. When we are in the grip of vindictive anger, we are not concerned with anything forwards-looking; we are likely to be too angry to be concerned with any such thing.[10] And it is because one finds oneself swept up in a concern for punishment as a form of just desert - that is, a wish for payback - that anger has the characteristic sting it has. But this does not mean that the noninstrumental value of the payback desire ends with, or is fully explained by, the proximate target of the payback - the suffering or pain inflicted on one's wrongdoer.

Anderson's example illustrates that we sometimes enjoy window shopping for its own sake, without wanting to buy anything; but that we *could* buy something is part of what explains why we value window-shopping in the first place. Thus, were it not for the possibility of satisfying its instrumental value, window-shopping wouldn't be intrinsically valuable (at least, not in the same way it sometimes is). Similarly, and by analogy, sometimes our vindictive anger is valuable as a way of making

[10] This is especially true in the early stages of one's anger, as I will explore in the following section.

one's wrongdoer suffer; but that punishment *could* serve the ends of inciting change explains why we value backwards-looking punishment. Punishment's intrinsic value is conditional on its instrumental value. When we desire payback, we really do desire to get back at our wrongdoer and nothing further. But we don't do so in vain. We tolerate, or even take pleasure in our wrongdoer foreseeably suffering pain for their offense, only because of a (likely implicit) understanding that this payback is closely tied up with change. I now turn to say a bit more about how we should think about, and further specify, the nature of this relationship between payback desires, payback, and change.

3.1.2 A desire for payback is constitutive of a desire for a reckoning

The cases that concern me in this paper are cases in which individuals who have been wronged, and who have been made angry, seek a moral reckoning. In Section 4 I will outline what a reckoning amounts to but for now flagging some essential features will do. A moral reckoning is a recognition of one's wrongdoing that is also a painful process of moral growth. Through expressions of vindictive anger, we strike back at our wrongdoer, which signals that change is needed. In these cases, the person who is angry seeks to arouse some negatively valanced, self-conscious, emotional response (e.g. shame, guilt, regret, embarrassment or remorse) in their wrongdoer, which plays the role of provoking, and thereby shifting, their wrongdoer's moral conscience. The sting of the anger casts a dishonorable light on the wrongdoer's bad action which generates enough concern amongst the wrongdoer or, the broader class of wrongdoers, to get one what they ultimately want: changed conditions,[11] respect, and

[11] This is similar to the point that Lorde (1997, 282) makes when she distinguishes anger from hatred: "hatred and our anger are very different. Hatred is the fury of those who do not share our goals, and its object is death and destruction. Anger is the grief of distortions between peers, and its object is change."

recognition. Victims of wrongdoing, therefore, make use of their anger as a way of generating the change they seek.[12]

Thus, the victims of wrongdoing I am focused on in this paper are victims who desire a moral reckoning. On my view, part of what it is to desire a moral reckoning is to desire that your wrongdoer suffers payback for having wronged you. The payback desire and the desire for a moral reckoning thus stand in a constitutive relationship to one another. The latter is formally constituted by the former. For this reason, one need not worry that I have begun to stray from my purported aim: namely, to defend that anger's desire for payback is noninstrumentally valuable. One *would* have reason to worry if, on my view, a desire for payback was said to cause (or, rather, to be rationalized by) my desire for some further end, say, a moral reckoning. Were this the case, I would agree that I would no longer be talking about a genuine or "fully retributive" notion of payback. But, as we will see, desires for payback, while fully backwards-looking, can nevertheless have a forwards-looking orientations in virtue of being a constitutive part of a victim's desire for a moral reckoning, which is itself a forwards-looking desire.

3.1.3 Anger can desire payback as an end, but for a reason

Finally, I find it useful to distinguish between anger that *desires payback as a end* and anger that *desires payback as an end for a reason*. To do so, let's consider an example. Years ago, I was on a call while on my way to pick up takeout from my local Thai restaurant. I may have considered for a moment

[12] Importantly, one needn't be aware that one is using one's anger in this way for one to in fact be doing so. Much of what I describe below occurs beneath the surface, so to speak. This does not mean that the use of an emotion is not of one's own doing whatsoever. There's a sense in which one *is* expressing one's emotion for a purpose, but this is far short of one's having the emotion because one is self-consciously willing oneself to express it with a particular end in mind. For a more thorough explanation of how our emotions can inspire actions that are both purposive and implicit see Hursthouse (1991).

that it would be rude to stay on the phone while picking up the order, but I concluded that it would be too much of a bother to explain to the person on the other line, who is hard of hearing, that I would shortly return their call. So, I stayed on the phone and proceeded to pick up my order. By this point, the possibility that I may have been doing something rude was far enough out of mind, such that I found myself surprised when I felt the distinctive sting of anger that had been directed at me. The cashier had greeted me with something along the lines of "Next time you should really hang up before picking up your order," in a tone that was subtly angry but clearly communicated her anger, nonetheless. The cashier was not in a state of rage, her anger was subdued and proportionate, but there was not a doubt in my mind that it was there.

This example is simple, but I think it makes the point. The cashier had the desire for me to experience some suffering as just desert for my, admittedly mild, moral shortcoming. This explains why the cashier responded with a harsh tone; a tone which she had good reason to believe would jolt me. Since it is uncommon for strangers to use chiding tones with one another, and especially so in the context of an employee-customer interaction,[13] it is reasonable to conclude that the cashier had an aim to punish me, via her remark, as payback for my behavior. I had done something rude, and she had the desire to get back at me for this. She judged, likely implicitly and unconsciously, that I deserved to suffer, albeit mildly, as a consequence for what I had done.

But, we can safely assume, the cashier's payback-desire was not concerned primarily (or at all) with reveling in my misery. Rather, the cashier likely wouldn't have responded as she did if doing so was not

[13] However lamentable this particular fact of the social world may be.

somehow linked up with my changed behaviors.[14] We can reasonably assume that the cashier wanted me to become more respectful of her and her time, or of others in her position and their time. Her way of doing this, I suspect, was by trying to teach me a lesson. The way she went about teaching me this lesson was by striking back with a few well-selected, moderate, and proportional words that were nevertheless punishing, in both tone and letter. The feature of the anger that made it unpleasant to be on the receiving end of, was used as a way of directing my attention to what I had done, to get me to recognize the behavior as bad, to take responsibility for this behavior and to come to value a revision of this behavior. Thus, the cashier did not *merely* want to teach me a lesson because this is what I was owed for my rudeness or because she felt that I deserved an affective jolt. She wanted to teach me a lesson for some further end: to get me to see things differently at an affective level in order to motivate me to change my behaviors.

3.2 Episodic Versus Dynamic Anger

Anger, as we've already noted, evolves over time. In this vein, I want to suggest that anger can be thought of episodically or dynamically. I will use 'anger conceived of episodically' to refer to an occurrent experience of anger. An occurrent experience of anger typically presents as a particular pang of an angry feeling, as a heightened awareness of angry thoughts, or both. When a person is having an episode of anger, they are presently and actively experiencing their anger. The cashier who was angry with me was at that time having an episode of anger. She was at that moment *in* her anger; the anger was presently occurring to her. To conceive of the cashier's

[14] Of course, the cashier's anger might have also been serving other aims, such as establishing and signaling self-respect. My claim is simply that we can reasonably see one of her aims as concerning changed behavior via the mechanism of desiring payback.

anger episodically then, is to analyze the anger that was actively and viscerally experienced at a particular moment in time.

But notice that one needn't be in anger's midst for it to be the case that one is nevertheless angry. Imagine Ernesto, who was cheated on by his partner, Claudia, a few months ago. Ernesto's attention might, at this present moment, lie on something other than his marital troubles. Perhaps he is busy at work and is thinking about something completely unrelated. Still, we'd be remiss to conclude that Ernesto is not angry at Claudia. After all, Ernesto *is* angry at Claudia. That he is angry at her explains why he remains separated from her and refuses to take her phone calls. If asked, he would say that he is angry at Claudia. Moreover, his being angry explains why he is prone to various other episodes of anger. Throughout the day, if he sees a photo of Claudia or is reminded of her in some other subtle way, he is prone to fall into an episode of anger in which he thinks angry thoughts and feels pangs of resentment towards her.

I do not think that this distinction between episodic and dynamic anger is a joint-carving one, nor do I introduce it for this reason.[15] The distinction, moreover, is not all-or-nothing. Certainly, episodes of anger fade; it will sometimes be unclear whether a person is experiencing a discrete episode of anger or, instead, is angry in a way that more closely resembles Ernesto's latent anger. I introduce the distinction instead because it strikes me that part of why the orthodoxy view has so much intuitive appeal is because its proponents are not sufficiently careful when it comes to matters that the distinction draws out.

This lack of carefulness comes from two directions. On the one hand, it is much easier to think that vindictive anger is necessarily wrong if what

[15] For this sort of analysis see (Goldie 2000) who introduces a similar distinction. For Goldie, the relevant distinction is between 'episodes of an emotion' and the 'emotion' proper.

you have in mind is a person who holds onto their vindictiveness for an excessive and extended period of time, well past the event that gave rise to their anger. Bringing these cases to salience ignores that desires for payback, as with the feeling of anger more broadly, paradigmatically weaken over time. Just because one feels vindictive initially, after having just been wronged, does not mean that one will hold onto that vindictive wish as time goes on.

The water gets muddied in the other direction as well. It is just as easy to overlook the potential virtues of vindictive anger when one is overly focused on especially intense payback-desires. But not all desires for payback are made equally. Sometimes, when we have just been made angry, our desire for payback is especially unnuanced in virtue of its rawness. At that moment, we might just want the person to suffer, to cower in front of us for having wronged us. But when payback desires are had by persons who exhibit reasonable amounts of virtue, these desires typically and naturally acquire sophistication in time. Where one might have desired just any suffering, at a later stage one would feel that a more particular kind of suffering is desirable.

To lend further plausibility to these arguments, let us consider an example. Imagine you nearly get hit by a careless driver while riding your bicycle. It might help to imagine that you're an experienced bicyclist, someone who is typically on the lookout for careless drivers, especially ones who are distracted, looking down at their phones. Texting while driving is a pet peeve of yours. This, let's assume, is understandable since there has recently been an uptick in cycling accidents in your city. So, imagine that the reckless driver has swerved into your lane and is a mere few inches from knocking you over. You might then, in that moment, lash out and yell at the driver, maybe swearing and slamming your hand against the car that nearly injured, or perhaps even killed, you.

As with *the cashier*, there is some important sense in which you do want the driver to suffer. Your yell and banging of the windshield are both mechanisms by which you aim to provoke this suffering. This, of course, is consistent with having a whole host of other desires: the desire that the driver recognize that their distracted driving was dangerous, that he changes his behaviors, and that he treat you and other bicyclists with increased respect moving forward. Adam Smith is right that a great deal of our anger is concerned with, and is a response to "the little account which he seems to make of us, the unreasonable preference which he gives to himself above us" (Smith 1759, II.iii.1.5). On recognition-views like Smith's, the bicyclist's resentment communicates something along the lines of "Hey, driver! Watch where you're going. I matter!" And I agree that this is a part of the story. Where I disagree with Smith, though, is over whether we can feel this sort of morally appropriate resentment while also having a genuinely retributive desire; a desire of the form "I want you to suffer because you made me suffer."

Assuming that our bicyclist *does* have the desire that the driver suffer payback for having wronged him, do we want to say that his having this particular desire is morally problematic? The orthodoxy view, discussed above, unequivocally answers 'yes' here whereas my answer is 'not so fast'. In that moment of near collision, the bicyclist has been severely wronged. He has nearly been killed due to the driver's negligence. In these cases, it seems not only fair to draw attention to wrongdoing but, over and above this, to demand that wrongdoers change their behavior. When the only way we can reasonably expect a wrongdoer to act differently going forward is if they are taught a moral lesson about their wrongdoing, then going through with teaching them such a lesson seems justified. But how are lessons taught?

One way, as we have seen, is through the communication of anger. In particular, it seems that the vindictive dimension of anger is especially piercing; a payback-wish is tightly linked with anger's ability to disrupt one's wrongdoer's conscience. One might even think that the reason anger stings, and gets its intended uptake, is because it is vindictive. But regardless of whether this is the case, a much more plausible claim is that anger is especially powerful when it is vindictive. If this is right, then the question becomes: is the cyclist entitled to using vindictive anger to jolt the driver in this case? Again, the orthodoxy view would respond with 'no'. But why is this? What about this particular vindictive desire – this desire to get back at the driver, to have them turn inwards and consider their bad actions and to suffer in light of this, so that they learn a lesson – is so bad?

One hypothesis for why one might think this vindictive-desire is pernicious is, again, because they are not thinking about vindictive anger as a temporally extended phenomenon. In keeping with the idea that we can learn from thinking of anger as a dynamic emotion, why might anger's temporal location be relevant to whether it is appropriate to have a vindictive desire amongst one's desire-set? Let us follow along with the bicyclist in our example. After nearly getting hit, they continue their commute home. As they bike along, they might ruminate on the event, playing over the details of the near-accident. And, perhaps, when they get home, our bicyclist, still frazzled, recounts the event to a partner or friend.

A lesson we can draw from this extended example, and in keeping with our analysis above, is that we might expect the nature of the payback-desire to transform over time. Sometime in between the driver's having the payback-desire vividly and his not having it at all, his payback-desire might persist but with more nuance than it had at its outset. While our bicyclist may have once wanted the driver to feel any pain whatsoever as payback for his wrongdoing, he might later come to think that only a particular kind

of pain is necessary. For instance, after talking through the event with his partner he might desire that the driver feel just enough pain to stop texting while driving but not so much that he wouldn't be able to enjoy his upcoming holiday with his family.[16]

When precisely will it become inappropriate for the bicyclist to desire the driver's suffering payback? The answer to this is likely indeterminate. Still, there will be some time at which it will no longer be appropriate for the others' suffering to be amongst their concerns, even if they are entitled to be angry. Were our cyclist to feel the same kind of retributive anger, say, a week later, we would find this morally suspect. We would rightfully be disposed to blame him for an expression of retributive anger – for yelling and flailing – were he to do so upon serendipitously encountering the driver in a grocery store a week later. Even if he kept the retributive anger to himself, and refrained from causing a scene, we can imagine that a loved one would express concern upon learning that such a retributive wish lingered in him in this way. What this shows is that even if it is appropriate to desire payback for a wrongdoing at some early time, this does not mean it is appropriate at every time thereafter.

So far, I've given reasons for why anger is not obviously made worse off from a moral point of view in virtue of being accompanied by a desire for payback. In this next section, I change gears, and start to develop my positive proposal. Here, I outline a case that lends plausibility to the idea that the payback component of anger seeks moral transformation. Then, in the following section, Section 4, I fill in the details of what a payback-induced moral transformation might look like; it is here that I sketch a more general account of what a *moral reckoning* is. My proposal is that vindictive anger is sometimes moralized insofar as it seeks a moral reckoning, which

[16] Surely, these desires needn't be articulated explicitly for the cyclist to nevertheless have them.

is itself morally valuable. This is true, I argue, even if moral reckonings are partially constituted by a wish for payback in for the form of a desire that the wrongdoer suffer for having wronged them.

4. Stanford Rape Case

On January 18, 2015 a then twenty-year-old Stanford student named Brock Turner was found sexually assaulting an unconscious and half-naked Chanel Miller. On that evening, two Swedish graduate students on their bikes approached a dumpster outside of a fraternity house on campus. At this point, they noticed that on the ground beside them was a man thrusting himself onto a woman who "was not moving and something seemed weird about the situation…because it looked like the female was asleep or unconscious" (*People v. Turner*, 2016). We learn from the police report taken at the scene of the crime that when these two witnesses got off their bikes and approached Turner, he "looked up, saw [them], slowly got up off the female and began running pretty fast." One witness stayed behind with Miller, held her, and called 911 while sobbing on the line and relaying what he had observed. The other chased Turner, before tripping and pinning him to the ground, restraining him until the police arrived.

It was not until two hours after arriving to the hospital that Chanel Miller regained consciousness, even though police and paramedics had tried forcefully to wake her at the scene of the incident. At this point Miller was informed by the police officer escorting her that she might have been assaulted, though she did not receive any further details. It wasn't until days after the assault that Miller learned, while reading a news story about her own case on her phone, the gruesome details of her assault. Of this, Miller writes:

> I learned what happened to me the same time everyone else in the world learned what happened to me. That's when the pine

> needles in my hair made sense, they didn't fall from a tree. He had taken off my underwear, his fingers had been inside of me. I don't even know this person. I still don't know this person. When I read about me like this, I said, this can't be me, this can't be me. I could not digest or accept any of this information. I could not imagine my family having to read about this online. I kept reading. In the next paragraph, I read something that I will never forgive; I read that according to him, I liked it. I liked it. Again, I do not have words for these feelings… And then, at the bottom of the article, after I learned about the graphic details of my own sexual assault, the article listed his swimming times (Baker 2016).

After an emotionally taxing trial, the jury convicted Turner with multiple felonies, including assault with the intent to rape. Miller explains that at this point, "I thought finally it is over, finally he will own up to what he did, truly apologize, we will both move on and get better. Then I read [his] statement" (Baker 2016).

In this statement, a letter to the judge used for sentencing purposes, Turner does not admit to having assaulted Miller, despite the verdict. Instead, he apologizes for having been part of a rampant and unhealthy drinking culture. At certain points, it is true, Turner ambiguously refers to having caused Miller "trauma and pain" (Turner 2016). The closest thing to remorse that Turner shows is when he says, "it debilitates me to think that my actions have caused her emotional and physical stress" (Turner 2016). But this is not an admission of guilt. Rather, Turner seemingly means to imply that Miller experienced trauma, somehow, and that he is sorry for having been, in some way, the source of that trauma. This move is characteristic of non-apologies, the content of which is something that resembles, "I'm sorry you feel that way." For Miller, this non-apology was infuriating:

> If you are hoping that one of my organs will implode from anger and I will die, I'm almost there. You are very close. This is not a story of another drunk college hookup with poor decision

> making. Assault is not an accident. Somehow, you still don't get it. Somehow, you still sound confused. (Baker 2016).

Turner does not take ownership of what Miller and the two witnesses to her crime, the two Swedes, know and what the court believes: that his sexual assault of Miller *is* what caused her trauma and pain. The trauma is not something that just happened in her head, it is something that, as Catharine A. MacKinnon (2019) puts it, *he* did to her. For this Turner showed the victim absolutely no remorse. Miller makes clear, though, that her anger seeks this sort of painful recognition. "We can let this destroy us, I can remain angry and hurt and you can be in denial, or we can face it head on, I accept the pain, *you accept the punishment*, and we move on" (Baker 2016, emphasis mine).

At the sentencing hearing, Miller read her victim's impact statement, which has a variety of functions including purported emotional rehabilitation of the victim as well as giving the victim an opportunity to weigh in on sentencing matters. In her statement, Miller cites the probation officer's recommendation to the court of one year of jailtime as a distinctly acute provocation of her anger. This recommendation, based on a short fifteen- minute conversation with Miller, turned out to be for a maximum of one year spent in county jail.[17] Amongst the probation officer's reasons for his recommendation were that the defendant had to give up a "hard earned swimming scholarship" and that the crime, when compared to other similar crimes, "may be considered less serious due to the defendant's level of intoxication" (Baker 2016). To which Miller responded,

[17] Miller recounts that this conversation occurred prior to Turner's having issued his statement. Miller notes that this detail is relevant insofar as this was a critical opportunity for Turner to express his remorse. At the time of the conversation with the probation officer, the victim wrongly assumed that Turner would express remorse at the sentencing hearing, since he had been found guilty by the court. She indicates that had she known he wouldn't, she would have pushed for a much hasher and lengthier sentence.

> I told the probation officer I do not want Brock to rot away in prison. I did not say he does not deserve to be behind bars. The probation officer's recommendation of a year or less in county jail is a soft timeout, a mockery of the seriousness of his assaults, an insult to me and all women. It gives the message that a stranger can be inside you without proper consent and he will receive less than what has been defined as the minimum sentence. Probation should be denied. I also told the probation officer that what I truly wanted was for Brock to get it, to understand and admit to his wrongdoing. (Baker 2016).

Despite Miller's statement, Judge Aaron Persky eventually sentenced Turner to six months in county jail with probation. Turner ended up serving three months in jail. Nearly two years later he appealed to overturn the conviction, arguing that he had simply attempted to commit "outercourse" with the victim, and so should not have been found guilty of attempted rape.[18]

Chanel Miller became enraged by her assailant's light sentence not because she wished to see him suffer behind bars for the mere sake of it, as she notes. Miller's anger was targeted at Turner's lack of recognition of what he had done to her. He failed to sit with and take in the reality of the situation; that his actions were shameful because of how he wronged her, that he ought to have known and done better, and that his failure to do better was itself a form of disrespect. He failed to suffer from the shame that would follow this recognition. It was shameful that he had committed an assault against an unconscious woman, and it was shameful that he failed to see this as such.

