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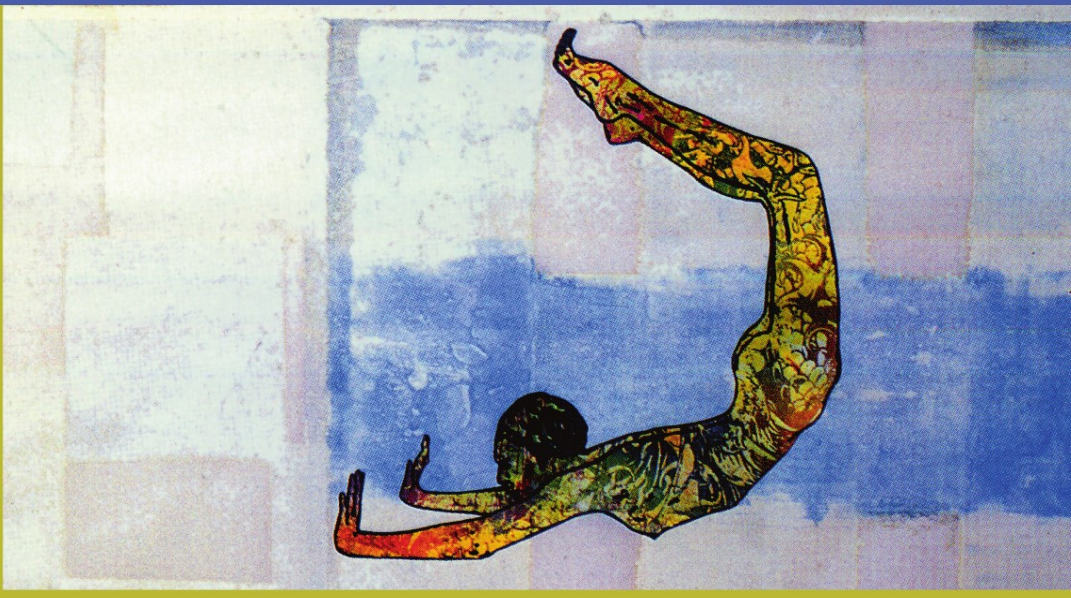
Lisa Tessman
Editor

Feminist Ethics and Social and Political Philosophy: Theorizing the Non-Ideal



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–Lisa Tessman

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Introduction

Lisa Tessman

This volume picks out, from within the wider field of feminist philosophy, works that focus on the ethical, the social, and the political—whether these are conceived as overlapping or as distinct but interrelated realms—and that understand the ethical, social, and political questions that concern feminists as questions about a non-ideal, actual world, and more specifically, about an actual world that is non-ideal in at least one particular way: it is marked by features of oppression. Some of the authors consider the relation between ethics and politics, some situate themselves explicitly within one or the other of the subfields of ethics and of social and political philosophy, and others cross over or combine these subfields, presuming a strong connection between them. Additionally, each of the chapters in this volume either presents theoretical reflections on the significance of non-idealizing as an approach to feminist ethics and/or social and political philosophy and on the implications of non-idealizing for a theory's assumptions about background conditions or about the moral and/or political subject, or serves as an instance of work that is rooted in actual, non-ideal conditions, and that, as such, is able to consider some of the pressing problems that arise under such conditions.

1 Feminist Ethics and Feminist Social and Political Philosophy

When I was first asked to edit this volume and learned that it was to cover both feminist ethics and feminist social and political philosophy, my initial response was[1]: these are perhaps the two largest 'subfields' of feminist philosophy, one of which (social and political thinking) dominated feminist thinking/philosophy before and when such thinking first entered the academy, so why try to cover both of these extremely prolific areas in one volume? I wondered if I might edit a volume solely on feminist ethics, and leave a volume on feminist social and political philosophy to someone else. However, the division of the volumes having already been decided, this was not an option. As it turns out, I am glad that I was deterred from separating feminist ethics and feminist social and political philosophy, for in the process of putting this volume together I have been reminded of and have come to more fully appreciate how importantly tied ethics, social, and political philosophy are or can be

for feminists, as well as how rich the possibilities are for theorizing the relationship between morality and politics in a volume that combines the subfields of ethics and social and political philosophy. What the relationship is (or should be) between feminist ethics and feminist social and political philosophy is an interesting question, and I hope that the chapters that take up this question directly and the chapters that implicitly convey a certain understanding of this relationship will lead the reader to see this relationship complexly.