Moreover, the reason Turner was unwilling to see these features of himself as shameful stems from his very own unmerited arrogance and entitlement. This came to light during the trial whenever the defense pointed to Turner's swimming times amongst his other athletic accolades.

[18] The judge, in this case, was unpersuaded.

The defense's strategy amounted to using Turner's unmerited arrogance against the victim. This strategy, which focused on all that Turner had to lose going forward rather than on what Miller had already lost, signaled to Miller that her suffering mattered less than his.[19]

Over and above this, Miller was enraged by the material instantiation of Turner's failure to recognize his wrongdoing. "He pushed me and my family through a year of inexplicable, unnecessary suffering, and should face the consequences of challenging his crime, of putting my pain into question, of making us wait so long for justice" (Baker 2016). Miller's desire that Turner suffer as a consequence for his actions took the form of a desire for him to see himself in a painful light. She holds, "…what I truly wanted was for Brock to *get it*, *to understand and admit to his wrongdoing*. Unfortunately, after reading the defendant's report, I am severely disappointed and feel that he has failed to exhibit sincere remorse or responsibility for his conduct" (Baker 2016, emphasis mine).

Miller's anger was meant to serve a particular function. There is even a way of reading Miller in her recent memoir *Know My Name* (2019), that suggests that she wouldn't have gone through with the painstaking trial had she believed that her anger would not have been able to *do* something; precisely, to seek real change. Miller, as I read her, only put herself through the agony of facing her assailant and demanding, through the sheer force of her impassioned and rageful statement, that he awaken from his moral slumber, because a part of her recognized that her anger might be able to

[19] Of this Miller (2019) writes "Brock will always be the swimmer turned rapist. He was great and then he fell. Anything I do in the future will be by the victim who wrote a book. His talent precedes the tragedy. She was supposedly born in it. I did not come into existence when he harmed me. She found her voice! I had a voice, he stripped it, left me groping around blind for a bit, but I always had it. I just used it like I never had to use it before. I do not owe him my success, my becoming, he did not create me. The only credit Brock can take is for assaulting me, and he could never even admit to that."

provoke this kind of change. "Victims," Miller tells us, "are often accused of seeking revenge, but revenge is a tiny engine… We don't fight for our own happy endings. We fight to say you can't. We fight for accountability. We fight to establish precedent. We fight because we pray we'll be the last ones to feel this kind of pain" (Miller 2019).

Chanel Miller's anger is not a purified form of anger, which is strictly forwards-looking. Miller, to be sure, is concerned with punishment. Not only is it reasonable to see her anger itself as a form of punishment, but the very purpose of her victim's impact statement was to push for a stronger sentencing. She deploys her anger because the criminal justice system had thus far failed to get her the reckoning she believed she was entitled to. Her anger reflects that the status quo is unjust, that it must be changed, and that the sting of the emotion is a tool to bring about this change. She desired for Turner to spend more than a year in jail, especially considering how little suffering he had undergone.

Notice too that it is not just any form of suffering that Miller desired. During the sentencing hearing, Miller and the court heard from Turner's father, who explained to the court that his son *had* suffered. He explained in detail that his son's life had been forever changed by the incident. According to his father, Brock used to love to cook ribeye steaks which, apparently, he had since lost his appetite for. This, as well as the various other ways his life had been disrupted, was, according to his father, "a steep price to pay for 20 minutes of action."

For Miller, the price wasn't nearly steep enough. Miller was not unaware that Brock had suffered in some sense of the word; indeed, the defense had made it extremely clear that Turner, in virtue of his eliteness, had a long way to fall. But, again, it wasn't just any fall or any suffering that would do. It was suffering that was a form a punishment for a particular

bad action. Miller needed Turner to pay in the backwards-looking sense. Without this, there could be no forwards-looking possibilities for repair.

Victims of assault, of course, make up an incredibly heterogeneous group. What is appropriate with respect to the shape, intensity, and duration of their anger will vary depending on their unique circumstances. Still, it seems fair to say that victims of assault who experience anger want, at a minimum, a recognition that one's wrongdoer has done wrong, that their wrongdoer adjust their conception of their place in the social world on that account, and that they commit to transforming their character in light of this revised view of themselves. Additionally, as Miller's account illustrates, it seems plausible that victims of assault seek this sort of moral transformation by way of deploying their vindictive anger. In this next section, I begin to sketch a more general theory of what victims of sexual violence seek through their anger. What they desire, I argue, is change in the form of a moral reckoning.

5. What is it to Seek a Moral Reckoning?

What general lessons can be drawn from the Stanford Rape Case? In this section, I argue that the case shows us one type of payback that anger seeks. Namely, it seeks to trigger a moral reckoning. Reckonings, as I suggest we understand them, have at least the following three components:

1. The wrongdoer pauses in their tracks, recognizes the wrong done, and takes responsibility for this wrong. They come to see the wrong done as stemming from their values and commitments.
2. The wrongdoer lowers their self-estimate in light of their recognition of this wronging. They come to regard the degree of their previous self-esteem as unmerited. This, in turn, forces them to confront their arrogance. Consequently, they experience a self-conscious emotion such as guilt, shame, or remorse.
3. The wrongdoer develops an aspiration to improve features of their character, their relationship to the victim, or both. In short, they come to value change, and commit to bringing about this change.

Let us consider each of these dimensions in turn. First, reckonings require pausing in one's tracks. By this I mean that it is a process wherein one turns inwards and reflects on the moral problem at hand and their own role in it. This process is likely to consist, in part, in the wrongdoer deploying their empathy, sympathy, or some other "fellow-feeling."[20] For example, the wrongdoer might imagine what the wronged party went through in light of the injury done to them or they might reflect on what it would be like for themselves to be in the victim's position.[21] This culminates with the wrongdoer's recognition that they did, in fact, cause someone injury. This recognition is characterized by a particular orientation or standing towards the wrong done. It is important that one does not take the wrong to be an accident and does not merely see oneself as a victim of bad moral luck, but rather owns the action by way of taking responsibility for it. That is, when one wrongs another, one should take a particular agential stance towards own's wrongdoing; one should see it as stemming from who one is.[22]

Second, reckonings consist in the wrongdoer lowering their self-estimate in light of their wrongdoing. Up until this point, I have left open the possibility that reckonings include any one of the negatively valanced self-conscious emotions such as guilt, shame, or remorse. I've done this because ultimately what matters is that anger aims at bringing about a negative consequence for the wrongdoer in the form of painful emotional response such as shame, embarrassment, remorse, guilt, and the like. The wrongdoer thus comes to affectively regard themselves as, in some sense, lesser than they had thought they were, in light of having been the type of person to perform the bad action. That said, I am inclined to think that anger

[20] See Adam Smith (1759) for an account of fellow-feeling.
[21] See Meyers (2017) for a more thorough discussion on how empathy, and empathetic imaginings in particular, can foster solidarity across social divisions.
[22] Following Mason (2018, 176), it seems right that even "when we inadvertently fail in our duties to others, where those duties are duties of relationships, personal or impersonal, we should take on responsibility".

paradigmatically targets shame. One feature of shame, which distinguishes it from guilt, is that it targets one's whole character.[23] I might feel guilty for purchasing clothing made by child laborers, but when I feel shame over the same action, it calls into question my values and my self- conception. Rather than feeling guilty over having done some action, I feel ashamed over being the sort of *person* who performed this action. Shame has a recalcitrance to it – it attaches to one's character – in a way that sets it apart from feelings of guilt over isolated incidents.

Third, the wrongdoer recognizes either implicitly or explicitly that their previous self-estimate was unmerited because it included a worldview which took for granted the rightness of an action that was in fact wrong. This recognition, in turn, gives rise to a forward-looking aspiration to improve one's character. Though this last component, an aspiration or commitment to improve, features into a reckoning, the focus in a reckoning is not strictly on a forward-looking, reparative process. Instead, the emphasis is on allowing the harm done, and the effect it had on the person wronged, to make contact with one's moral sentiments, which is a precondition for moral and political transformation. George Yancy (2018) argues we must "tarry" with our wrongdoing – the various ways in which it is *we* who perpetuate various injustices. Yancy distinguishes this tarrying from "wallowing in guilt." Feeling guilt, Yancy argues, is too easy. What is more difficult but also more transformative is lingering with a conception of oneself as implicated in an unjust system while doing this from a place of motivation to be and do better.

Reckonings, then, have both a backwards and forwards-looking dimension. They are backwards looking since they are inspired by what happened in the past and acknowledge that oneself was shamefully

[23] For a fuller discussion on how shame and guilt differ, see Teroni & Deonna (2008). Moreover, see Lebron (2013) for a similar defense of shame.

implicated in giving rise to the bad action. Reckonings require that one tarry in this space. Additionally, reckonings that are responses to anger are backwards looking in the sense that the anger itself functions as a sort of punishment. It strikes back in order to hurt the person, because it recognizes that sometimes, situations call for a painful awakening. The reckoning, therefore, serves as its own form of sanction. They are forwards-looking because reckonings are aspirational: they are committed to the idea that one's future self can and ought to do better.

To the extent that reckonings are painful processes of moral learning, they amount to a type of payback. This is true even if reckonings turn out to improve the character of the wrongdoer. For, anger desires to disrupt oppressive forms of affective misunderstandings by making one's wrongdoer self-conscious about what they have done. Additionally, anger aims to make wrongdoers self-conscious about having been the sort of person who would perform such an action in the first place, and the sort of person who took for granted that such action-taking was appropriate. Anger strikes back with its characteristic sting – it aims suffering as a form of retribution – because it seeks to show one's wrongdoer why they ought to want to do and be better than they once were. In this way, it is *both* punishing and motivating.

Anger is, in other words, not just an instrument for detecting injustice but also a mechanism used to illuminate features of the moral world for the wrongdoer. It does not, therefore, merely serve to communicate the message that some moral injury is unjust, but rather aims at directly transforming the wrongdoer's moral sentiments by demanding that they come to see themselves in a different light. It pushes them, via provocation of self-conscious reflection, towards a shift in their perception of the moral situation and of their place in it.

6. Objections From Effectiveness

I have thus far argued that we sometimes find that a desire for a moral reckoning is embedded in anger. And that desire, further, amounts to a particular desire for payback since a moral reckoning is a foreseeably painful process of moral transformation. Anger in these instances is used as a way of `directing the attention of the wrongdoer to the importance of righting the wrong. The sting of one's anger is used to signal that the behavior was wrong, that it warrants the wrongdoer's attention and care, and that the wrongdoer owes it to the victim to make the situation right. How the situation will be righted, in fact, will vary depending on the particularities of the context. But minimally, as I have suggested, it requires that the wrongdoer commit to changing their self-conception and aspire to transforming themselves and their future behaviors.

One might, however, worry about whether the desire for reckoning has the resources to be sufficiently effective to actually motivate change. This objection to my view takes the following form: surely anger does not target shame, or shame-like feelings, since these emotions are disposed to turn one's wrongdoer away, rather than towards change. Shame is painful, so it primes us to ignore or deny the problem at hand. At worst, the risk of feeling shame might even cause us to dig our heals in further; further committing to whatever ideology made sense of our problematic behaviors.

This is made worse, the objector may argue, when the anger manifests in cases of inequality, when demands are brought from below, from the oppressed to their oppressor. Those in positions of power insulate themselves from the demands of those below them, and this makes it excessively difficult for them to notice, let alone care, when they are met with blaming attitudes such as anger. It systematically serves the interests of oppressors to ignore those over whom they rule, especially when the oppressed are concerned with holding their oppressors to account.

Anderson (2014) makes a similar point when she argues that because knowledge of what is right is a social skill, learned through processes of being held to account upon wronging others, the oppressor class is systematically set up for a peculiar kind of moral failure. The problem is that "they rarely have the characteristic experiences through which they would learn that what they are doing to social inferiors is wrong" (Anderson, 2014). Thus, a pressing objection for my view has to do with effectiveness. Why would anger ever desire a moral reckoning if this is exceedingly unlikely to be realized, especially under unjust conditions?

I want to say two things about this class of worries. First, as the examples of *the cashier*, *the cheater*, and *the bicyclist* are meant to illuminate, I believe that our moral lives are rife with holding others to account through expressions of anger. This might mean that shame is more effective than we are prone to admit. Second, recall that my proposal – that anger sometimes aims at reckonings, which are foreseeably painful processes of moral learning – does not strictly rely on reckonings occurring most or all of the time. That is, this account does not say anything about how effective anger actually is at successfully eliciting uptake in the form of a moral reckoning. It merely says that anger sometimes uses its affective sting in this particular way and that, when successful, has the capacity to be moralized.

7. Conclusion

In this paper, I have defended the moral status of the desire for payback that accompanies anger. The link between payback and anger does not, as others have suggested, necessarily contribute to anger's immorality. There are times, especially amongst victims of sexual violence, that anger is used as a way of provoking one's wrongdoer to have what I call a 'moral reckoning.' Anger can effectively promote moral and political transformation precisely because of its distinctive affective sting, which

constitutes a type of payback. Victims, such as Chanel Miller, sometimes use this sting to get back at their wrongdoer – to teach them a lesson – because they recognize, at some level, that this is needed to bring forth change. My hope has been to show that the desire for payback that accompanies anger is something we should, at least some of the time, embrace as an instrument for moral and political transformation.

Chapter 2: Feminism and Suspect Femininity

I grew up in Miami, Florida which is known for its vanity culture for good reason. I saw the effects of this firsthand and from a young age. I was classmates with young girls who received rhinoplasties in middle school and high school. There were also girls, more than I can count on both hands, who received breast augmentations in their teenage years. These procedures were sometimes gifted by their parents as high school graduation gifts. Some of the young women were from working-class backgrounds and so sought out more affordable options, while others were able to pay for better services at a premium.

The purpose of this paper is to make some headway on this question: how should feminists feel when confronted with suspect hyper-femininity? Let me explain what I mean by this. Here I am borrowing the language of 'suspicion' from Margarette Olivia Little's work on suspect norms of appearance. Suspect norms of appearance refer to norms in the domain of aesthetic presentation that are "grounded in or get life from a broader system of attitudes and actions that are in fact *unjust*" (Little 1997). A black man who seeks surgery to thin out his nose, an Asian woman who seeks a double-eyelid procedure to form a crease on her eyelid, or a dark-skinned Southeast Asian who uses skin lighting creams, all count as suspect norms of appearance in the relevant sense. In addition to being linked up with an unjust system, these cases are 'suspect' in the sense that they give rise to a phenomenological response of suspicion. These are cases that make many

of us peculiarly uneasy; they do so, in part, because they call to mind the notoriously tricky interplay between structural forces and individual preference. They leave many of us with a vague sense that something has gone wrong while also, at the same time, reminding us of the importance of respecting others' choices. They are, for all these reasons and more, cases that are primed to leave one at a loss with respect to how to feel.

For the purposes of this paper, I am choosing to artificially limit the scope of discussion to cases of suspect *hyper-femininity,* rather than tackling cases of suspect norms of appearance more broadly. Centering Little's language of 'suspicion' and 'suspect norms of appearance' draws out two features of this subset of cases that are worth emphasizing. First, though I am interested in the broader question of what the appropriate feminist response to femininity in general is, progress will be smoother if we first speak about the extremes. For this reason, the majority of the cases I focus on in this paper will be ones that are particularly clear cases of distinctively feminine modes of presentation and appearance.[24] The focus will be on women who are hyper- rather than vaguely- or somewhat- feminine and on those who engage in discrete hyper-feminine behaviors.[25] It makes sense to use the language of suspect norms of appearance for these cases since the women under discussion will be disposed to appear suspect to (many) feminists in virtue of this hyper-femininity. In this sense, focusing on suspect femininity specifies, however imprecisely, the type of women and behavior at issue here.

On the other hand, focusing on suspect femininity also carves things up in such a way that it also specifies the kind of *observer* we're concerned with. Recall, this paper's starting point is the moment at which an observer

[24] If you do not share my intuition on some subset of the particular cases, feel free to replace the case with a more extreme version that does.
[25] For ease of discussion, I will sometimes gloss over this distinction and refer simply to 'hyper-feminine women' or 'women who conform to suspect hyper-femininity.'

encounters femininity which, additionally, strikes them as having a *suspect* element to it, in the way described above. The observer I am interested in is therefore not just any observer but a very particular kind of observer: someone who is, ultimately, coming to the social scene from a place of concern with women's well-being. So, these observers, in addition to having the belief that the women's behaviors are grounded in unjust systems, experience the target woman and her behavior as suspect precisely because they care – about her and about women more generally. In addition to it just not being very interesting to consider how a misogynist *should* feel when confronted with suspect femininity, it is worth noting that for such an observer the question is a non-starter. After all, for someone lacking in a feminist sensibility there is unlikely to be a problem at hand in the first place. For them, instances of what I am calling 'suspect femininity' will not appear suspect at all. These cases will read to them as mundane, normatively appropriate or required. So, it is not just anyone's response to hyper-femininity that concerns us. Our focus is on a distinctively feminist response.

My suggestion will be that a particular account of empathy is positioned to help us understand the women in these situations. I will introduce a novel type of empathy, which I call *proleptic empathy*. This form of empathy requires oscillating between competing hypotheses: that women who conform to suspect femininity are (1) criticizable for their complicity and (2) let off the hook since they are victims of coercion (or some other similar responsibility-absolving mechanism). I argue that we owe it to women to endlessly go back and forth between these competing hypotheses, and that this is best done as part of a process of empathetic imagining.

Engaging in a process of proleptic empathy, I argue, is a way of regarding hyper-feminine women with the appropriate amount of

epistemic humility. Moreover, this type of empathizing amounts to a way of understanding the complexities of complicity without succumbing to two opposing, though equally alluring, extremes: pitying victims on one end and berating them on the other. These ways of regarding women, I argue, are at risk of shaping women's agency in ways that further their subordination. For this reason, it is both morally and politically important that we develop an account that is more properly sensitive to the complex agency faced by women who conform to suspect norms of hyper-femininity.

1. Suspect Femininity

Consider the following example:

> Winter Dressing: Beba is an assistant professor of biology. She has progressive values and, if asked, would call herself a feminist; she believes women should be equal to men and the various ways women occupy an uneven position in society disturbs her. That said, these commitments don't make up a large part of her self-conception; she is not especially well read on the history of feminism, and she does not seek out feminist research or contemporary feminist journalism. One Friday night Beba works late on campus and, on her way home, runs into a group of sorority girls on their way to a party. Beba is surprised to observe that even though it is blizzarding out, many of these women are nevertheless wearing short dresses and stilettos. Beba finds this situation perplexing. On the one hand, she feels bad for them since they must be uncomfortable (but feels confused about feeling bad for them – after all, they seem happy enough with their choice). On the other hand, she experiences a harsher attitude: "Isn't it all a bit pathetic? They seem so undignified. Plus, I can't help but think that this is making things worse for all of us, myself included."

I begin with this example to further illustrate the type of case I am addressing in this paper. I am not interested in giving necessary and sufficient conditions for what counts as suspect hyper-femininity. The

target phenomena needn't be perfectly precise for us to pursue the paper's guiding question. Still, we will be better positioned to answer how women ought to feel in these cases once I've said a bit more about some of the case's paradigmatic characteristics.

So, what are some features of cases that involve women who conform to suspect norms of hyper-femininity? These cases are typically though not always ones that involve gendered norms that have gone by the language of 'beauty work.' These are often time consuming and costly grooming and aesthetic practices.[26] In addition to the costs of engaging in these practices in the first place, integrating these practices into ones identity detracts from other pursuits both directly and indirectly. In this sense, the costs are also iterative. For instance, the process of cultivating a persona on social media is especially time intensive for young women, with some studies showing that young women spend up to nine to eleven hours on social media per day (Sales 2016, 18). Still, just how costly a particular instance of conformity to a suspect norm of appearance is, will of course depend on the details of the case. In *Winter Dressing*, for example, the cost of conforming to the norm at play is likely to be fairly minimal; the cost involved in this case is probably a matter of slight discomfort. But, importantly, these cases only give rise to their characteristic phenomenology because they reasonably appear to the observer to be a part of a larger, more entrenched pattern. In observing a discrete instantiation of conformity to a suspect norm of appearance, one is reminded that that behavior is just one link along a long chain of similar behaviors.