In my own view, some of the complexity can be developed by rethinking the implications of (and perhaps reaffirming) the phrase 'the personal is political' by considering whether and when it is also the case that 'the ethical is political'; the process through which we feminists—or we as feminists—aim to criticize, transform, produce, endorse and enact ethical values must be politicized. In the phrase 'the personal is political,' *politicizing* a (hitherto solely personal) practice is understood to entail at least an element of publicizing the practice and an element of comprehending the practice as connected to the operations of power.[2] In politicizing, one exposes a practice to public scrutiny, that is, one moves the site of potential critical viewing of a practice from the private sphere to a public site (though not necessarily to the site of a formal political institution such as a legislature or even to the site of a public of people understood only in roles related to formal political institutions, such as the role of citizen). There are two advantages of publicity: (1) the publicly viewed practice can be evaluated by all those sharing the same public site, thus increasing the potential for critical thinking and making it possible for formerly uncritical practitioners to be confronted, and to have to reevaluate or at least defend their practice; (2) the publicity of a formerly personal/private practice also facilitates critical viewing of the practice because, revealed in public, the practice can be seen as of-a-kind with others' formerly personal/private practices, such that patterns are discovered; perceiving these patterns allows feminists to connect practices to the operations of power, including operations of power that are systemically arranged, such as capitalism, male dominance, and white supremacy. To 'politicize' a practice, then, is both to expose it to publicity with its associated potential for critique and contestation, and to understand its relationship to (systemic) operations of power. Politicization of (what are revealed to be) oppressive practices is a crucial part of the feminist struggle against gender oppression, and oppression more generally.

Is the ethical political (or can, or ought, the ethical be politicized) in this way? This depends not only on one's understanding of the political but also on one's understanding of ethics. I favor a conception of ethics that allows me to answer in the affirmative: ethics should at least in many cases be politicized; feminists in particular should in many cases politicize the ethical. What my conception of ethics permits me to mean by this is that feminists should participate in the critical production and transformation of morality through political processes. Politicization can only be thought of as a way of critically producing and transforming morality if morality is the sort of thing that can be produced and transformed by human processes. If one understands morality not as something that endures unchanging and unaffected by actual, situated human practices, but rather as something that is

created and changed through human processes, then politicization counts as one of the processes through which moral practices can be (critically) shaped, a way that I would suggest it behooves feminists to embrace precisely because of the crucial role that politicization plays in undermining oppression. If on the other hand moral facts are taken to be true or false independent of actual, situated human practices—whether descending from God or existing in a noumenal realm accessible through pure reason or even determined by the *telos* of humans as a natural kind—then the political struggle over ethical values degenerates into a contest to show who has gotten the independently existing moral facts right. Believing oneself to have the correct moral facts has tempted even feminists—it is, after all, a big stick to wield and a difficult one to relinquish—but I would propose that the political process through which consideration of moral practices should take place ought to be conceived as a process of publicly critiquing, producing and transforming morality, not a process of determining who has knowledge of already existing, unchangeable moral facts.

Thus the 'naturalizing' trend that has captured at least some feminist ethicists[3]—and that influences this volume's theme of non-ideal theorizing—offers a way of conceiving of ethics that supports my claim that the ethical can and often should be politicized. In saying this, I hope to be extending the work of feminists such as Margaret Urban Walker (1998/2007, 2003), whose naturalized approach to ethics highly informs the account of morality that I have just given. For Walker, the ethical is clearly social. She notes that 'morality is a naturally occurring structure of all human social groups' (2003, 108), and that 'morality itself consists in practices' (1998, 14), insisting that 'morality is not socially modular' (1998, 17), that is, that it 'cannot be extricated from other social practices' (1998, 17). Understanding what morality is thus requires inquiries into the actual practices of people in moral communities and into the moral understandings that people have of their practices. But a critical, and not merely descriptive, step is also necessary, a step in which members of a moral community question whether their 'understandings constitute a way of life that is not only "how we live" but also "how to live," a way worthy of people's allegiance, effort, restraint, or sacrifice' (2003, 109). For Walker, the key critical tool for deciding whether 'how we live' is 'how to live' is 'transparency testing.' Transparency testing can expose a practice (and a moral community's understanding of the practice) as lacking transparency if, through testing, people come to see that 'our way of life in reality betrays our shared understandings, or if these understandings turn out to be driven by deception, manipulation, coercion, or violence directed at some of us by others, where all are nonetheless supposed to "share" in this purported vision of the good' (2003, 109). In failing a transparency test, a practice loses the trust of the practitioners, and the practices thus 'lose their *moral* authority' (2003, 109; italics in the original). The critical work of 'testing' morality enables the moral community to reject some practices, reshape others, and see the need for new practices; since this testing leads to a loss of the moral authority of practices that require oppression, domination, and other misuses of power, this critical work is feminist.