It is not the case that all beauty work is always bad for women; nor, I think, is it the case that particular kinds of beauty work are always and

[26] Examples include dieting, exercising, skin care, shaving, waxing, tweezing, permanent hair removal, hair coloring, hair styling, manicures, facials, makeup, cultivating a sense of style, Botox, and other cosmetic surgeries.

necessarily harmful. One can easily bring to mind cases in which feminized beauty work is not at all obviously linked up with a particular woman's subordination *qua* woman, or with woman's subordination more broadly. Even with respect to certain plastic surgeries or other purely cosmetic procedures there might be many such exceptions. All I need to get us started (and, surely, I might lose some folks even here) is the idea that *excessive* time and money spent on beauty work, and especially *extreme* forms of beauty work (e.g. ones that are especially dangerous, minimize one's future life prospects, etc.) are *prima facie* likely to be tied up with women's subordinate social status.

What is some evidence for this more modest claim? Recall, for Little, norms are suspect in virtue of them being "grounded in or get[ting] life from a broader system of attitudes and actions that are in fact *unjust*" (Little 1997). So, which is the broader system of attitudes and actions that are in fact unjust as they pertain to women's conformity to feminized norms of appearance? What precisely we end up calling the broader system – patriarchy, misogyny, sexism – does not quite matter for our purposes. What does matter is the idea that it is not an *accident* that women are disproportionately inclined towards and pressured into engaging in beauty work. Rather, this fact has a long history. It is part of a history in which women have been prized more for their looks than their minds, where they have been thought incapable of rationality, or at least not the same kind of rationality as men, and where women have been kept in the margins on this basis.

It is true that men and people who are gender non-conforming also spend time cultivating their appearance through beauty work and other grooming practices. Still, what I wish to capture is that the woman who "fails" at beauty – and fails to strive for beauty in the "right" ways and to the "right" degree – fails differently and uniquely. This is what makes sense

of expressions like Helena Rubenstein's who notoriously proclaimed that there are "no ugly women, only lazy ones." That Rubenstein's thought is at all intelligible to many of us (even if we don't ourselves endorse it), is evidence of the fact that beauty work is tied up with femininity in a unique way. The woman who fails to strive for beauty fails at something that, for her, more closely resembles an obligation.[27] This distinctively feminine concern with beauty and appearance is also captured by Margaret Atwood (1993), who explores the idea in the following way:

> Male fantasies, male fantasies, is everything run by male fantasies? Up on a pedestal or down on your knees, it's all a male fantasy: that you're strong enough to take what they dish out, or else too weak to do anything about it. Even pretending you aren't catering to male fantasies is a male fantasy: pretending you're unseen, pretending you have a life of your own, that you can wash your feet and comb your hair unconscious of the ever-present watcher peering through the keyhole, peering through the keyhole in your own head, if nowhere else. You are a woman with a man inside watching a woman. You are your own voyeur.

I start from the assumption that because beauty work is tied up with women's subordinate status, part of caring for individual women and women as a social class will include, amongst many other things, caring about their relationship to this feature of their identity. After all, if one believes that excessive or particularly extreme feminized behaviors are tied up with someone's subordination or the subordination of the social class they are a part of, then it is only natural to care about those practices. The problem with this class of cases, however, is that there is some reason to presume that people, as a general principle, know what is best for them. So, to the extent that the women at issue appear happy with their choices, this gives us some reason to be loath to criticizing their behaviors.

[27] See Widdows (2018) for a more thorough defense of this claim.

Women who conform to suspect norms of appearance typically, though not always, derive pleasure from engaging in feminized behaviors. They might treat this conformity as a form of play, as a means of finding value in the world and in their relationships, or as a way of getting ahead at work or in life. Women who undergo plastic surgery often report that they are not doing so for anyone else – for a partner, say – but for themselves. None of the women I know personally who have received breast augmentations or Botox are docile in the slightest. Some of them are even quite powerful, have become conventionally successful, and are hard-working and intelligent women. These are women who have sought to "have it all." In the age of the Girl Boss, with figures like Amal Clooney at the forefront, many women now strive not just for beauty but brains, skill, and hustle too. They have leaned in. Moreover, some of these women contest (or would contest, if questioned) that their practices are tied up with their subordination or with that of women more broadly. Some women claim that their focus on appearance is a form of empowerment not for others but for themselves.

The problem of women who conform to suspect norms of feminine appearance, then, is part of a more general problem. This problem looks like an instance of the problem of women who engage in practices and endorse norms that, at first pass seem to be tied up with her subordination. The cases I am focusing on here are ones that have been referred to as 'the hard cases for feminism' or 'the problem of participating women.' These are cases which were hotly disputed during the feminist sex wars, most notably as they pertained to issues of pornography. The issue then pertained to the role of feminism, and feminists, in criticizing women's behavior. At the time, feminists debated whether women's choices should be "protected from moral inquisition" or whether part of feminism requires questioning and perhaps even criticizing some of the choices women make (Srinivasan

2018). This question of what the role of the feminist ought to be lies at the heart of this paper.

Before proceeding I want to make a few clarifications. First, in discussions of women's agentive capacities under conditions of oppression, there is a strong desire to withhold anything that looks like blame. There is good reason for this. For one, when discussing women in these contexts, we're already imagining that they have been thrown into, through no doing of their own, a bad situation. Women are born into conditions of inequality; the cultures they are raised in are fraught with norms, ideologies, laws, and social scripts, which encourage, and perhaps even constitute, their subordinate status. We also know that women are often subject to practices of victim-blaming, wherein women are blamed for violence that has been done unto them. Finally, there is a temptation to focus less on the oppressed and more on the systems that oppress them. Some, like Sally Haslanger (2015) and Iris Marion Young (2011), argue that this is essential for establishing solidarity. What good is there in focusing on individuals' responsibility when the real problem lies with the systems that construct individuals' behaviors, preferences and desires? I want to say three things about this set of concerns.

I am deeply moved by these considerations. Indeed, they partially inform the argument I develop in sections two and three, which is that we should remain agnostic about whether women who conform to suspect behaviors should be thought of as complicit accomplices or acquiescent victims, and that the right type of empathy for them can serve this end. I also believe, however, that it is essential to make room for, in our understanding of suspect hyper-feminine behaviors, the very real possibility that women who conform to suspect norms might at least sometimes be complicit in furthering their own oppression. This is quite different from saying that as a matter-of-fact, women are sometimes

blameworthy for performing suspect behaviors. For now, I merely want to leave open the possibility, though this will become relevant down the line.[28]

Moreover, I want to flag outright that many of the women I will discuss in these pages are, by and large, women of privilege. Because I am most familiar with American women, I will mostly focus on them. Even though abortion rights are at present dwindling in the United States, American women remain amongst the most economically and socially privileged people in the world. Though there are some downsides to limiting the discussion to a focus on this population, I think there is still a lot to learn from these women. For starters, these are women who have immense freedoms. They have many opportunities and freedoms that, regrettably, other women historically have not had and still, in parts around the world, do not have. For this reason, how American women choose to spend their time and money is, I think, especially telling. This is the first point about intersectionality.

The second point concerning intersectionality is that even within an American context, we must be careful to understand that there are structural forces that intersect with how women engage in beauty work. Most obviously, some women have more time and wealth for engaging in beauty practices than others. Botox, which requires costly upkeep, is not as accessible to a poor woman in America as it is to a wealthy one. Moreover, the costs of refusing to engage in feminine practices is not distributed equally either. Due to racist notions concerning what black and brown

[28] In full transparency, I do believe that mainstream feminism does women a disservice with the overly simplified idea that women, as a blanket policy, should never be criticized, since they are not criticisable, since they are oppressed. See Tolentino (2017) and Tolentino (2019) for a more thorough discussion. She argues: "I have wondered if we're entering a period in which the line between valuing a woman in the face of mistreatment and valuing her because of that "mistreatment is blurring; if the legitimate need to defend women from unfair criticism has morphed into an illegitimate need to defend women from criticism categorically; if it's become possible to praise a woman specifically because she is criticized—for that featureless fact alone."

women must look like to be worthy of respect, there are further pressures on these women to invest in their appearance.

2. Choice, Rationality, and Complicity Theories

As far as I can tell, feminists have congregated around three approaches for dealing with these cases: choice feminism, rationalist theories, and complicity theories. Choice feminism is the view that says that feminism is about making choices and, insofar as women engaged in practices of hyper-femininity are making choices, feminists should respect those choices and refrain from criticism or moral inquisition. This is the view that prevails in the zeitgeist, especially amongst Millennials and members of Generation-Z. Choice feminism is the view that dominates on social media and think pieces; it is the activism of celebrities and influencers who proclaim their sexiness in the name of feminism and empowerment.[29]

Despite its broad appeal and pop-cultural uptake, choice feminism is overly simplistic, wrongheaded, and incapable of serving feminism's ends. The approach is simplistic and wrongheaded since it fails to properly distinguish between choices and free choices. Many women, it is true, make the choice to undergo cosmetic procedures. However, if it turns out that women are being coerced or unfairly pressured into making their choices, then that there was a choice should not settle the matter regarding the choice's goodness.

For instance, some women in poor nations are malnourished because they favor prioritizing the nourishment of the men and boys in their

[29] For our purposes, I propose we subsume what Ariel Levy calls 'raunch feminism' under 'choice feminism'. Rauch feminism, for Levy, is the feminism which, starting in the 90s, proclaimed to empower women via raunchy practices such as pole dancing and sexy dressing. The thought of raunch feminism, as with choice feminism, is that proactively choosing these feminized practices subverts the narrative around them and, in turns, empowers women. Where these practices had once disempowered women because imposed on them, they were now empowering because they were freely chosen and celebrated by women themselves.

families.[30] In these cases, it appears that even though the women in question are making a choice, they are not clearly making a free choice. The presence of a pattern of women malnourishing themselves disproportionately in order to feed men rather than the other way around, set against the backdrop of various other patriarchal pressures and norms, suggests that coercive elements are likely involved in these kinds of choices. For this reason, we should be unsatisfied with a choice feminist response to this kind of case. Even if a woman chooses to wither away to ensure that the men in her life have an abundance of food, we might still judge that such a choice is coerced and, moreover, likely to be all things considered bad for her well-being. That she made a choice does not settle the question of whether the choice was good for her or whether we should form a judgement about it.

The two prevailing alternatives to choice feminism – complicity theories and rationalist theories – are much more popular amongst philosophers working on these cases. Complicity theories, as I am calling them, are views that emphasize women's complicity in furthering their own oppression. This idea is not especially new. In 1694, Mary Astell asked women, in a chiding tone, "How can you be content to be in the world like Tulips in a Garden, to make a fine show and be good for nothing?" In 1949, Simone de Beauvoir warned that "the man who constitutes woman as Other will…find in her a deep complicity." According to Beauvoir, who has a discussion on what she calls feminine narcissism in *The Second Sex*, there is a tendency amongst women to make themselves into life projects. Rather than having an outwards-looking positionality towards the world, women tend to turn inwards and to think of themselves as a project to be cultivated

[30] Cf. Nussbaum 2001.

and perfected. Rather than thinking for themselves, women tend to think *of* themselves.

Though Beauvoir does not believe that any woman instantiates the narcissist archetype completely, she believes that women are socially constructed to develop narcissistic tendencies. There is, she believes, something uniquely pleasurable about attempting to make oneself into an object devoid of subjectivity. This idea, which resembles Sartre's (1943) notion of bad faith, concerns how it can be alluring to avoid the demands of subjectivity, freedom and their accompanying possibilities for transcendence and responsibility. For Beauvoir, though women have this tendency to make themselves into objects to be observed, they can never actually achieve doing so entirely. The very attempt is self-undermining, insofar as the act includes an active will that is concerned with making itself into something.[31]

On the complicity view, part of the explanation of women's oppression is women's behaviors; behaviors which, for them, stem from their agency. The implication of this is that women are at least partially morally responsible for furthering their own oppression. Contemporary complicity theorists, drawing from these historical examples, have gone on to argue that in addition to being responsible for engaging in oppressive behaviors, some women are also criticizable for so doing. Feminists, on

[31] A contemporary example of this can be found in the #ThatGirl aesthetic in which young women on social media, especially TikTok, perform rituals such as promptly waking up at a 6am, exercising and meditating by 7am, eating a healthy and very aesthetic breakfast by 7:30am, and so on and so forth. What is distinctive about the aesthetic is that it is hyper-ritualized and hyper-performative. The performance itself is what is most valuable, the content is almost always banal and secondary in importance. It is a performance of gendered performativity, and it is a gendered performativity which holds some normative value (i.e. it is desirable) to achieve #ThatGirl status (i.e. to become #ThatGirl). #That Girl is about women treating themselves as a project, where working on themselves in a regimented way is itself the goal rather than a means to some further end (e.g. well-being, career success, productivity, etc.). Thank you to Callia Fried for calling my attention to this example.

their view, should be able to call out problematic behaviors that women engage in that further their own oppression and the oppression of women more generally. Moreover, these theorists emphasize that this calling-out will sometimes require criticizing the women at issue. The point is put most succinctly by a recent defense of the complicity view: "'although we cannot break free from our socialization, a woman has certain choices within this framework' (Arp 1995: 173). And we are all responsible and critizable for the choices we make" (Melo Lopes 2020).

Rationalist theories also begin by asking why women engage in gender-stereotypical practices which *prima facie* seem to be at least potentially bad for them. But, unlike the complicity theorists, rationalist theories emphasize the way in which environments and socialization explain women's choices. So, even though these cases are ones in which women are making a choice, the reason they are making the choice are often outside of their control or problematic in ways that serve to absolve them from responsibility, criticizability, or both. Often, women choose as they do because they have been coerced by the environments they inhabit. Had they had a better set of options, they likely would have acted differently. The upshot, for these theorists, is that oppressed people are paradigmatically trying to make the best of bad circumstances. For this reason, we should be wary of criticizing women for the choices they make under conditions of oppression. The root cause of the problem has less to do with the choices women make and more with the bad set of options they had to choose from.

The three extant views I've sketched so far are not quite designed to answer this paper's guiding question, which asks how feminists ought to *feel* when confronted with cases of suspect hyper-femininity. At best, they start to gesture at how feminists should (or, perhaps more often, shouldn't) *respond* in these cases. But since our guiding question concerns how feminists ought to *feel*, what follows will be somewhat speculative, though

informed by the spirit of the views, in addition to some of their outright commitments.

The pop- (i.e. choice-) feminist view might advise feminists against responding in a critical way. In its strongest form, it might advise feminists to celebrate women's hyper-feminine practices, even ones like exaggerated implants of the breast or buttocks. So, while the pop-feminist view does not explicitly address the guiding question, we can infer that the view would answer that feminists should feel something akin to pride or admiration when confronted with hyper-femininity. Notice, however, that for these feminists, the starting phenomena – the moment of perceiving a case of *suspect* hyper-femininity – may or may not occur depending on how thoroughly the feminist in question has integrated their commitment to the pop-feminist view into their affect. If, for instance, the feminist in question is so deeply committed to the choice-feminist view that they naturally intuit that hyper-femininity is something to be celebrated, then they are unlikely to experience the woman's presentation of femininity as suspect at all. Conversely, if the feminist in question has not thoroughly integrated their choice-feminist commitment in this way, they might still have a momentary *suspect* experience, though they'll be disposed to dissolve this suspicion by reflecting on their theoretical commitments.

My motivation for this paper is to work out how feminists should feel when they encounter cases of hyper-femininity that make them feel uneasy in the way that suspect norms of femininity so often do. These are cases where the practice of hyper-femininity in question seems to the feminist observer to be steeped in a problematic history and ideology, in addition to seemingly being actively and freely chosen by the woman in question, at least at first pass. Since this is likely to be a non-starter for the choice feminist, like it is for misogynist (though for different reasons), I will set aside the choice feminist view for the time being. Moving forward, I

propose we think of the other two views – the rationalist view and the complicity view – as the two tenable solutions to the paper's guiding question.

So, how might the two competing hypotheses advise we answer the paper's guiding question? The rationalist theories are disposed to advise against celebrating hyper-feminine practices and instead would advise feminists to lament that women's preferences have been culturally formed under patriarchy instead of some other, more empowering system. The hyper-feminine behavior for them is, ultimately, regrettable. The fitting emotion, then, on the assumption that the rationalist view is right, might be something like pity, dismay, compassion, sympathy, or some combination of these emotions.

Contrast this to the emotions that are made fitting on the assumption that the complicity theory is right. For the complicity theorist, emotions like anger, indignation, and resentment are fitting since, what matters for them, is the fact that the women in question are actively failing themselves and perhaps women more broadly. Notice, however, that the complicity theorist would presumably also endorse a more forwards-looking emotions towards the subjects of their inquiry (i.e. hyper-feminine women). Part of the motivation for a complicity view, after all, is that they feel that criticizing women is more likely to serve the ends of feminist progress. By criticizing women and calling on them to live differently, feminists can change the lived experience of these women. Criticism can lead to turning inward and a self-reflection that might motivate women to try to live a fuller life. And this, might be a surer way to progress than structuralist change, insofar as the latter requires getting onboard those for whom women's empowerment is a threat (e.g. misogynists). Thus, *hope* might also be a fitting feminist response on this view, in addition to the more backwards-looking emotions like anger, indignation and resentment.

I will admit that I have presented these theories in a rather broad-stroked and flat-footed way. This is sufficient for laying out my preferred view in the next section. To the extent that the details matter, I will return to discussing those after I have laid out my view. Before doing so, however, it is worth flagging that any charitable reading of the complicity and rationalist theorists will recognize that both views are aware that a woman's agency is a complicated combination of factors both in and outside of her control. The complicity theorists do not believe that women are fully responsible and criticisable for their behaviors; nor does the rationalist theorist think that women are always and necessarily fully devoid of responsibility and criticism. Still, there is a difference between the two approaches, even if that difference is one of salience. The complicity theorist finds it important to emphasize how some women, some of the time, contribute to their own oppression and thus might be criticizable on these grounds. While, on the other hand, the rationalist theorist considers it more important to emphasize how easy it is for choices to be coerced, or otherwise criticism-absolving, under unjust conditions.

Part of what explains why the two approaches differ with respect to the feature of women's responsibility they make salient can be explained by the concern which attracts each respective theorists to the conversation in the first place. Typically, complicity theorists are interested in making sense of whether, and how, we should be able to criticize women for their oppressive behaviors. They are motivated to do this, in part, because of a commitment to the idea that this sort of criticism can be morally motivating. Rather than waiting for structural change, perhaps criticism of particular women's behavior can motivate them to change their practices and, in turn, bring about a more just society. Moreover, complicity theorists are somewhat reactionary: they are reacting to a culture which paradigmatically shies away from victim blaming and so hesitates to

criticize women as a matter of habit and principle. In this context, they ask if, and when, such criticism is ever appropriate and ultimately answer in the affirmative.

Rationalist theorists, on the other hand, are less concerned with the question of whether oppressed individuals might be criticizable for their behaviors. Their main interest, instead, is in making sense of why individuals seem to make choices that are at odds with their flourishing. Thus, because their concern is on how environments encourage oppressed individuals to make certain choices and not others, they are disposed to focus on the cultural influences on agency.

I believe that another reason we see feminists fall into these two camps concerns an empirical fact. Namely, it strikes me that there is a tendency amongst people who are familiar with the relevant (suspect) phenomenology, to intuit the cases in this sort of bifurcated way. Upon confronting a case of suspect hyper-femininity, one automatically and intuitively interprets the situation through the lens of a complicity approach or a rationalist approach. Though I only have anecdotal evidence for this, it seems to me that as an empirical fact, those who are familiar with the cases at issue in this paper (and the phenomenology that often accompanies them) are disposed to settle on one of these two approaches. And, depending on which view one settles on, one is disposed to feel the feelings that the corresponding view lends itself to.

One question I will address further along concerns whether feminists ought to keep both thoughts in their head at once: that is, the plausible thought that all agency is complex such that it is made up of features both in and outside of one's control, and that this applies to hyper-feminine women as much as it applies to anyone. What I end up saying suggests that there is value in holding these thoughts separate in one's head. But, before getting there, if I am right about the empirical fact – that

feminists are incapable or, to put it more modestly, merely unlikely to hold both of these thoughts in their mind at once – then that also gives us reason to find another solution to our guiding question.

3. Empathy that Oscillates

3.1 Empathy as Reflective Imaginative Simulation

I want to begin with what to me seems an obvious observation. Namely, that one thing the women in question – women who conform to suspect hyper-femininity – need, is empathy. Philosophers who are fond of empathy argue that empathy can assist moral understanding. A natural enough thought is that to the extent that we wish to better understand patriarchal conditions and the resulting struggles women face, feminists should attempt to imagine – to really imagine – what it is like to be someone who conforms to suspect norms of femininity. A feminist should do this as best she is able to, in order to better understand the other person's situation.

For Diana T. Meyers (2017), empathy is "best understood as an embodied, affectively valanced, proto-moral grasp of the values in play in a given situation." To empathize is to engage in a process of imaginative simulation, where one is attempting to simulate the very subjectivity of another person. When we engage in a process of empathy, we attempt to bring to mind what it would be like to be the other person. We attempt to imagine what it would be like to occupy their body, to see and interpret the world around them as we imagine they see and interpret it. Doing so, when it goes well, is supposed to give the person empathizing something akin to direct access to the values at play in the situation. Adam Smith defends a similar view in the *Theory of Moral Sentiments* where he argues that in empathizing with another, which he calls 'sympathizing,' we "become in some measure the same person with him, and thence form some idea of his

sensations, and even feel something which, though weaker in degree, is not altogether unlike them" (Smith I.i.1.2).

Meyers further notes that when we empathize, we switch back and forth between imagining the subject from her first-personal point of view in addition to subsequently stepping back and processing this information from our own third-personal perspective. The idea here is that when one empathizes with another, one simulates that person's experience but also (often, naturally) returns to their own point of view and reflects on what they learned through their first-personal imagining of the other. The goal, then, is to share in the target's phenomenology as a way of better understanding their situation. The empathizer's goal is to incorporate what it feels like to be the other into their understanding of that person.

This is what I take happens in novels, and especially in gripping ones. You feel with the characters by losing yourself in who you imagine them to be. Then, you return to yourself and incorporate this new experiential information into your understanding of the character and their situation. This happens in therapy too (Meyers 2017, 224). Therapists attempt to fuse themselves with their patients to better understand them, but then step back and reflect on this, to better understand which course of action or line of inquiry might work best moving forward with the patient. Embedded in empathy, then, is a dynamic, dialectical process. So long as one is in the mode of empathizing, one goes back and forth between these two stances: the imagining of the other first-personally, and the stepping back and reflecting on this experiential information third-personally. This process stretches out across time, such that it actively continues whenever one is empathizing with another.

3.2 Worries About Empathy

Those who are skeptical of empathy's moral and epistemic value suggest that empathy can and should be replaced with a non-empathetic acentral imagining. If we want a chance of understanding another person at all (Goldie 2000) or would like to do so without our own values getting in the way (Prinz 2011), we must imagine the other's situation but do so without trying to actually share in their first-personal feeling. Acentral imagination is, they suggest, what engage in when we employ our feelings of sympathy or concern. When one acentrally imagines another, they imagine the other's context: who they are with, what is happening to them, how this must make them feel. Importantly, what is left out in acentral imagining is the attempt at a visceral and shared simulation of the other's feeling; the attempt at feeling what it might be like to actually be the other. The goal here is to "dwell on the other's state of mind and circumstances in life, not empathetically in them" (Meyers 2017, 219).

I will not attempt to give a full or convincing response to these views; my aim is not to convince the empathy-skeptic. Still, I do not completely understand what Goldie or Prinz mean when they talk about replacing empathy. For one, I am not convinced that this is possible. I would predict that empathy often, at least to some degree and in some way, figures into instances of even allegedly pure acentral imaginings. It seems like a natural feature of human psychology that when we are presented with the details of another's life, especially through textured storytelling, we become concerned with their plight, in part, because we become emotionally invested in who they are. The way this comes to be so is by losing ourselves in the other person's story. This would explain the effectiveness, and recent proliferation, of narrative journalism[32] as a means of getting people to care

[32] Examples of this kind of journalism abound, but for those familiar with *This American Life*, a popular podcast hosted by NPR, I take this to be a prime example.

about those who are distant from themselves and very much unlike them, such as those who are a part of the global poor.

If, as Goldie and Prinz suggest, empathy is at odds with actually helping others, then the move towards understanding distant others by promoting the audience to better understand the subject's feelings would be rather curious. Furthermore, I am inclined to agree with Meyers that even if one could get rid of empathy, one shouldn't want to. I think Meyers is right to insist that there is something unparalleled in empathy's ability to open "a window on the values and disvalues that are being experienced or can be experienced by someone whose situation is profoundly different from your own" (Meyers 2017, 222).

3.3 Empathy and Curiosity

I think Meyers' picture of what empathy is mostly right, both with respect to how the account describes what empathy is and what its value is. Our question then becomes: how should we apply it to the case of women who conform to suspect norms of appearance? What would it mean to try to take on the perspective of women who we have reason to believe have adopted desires, preferences, and outlooks that have been shaped by unjust conditions? What would we learn in engaging in this empathetic process? To begin to answer these questions, notice that empathizing well in these cases requires a sort of genuine and deep curiosity, such that you don't know what you'll find. If one goes into the imaginative projection committed to a view – that the hyper-feminine woman is clearly criticizable or clearly absolved from criticism – then they'll be unable to successfully empathize.

Recall, empathizing well requires simulating what it is like to be the person being empathized with. The better one does this, the better the information one will have when they pull back and reflect third-personally

on this first-personal imagining. And, presumably, a person's capacity to engage in first-personal imaginings accurately, will be informed by the strength of their commitments. If one is dispositionally judgmental towards women, say, and is prone to emphasize how women are complicit in their own oppression, this will inform how that person experiences the other woman when they try to simulate their experience. Something similar, though in reverse, can be said for the feminist who, in attempting to empathize, is prone to emphasize women's vulnerability to coercion. Each of the extant theories, then, insofar as they've settled on a view of what's going on (in the sense of what feature of the woman's agency is worth emphasizing) in the cases of suspect hyper-femininity, is incapable of taking on a genuinely curious stance.

So, how do we go about empathizing in a genuinely curious way on the assumption that feminists trying to understand these hard cases are disposed to settle on one view of women's agency or another? Assuming I am correct about this empirical fact, a different *type* of switching to the one that we've been discussing might be necessary. Once again, Meyer's view is that to empathize well, we must reflect on the person's first-personal point of view and then step back and reflect on this from our own point of view. I don't think that this alone will do in the case of suspect norms of appearance. The reason for this is twofold. First is the empirical point that feminists – and people in general – have genuine difficulty holding both thoughts in their heads at once. Feminists are especially disposed to form judgements in one direction or the other; they tend to emphasize either the woman's complicity in the situation or her lack thereof in virtue of external, environmental pressures. Second, even if we *could* hold both thoughts in our head at once, we shouldn't want to. Or so I will argue.

We should, instead, engage in a type of switching or perspective taking, such that doing so achieves two things: expresses a discomfort with

settling on any one hypothesis (complicity or rationalist) and functions alongside of a process of indefinitely testing these two hypotheses, as working hypotheses. The former aim keeps us from dogmatism, while the latter permits us to take a stance. A view that says that as a matter of principle feminists can never take a stance or make assertions about how women sometimes choose to engage in hyper-femininity that is nevertheless bad for them, is unviable. Something has gone wrong if there is no room for feminists to hold one another to account and to call on one another to cultivate better worldviews. Not taking a stance is politically ineffective and stymies progress.

Still, feminists cannot be dogmatic about the stance they take, in the way that the complicity and rationalist theories are inclined towards. Dogmatism, in this domain, risks occluding understanding. The flavor of the mistake is captured in Mill's *On Liberty*:

> He who knows only his own side of the case, knows little of that. His reasons may be good, and no one may have been able to refute them. But if he is equally unable to refute the reasons on the opposite side; if he does not so much as know what they are, he has no ground for preferring either opinion…He must be able to hear them [the arguments of adversaries] from persons who actually believe them; who defend them in earnest, and do their very utmost for them. He must know them in their most plausible and persuasive form; he must feel the whole force of the difficulty which the true view of the subject has to encounter and dispose of, else he will never really possess himself of the portion of truth which meets and removes that difficulty.

It does not matter whether Mill is correct that considering opposing views is a precondition for knowledge. Rather, what matters for our purposes is that in this particular domain, the domain of suspect hyper-femininity, it is plausible that we should heed off dogmatism in this way. One reason for this is that this is a domain that is rife with unsettled though highly flexible

social norms.[33] Moreover, it is a domain in which there exists a great deal of disagreement over what justice looks like: some women continue to insist that the path to gender equality will include an embrace and reclamation of historically oppressive norms. Even if this fact does not give disagreeing feminists a reason for complete deference (which I think it is not), it is nevertheless a reason for heighted humility. Inquiring within the domain, therefore, warrants an attitude of curiosity and hope for productive discovery, which dogmatism precludes.

3.4 Oscillating Empathy and Competing Hypotheses

In a discussion of Ellen Willis, a sex-positive feminist, Amia Srinivasan (2018) writes:

> After laying out the ethical case for taking our sexual preferences, whatever they may be, as fixed points, protected from moral inquisition, Willis tells us that a 'truly radical' feminism would ask precisely the question that gives rise to 'authoritarian moralism': what would women's sexual choices look like if we were not merely 'negotiating', but really free? One might feel that Willis has given with one hand and taken away with the other. But really she has given with both. Here, she tells us, is the task of feminism: to treat as axiomatic our free sexual choices, while also seeing why, as MacKinnon has always said, such choices, under patriarchy, are rarely free.

How might we develop a truly radical feminism? I wonder if it will involve opening space for feminists to take a stance on women's sexual choices but balancing this with a radical epistemic humility. The idea I am about to propose explores new terrain. For this reason, it is just a starting point. I do not imagine it to be without significant problems, some of which I will address in the final section. Still, I think the model I present has some advantages over the other views discussed above, and so is worth our time.

[33] See Chapter 3 for a further discussion of these norms.

With this in mind, we return once more to our guiding question: how should feminists feel when confronted with suspect hyper-femininity?

My thought is that feminists owe it to the subjects of their inquiry to feel disposed to engage in a very particular and peculiar type of empathetic process, which I am calling proleptic empathy. Proleptic empathy requires indefinitely switching back and forth between two types of imaginings: simulation of the other person's experience, while testing the complicity theory *qua* hypothesis and simulation of the other person's experience, while testing the rationalist theory *qua* hypothesis. This process is modelled here:

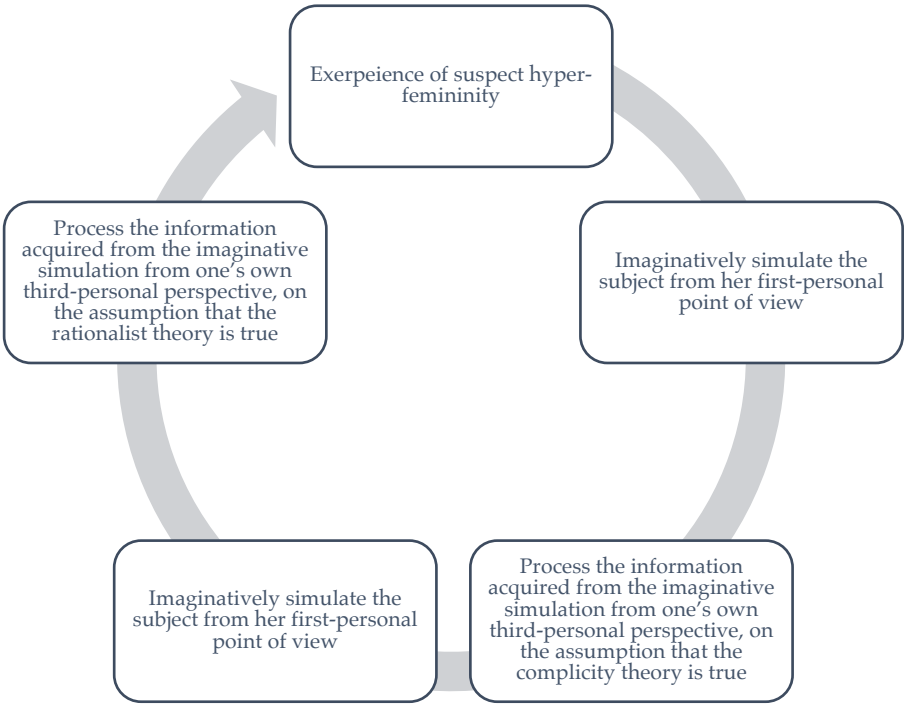

Figure 1: Process of proleptic empathy

The hypotheses being tested are the two theories on offer. This is important to do given that each of these theories gets something importantly right; each gets at a crucial part of the story. However, forcing oneself to switch between the theories mitigates against the fact that once one is in the mindset of one of the theories, one is disposed to lose sight of the other, equally important, part of the picture.

Let us return to *Winter Dressing*. I introduced this example because there is something about girls in short dresses in the winter that makes me feel mixed and confused. Sometimes I feel resentment: there is no way they aren't aware, at some level, that they don't need to be doing this. It is so cold out, and there are other options; there are many women who don't choose to freeze when given the option. I might intuit that it is a bit pathetic. Indeed, I might even have good reasons that support my intuitions. Perhaps I have read what the complicity theorists have to say and have come to recognize that women sometimes work with the enemy, and against their own interests. I think this is all fine. I am not trying to say that feminists cannot form judgements or come to have views.

However, when feminists come to settle on a view (a fact which, again, I think is likely if not inevitable), they shouldn't feel comfortable having done so. I just don't think the story can end there, irrespective of which view one has settled on. I think we'd be doing something wrong if it did; something wrong to these women and perhaps even to ourselves. In the same way that I, and I suspect you, sometimes intuit that something criticizable is going on with these women's actions, I sometimes get the opposite intuition too. Sometimes I feel that she couldn't really have been expected to have acted differently. She was doing her best. And, then, I just feel sad: *she must be cold*. But here, too, I think we'd be letting the woman down if the story were to end there.

Proleptic empathy requires that we oscillate between imagining the person as a product of their situation, on the one hand, and as capable of transcending their situation, on the other. This, I think, gives us a way of being radically uncomfortable with taking a *particular* stance and settling on a view, while also allowing ourselves to test these theories as hypotheses. So, on this view: whenever we find ourselves settling on a judgement in one direction or the other, we should use that as an opportunity to flip back and to imagine, from the point of view of the opposing hypothesis, what it might be like to be in that woman's shoes.

Let us consider an example of proleptic empathy in action. Again, what I say here is speculative since what it would be like to engage in a process of proleptic empathy *well* would require context-sensitivity to the particularities of the case and the individuals in play. Still, my hope is that a speculative example might help the reader get a feel for the view.

Imagine, as Sally Haslanger (2007) does, that a feminist's daughter comes home letting her know that she wants to wear a crop top. Or to make the case clearer for our purposes, we can imagine a more extreme case: imagine a feminist's daughter lets her mother know that she wants to get exaggerated breast implants. What would it look like for the feminist to respond by deploying the proleptic empathetic mechanism described above?

At first, upon hearing the news, the feminist-mother might feel taken aback. We can imagine her feeling like she let her daughter down, or like she should have done a better job communicating to her that she is enough as she is. Or she might come to reason that she *had* done enough, but that it was the social world that had let her daughter down. She might, at this point, feel a sort of sadness that her daughter acquired this as one of her preferences. So far in the story, we can say that the mother has had an experience of having the sort of suspect phenomenology that accompanies

confronting suspect hyper-femininity. It is at this moment that a question arises with respect to how the mother ought to feel.

The proleptic empathy approach recommends that the feminist-mother, first and foremost, try to understand what it is like to be her daughter, from her point of view. She might, in so doing, learn about the insecurities her daughter faces. Or she might instead learn about her daughter's idiosyncratic aesthetic tastes, and how she derives meaning and pleasure from them. Perhaps her daughter does not take her body too seriously, perhaps she sees breast augmentations as akin to other forms of less problematic body manipulation, such as a tattoo or piercing.

Whatever the mother discovers, she should then step back and incorporate this information into her antecedent assessment of the situation, and she ought to update this assessment accordingly. Since she began with a sort of rationalist view in mind (recall: she felt that either she or the social world had let her daughter down), she will update on this view. She might lower her credence that her daughter has been merely "let down" or she might consider new possibilities with respect to what it means that her daughter wants this surgery. Then, the mother's job is to engage again in the process of first-personally imagining what it is like to be her daughter. This time, however, the imagining will be different. Afterall, the mother will have already gone through one iteration of the process, and this is likely to have shifted how she is now able to empathize, given that she will have developed a changed understanding of her daughter and the situation.

Once she has engaged in another first personal imagining, the mother should once again retreat from this imagining and reflect on the implications of the new information she gathered during the imaginative process. This time, however, she should intentionally consider how the information she acquired through the first-personal imagining sits

alongside of her view that her daughter should not have the surgery. Here, she might take a more critical stance towards the situation: she might allow herself to question whether this desire is dignified. She might, at this point, call to mind various reasons she has for thinking that women shouldn't get these procedures done and that their going ahead with them is some evidence that something is wrong with their character. The mother should, in other words, test out the complicity view as a working hypothesis.

This process should continue to iterate and should go on indefinitely. The sense of 'should' I have in mind here is not one of moral requirement; one has not necessarily done something wrong if they fail to engage in a process of proleptic empathy. Rather, we should posit proleptic empathy as a guiding principle, such that we aspire to deploy it in the right cases, to the right degree, and for the right reasons. What this means, of course, will require virtue and practical knowledge. As a matter of practicality, no one will be able to continuously engage in a process of proleptic empathy. Any view that required this would be, I think, overly demanding. There are simply too many individuals who are deserving of our empathy. Moreover, how much empathy it is reasonable to expect from any one person must take into account the various other cognitive and emotional obligations that individual has. Still, there is some sense in which an indefinitely-recurring proleptic empathy is what is strictly speaking owed to the women in question. And to the extent that we want to aspire to treat these women in the way they deserve to be treated, we should apire towards proleptically empathizing with them. The reason hyper-feminine women are owed *this* concerns the sense in which this mode of empathy I am imagining is *proleptic*. I turn to this now.

3.5 Indefinite Oscillation and the Proleptic Mechanism

What does it mean for empathy to be proleptic? Here, I am drawing inspiration from philosophers like Bernard Williams (1995) and Miranda Fricker (2016) who think about proleptic mechanisms in the context of blame. For Williams and Fricker, our blaming practice *itself* influences the target's ability to recognize and respond to our demands. Blaming people can sometimes help turn blamees into fuller agents. Blame serves as a mechanism of causal social construction in the sense that "treating someone as if she recognised a given moral reason can bring it about that she really does" (Fricker 2016). Sometimes parents, for instance, blame children for certain problematic behaviors as a way of making them into the sorts of blame-apt individuals the parents seek for them to become. In other words, the process of blaming itself serves a teaching function: it teaches the child to value certain things; values which, in turn, help to form and constitute their agency. Thus, blame is proleptic in the sense that it serves this sort of forwards-looking function.

There are two respects in which the oscillating empathy I've been developing can be said to be *proleptic*. First, this form of empathy is proleptic with respect to the targets of the empathy. How we perceive others informs how we feel about them, and vice versa. Crucially, how we feel and perceive others further influences how we are disposed to treat them which in turn influences who they become. What this looks like exactly will, of course, depend on features of the relationship between the person doing the empathizing and the person being empathized with.

In the case of perceiving and feeling towards women who conform to suspect norms of hyper-femininity, how we perceive and feel about them will inform how we treat them. For instance, someone who as a general policy is disposed to pity these women will treat them quite differently from someone who is disposed to disdain them. We can imagine that either

of these responses, when instantiated in particular contexts, will have effects on the social world. How feminists affectively respond in these cases will affect, to varying degrees, relations of trust amongst women as well as women's relationship to their own agency. With respect to trust, we can imagine that learning (or sensing) that feminists have settled on one of the two hypotheses – the rationalist or complicity hypothesis – would lead to resentment and distrust. One reason for this is that both stances seem to involve pitying the women at issue. Elizabeth Anderson (1999) distinguishes between pity and compassion and argues that only the latter is compatible with treating others with equal respect. Pity, for Anderson, is an attitude that comes from above. She contends:

> Compassion is based on an awareness of suffering, an intrinsic condition of a person. Pity, by contrast, is aroused by a comparison of the observer's condition with the condition of the object of pity. Its characteristic judgment is not ''she is badly off'' but ''she is worse off than me.'' When the conditions being compared are internal states in which people take pride, pity's thought is ''she is sadly inferior to me.'' Compassion and pity can both move a person to act benevolently, but only pity is condescending (Anderson 1999: 306-7).

Taking a particular stance might, moreover, encourage women to have the strictly speaking wrong view about their own agency. The reason for this is that any one view taken on its own (*qua* view that emphasizes one feature of women's agency and deemphasizes the other) is likely to leave out relevant details about the woman's agency-situation.