While Walker undoubtedly affirms that morality is *social*—it consists of social practices and is transformed through critical social processes—she does not emphasize politicization or speak of the negotiation of moral understandings as a *political* process.[4] I propose that the political realm is a site of contestation that is

indispensable for feminist attempts to critically shape morality; it is a site where moral understandings can be shifted through a process that has a chance at being more democratic and potentially more powerful than processes that take place within less public venues that may be described as 'moral communities.' Being less optimistic than Walker is about the tendency of members of social groups to lose trust in their practices (especially when they are the beneficiaries of these practices, as, say, men are of practices of male domination) even when these practices are revealed as inconsistent with their own professed values (such as egalitarianism), I believe that the sort of contestation that characterizes political struggle and that becomes strong in times of political movements is required in order for significant liberatory change to take place. The public scrutiny and contestation offered by the political, and—when democratic norms actually function in the political realm—the egalitarian practices that formal political structures can support, are important factors for feminist critique. The problem—particularly visible when one considers the other thematic of this volume, namely non-ideal theorizing—is that actual, available political venues tend to be far from egalitarian or inclusive. It is part of the work of feminists to make them more so, while continuing to point to their shortcomings. The suggestion that one ought to 'politicize' something must not convey the false impression that the political realm one would thereby enter actually conforms to any ideal(ized) model of the political.

While I have argued for connecting morality and politics—and connecting feminist ethics and feminist social and political philosophy as fields of study—it may be that while many feminists see feminist ethics and feminist social and political philosophy as highly connected, different ones of us have different entry points—emphasizing either ethics or politics—and may try to claim priority for one or the other in cases of conflict. Ethical and political commitments may conflict when one's commitment to a particular moral practice is *not* in fact endorsed or affirmed through a political process that one *does* endorse. Democratic politics can be extremely frustrating: it does not always yield what one wants it to. In such cases, feminists face the prospect of having to forego moral practices and moral understandings that are precious from a feminist perspective (and that may be the condition of certain moral subjects' capacity to participate meaningfully in politics), but that cannot (yet) be insisted upon without violating certain political values such as the value of freedom at the core of democratic practices. It is here that the political theorists and the ethicists amongst us may have different instincts.[5] But the fact that there are conflicts between what are in some cases incommensurable values—whether these values are all cast as moral values or whether some are moral and some are political values[6] —is inevitable in non-ideal(ized) worlds, which will typically be characterized by highly dilemmatic conditions.

2 Theorizing the Non-Ideal

The value of a non-idealizing theoretical approach, and its relationship to feminist theorizing, has become more widely recognized in recent feminist work.[7] It is advocated, for instance, in Charles Mills' '"Ideal Theory" as Ideology' (2004), where he

refers to non-idealizing approaches as befitting of feminist and critical race theory.[8] Mills' claim is that engaging in a certain sort of idealizing—theorizing that relies 'on idealization to the exclusion, or at least marginalization, of the actual' (2004, 166)—constitutes an ideological move that makes it all the more difficult to understand the workings of oppression and to transform actual, non-ideal, unjust societies into more just societies. He writes: 'the so-called ideal theory more dominant in mainstream ethics is in crucial respects obfuscatory and can indeed be thought of as in part *ideological*, in the pejorative sense of a set of group ideas that reflect and contribute to perpetuating illicit group privilege' (2004, 164; italics in the original).