If, for instance, the feminist-mother in the case discussed above merely settled on her initial reading of the situation (which resembled an interpretation akin to the rationalist view) we can imagine that this would have impacted her daughter's agency. The daughter might have reasoned, likely implicitly and beneath the surface, that she actually should go ahead with the procedure since the problem is not anything with *her* but with the

social world. Now, of course, how the interaction would have played out in actuality is highly context-sensitive and dependent on a variety of details that we cannot know. But the general point stands: how we treat others' agency, including in cases of how feminists respond to the agency of hyper-feminine women, has causal impacts on that agency. For this reason, feminists must be careful with how they feel towards their subjects of inquiry.

Oscillating empathy serves proleptic ends for hyper-feminine women by expressing epistemic humility and signalling respect, which are causally related to women's agency. Proleptic empathy does this while permitting feminists to take a stance on an issue that strikes them as important. This too, I think, is a form of respect. But what is it about these cases in particular that makes this union of suspending belief and stance-taking apt? I think there are a couple of reasons. First, the agency situation in these cases (i.e. in cases of suspect norms of hyper-femininity) are thorny on both metaphysical and epistemic grounds. It is unclear whether there exists a fact of the matter concerning precisely what the agency-situation *is* for any one person at any given time. But even if there were, just how much someone is or is not complicit in their own oppression will be nearly impossible to know from the outside (or, as a matter of fact, from the inside).

Second, insofar as there is potential for transformation with respect to the meaning of norms – even with respect to historically problematic and oppressive norms such as those tied up with feminine appearance – feminists owe it to women to be especially epistemically humble and careful. Feminists ought to leave open the possibility that they can learn something from these women about the social and political meaning of even problematic-seeming hyper-feminine behaviors. We should not preclude the possibility that these modes of feminine expression might also

be modes of empowerment. However, we cannot *demand* that feminists believe this or suggest that they have done something wrong when they also believe there are strong reasons to be wary of such an explanation.

As many feminists have noted, women often do things in the name of feminism which nevertheless turn out to be bad since they contribute to (as well as stem from) patriarchal culture.[34] Insofar as the feminists we have in mind are ones who have the relevant suspect intuition as described in Section 1, they should be able to take a stance in the sense of exploring a hypothesis. Feminism must be able to take this kind of stance, especially if it is needed for making progress towards a more gender egalitarian society. It is also, as I've argued, a way of respecting the women in question. But, as I've argued, the story cannot end there. Feminists have an obligation to feel discomfort upon catching themselves taking a stance. This, in turn implies that they also have the more upstream obligation to be cautious and to monitor when and whether they've settled on a hypothesis.

Taking a stance in this way, I believe, will have better proleptic effects than the alternative: feminists who are disposed to settle on either the rationalist or complicity mode of perceiving and feeling towards the hyper-feminine women in question. If we return to *Winter Dressing*, we can imagine that if Beba goes the proleptic empathy route and is uncomfortable whenever she finds herself settling on an explanation for why the women wearing short dresses in the winter are criticizable or not, this will greatly effect how she treats the women in her life, including her female students. We can imagine that it will mean that she's more open to learning from her students, while also making room for her to question their behaviors critically.

[34] For examples of this kind of feminism, see work on 'raunch feminism' (Levy, 2005) or its more contemporary counterpart 'bimbo feminism' (Haigney, 2022). Further examples of the phenomena at issue can be found in the immensely popular podcast 'Call Her Daddy.' See also: Bartky (1990), Melo Lopes (2019), Knowles (2019).

So far in this section I have discussed the sense in which oscillating between the complicity and rationalist hypotheses as part of one's empathy can have proleptic benefits for the person being empathized with. But notice that this form of empathizing can also have proleptic effects with respect to the person doing the empathizing: the feminist inquiring about the hyper-feminine woman or women. The thought here is that the open-mindedness needed to properly engage in proleptic empathizing, is likely to have effects on one's own agency. For a feminist who, say, has rationalist tendencies, being encouraged to consider the inverse will likely make them more likely to take responsibility for features of their own lives. Inversely, for the feminist who has complicity tendencies, we can imagine that forming the habit of considering its opposing view will affect the extent to which she berates herself and others for falling prey to feminine practices.

4. Distinctively Feminist Obligations

At present, feminists who go about asking our guiding question do so in a very particular way: they begin by asking and answering the question of what is the best explanation of why a woman engages in some suspect hyper-feminine behavior. They then consider whether it is a feature internal or external to her, that is most relevant in the particular case. Then they form a judgement of blameworthiness and criticizability, in order to finally determine the fitting affective response.[35]

[35] Now, this process is rarely done explicitly or intentionally, though it does strike me that in academic work on the matter we see a sort of conformity to this methodology. Outside of academic contexts, however, this process is done much more subtly. In non-academic contexts, feminists aren't explicitly asking the guiding question *how should feminists feel when confronted with suspect hyper-femininity?* What's going on for them is typically much more under-the-surface so to speak. As discussed in Section 1, the suspect-phenomenology itself is both caused by as well as a cause of feminists' concern for having the appropriate response in these cases. That feminists feel in the characteristically suspect way is evidence that they care to have the appropriate response to the situation. The feeling is also motivational; it motivates feminists to work out how to respond in the requisite cases.

Complicity theorists, and non-academic feminists who have complicity sensibilities, when confronted with cases of hyper-femininity, typically begin this process by forming the judgement that the best explanation for why the woman behaves as she does is found within the woman herself. That is, the complicity theorist makes salient the woman's agency in understanding the reason for the suspect behavior. From this, they form a judgement of blameworthiness and criticizability. We see this in Mary Astell's chiding tone regarding women's contentedness with being mere "tulips in a garden" and with Beauvoir's use of the archetype of the female narcissist. From this, it follows naturally that a reaction of disdain, disappointment, resentment or resentment is fitting. A similar story, though the converse, is applicable to the complicity theorist. Though the two approaches differ with respect to the women's agency that ought to be emphasized in assessing blame and criticizability, the two approaches are nevertheless methodologically similar.

Both approaches deploy a fittingness-first method for responding to the paper's guiding question. For these views, the metaphysics of responsibility is given primacy in determining how to feel about the women in question. The two approaches are committed to the idea that the primary consideration for working out how we ought to feel towards the woman at issue is settled by facts about the quality and quantity of the agency they deployed for a given hyper-feminine behavior. I suspect that fittingness ought to play some role in sorting out how we ought to feel in these cases. Perhaps unsurprisingly, I am left worrying that having fittingness as the sole or most fundamental goal is a way of shirking feminists' moral obligation to the women at issue.

What do I mean by this? Consider the debate going on in the moral encroachment literature. Here, philosophers have begun to push back on evidentialism as applied to belief formation in a subset of the moral domain.

Evidentialism is the view that says that epistemic justification depends solely on the available evidence. If, for instance, I am walking down my university hallway late at night and see the silhouette of a black man down the hall, the evidence (in this case statistical) might support the belief "that man is probably a janitor." Perhaps there are very few black students on my campus and perhaps most of the janitors are black. Proponents of moral encroachment argue that we shouldn't form these beliefs even if our evidence supports the view. The reason we shouldn't form these beliefs is that in forming the belief we harm the other person.[36] One of the reasons evidentialist reasoning harms in some of these difficult moral cases is because of the type of stance the person forming the belief takes towards the object of their inquiry (the person being evaluated or observed). For instance, Basu notes that the judgements we form in these cases are,

> responses to a way of looking at another person not as a person, but as an object that is determined by causal laws, as something whose behavior is to be predicted. It is to step back from seeing them as a person (Basu 2019).

What this shows is that there might be considerations other than evidential ones that weigh on which beliefs we should come to have.

Fittingness-first models of answering our guiding question involve taking a similar kind of distanced perspective with respect to the women under consideration. In positioning these women as an object of inquiry, where what is salient to the observer is the degree to which the target woman's capacity for moral responsibility is at issue, this puts the person being observed in a distanced position. This, it seems, involves stepping back in the dehumanizing way Basu warns us about.

[36] This mechanism can be causal or constitutive, depending on the view.

Just as proponents of moral encroachment caution that in certain domains there might be non-evidentialist considerations that weigh on which beliefs we should come to have, my suggestion is that there are non-fittingness considerations that should weigh on how feminists should come to feel when confronted with hyper-femininity. The primary reason for this is that a fittingness-first model involves a dehumanizing, distanced stance which fails to serve feminist ends. Feminism is not a merely descriptive project; it involves bringing about a more just society. An additional reason against the fittingness-first model is that it presumes an unwarranted epistemic arrogance on the part of the feminist-observer. The reason for this is that the high moral stakes involved in these cases require that feminists respond with heighted epistemic caution. The judgements we form about women inform how we feel and act towards them, which in turn informs the texture of their lives, in both obvious and subtle ways.

This paper has, in part, been an attempt to de-prioritize the fittingness-first model. Implicit in proleptic empathy are considerations beyond fittingness. Proleptic empathy asks feminists to consider and value moral considerations: what does it mean for feminists to respect hyper-feminine women? It has us consider prudential considerations: how are feminists' judgements likely to influence the behaviors and characters of these women? And, finally, it has us value political considerations: how can feminists form judgements that serve both the ends of both individual and structural transformation?

One might have two worries about this suggestion. First, one might worry that as a psychological matter of fact, feminists cannot but give primacy to fittingness-considerations *especially* in these kinds of cases in which the agency situation is especially fraught. I think this might be right but, again, my suggestion is not for feminists to devalue fittingness-considerations entirely. In figuring out how to feel, we will sometimes want

to get a sense of how much agency the object of our feeling has, and the quality of said agency. How much someone has been coerced should influence how we judge and affectively respond to their behaviors. However, the point is that this should not be *all* that matters, or even necessarily what matters most, especially when our aim is one of making the world a more just and egalitarian place.

The second worry one might have is that it is actually good to give primacy to fittingness-considerations, insofar as these might be necessary for working out intervention strategies. A complicity theorist, for instance, might argue that we must know whether and how much agency a woman deploys in subordinating herself. If this agency is non-negligible (i.e. if her will is actively engaged in the subordinating behavior), this will give feminists reason to intervene at the individual level; this would give feminists reason to encourage the hyper-feminine woman to, say, have more integrity.

This objection strikes me as somewhat plausible. It strikes me as plausible that feminists' motivation to help bring about a more just world, whether at the structural or individual level, is tied up with their concern with fittingness-considerations. For this reason, my view is that fittingness can and maybe even should sometimes figure into how feminists work out how to respond in these cases. But given feminism's goals, feminists' obligations to respect the subjects of their inquiry, and the high stakes involved in these cases, feminists must also value other considerations – moral, political, and prudential – in working out how to feel.

5. Conclusion

In this paper, I responded to the question: how should feminists feel when confronted with cases of suspect hyper-femininity. 'Suspect hyper-femininity' borrows from Little's (1997) idea that certain norms are made

suspect in virtue of their being "grounded in or get[ting] life from a broader system of attitudes and actions that are in fact *unjust*" and applies this to the case of hyper-femininity. I've argued that feminists have an obligation to engage in a very particular kind of empathetic process when considering cases of hyper-femininity. More specifically, I argue that feminists should empathize in a way that mirrors suspending belief, and communicates epistemic humility, with respect to what the best explanation is for the woman's suspect behavior. I begin from the assumption that feminists are inclined to interpret hyper-feminine behaviors in one of two ways: such that the best explanation is something about the woman herself (e.g. her will) or something external to the woman's agency (e.g. the sexist social world). In light of this, I argue that feminists ought to feel unsettled whenever finding themselves epistemically "landing" on one view or the other. My theory of proleptic empathy explains how we can go about suspending belief in this way, while also permitting feminists to engage in the work of critique, which requires taking a stand on difficult matters concerning women's choices and preferences. Coupling these two aims in this way, I argue, amounts to a way of respecting the hyper-feminine women in question while also providing the conditions for further cultivating their agentive capacities.

Afterword: The Persistent Fear of Taking a Stand

I recently observed an undergraduate class titled *Philosophy and Comedy*. On this day's agenda was an analysis of an excerpt from Tina Fey's memoir.[37] The section the instructor had the class focus on that day was short, around one page or so, and its point was simple but rather plausible. Improvisation's affinity for "Yes, And" statements are world-opening; this

[37] The section of the book that the instructor was having the students focus on is titled "Tina Fey's Rules of Improvisation That Will Change Your Life and Reduce Belly Fat*."

sentence-form encourages one to contribute one's fair share to the conversational labor, while also taking risks and having an open mind. For instance:

> If I start a scene with "I can't believe it's so hot in here," and you just say, "Yeah…" we're kind of at a standstill. But if I say, "I can't believe it's so hot in here," and you say, "What did you expect? We're in hell." Or if I say, "I can't believe it's so hot in here," and you say, "Yes, this can't be good for the wax figures." Or if I say, "I can't believe it's so hot in here," and you say, "I told you we shouldn't have crawled into this dog's mouth," now we're getting somewhere (Fey 2011).

Embedded in a "Yes, And" approach is something resembling a growth mindset – the idea that there is room for positive transformation, if only we keep pushing forward, trying to find and establish common ground. The instructor's primary goal with the lesson plan was to get the students thinking about the relationship between the rules of improvisation and the rules of philosophy. She was not prepared, however, for the somewhat tense conversation that ensued.

After laying out her brief justification for her "Make Statements" life-hack, Fey applies the discussion to women:

> MAKE STATEMENTS also applies to us women: Speak in statements instead of apologetic questions. No one wants to go to a doctor who says, "I'm going to be your surgeon? I'm here to talk to you about your procedure? I was first in my class at Johns Hopkins, so?" Make statements, with your actions and your voice (Fey 2011).

This is all Fey says on the matter and, somewhat surprisingly to the instructor it seemed to me, this short paragraph generated an extended discussion on how Fey was blaming women for their speaking patterns. Two young female students explained that they found the message embedded in the passage acutely disturbing. To them, the passage was

problematic because it implied that women's speaking patterns are wrong simply in virtue of being female-coded. In turn, it implied that making statements is valuable simply in virtue of being male-coded.

The students went on to argue that the female surgeon, in Fey's example, who happens to intonate in a feminine-coded way is not doing anything problematic. There is no problem at hand; nothing to be fixed. Rather, society just needs to accept that women can be smart and respectable and intonate apologetically. Indeed, as a general principle apologetic intonations and hedging might even be appropriate more often than not, given peoples' tendency to be overly confident in their worldviews. So, women more than men might even be better epistemic agents in virtue of their timid speaking manner.

The second class of worries that cropped up was that Fey was wrongfully implicating that the onus is on *women*, rather than the social world, to change. That Fey was advocating this is not entirely wrong. After all, this discussion does arise in the context of advising the book's audience on life lessons that can be learned from improv and comedy. By extension, the passage seems to concern how *women in particular* should learn from improvisation in order to live a better life. But notice that Fey does not quite seem focused with *onus*, in the way the students are. For the students what matters is that even on the assumption that there is something problematic about women's speaking patterns, the right solution is not to burden women themselves with finding a solution. Whereas, instead, Fey's focus is on calling attention to the fact that women disproportionately shy away from statements and that they shouldn't, since lives go better when one feels comfortable taking a stance and making statements. And, yet, even this more minimal claim was enough to rile up the young women, and some young men too. For them, calling attention to this fact in this context was necessarily and problematically tied up with placing blame and taking

sides. Fey was siding with the wrong team. They, the students, were siding with the women unfailingly.

I don't think it is too much of a stretch to see this as an instance of the pop-feminist tendency to shy away from asking difficult questions about why women have the particular set of desires and preferences as well as, in this case, speaking patterns they have. The students in the class, motivated from a place of concern for women in general, were primed to make the move that feminized intonation is not necessarily bad. And, of course, there is much that is right to what they are saying. After all, there is nothing *necessarily* problematic about feminized speaking patterns. And it is89nderstnly right that the speaking patterns were imposed on them from a patriarchal culture and so, in that sense, are not really or totally theirs.

But what concerns me is that in this moment these students, almost as if functioning under some spell, were speaking as though there wasn't an important *reason* for why women so often intonate and shy away from assertion in the way they do. The students were talking as though women – the surgeon in the example, say – just *happened* to speak this way, as though it did not reflect anything about her inner life and confidence. It is true, if the reason were merely incidental to what is going on in womens' inner lives and their material conditions, then there would be something suspicious about scrutinizing women's idiosyncratic preferences.

But, of course, this is not what is going on. Women's speaking patterns, as with nearly everything anyone does ever, is not divorced from gender or politics or culture more broadly. Our inner lives and our social habits – our modes of presentation and relating to others – are themselves a product of the social world. But they also, sometimes, become so embedded in our identities that they come to inform and reflect our values. If I am right about this, then feminists must be able to criticize women's values. Granted, feminists should be quite careful in doing so; it is a domain

that requires heightened humility and respectfulness. But feminists cannot shy away from taking a stance altogether. Statements, as Fey points out, are not merely for men. To think so is to give men too much credit and women too little.

What would happen if we heeded the students' advice and decided that all conversations should be rife with hedging, apologetic language? What if we shied away from making statements as a general principle? As the students were arguing, might an embrace of this kind of hyper-aware, cautious, and feminized mode of conversation be a sign of progress? [38] I am of two minds, but ultimately, I think the answer lies somewhere in the middle. Culturally, we have become increasingly aware of the cognitive biases we are susceptible to. This seems to me to be a good thing. And, surely, there remains much to be done. None of us are as good at reasoning as we should be. Prejudice, bias, and identity-preservation continue to compel us to reason in ways that systematically make the world a worse place. Yet, there are clearly cases where humility goes too far.

I myself have a near-pathological tendency to use terms like 'it seems' and 'perhaps' and 'I think' in my writing (and I recognize that I am not alone here). At the end of any draft I write, I hit Control-F and search for these phrases, and ones like them, and will go back and delete many instances. I think this makes the writing much better. But, beyond reasons of mere prudence, I do so because it is fitting. I was once given the sage advice to change out 'I suggest' with 'I propose' when introducing a claim I am defending. Now, surely there will be times when the more modest

[38] I don't think we have to think up a convoluted thought experiment here. We can look to our own context and the idiosyncrasies of Millenial and Gen-Z speaking and conversational patterns. Notoriously, the youth today are highly neurotic, insecure, and careful with their speech. Perhaps part of this is even a product of the pervasiveness of the pop-feminist tendency. Regardless of what is causing this, I am interested in its implications and in asking about its sustainability.

'suggest' will work just fine. But, in context, it makes sense that people, and especially young women, should take a more confident orientation towards their own views. I do not always merely wish to suggest, sometimes I want to propose.

To care about a view and to make statements does not require certainty. Part of doing philosophy, and living in the world, is trying on ideas. We test ideas by seeing what happens when we hold them as our own. This is not to advocate for any kind of dogmatism. We must be ready to update our views upon receiving evidence that our prior beliefs are potentially misguided or outright false. But this does not require hedging all the time or being apologetic about our views. And the mere fact that women have been socialized into these conversational habits is not alone a reason to endorse and celebrate them. It is a shame for any person, of any gender, to be so self-conscious about their views that they are incapable of taking the risk to see what might happen upon testing them out in the world in earnest, upon trying them on as their own.

As it turns out, we can be epistemically humble and make statements, too. The two are not incompatible. My aim in this chapter has been to make this idea plausible when thinking about cases of hyper-femininity. Something has gone terribly wrong if feminists are barred from critically discussing the decisions women make and the values embedded in them. Feminists must be able to honestly discuss why women choose what they choose, even if this requires a critical gaze. At the same time, feminists must have grace as women jointly negotiate who they are and who aspire to be.

Chapter 3: Transitional Moral Contexts

This paper argues that bad sex cases, which are fraught sexual interactions that do not clearly rise to the level of assault, are best understood as occurring within transitional moral contexts. Transitional moral contexts are contexts in which moral standards and norms are in the process of being worked out by the moral community. This comes in two forms: the strong version of the view holds that, within these cases, moral standards and norms do not exist prior to the relevant negotiations by the moral community, as a moral metaphysical fact. The weaker version of the view holds that transitional moral contexts are ones in which the corresponding moral facts do exist but are not yet known to the moral community. In both versions, high degrees of confidence with respect to applications of the relevant moral terms – rightness and wrongness, permissibility, and impermissibility, etc. – are unjustified.

With this in place, I explore the role that shame should play in bad sex cases. I show that while a transitional moral context view of bad sex cases gives us some reason to think that shame would be fitting, shaming in these contexts introduces moral and political problems that need our attention.

1. Bad Sex Cases

Some of the #MeToo cases were clearer than others as cases of sexual violence, exploitation, force, coercion or harassment. The cases involving Harvey Weinstein and Larry Nassar were clear #MeToo cases. The notion

of clarity I am working with here has two features. First, these cases are clear in the sense that there was robust consensus amongst members of the public with respect to a wrongdoing having occurred (at least in so far as those members agree on the non-normative facts of the case), as well as with respect to the perceived appropriateness of issuing judgements of blameworthiness. What it means to judge someone as blameworthy, as I am thinking of it here, is that we believe that: (1) some person did something wrong, (2) that person was responsible for that action and (3) that person does not have an excuse for having performed the wrong.

Second, these cases are clear in the sense that there was consensus with respect to the fittingness of punishment as just desert for the transgression. These were cases where most people believed that, at a minimum, the public (or whichever relevant subset of the moral community) should call out the misogynistic behavior and draw attention to its impermissibility. Moreover, these cases were not especially controversial or rife with disagreement; rather, they were ones over which the93ndersc formed a mostly clear and consistent opinion, in the aftermath of the respective wrong having been brought to light. Perhaps the public failed to agree on precisely how the transgressors should be reproached, but they agreed that something had to be done.

There were, on the opposite end of the spectrum, some #MeToo cases for which there was much less agreement with respect to whether a wrongdoing had taken place and whether reproach was fitting. These were cases that were especially controversial and rife with disagreement. The less clear #MeToo cases are exemplified by the allegation against Aziz Ansari and the fraught sexual relationship depicted in the popular short story *Cat Person*, and the public's response to each. These cases are ones over which there is significant disagreement even with respect to whether something

morally objectional had transpired. Indeed, this is what is at the heart of the cases, which I describe in a bit more detail now.

1.1 A Candidate Case: Aziz Ansari

In September of 2017 the actor and comedian Aziz Ansari, who was then 34, met a young woman known by the pseudonym 'Grace,' then 22, at a party in Los Angeles. The two flirted and a few weeks later, went on a date in New York City. After dinner, the two returned to Ansari's apartment and engaged in sexual activities. Soon thereafter, Grace accused Ansari of sexual assault and reported that the night was "one of the worst experiences with a man [she'd] ever had" (Harmon 2018; Respers France 2018; Way 2018). Grace described feeling pressured to engage in sexual activities even after she had expressed that his advances were unwelcome. Notably, Grace endured the discomfort – she did not leave Ansari's apartment for quite some time – and kept trying to make the interaction go better (Hänel 2018). Ansari responded by insisting that all sexual activities that took place between he and Grace were, "by all indications completely consensual" (Harmon 2018).

The public's response to this case was bifurcated. Some people interpreted Grace's allegations as not rising to the level of sexual assault or violation. For them, Grace's allegation depicted nothing more serious or concerning than an unsatisfying and awkward date and courting practice. This was not a case of workplace harassment or assault, nor was it a case of violent rape or unjust sexual assault. For this reason, the case had no clear place alongside of these cases within the #MeToo movement. It is true, Grace was uncomfortable on the date and communicated this discomfort, while receiving little uptake from Ansari. But Grace also stuck around and tried to make the situation right, not out of fear but out of a desire to make

the night go better. She could have left. Moreover, Ansari was trying to seduce her. That was the whole point.

For those who interpreted the situation this way, what Grace describes is an uncomfortable sexual experience that she should have gotten out of. It was an uncomfortable situation that would not have led to much of anything had she been more assertive. On this view, women should not expect men to be mind-readers, they must instead clearly communicate their preferences and desires, and they should leave situations whenever they are displeased. Moreover, a failure to judge that Grace ought to have acted differently is at odds with empowering women; it is a form of coddling them and keeping them from living in more dignified and empowered ways.[39] A refusal to call women out in this way communicates that women are necessarily at the mercy of the men they go home with. This is not only disempowering but also potentially dangerous. Women can, and often do, get out of situations they find unsatisfying and undignified. Even if it is sometimes challenging, women must learn how to demand and expect better conditions in the private sphere (e.g. the bedroom).[40]

On this interpretation of the situation, the decision to lump Ansari's case into the #MeToo movement was evidence that the movement had gone too far. Calling Ansari's case an instance of assault encouraged the infantilization of women and demonization of men. Writing in *The Atlantic*, Caitlyn Flanagan (2018) articulates one such worry:

> Apparently there is a whole country full of young women who don't know how to call a cab, and who have spent a lot of time picking out pretty outfits for dates they hoped would be nights

[39] Notice that this is reminiscent of the complicity view described in Chapter 2.
[40] See Roiphe (1994) for a more thorough defense of this position.

> to remember. They're angry and temporarily powerful, and last night they destroyed a man who didn't deserve it.

On the other end of the spectrum were responses that emphasized that the fact that Ansari's case strikes us as normal, and nothing out of the ordinary, is precisely why we must focus on it. For instance,

> Perhaps what is especially threatening about Grace's story is that it involves a situation in which many men can imagine themselves. But this is a reason to discuss it more, not to sweep it under the rug. Listening to Grace…does mean admitting that many men behave in exactly the ways their culture tells them to behave (North 2018).

Zooming out now, we can think of the Aziz Ansari case as a paradigmatic example of a bad sex case. Bad sex cases refer to the class of sexual interaction that occupies a sort of grey area between sex that is just and equal, on the one hand, and sex that is rape on the other. Most of the focus in this domain has been on the distinctive wrongs of bad sex and the relationship between bad sex and consent.[41] Though there are many interesting questions to explore in this vicinity, I will set aside many of them here. One reason for this is that, as others have noted, focusing on discussions of consent typically compel us to think in individualist rather than structuralist terms. I am less concerned with whether an individual consented, than with the question of what the cultural conditions were like (even on the assumption that they in fact did consent). I wish to urge us to focus on the social and structural dimensions of bad sex prior to turning to questions that are relevant for our treatment of individuals; questions which concern, say, responsibility, punishment, and fitting affective responses.

[41] Cf. Bauer (Woodard (forthcoming), Gavey (2005), Cahill (2016), and West (2016).

1.2 Paradigmatic Features of Bad Sex

Bad sex cases are ones that paradigmatically involve the following features: lack of public consensus; prevalence of unjust conceptual resources or hermeneutical gaps; perceived normalcy; absence of a plan for remedy. Let us consider these one at a time.

First, as mentioned at the start of the section, unclear #MeToo cases are ones that are characterized by vast disagreement, even with respect to whether a morally wrong or blameworthy behavior took place. Moreover, amongst those who are in agreement that a morally problematic behavior did in fact take place, there is vast disagreement with respect to how the wrong ought to be addressed.

Second, these are also cases that are rife with bad conceptual resources. The conceptual landscape can be bad, in the way I intend here, in a variety of ways. The conceptual landscape might include a lack of conceptual resources needed for understanding the problem at hand.[42] Notice that even amongst those who feel or judge that something went awry in bad sex cases such as that between Ansari and Grace, there is little agreement with respect to how best to classify the cases (e.g. as cases of rape, assault, violence, etc.). At the same time, the conceptual landscape might also include an overabundance of distorting conceptual resources. Arianna Falbo (2021) argues that the presence of value-laden concepts such as "rapist" and "golden-boy" obscure understanding when, for instance, someone who is intelligible as a member of the latter category is accused of being a member of the former.[43] This, Falbo notes, is complicated further by the fact that the associations that correspond with "rapist" are ones like

[42] See Fricker (2007, 147-176) for a relevant discussion under the guise of 'hermeneutical injustices.'
[43] For an example, consider the case of Brock Turner, discussed at length in Chapter 1.

"creeps, loners, strangers, deviants, monsters, or savage animals" (Gray 2016; O'Hara 2012; Murphy 2017; and Schwark 2017).

Each of these ways of polluting the conceptual landscape – either in virtue of a conceptual lacuna or an overabundance of distorting concepts (together with a dearth of non-distorting concepts) – explain why the very nature of the phenomena at issue (in this case, bad sex) impedes understanding of the inner workings of the phenomena. Indeed, bad sex cases are ones which, by definition, arise out of the recognition that what we deem "normal," in a descriptive sense, is nevertheless anything but normal, in the normative or aspirational sense. For this reason, these are cases in which the concepts needed for adequately addressing and understanding the problem at hand are under- (or improperly-) defined, at best, and nonexistent at worst.

This brings us to the next feature of the case: perceived normalcy. Notice that the Aziz Ansari case has a perceived normalcy to it by nearly all members of the moral community. Some perceive the cases to be normal and, from this, judge that the cases are in fact so. For them, it is "just bad sex." While, on the other hand, those who judge that the case requires our attention, argue that this is so in virtue of the fact that, as a descriptive fact, members of the moral community judge that the cases are normal, even though the cases should be, from the moral point of view, judged anything but. In other words, that Ansari's behaviors are perceived as routine is precisely what grounds the respective judgements for both sides of the debate. The former, who defend Ansari, do so on the grounds that his behaviors are routine and therefore not rising to the level of assault. The latter, who criticize Ansari, do so on the grounds that his behaviors are routine and therefore worthy of feminist critique.

The final feature of the case concerns the lack of a plan for remedy. That is, these are cases for which the moral community writ large, as well

as subsets of the moral community, radically disagree with respect to how to move forward. The relevant members of the public disagree on how and whether to punish or forgive, and with respect to how to collectively strive for a more just world.

1.3 Bad Sex and Sexist Ideology

Thinking about how ideologies figure into bad sex cases also helps make sense of their moral complexity. Borrowing tools from Sally Haslanger (2017) and Barbara Field (1990), Hilke Charlotte Hänel (2018) argues that we should think of bad sex cases such as Aziz Ansari's in sexist ideological terms. According to Hänel, a sexist ideology is best understood as:

> a social structure, constituted by ritualized social practices, governed and made intelligible by a coherent cultural framework that organizes us into binary gender relations of domination and subordination (Hänel 2018, 900).

To understand what this might mean, let us begin with the two questions at the heart of Hänel's paper: why didn't Grace leave – why did she expend so much energy in attempting to salvage the interaction? And why did Ansari, a self-ascribed feminist, behave as he did? To understand this, Hänel proposes, we must first see how sexual violence is rationalized by a sexist ideology which operates holistically. On this view, ideologies consist of social practices, which are made up of resources, schemas, and their interplay. Resources can be material (e.g. money, housing, food) or they can be immaterial (e.g. time, power, knowledge). Schemas, on the other hand, provide us with "social meanings for everyday life." These are the culturally supplied and generated interpretative tools "including concepts, attitudes, dispositions and such, that enable us to interpret and organize information and coordinate action, thought, and affect" (Haslanger 2017, 21). Cultural schemas need not be endorsed by individuals

for them to nevertheless operate on them; they are oftentimes implicitly internalized by social beings.

On this view, the reason Grace did not leave, even though she was uncomfortable, is understandable when the particular interplay of resources and schemas function in the way that they did. Hänel continues:

> The resources at work in the Ansari case, for example, are Ansari's physical strength (even if he makes no use of it), the location of his apartment, his persistence, the distinct gender roles of Ansari and Grace, and so on. These resources stand in relation to schemas that make them intelligible; without certain schemas, his persistence would not count as a well-meant.[44]

The primary schemas in play in bad sex cases, including rape narratives In addition to those just discussed, are ones that "uphold binary gender relations in which men have power over others" (Hänel 2018, 906). Drawing from MacKinnon (1987, 1989), Hänel argues that the schemas involved in the Ansari case are ones in which men stand in a hierarchical relation to women; these are relations in which men dominate women. Other related schemas are ones in which women are givers and men are takers, in the way articulated by Manne (2018).

When I say that bad sex cases are best understood in ideological terms, I mean to emphasize the ways in which these cases are fundamentally cultural phenomena. These are cases that arise out of unjust cultural materials for organizing ourselves as well as for interpreting and valuing situations. What this shows is that bad sex cases might involve exceptionally bad actors or exceptionally I victims, but this need not be so. Indeed, an ideological framework reveals how culturally supplied materials such as sexist schemas and resources can set *everyone* up for moral failure and harm. The reason Ansari aggressively pressured Grace into sex

[44] His fame and status (and her lack thereof) surely constitutes a further resource at work in the case.

is not incidental to the reason Grace didn't leave his apartment. Both were operating under the schema that makes these behaviors intelligible: that he was entitled to her body and that his pleasure and comfort mattered more than her pleasure, comfort, safety, and well-being.

2. Why Call These Cases Transitional Moral Context?

I want to borrow a big-picture observation from Regina Rini (2019). Notice that we often think that those in the distant past were "moral monsters." We think this of those who owned slaves and fought brutal wars. These moral monsters "were engaged in behavior perfectly normal for their time, yet now clearly exposed as morally atrocious" (Rini 2019, 168). And, yet, we rarely consider what we will look like to those in the distant future. We characteristically fail to take seriously the possibility that we will look similarly, with respect to our very own monstrosity, to those who will roam the Earth long after we are gone.

I begin with this observation because it illustrates the type of phenomena I am interested in in this paper. I am interested in the sticky, stumbling, and inelegant moral learning that is situated temporally upstream from contexts in which we will have the resources to perceive our own moral monstrosity. To put it another way, I am interested in cases where knowledge concerning our monstrosity is not yet attainable. Further, these are cases where some subset of the moral community has an interest in acquiring such knowledge, but for which the moral and political conditions for knowledge are not yet sufficiently ripe. Some members of the moral community, thus, might have the inchoate sense that something is awry – that there is a problem at hand that is in need of the community's attention and care – but for which knowledge is not imminently available.

In this section, I articulate a theory of transitional moral contexts. I will give a stipulative definition of what these contexts are and will explore

some examples which strike me as plausible cases of transitional moral contexts. In addition to believing that the concept is theoretically valuable on its own, irrespective of its relationship to the bad sex cases addressed in the previous section, I also believe that the concept can help us 102nderstandd the nature of bad sex. More specifically, thinking of bad sex cases as instances of transitional moral contexts has implications for the appropriateness of our shaming practices. If bad sex cases occur within transitional moral contexts, then we have reason to be careful about the sort of shame we deploy against those who, like Aziz Ansari, falter in bad sex cases. Shaming those who falter risks occluding the extent to which one's own sexual practices are rife with patriarchal elements. Letting oneself off the hook in this way risks keeping oneself from turning inwards and scrutinizing just how just one's own sexual practices are. Or so I will argue in Section 3.

2.1 What are Transitional Moral Contexts?

I believe the best way to get at what a transitional moral context is, as I am imagining it, is to begin by considering some examples. Though this list is just a start, I think it paints a picture. With this in mind, consider: language that is arguably ableist (e.g. "that's lame" or "that's crazy" or "that's dumb); certain borderline-cases of microaggressions (e.g. "where are you from" asked in the context of new friends getting to know one another but where one person reads as non-white and where the other is interested in learning about the other's familial background); feminists criticizing women's behaviors (e.g. criticizing a woman for getting Botox or for sleeping with her boss in order to get ahead in the workplace); neglectful treatment of the elderly (our parents, grandparents, etc.); individuals who eat meat not because they do not have the resources to eat a vegetarian diet but because eating meat is a way of preserving their cultural heritage; individual

engagement in other structural wrongs (buying from sweatshops, flying on planes, inculcating bourgeois values in students in bourgeois institutions).

What do these cases have in common? These are cases wherein the moral standards at issue are in the process of being negotiated by the relevant moral community. This can be cashed out in a stronger (more radical) sense or a weaker (more modest) sense. The stronger version of the idea is that transitional moral contexts involve cases in which the following are genuinely unsettled as a matter of fact: moral standard concerning rightness and wrongness; moral obligations, reasonable expectations and permissibilities; goodness/badness; conditions for flourishing; the moral ideal itself.[45] The weaker version of the view is that these moral standards are settled as a matter of fact but are, nevertheless, ones that the members of the moral community are in no position to be confident about, insofar as their epistemic access to them is overly tenuous. The stronger version, then, relies on a metaethical view that says that moral facts are not independent from processes of moral inquiry and negotiation but are instead constituted by them. The weaker version is neutral on this metaethical question and only speaks to the appropriateness of our confidence levels in certain propositions about moral phenomena that arise in transitional moral contexts.

One needn't agree with me that all of the examples given above are cases of transitional moral contexts, articulated in either the strong or weak sense, for the concept to have theoretical value. Indeed, the very phenomena I am trying to articulate is one that, in virtue of what it is about, resists consensus as well as clarity. Still, the examples are meant to illustrate what I might have in mind. If none of them strike you as plausible cases of transitional moral contexts, feel free to replace them with ones that do.

[45] Going forward, I refer to these broadly as 'moral standards' but note that I have a rather broad conception in mind, illustrated by the various standards articulated above.

2.2 What Transitional Moral Contexts Are Not: Abnormal Contexts

A further way of illuminating transitional moral contexts is by understanding what they are not. In an influential paper on moral responsibility, Cheshire Calhoun (1989) draws the distinction between normal and abnormal moral contexts. Normal moral contexts are contexts in which moral knowledge is shared by most members of the moral community. Thus, these are contexts in which cases of moral ignorance are rare and exceptional. Calhoun gives the examples of drunk driving and cold-blooded murder, but we can also think of the "clear" #MeToo cases, such as those exemplified by Harvey Weinstein and Larry Nassar, as falling into this category. On Calhoun's (1989, 396) view: "public consensus on the wrongness of discriminatory hiring, sexual harassment, and marital rape makes the moral context in which these oppressive acts occur a normal one." Insofar as the allegations against Weinstein and Nassar read to the public as clear cases of sexual assault and rape, the cases exemplify ones that are "normal" in Calhoun's sense.

Calhoun goes on to contrast these contexts with ones she deems "abnormal." Abnormal moral contexts are ones in which a subgroup of the moral community makes advances in moral knowledge faster than can be disseminated and assimilated by the general public. In other words, these are cases in which there is a lag between the acquisition of moral knowledge amongst some (the moral trailblazers) and others (the moral stallers). These are therefore contexts in which moral ignorance, not knowledge, is the norm. This explains why some wrong actions are judged socially acceptable and tolerated in these contexts.

Calhoun believes that "most feminist moral critique occurs in an abnormal moral context" (Calhoun 1989, 396). Example of this include: "a wide range of actions and practices that would not, in popular

consciousness, be considered wrong (male bias in psychological and other theories, the design of female fashions, the use of 'he' neutrally, hetero-sexual marriage, and so on)" (Calhoun 1989,396). The reason for this is that feminist critique *gives rise* to abnormal moral contexts. By "reshap[ing] moral language" and "reconstruct[ing] moral reasoning" feminists make it the case that some moral phenomena are known to some'(e'g. feminist trailblazers) but not others (e.g. moral stallers) (Calhoun 1989,397). The feminist project, precisely because it is radical, is disposed to leave others behind. In virtue of its radicalness, there will be situations in which some, but not others, can reasonably be expected to have achieved understanding with respect to the appropriate moral standards involved in some issue. The implication of this, argues Calhoun, is that:

> When moral knowledge advances by overhauling, not just extension, becoming morally knowledgeable requires moral reeducation and not just supplementary coursework. Thus there are especially strong reasons in this abnormal context for having diminished expectations of the level of moral knowledge about oppression attainable by individuals outside the feminist community (Calhoun 1989, 398).

Transitional moral contexts are related, but not identical, to abnormal contexts. One way to think of the difference is that, characteristically, transitional moral contexts occur historically upstream from their abnormal counterparts. In the case of abnormal moral contexts, it can be said of some subset of the moral community – the moral trailblazers – that moral knowledge has been attained. This is not so in the transitional case. In the case of transitional contexts, either there is not yet a fact of the matter with respect to the moral status of various rightness or wrongness claims that arise in the context (articulated strongly). Or, if there is, this fact of the matter is unknowable with any high degree of confidence by members of the moral community (articulated weakly).

In Section 2.4, I will give some reasons for favoring the strong interpretation of the view, since this is my preferred view. In the meantime, though, I want to provide a few reasons why one might accept that 'transitional moral contexts' is a useful concept, even in the weaker sense. Recall, transitional moral contexts concern moral situations in which the rightness and wrongness facts (as well as a whole host of other moral standards and phenomena) are in the process of being negotiated by the relevant moral community.

An example might be helpful. With the hope of fending off unnecessary noise, I will keep things close to home. At the time of writing this, the philosophy community writ large is in the process of working out how many, if any, conferences should take place remotely. There is a wealth of problems with in-person conferences: they disproportionately service those who are employed by wealthy institutions, they are often inaccessible to people who suffer from disabilities, and perhaps most notably, they encourage air travel and the accompanying carbon emissions. At the same time, quarantine during the pandemic has made salient the importance of offline professional interaction and socialization. This strikes me as clear of a case as any in which moral norms, values, and standards are actively being negotiated. The implication of this is that one is not entitled to have a high level of confidence in their view (e.g. that as a matter of fact all large, say, APA conference should exclusively be held online), since this view remains too *live* to justify such a high degree of confidence.[46] We can see that it is live by acknowledging both the freshness of the question – it has only recently been introduced and so has not had the time to be tested out

[46] Here I am assuming, but not arguing for, a view on which peer disagreement undercuts our justification for first order evidence. I recognize that this is not an uncontroversial view. For one such opposing view, see Weatherson (2007).

in practice – as well as the vast disagreement that exists amongst those who are epistemic peers.