Mills distinguishes first between the sense of the 'ideal' in which all of normative ethics invokes ideals—which he calls 'ideal-as-normative'—and the sense of 'ideal' in which an ideal is a model (he calls this 'ideal-as-model') (2004, 164). Normative ideals can themselves be problematic, and as Mills points out particular normative concepts, for example the normative ideals of 'purity' and 'autonomy,' have to be examined for their ideological origins or historical (ab)uses (2004, 174–175); however, it is not the mere having of normative ideals, but rather the having of wrong or misguided (and sometimes ideologically informed) normative ideals for which feminist thinkers need to be on guard.[9]

Mills sets aside the possible problems with the 'ideal-as-normative' to explore the uses of the 'ideal-as-model.' There are two senses in which an ideal can be a model. In the first sense, which Mills calls 'ideal-as-descriptive-model,' the ideal is a simplified and abstracted representation of something based on its most important features. While simplifying and abstracting from features of something, however, an ideal-as-descriptive-model is still a representation consisting of features of *actual* instances of what it is modeling. One does not choose which features of something to include and which to omit from an ideal-as-descriptive-model on the basis of how good or desirable or perfect a feature may be, but rather on the basis of how accurately that feature captures what the thing being modeled is actually like. To create an ideal-as-descriptive-model of a grade school classroom in the small city I live in, one should probably include in the description the fact that some of the children regularly arrive at school hungry. Contrast this with what Mills calls an ideal-as-idealized-model, which is an exemplar of what something should be like, or would be like if it were perfect, a perfect instance of a thing of its kind (for instance, perfectly just, perfectly suited for learning, or even, since the 'should' need not always be understood in moral terms, perfectly designed for the purpose of torture [see 2004, 165]). In an ideal-as-idealized-model of a grade school classroom (the purpose of which is presumably to enable the education of children), none of the children would sit at their desks distracted by hunger.

Mills is concerned with the 'gap between [a phenomenon *P*] and the ideal, and correspondingly between ideal-as-descriptive-model (an ideal—in the sense of accurate—model of how *P* actually works) and ideal-as-idealized-model (an ideal—in the sense of an exemplar—model of how *P* should work)' (2004, 165). This gap is a matter of concern because ideal theorists assume that one can draw exclusively or primarily on an ideal-as-idealized-model in order to reach an understanding of actual phenomena. Mills points out that the question of whether an ideal-as-idealized-model is helpful for 'trying to understand the workings of an actual *P*'

will 'depend on how closely the actual *P* in question approximates the behavior of an ideal *P*' (2004, 165). The most privileged members of society are likely to 'have an experience that comes closest to that ideal and so experience the least cognitive dissonance between it and reality, ideal-as-idealized-model and ideal-as-descriptive-model' (2004, 170). This serves the ideological purpose of making the experience of the oppressed seem aberrant, and of steering ethical, social, and political theory away from examining, coming to understand, and facilitating resistance to actual structures of oppression.

Ideal theory strictly avoids descriptions of the actual. Thus, for instance, an ideal theorist might stipulate moral subjects who behave as independent social atoms rather than as dependent and interdependent members of families and communities, who are equal with respect to one another rather than positioned in relations of dominance and subordination or in relations of dependency, who have 'completely unrealistic capacities attributed to them—unrealistic even for the privileged minority, let alone those subordinated in different ways, who would not have had an equal opportunity for their natural capacities to develop, and who would in fact typically be disabled in crucial respects' (2004, 166). Thus focused on idealized moral subjects acting under background conditions that are presumed not to have been impacted by a history of oppression or by the ongoing effects of oppression, ideal theory not surprisingly yields a prescription or a map for reaching normative ideals that is at best useless for actual, oppressed subjects struggling against background conditions of injustice.

The essays in this volume are notable for the fact that they *do* pay attention to the actual (or, in some cases, theorize the significance of paying attention to the actual). In a weak sense, simply employing a methodology of examining actual rather than counterfactual/hypothetical ideal(ized) worlds qualifies a work as an instance of non-ideal theory. But the essays in this volume, being feminist, qualify as non-ideal theory in a stronger sense as well: they not only examine and theorize actual lives, they focus on the lives of those who live under conditions that are *particularly* distant from the ideal (in the sense of perfect), a distance that is generated and sustained by systemic sources of injustice. While *no one* lives an ideal (in the sense of perfect) life or under ideal (in the sense of perfect) conditions, some people live worse or more difficult lives, and under worse or more difficult conditions, than others. Sometimes this is due to natural luck. Often, it is due to the injustices of domination and oppression.[10] Developing theory that reflects the lives of women and others who face systemic injustice requires theory that is non-ideal(ized) in this stronger sense: it focuses on the actualities of people whose lives, *through injustice*, are kept distant from an ideal.