But notice that this is quite different from an abnormal moral context, which are partially constituted by the existence of a subset of the moral community that have acquired *knowledge*. Presumably Calhoun would argue that the problem of peer disagreement does not undercut justification in the case of abnormal moral contexts since the wider community are not (and so, should not be thought of) as genuine epistemic peers to the moral trailblazers (e.g. feminists). But in the case of philosophers trying to work out whether and under what conditions they ought to hold in-person conferences, any claim to knowledge is premature. The reason for this is that the ripeness of the problem, as well as the vastness of the disagreement, preclude justification for such claims.

Even if transitional moral contexts are too unripe for knowledge, there might nevertheless exist a subset of the moral community that is drawing attention to the need to articulate *that there is some* moral problem. On the weaker articulation of what it means for a context to be transitional, these members of the moral community might have a true belief, and even some evidence for this true belief. But the nature of the problem precludes sufficient justification for knowledge. Irrespective of whether one accepts the stronger or weaker version of what a transitional moral context is, these are contexts in which all members of the moral community lack the understanding and moral fluency needed to issue fitting verdicts. Candidate fitting verdicts – that, say, some particular bad sex behavior is morally wrong – are either unsettled as a matter of moral metaphysics (on the strong version) or as a matter of what the epistemic community is in a position to know (on the weak version).

Just because we are in a transitional moral context today with respect to some problem, does not mean that we will be in six months or a year.

Built into the concept of transitional moral contexts is the idea that contexts transform as the moral community jointly addresses the problem at hand and tests out hypotheses as a way of negotiating what they are willing to live with. Thus, I suspect that in a year's time, the question of whether we ought to hold academic conferences will be much less live than it is today. Perhaps, by then, we will have moved from a transitional moral context to an abnormal one, such that some members of the moral community will know what we ought to do; and, perhaps, sometime thereafter (though this is, naturally, somewhat harder to imagine) we will have moved from an abnormal to a normal context.

2.3 What Transitional Moral Contexts Are Not: Willful Ignorance

One might worry at this point that the concept of willful ignorance better explains what is going on in bad sex cases than does my view of transitional moral contexts. Willful ignorance, construed broadly, refers to ignorance that one possesses in virtue of being especially epistemically negligent or reckless (often for reasons that serve one's interest), such that the ignorance alone does not exculpate one from wrongdoing.[47] If someone claims ignorance with respect to some wrongdoing that figures into a normal moral context, we would be inclined to say of that ignorance that it was willful. Since normal moral contexts are ones in which the moral community has settled on and achieved consensus with respect to the rightness and wrongness facts (as well as other moral standards) surrounding a behavior, then claiming ignorance in such a case is not thought to exculpate. For, if the moral community has surpassed some threshold of consensus for settling the relevant moral standards, then an

[47] For a more thorough discussion of willful ignorance see Sarch (2018).

excuse of ignorance does not hold since the case is one in which one ought to have known better.

For instance, if I claim that I did not know that it is wrong to murder in cold blood, my ignorance alone will not let me off the hook.[48] After all, I clearly ought to have known that murder in cold blood is wrong – the evidence for this knowledge is ubiquitous and, so, the moral community can reasonably expect that I acquire this knowledge. That I did not come to have this knowledge is *prima facie* evidence that some part of my will was implicated in failing to seek out the requisite evidence for and knowledge that murder in cold blood is in fact wrong.[4950]

Might we want to say something similar of the case of Aziz Ansari and others like him? Are people who transgress in cases of bad sex willfully ignorant epistemic agents who simply ought to have known better with respect to the wrongness of the moral violation? I think the answer to this is 'no' and I will explain why momentarily. Nevertheless, I would be remiss to leave out that bad sex cases, like all moral situations, are untidy. Surely, some willful ignorance might figure into some of these cases. For instance, Aziz Ansari kept attempting a particularly disturbing sexual move during his encounter with Grace; a move which involved repeatedly putting two of his fingers in a 'V' shape into her throat.[51] This was a first date, and this practice is not just bold but also aggressive, especially amongst strangers who have not established trust. He should have known better than to have done this. And, certainly, he should have stopped attempting the behavior

[48] I am setting aside other responsibility-mitigating excuses (e.g. insanity).
[49] A similar explanation holds in the case of someone who has collected evidence (in the way that a responsible epistemic agent would) but who misassesses the evidence dramatically. For instance, in the case of someone who witnesses a cold-blooded murder but believes it is just a friendly interaction.
[50] For further discussions on how we can be blameworthy (and praiseworthy) for unconscious motivations, see discussions of the 'attributionist' view in Mason (2018) and Smith (2005).
[51] Grace referred to this move as "the claw."

once she communicated anything less than enthusiasm, which according to her she did on several occasions. It seems, then, somewhat plausible that Ansari was willfully ignorant with respect to the wrongness of this behavior.

If willful ignorance did figure into the Ansari case, why not take that stance with respect to the interaction full stop? Surely, Ansari ought to have known better – not only are feminist views easily accessible as a general fact in a society like ours but this was especially so for Ansari. He was working on feminist-adjacent issues in his own comedic work, and he claimed to care about these issues personally. So, on this suggestion, any ignorance of his must have been willful. He should have known (and acted) better; that he acted otherwise is a byproduct of his having had something to gain (e.g. sex) from his ignorance.

The reason concerns how ideologies function. Sexist ideologies operate holistically. This idea comes directly from Hänel, who addresses the question of willful ignorance as applied to Ansari *qua* self-proclaimed feminist-ally. The problem with applying the lens of willful ignorance to Ansari's case is that ideologies are holistic such that it does not quite make sense to imagine stepping outside of them altogether. The willful ignorance view of Ansari commits us to the idea that his having considered what women are owed as a theoretical matter and within the realm of ideas (via, say, his feminist-inspired comedic work), means that he reasonably could (and should) have been expected to have acted in ways consistent with these ideas. To this, Hänel says:

> being aware of counterarguments is not necessarily sufficient to dislodge the coherent framework into which both Grace and Ansari were socialized. Ansari and Grace are both deeply entrenched in the ideology of sexism, that is to say, they unconsciously rely on ideological and thus false social meanings in their sexual interactions. Both of them re-enact ritualized

> practices within a coherent sexist framework. This is what makes sexist ideology so pervasive and hard to unmask (Hänel 2018, 914).

This idea is reminiscent of Catharine A. MacKinnon's (1989, 218) work, which defines gender – what it is to be a man or a woman – in terms of a "system of social hierarchy, as inequality." I will not be able to do justice to the full complexity of MacKinnon's views; still, my aim is to draw inspiration from her analysis of gender as constituted by sexual inequality. On this view, gender is constituted by relations of domination. MacKinnon explores how male supremacy structures individuals' desires and preferences in problematic ways, here:

> The deeper problem is that women are socialized to passive receptivity; may have or perceive no alternative to acquiescence; may prefer it to the escalated risk of injury and the humiliation of a lost fight; submit to survive. Also, force and desire are not mutually exclusive under male supremacy. So long as dominance is eroticized, they never will be. Some women eroticize dominance and submission; it beats feeling forced. Sexual intercourse may be deeply unwanted, the woman would never have initiated it, yet no force may be present. So much force may have been used that the woman never risked saying no. Force may be used, yet the woman may prefer the sex— to avoid more force or because she, too, eroticizes dominance (MacKinnon 1989, 177).

The implication of this is that consent is not a sufficient condition for just sex. What, though, does this have to do with sexist ideologies in Hänel's holistic sense? The idea here, and I think it is an important one, is that sexist social structures (as well as the ideologies they figure into) operate in an all-encompassing way; they are not fully escapable, and they structure even that which strikes us as "normal."

Surely, even under patriarchal conditions and amid sexist ideologies, there will be better and worse, more and less just, sex.

Nevertheless, sexist and patriarchal influences are never fully escapable given their structural and holistic nature. Sexist ideology provides the interpretive tools, social scripts, and habitual modes of interaction that inevitably structure sexual practices. To make this idea more concrete, consider the context in which young boys and girls learn about sex. In today's age, many young boys (and girls too)[52] learn about sex through pornography which habitually represents men who dominate women and women who enjoy degrading practices. Young girls paradigmatically learn that, for them, sex and pleasure is shameful. At the same time, they learn that they will one day be expected to provide men with sexual pleasure, which is an essential feature of masculinity. Young boys and girls learn, from innumerable sources and inputs, that women's bodies are distinctively sexy: they are depicted this way in movies, on magazine covers, and plastered on billboards. Moreover, young girls (and some young boys too)[53] learn that men are predators and that they are the prey. The evidence for this is unavoidable. Just imagine all the young children who learned about then presidential candidate Donald Trump's remarks on women as he exited the bus.[54] And imagine what they learned from the fact that he still won.

The reason, then, that we should not think of the Aziz Ansari case, and other bad sex cases, as ones of mere willful ignorance is that it leaves out the holistic nature of the sexist social structure and ideology that give rise to the cases. Calling the case, and ones like it, case of mere willful ignorance, ignores that the case is very plausibly an instance in which

[52] Though the context in which young boys and young girls learn is surely unique, in a way that matters for what they are learning.
[53] One might think that insofar as young boys are "feminized" they too can be made victims of gender, conceived of as hierarchy of domination. See fn. 55.
[54] Specifically: "You know I'm automatically attracted to beautiful—I just start kissing them. It's like a magnet. Just kiss. I don't even wait. And when you're a star, they let you do it. You can do anything. Grab 'em by the pussy. You can do anything" (Trump, 2016).

something wrong did happen but not because Ansari should have known better. Rather, on this holistic view of sexist ideology and structural inequality, the sexist ideology itself explains why Ansari was more or less barred from perceiving the experience as one of sexual coercion or violence.

While it is true that, in this case, Grace did ultimately experience the wrongness of the situation, we can imagine without too much effort, that she might not have. Instead, she might have submitted to Ansari's sexual advances or perhaps even represented herself as liking them and enthusiastically consented. Would this have made the sexual interaction, unobjectionable? I think not. Even if Grace had enjoyed the interaction, the fact that the two were relying on sexist social scripts, embodied habits, and interpretive frames is evidence that the social interaction was unequal and unjust at its core. The reason for this is that the sexual practices we enact are not independent from who we are. Though this is not uncontroversial, I think MacKinnon is right that the habits we enact in the private sphere, and in sex in particular, partially constitute what gender is. Thus, ritually enacting unjust forms of sex in which men are dominant and women are submissive, makes this so.

2.4 A Defense of the Strong Version

One might suspect, at this point, that there is a particular metaethical view operating in the background, which is inclining me to present things as I have so far. After all, the strong interpretation of transitional moral contexts is one which explains the lack of justification the moral community has with respect to issuing moral verdicts in terms of the moral metaphysical facts themselves being unsettled. Before defending this view and spelling out in further detail what I might mean by it, let us zoom out a bit.

How does moral inquiry work? Following Dewey, I believe that moral inquiry begins with the acknowledgement of a problem in the world.

We find ourselves theorizing about what we ought to do because our experience gives rise to this need. For this reason, we can think of moral inquiry as "fundamentally, a practical activity addressed to practical problems" (Lenman 2007, 77). Once we find ourselves faced with a problem, we typically have an affective response to the situation: or we might have a particular intuition concerning what to do, or what must be done more generally. Alternatively, we might have a discrete emotion or feeling which orients us to act in some way or another. Most likely, we will have a combination of all of these, in addition to implicit and explicit thoughts advising us on how to proceed.

Sometimes, the process of moral inquiry terminates soon after confronting the inciting problem, perhaps because the solution appears obvious. In most cases, if someone near and dear to me is in pain, no real theoretical work is needed for me to figure out what I ought to do. The solution presents itself to me as an automatic and intuitive judgement. But notice that while it presents itself in this immediate and automatic way, 'intuition' as I am thinking of it here is not identical to a 'gut reaction.' Rather, I am interested in a notion of 'intuition' which also captures what they are like when they act as considered judgements, which are judgements "we find attractive and plausible and whose truth we are stably confident, judgements whose credibility is not compromised by the circumstances in which we formed them being circumstances where we were in fear or distress or stood to gain or to lose personally from forming certain judgements rather than others" (Lenman 2007, 63). In other words, intuitions are judgements that we take ourselves to have good, reliable reason to accept.

Intuitions construed in this way are the building blocks of moral inquiry. In addition to using these intuitions to solve obvious problems, we also use them to reflect on moral problems that do not have obvious

solutions. With respect to more thorny moral problems, we seek to bring our intuitions in accord with more general moral principles. Following Rawls (1972), we do this by engaging in processes of reflective equilibrium, wherein we "work from both ends," from intuitions and general principles alike. Crucial to this process is a sort of epistemic humility: we must be willing to revise our intuitions were they to conflict in compelling ways with our best principles. At the same time, we must be willing to revise our (formerly "best") principles when faced with conflicting experiential data stemming from our intuitions.

Though there are exceptions, most moral philosophers accept that something along the lines of the process I have just described is a crucial feature of moral inquiry. Where they disagree, however, concerns what this process leads us to, is meant for, or is fundamentally about. Some moral philosophers think of moral inquiry as having a domain of "independently constituted moral facts" as its object (Lenman 2007, 66). For them, moral inquiry is meant to uncover that which already exists; namely, moral facts which, say, specify which actions are right or wrong. Following constructivists such as Lenman and Lisa Tessman, as well as pragmatists such as Dewey and, more recently, Elizabeth Anderson, I reject such a view. My preferred view is one on which moral inquiry, when conceived of as a process of joint deliberation, is what we do when we come together to articulate the moral norms we are willing to live by. Lenman puts this idea clearly as follows:

> It [moral inquiry] is an attempt to determine what moral norms we might, at our best, stably agree in endorsing as a basis for governing our lives together, but where by 'determine' I mean not so much discover as settle. To put it a little provocatively, moral inquiry is politics. As such, it is a project properly and inevitably shaped by those confidently held commitments and aspirations that we the parties to it bring to the co-deliberative

> table. Or, to put it another way, it is shaped by our moral intuitions (Lenman 2007, 75-76).

Moral inquiry involves bringing my own intuitions into a state of reflective equilibrium when held alongside of my principles, but this is not all that it involves. More than this, it requires that *we* do this at a social level, wherein we take into consideration the various conflicting intuitions held by members of the moral community. We do so in order to "attempt to reach and sustain certain kinds of agreement, shared understandings of what should be the moral terms of our life in community together" (Lenman 2007, 76).

To live together in community, we must aim to articulate that which we have in common morally and we must seek to find common ground, by way of moral negotiation whenever we find that our intuitions conflict. As such, moral inquiry "looks both outward to the world and inward to the soul of the inquirer, but the world it looks out to is not a world of independently constituted moral facts, but one of prosaically natural facts with which we deliberate and reflect together how best morally to engage" (Lenman 2007, 78). Through the process of deliberating over how to live, we come to establish what we can tolerate living with and so how, as a matter of fact, we ought to live. Anderson makes a similar point:

> all moral claims…[are] not derived from pure a priori argument, but rooted in our experiences of the authority of others to make claims on us, which are rooted in our experiences of respect for them. (That these experiences are veridical – i.e., ought to be heeded – and that their proper ground is not based on arbitrary characteristics such as ancestry, requires critical reflection on these experiences as well as on the consequences of heeding them.) (Anderson 2009, 224).

This picture of moral inquiry works well, I think, alongside of a strong interpretation of transitional moral contexts. Recall, transitional moral

contexts interpreted in this way are contexts in which the moral community is in the process of negotiating what the moral facts *are*. According to the picture I have just described, such a process of moral negotiation is a constitutive part of moral inquiry. With respect to bad sex cases, we can imagine that one, in reading about the Aziz Ansari case, comes to feel a particular way. They might, for instance, have the intuition that the case described by Grace is not problematic. Perhaps the case reminds them of their own sexual interactions. Then, they might consider how this intuition works alongside of some general principle they have about how sex ought to be. We can imagine that they have a view of sex on which sex should be equal and just. Here, there is no immediate conflict. The intuitive judgement and principle are in a state of equilibrium at the intrapersonal level, since intuitively the case strikes them as consistent with justice.

Things get complicated, however, when this person turns outwards to the world and compares their judgement to others'. Their experience will present them with the fact that there exists vast disagreement with respect to how others have interpreted the case. Unfortunately, the picture of moral inquiry I described above does not give us a neat solution for what follows for our hypothetical inquirer. It is not particularly instructive with respect to how precisely we ought to go about negotiating our moral lives; it is not action guiding in this way. Rather, it provides a description of what moral inquiry is. What it is – all it can possibly be – is a process by which the moral community comes together and works out what we are willing to live by. Working out the details of what ought to be done, is left to the moral inquirers. So, in the case of Ansari and Grace, it is up to the members of the moral community to jointly work out whether *we* are willing to live with the kinds of sexual practices depicted in the allegation.

Does this mean that according to the pragmatist and constructivist views, whenever we are engaged in moral inquiry we are ipso facto in a

transitional moral context? I think the answer is 'no'. My reason for thinking so concerns what it means for a moral community to *settle* on a moral judgement. With respect to transitional moral contexts, there has not yet been a process of culmination with respect to the negotiation at hand. The deliberative process is ongoing. What this means is that there are a series of genuinely live questions with respect to how one must act in these cases.

A question needn't be live for members of the moral community, however, for a view of moral inquiry to make sense. Sometimes, moral inquiry will involve settling moral questions. Indeed, figures like Lenman argue that we can accept a picture of moral inquiry as a joint process of negotiation *and* accept that some questions will be settled; the view is *not* some kind of error theory. With respect to obviously morally atrocious acts such as rape or torture, Lenman says:

> in cases such as these, I'd like to suggest, we may think of it as a kind of unwillingness. I'm unwilling to accept any set of rules for the regulation of my community that permit members of that community to murder, rape torture and so on. So when we deliberate together about what the terms of our moral community should be, this is one of the basic commitments I bring with me to the table (2007, 74).

If one is operating from the view that moral inquiry begins in experiences of discrete problems that stem from lived experience, one needn't be especially worried about thought experiments of the form "but what if most people did not share these basic commitments?" Morality is for humans and by humans, which means that these are likely to always be basic commitments of ours; we can say with a fair degree of confidence that we will never be willing to make these matters live in any real sense.[55]

[55] Lenman quips the following with respect to the judgement that rape and torture are obviously wrong: "This is a judgement in which our confidence is both very strong and highly robust, stronger and more robust surely, for most of us, than such confidence as we may invest in any metaethical stories anyone has cooked up to make sense of it.

Thus, the framework of transitional moral contexts works alongside of but is not identical to the picture of moral inquiry I have described in this section. The constructivist-cum-pragmatist view I have developed here explains what transitional moral contexts consist of, but it does not further specify what is distinctive about these contexts. Again, what is unique about transitional moral contexts is that they are contexts in which the moral standards are particularly unsettled or live, from the perspective of the moral community. These contexts are made unsettled in virtue of their being widespread disagreement between members of the community, coupled with their temporal ripeness.

One might worry, at this point, that this view overgeneralizes. There are many matters over which there is widespread disagreement. For instance, at present day, many members of the moral community disagree with respect to the moral permissibility of abortion. Does this alone mean that the question is unsettled or live?[56] As unsatisfying as this may be, I believe the answer to this is 'yes.' For one, I am not quite sure what we'd be talking about were to say that the question is fully settled. As I've expressed above, for me and others with similar metaethical inclinations, a notion of independently constituted moral facts is not on the table. But there's a further reason as well. A couple of years ago I found myself in a conversation with colleagues – a group of philosophers who teach ethics – and the question of whether we do and should teach abortion came up. One of my colleagues argued that she does not, and should not be expected to, teach abortion since doing so makes something live which is not. At the time of writing this, not two years later, *Roe v. Wade* has officially been overturned in the United States and many women will be forced to have

[56] The objection under consideration here does not imply that we should think of abortion cases as figuring in transitional moral contexts. We know that this is not the case: the abortion debate is too old and developed to properly count as transitional.

children that they do not want. If *this* is not a live question – such that we are actively negotiating whether this is something we are willing to live with – I am not sure what is.

3. Shame in Transitional Contexts

If bad sex cases are instances of transitional moral contexts, then one might think that this gives us reason to consider the proleptic effects of our blaming practices. Recall the discussion on proleptic blame from Chapter 2, which concerned how our blaming practices can themselves turn someone who was antecedently an unfitting target of blame into someone whom, in virtue of having been blamed, is brought into the moral fold such that they can now be the fitting recipient of blame. Proleptic blame refers to the idea that how we blame another can make them into the sort of person who will be blameworthy for the wrongdoing going forward. Blame in this sense is not merely backwards-looking (concerned with mere punishment), it is also constitutive of a more forwards-looking process of moral learning. To blame, in some cases, is not nearly as much *about* backwards-looking punishment as much as it is about forwards-looking agential transformation.

One proleptic mechanism that is relevant for our purposes is shame. As discussed in Chapter 2, shame is an emotion that responds to the belief that one's character is judged as being problematic by some imagined moral community. Shame, unlike guilt, typically attaches to one's whole character. I will not be able to give a full theory of shame here. What matters, instead, is the plausible idea that if someone comes to feel shame for having a transgressed in a bad sex case, then this is some evidence that they have come to stand in a particular relationship to their own agency. More specifically, to come to feel shame for such a transgression is to "take responsibility" for the wrongdoing; feeling shame implies that one has

owned their action. It is a way, to borrow a turn of phrase from Enoch (2012), of bringing the wrongdoing into the penumbra of one's agency.

Does this give members of the moral community reason to shame those who transgress in bad sex cases? One might think that the nature of transitional moral contexts, which make salient that moral standards are in the process of being negotiated by the moral community, lends itself to a view on which we have an obligation to prioritize non-fittingness considerations in working out how to blame. So, even though shame might not strictly speaking be fitting in transitional moral contexts, perhaps we have political reasons to shame others for transgressing in bad sex cases. Thus, one might think that in bad sex cases shame can be an effective tool.

I will argue that despite the *prima facie* virtues of shame in these cases, shame is morally and politically risky and should be avoided. Before turning to these worries, though, it is worth further fleshing out why one might want to shame those who transgress in bad sex cases. In addition to serving a proleptic function, shaming individuals in bad sex cases can also serve the function of (1) problematizing the perceived normalcy of bad sex cases and (2) offsetting himpathy.

First, it strikes me as plausible that those who did deploy shame in the Ansari case did so because they realized that others were too quick to defend him on the grounds of the case's perceived-normalcy. These members of the moral community capitalized on the opportunity to problematize and (attempt to) transform precisely that which strikes us as normal and mundane, such as the normalized sexist scripts that played out between Ansari and Grace. Piling on, then, was used as a way of mitigating the normalization of the case. The shamers used shame as a tool for signaling to the public that social transformation was needed here as well as in the more flagrant cases of sexual violence. Shamers used a piling-on strategy – they brought significant attention to the case via op-eds, social

media, and other forms of public discourse (many occurring online) – to amplify their voices, which in turn helped transform the goals and purpose of the movement. One reason piling-on has been felt necessary is because without overwhelming, mass condemnations, those who habitually deploy bad sex behaviors are disposed to keep on the same course. Especially when these individuals have an abundance of power, they are likely to dismiss their critics, deploy their power to win sympathy amongst the broader moral community, and silence those they have harmed. Piling-on, members of the moral community have discovered, can be used to counterbalance this tendency.

Second, another reason members of the moral community shamed Ansari in the way that they did, I think, concerns their aim to offset himpathy. Himpathy, a term introduced by Manne (2018) refers to the tendency to sympathize disproportionately and excessively with men. If part of what we have learned is that what we perceive to be 'normal' or 'intuitively unproblematic' is itself likely constrained by the systemic nature of oppression, then we should expect that we are disposed to treat offenders with undeserved leniency. In Adam Smith's *Theory of Moral Sentiments,* he suggests that we sympathize with the elite because the elite are the objects of "approbation and attention" that imbues them with enchantment. We fantasize about what it is like to be members of the powerful class because we admire the extent to which they are widely admired by others. In other words, we admire their popularity: that they are treated as though they are the fitting objects of admiration. In virtue of the fact that we spend so much time imaging what it is like to be rich and powerful, and so admired in this way, we are more inclined to be sympathetic with these individuals when they falter. We think we know them even though we do not, and we come to care about them disproportionately and, sometimes, unfairly. It strikes me as plausible that

part of what has inspired piling-on culture, especially with respect to some #MeToo offenders is an attempt to offset this conservative impulse to err on the side of lenient forms of reprimand, that follows from the sympathetic tendency to favor the powerful. The movement recognizes that an overwhelming response is needed to jar public consciousness, which itself reflects an unjust bias in favor of powerful, rich men.[57]

So far, I have discussed why shame might be appropriate in bad sex cases, conceived of as transitional moral contexts. We have seen that shame might be appropriate in these contexts insofar as they have the capacity to: serve as a type of proleptic blame, mitigate the perceived normalcy of the cases, and offset a cultural disposition towards himpathy. All of these are plausible upshots of utilizing shame in these cases. Indeed, I can imagine these being effective and so having political value.

Nevertheless, there are worries about utilizing shame that must be addressed. There are three such worries that strike me as being especially in need of our attention. First, shame might have the unsavory effect of communicating to those doing the shaming that they are off the hook with respect to how just their own sexual practices are. In shaming others, we communicate that they are responsible for surpassing a threshold determinant of blameworthiness which in turn implies that those who are not being shamed do not. But, if I am right that bad sex cases occur within transitional moral contexts, then neither of these claims are quite right. Indeed, if bad sex cases are situated within transitional moral contexts, then precisely how wrong those who transgress in them remains an open question, as does the moral status of our own sexual practices. If sexist ideologies operate holistically in the way describe in the previous section,

[57] It is worth flagging that Ansari's race (he is of South Asian descent) might have figured into why the moral community felt as compelled as they did to offset himpathy to the degree that they did in this particular case.

then that suggests that those who are inclined to shame in these cases (as well as everyone else) have reason to be skeptical about reproducing sexist practices themselves, perhaps unknowingly.

Second, insofar as shame is not strictly speaking fitting in these cases, then shaming those involved in these cases anyway risks morally violating them. The idea here is that a necessary feature of shame's being appropriate is that the person actually wronged another, in the sense of having been morally responsible for this wrongdoing. To punish a person not because you judge them to be morally responsible for performing some harm, but as a means to making them into a particular kind of person (e.g. via implementation of blame as a proleptic mechanism), risks using them as a means to an end in a way that constitutes manipulation. This worry, its worth noting, does not only arise for the defense of shame from proleptic blame. It also applies to the two other reasons for shame: offsetting himpathy and problematizing perceived normalcy. Insofar as these reasons for deploying shame stem from concerns with political effectiveness, rather than what the individual *deserves,* they are morally unviable.

Third, even if one is unconvinced by the wrongness of this last point as a moral matter, one might worry about the political analogue of the worry. Indeed, if the reason for shame is to achieve a particular goal (e.g. greater gender equality), this is unlikely to go unnoticed by the person being shamed, as well as others who are disposed to be sympathetic to them. The worry with this is that perceiving that one is being used as a means – in this case, as a political pawn – is likely to give rise to backlash.

4. Conclusion

In this paper I have argued that bad sex cases benefit from analysis in their capacity as transitional moral contexts. These are contexts which characteristically involve unsettled moral norms, such that the moral

community is actively engaged in the process of establishing, articulating, and negotiating the relevant moral standards and terms involved. I have presented a series of cases which are candidate cases of transitional moral contexts as well as given an explanation of what transitional moral contexts are not. Namely, these are not contexts of mere willful ignorance or, in Calhoun's terms, abnormal moral contexts. Cases of willful ignorance and abnormal contexts involve situations in which high degrees of confidence in particular moral facts is possible. This is not so in the case of transitional moral contexts. Indeed, my preferred view of transitional moral contexts are ones in which part of why a high degree of confidence is impossible is explained by the fact that the moral facts do not exist prior to the process of the moral community negotiating those facts. One need not, however, take on board this metaethical picture for 'transitional moral contexts' to serve a valuable function. I also provide a view on which the reason for uncertainty is explained by a lack of epistemic justification, in light of the moral community's being early to the process of uncovering and understanding the moral terrain. Finally, I applied this notion of transitional moral contexts to bad sex cases and explored the extent to which shaming those who falter in these contexts is morally, politically, and prudentially appropriate. I argue that, at a minimum, feminists ought to be careful of the risks involved in deploying shame in these cases.

References

Anderson, Elizabeth. *Social Movements, Experiments in Living, and Moral Progress: Case Studies from Britain's Abolition of Slavery*. University of Kansas, Department of Philosophy, 2014.

---. "Democracy: instrumental vs. non-instrumental value." Contemporary debates in political philosophy (2009): 213-27.

---. "What is the Point of Equality?" *Ethics* Vol. 109, No. 2 (January 1999), pp. 287-337

Arp, Kristana. Beauvoir's Concept of Bodily Alienation. In Margaret A. Simons (Ed.), Feminist Interpretations of Simone de Beauvoir (161–77). Pennsylvania State University Press, 1995.

Astell, Mary. *A Serious Proposal to the Ladies*, 1694.

Atwood Margaret. *The Robber Bride*, McClelland and Stewart, 1993.

Baker, Katie J.M. "Here's the Powerful Letter the Stanford Victim Read to Her Attacker," Buzzfeed, https://www.buzzfeednews.com/article/katiejmbaker/heres-the-powerful-letter-the-stanford-victim-read-to-her-ra, 2016.

Bartky, Sandra Lee, *Femininity and Domination*, Routledge, 1990.

Basu, Rima, "What We Epistemically Owe To Each Other," *Philosophical Studies*, 2019.

Beauvoir, Simone de, The Second Sex (Constance Borde and Sheila Malovany Chevallier, Trans.). Vintage Books, 2011.

Cahill, Ann, "Unjust Sex vs. Rape," Hypatia, 2016.

Callard, Agnes. "The Philosophy of Anger" Boston Review, http://bostonreview.net/forum/agnes-callard-philosophy-anger, 2020.

Calhoun, Cheshire, "Responsibility and Reproach," Ethics Vol. 9 No. 2, pp 389-402, 1989.

Chambers, Clare, *Sex Culture and Justice,* The Pennsylvania State University Press, 2007.

Cherry, Myisha. "BLM Protests: Anger can Build a Better World.", August 25, 2020, https://www.theatlantic.com/ideas/archive/2020/08/how-anger-can-build-better-world/615625/.

---. *The Errors and Limitations of our "Anger-Evaluating" Ways*., In Myisha Cherry & Owen Flanagan (eds.), The Moral Psychology of Anger. Rowman & Littlefield. pp. 49-65, 2018.

Darwall, Stephen, *Honor, History, and Relationships: Essays in Second Personal Ethics II*. Oxford University Press, 2013.

Enoch, David, "Being Responsible, Taking Responsibility, and Penumbral Agency" Heuer and Lang (eds.) Luck, Value, and Commitment: Themes from the Ethics of Bernard Williams, Oxford University Press, 2012.

Falbo, Arianna, "Hermeneutical Injustice: Distortion and Conceptual Aptness," Hypatia, 37, 343–363 doi:10.1017/hyp.2022.4, 2022.

Fey, Tina, *Bossypants*, Little, Brown, 2011.

Flanagan, Caitlin, "The Humiliation of Aziz Ansari," The Atlantic, 2018.

Flanagan, Owen. *The Geography of Morals: Varieties of Moral Possibility*, Oxford University Press, 2017.

Fricker, Miranda, "What's the Point of Blame? A Paradigm Based Explanation," Noûs 50, 2016.

---. *Epistemic Injustice: Power and the Ethics of Knowing*, Oxford University Press, 2007.

Frye, Marilyn. "A note on anger." The politics of reality: Essays in feminist theory, 84-94, 1983.

Gavey, Nicola, *Just Sex? The Cultural Scaffolding of Rape*, Routledge, 2005.

Gray, Emma. "You don't have to be a monster to be capable of rape," Huffington Post, 2016.

Goldie, Peter. *The Emotions: A Philosophical Exploration*. Oxford University Press, 2000.

Haidt, Jonathan, "The Emotional Dog and its Rational Tail: A Social Intuitionist Approach to Moral Judgement," *Psychological Review,* 2001.

Hänel, Hilkje Charlotte, "What is a Sexist Ideology? Or: Why Grace Didn't Leave," *Ergo*, 2018.

Harmon, Steph, "Aziz Ansari Responds to Sexual Assault Allegation," The Guardian, 2018.

Haslanger, Sally, "But Mom Crop Tops are Cute," *Philosophical Issues*, Vol. 17, The Metaphysics of Epistemology, pp. 70-91, 2007.

---. "Racism, Ideology, and Social Movements," Res Philosophica 94 (1): 1-22, 2017.

Haigney Sophie, "Meet the Self Described Bimbos of Tik Tok," New York Times, 2022.

hooks, b. (1995). Killing rage: Ending racism. New York: Henry Holt and Company, Inc.

Hursthouse, Rosalind. "Arational Actions," The Journal of Philosophy, 1991.

Jagger, Alison. "Love and Knowledge: Emotion in Feminist Epistemology" *Inquiry*, 32, 151-56.

Knowles, Charlotte, "Beauvoir on Women's Complicity in their Own Unfreedom," Hypatia, 2019.

Lebron, Chris. *The Color of our Shame: Race and Justice in our Time*. Oxford University Press, 2013.

Lenman, James, "What is Moral Inquiry?" Proceedings of the Aristotelian Society Supplementary Volume LXXXI, 2007.

Levy, Ariel, *Female Chauvinist Pigs*, Free Press, 2005.

Little, Margaret Olivia, "Cosmetic Surgery, Suspect Norms, and the Ethics of Complicity"in *The Eye of the Beholder: Ethics and Medical Change of Appearance*, Indiana University Press, 1996.

Lorde, Audre. "The Uses of Anger," 1981.

MacKinnon, Catharine A., *Feminism Unmodified*, Harvard University Press, 1987.

---. *Towards a Feminist Theory of State*, Harvard University Press, 1989.

---. "Where #MeToo Came From and Where it's Going," *The Atlantic*, 2019.

MacLachlan, Alice. "Unreasonable resentments." Journal of Social Philosophy 41.4, 2010.

Manne, Kate, *Down Girl*, Oxford University Press, 2018.

Mason, Elinor. "Respecting each Other and Taking Responsibility for our Biases." *Social Dimensions of Moral Responsibility.* Edited by Marina Oshana, Katrina Hutchison & Catriona Mackenzie, 2018.

Meyers, Diana T. "A Modest Feminist Sentimentalism: Empathy and Moral Understanding Across Social Difference." *Ethical Sentimentalism.* Cambridge University Press, 2017.

Melo Lopes, Filipa "Half Victim, Half Accomplice: Cat Person and Narcissism" Ergo, 2020.

---. "Perpetuating the Patriarchy: Misogyny and (Post-) Feminist Backlash," Philosophical Studies, 2019.

Mill, John Stuart, *On Liberty*, Batoche Books Kitchener, 2001; 1859.

Miller, Chanel, *Know My Name*. Viking Press, 2019.

Murphy, Heather, "What experts know about men who rape," New York Times, 2017.

North, Anna, "The Aziz Ansari Story is Ordinary. That's why we Need to Talk About It," Vox, January 2018.

Nussbaum, Martha C. "From Anger to Love: Self-Purification and Political Resistance." *To Shape a New World.* Harvard University Press, Cambridge, MA and London, England, 2018.

---. "Transitional Anger." *Journal of the American Philosophical* Association, vol. 1, no. 1, pp. 41-56, 2015.

---. "Women and Human Development: The Capabilities Approach," New York: Cambridge University Press, 2001.

O'Hara, Shannon. "Monsters, playboys, virgins and whores: Rape myths in the news media's coverage of sexual violence," Language and Literature 21 (3): 247–59, 2012.

Pickard, Hanna, "Responsibility without blame: philosophical reflections on clinical practice." *Oxford Handbook of Philosophy and Psychiatry*: 1134-1152, 2013.

---. "Responsibility without blame: empathy and the effective treatment of personality disorder." *Philosophy, Psychiatry, Psychology* 18: 209-224, 2011.

People v. Brock Allen Turner, "Court Documents: Stanford Rape Case" (1/9) https://documents.latimes.com/stanford-brock-turner/, 2016.

Prinz, Jesse, "Against Empathy," Southern Journal of Philosophy 49 (s1):214-233, 2011.

Railton, Peter, "The Affective Dog and its Rational Tale: Intuition and Attunement," Ethics Vol. 124, No. 4, 2014.

Rawls, John. A Theory of Justice. Belknap Press: An Imprint of Harvard University Press, 1971.

Regensdor, Laura. "There are No Ugly Women, Only Lazy Ones": A New Beauty Exhibition Explores the Life and Legacy of Helena Rubinstein," Vogue, 2014.

Respers France, Lisa, "Everyone Is Picking Sides over the Aziz Ansari Story" CNN, 2018.

Rini, Regina, "Epoch Relativism and Our Moral Hopelessness," In Ethics Beyond the Limits: New Essays on Bernard Williams' Ethics and the Limits of Philosophy. Eds. Sophie Grace Chappell and Marcel van Ackeren. Routledge. Pp 168-187, 2019.

Roiphe, Katie, *The Morning After: Sex, Fear, and Feminism*, Back Bay Books, 1994.

Sarch, Alexander, "Willful Ignorance in Law and Morality," Philosophical Compass, 2018.

Sales, Nancy Jo, *American Girls: Social Media and the Secret Lives of Teenagers*, Knopf Doubleday Publishing Group, 2016.

Sartre, Jean Paul, *Being and Nothingness,* Hazel Estella Barnes, Washington Square Press, 1992.

Schwark, Sandra, "Visual representations of sexual violence in online news outlets. Frontiers in Psychology 8 (774): 1–10., 2017.

Silva, Laura Luz, "The Efficacy of Anger: Recognition and Retribution." The Politics of Emotional Shockwaves. Palgrave Macmillan, Cham, . 27-55, 2021.

Smith, Adam, A Theory of Moral Sentiments, New Edition by Dugald Stewart, 1759.

Smith, Angela, "Responsibility for Attitudes: Activity and Passivity in Mental Life" *Ethics* Vol. 115, No. 2, 2005.

Srinivasan, Amia, "The Aptness of Anger." *The Journal of Political Philosophy*, vol. 26, 123-144, 2017.

---. "Does anyone have the right to sex?" London Review of Books, Vol. 40

No. 6, 2018.

Teroni, Fabrice and Julien Deonna. "Differentiating Shame and Guilt." *Consciousness and Cognition*, 2008.

Tolentino, Jia. Trick Mirror: Reflections on Self-Delusion. 4th Estate, 2019.

Trump, Donald. "Transcript: Donald Trump's Taped Comments about Women, " New York Times, 2016.

---. The Age of Instagram Face: How social media, FaceTune, and plastic surgery created a single, cyborgian look, The New Yorker, 2019.

---. "The Year that Skincare Became a Coping Mechanism," The New Yorker, 2017.

Turner, Brock. "Defendant's Statement" in (*People v. Turner*). https://assets.documentcloud.org/documents/2854904/Defendantstatement.pdf, 2016.

Way, Katie, "I Went on a Date with Aziz Ansari. It Turned into the Worst Night of My Life" Babe. Retrieved from https://babe.net/2018/01/13/aziz-ansari-28355, 2018.

Walker, Margaret Urban. "Resentment and Assurance." 2004.

West, Lindy, "Yes, this is a witch hunt. I'm a witch and I'm here to hunt you." *New York Times,* 2017.

West, Robin, "Consensual Sexual Dysphoria: A Challenge for Campus Life" Journal of Legal Education, 2016.

Widdows, Heather (2018). Perfect Me: Beauty as an Ethical Ideal. Princeton University Press. https://doi.org/10.23943/9781400889624

Williams, Bernard. "Internal Reasons and the Obscurity of Blame," in Making Sense of Humanity: And Other Philosophical Papers (Cambridge: Cambridge University Press, 35–45, 1995.

Wolf, Naomi. *The Beauty Myth: How Images of Beauty Are Used Against Women.* HarperCollins, 2002.

Wollstonecraft, Mary. *Vindication of the Rights of Woman*. Yale University Press (2014), 1792.

Woodard, Elise. "Bad Sex and Consent" David Boonin (ed.), *Handbook of Sexual Ethics*. Palgrave. pp. 301--324 (forthcoming).

Yancy, George. *Backlash: What Happens When We Talk Honestly About Racism in America.* Rowman & Littlefield. 2018.

Young, Iris Marion. *Responsibility for Justice*, Oxford University Press, 2011.