3 Preview of the Essays

Each of the essays in Part I of this volume theorize, from a feminist perspective, about either or both of the two thematics discussed above: the relation between the ethical, the social, and the political; and the contrast between ideal(izing) and non-ideal(izing) methods.

In the first chapter, Bat-Ami Bar On expresses a worry about the loss of the centrality of feminist political action, a loss that has come about in two ways. First, as feminists have shifted their attention from changing public opinion and initiating large-scale changes in the structuring of public life to transforming practices internal to personal relationships or to relationships within more private or bounded communities, feminist activism has become less clearly political. Secondly, even the activism—including revolutionary activism—typical of second wave feminism has been characterized by feminists as activism rooted in moral commitments rather than as political action. This characterization, according to Bar On, misconstrues the relation between the ethical and the political, and wrongly presumes that political action cannot produce its own sort of normativity but rather needs to borrow normative content from the ethical realm. Bar On rejects the realist assumption that politics has no normativity, and the apparent assumption of feminists that feminist activism can bring feminist moral values into the political, but that the values themselves remain moral, while political action is not a source of (feminist) normativity. She argues instead for an Arendtean understanding of political action that she urges feminists to embrace.

In Chapter 2, Lisa Rivera continues probing the relation between ethics on politics, and in doing so she also evaluates ideal and non-ideal theories for their ability to conceive of this relation adequately. Unlike Bar On, Rivera begins with the assumption that feminist commitments *are* political (rather than moral) commitments, and, focusing on the political commitment to resist oppression, she raises the question of whether such a commitment can count as an ethical reason. A worry that the importance of this sort of political commitment gets overlooked leads Rivera to be critical of ideal (moral) theory, in part because it fails to account for the normative priority that agents' political commitments can have. Invoking the insights of a version of moral particularism and emphasizing the particularity of an agent's social location as it relates to her commitment to resist oppression, Rivera points out that while an ideal theory may recognize the moral value that a political commitment can carry by virtue of contributing to others' good, the theory will still be inadequate if it fails to recognize that the political commitment—tied to the agent's particular relation to oppression—is not interchangeable with other reasons for acting, even if the resulting action brings about an equivalent good.

The last two essays of Part I assess frameworks or methods in terms of whether they engage in idealization, and work to pinpoint the sort of idealizing moves that are problematic and to identify the merits of non-ideal theory. In my own chapter, Chapter 3, my focus is on a eudaimonistic ethical framework. This framework appears unconducive for theorizing about the actual conditions faced by oppressed people, since eudaimonism centers the concept of *eudaimonia* or flourishing, and under some conditions of oppression *eudaimonia* may be unattainable. I suggest that while an idealizing form of eudaimonism must posit the background conditions and the features of moral subjectivity under which it is possible for an exercise of the virtues to be constitutive of (an attainable) flourishing—and must idealize in order to do this since actual conditions and actual features of moral subjectivity under oppression interfere in the possibility of virtue functioning in this way—it

is worth distinguishing between an idealizing and a non-idealizing eudaimonism. I thus recommend that a non-idealizing eudaimonism continue to center the concept of flourishing—now understood as largely unattainable—and examine the frustrations and disappointments of exercising the virtues under conditions of oppression where the virtues become disconnected from flourishing.

In Chapter 4 Alison Jaggar compares two methods for theorizing about justice and injustice: that of John Rawls and that of Iris Marion Young. She outlines the ways in which Rawls idealizes, and the contrasting ways in which Young avoids idealization, demonstrating the superiority of Young's critical method for addressing actual injustices. The pitfalls of Rawls' ideal theory include his exclusive focus on developing general principles which can then be applied rather than starting with descriptive accounts of actual practices, his choice to employ a fictional—and in fact impossible to actualize—model of reasoning (the reasoning that takes place in the hypothetical original position), and his focus on a society in which, counter to the facts of actual societies, members comply fully with the governing principles instead of on an actual society with all of its deviations from full compliance. Young avoids all of these pitfalls and Jaggar spells out the advantages of her doing so. What Jaggar reveals is the enormous potential of a feminist, non-idealizing, critical theorization of justice, particularly in the hands of a philosopher as passionate and imaginative as Iris Marion Young.

Part II of this volume is comprised of essays that critique one particular aspect of ideal theory, namely the idealizing portrayals of personhood employed in ideal theory. Each of these four essays focus on a different way in which this idealizing takes place: through the idealizing assumption of a self whose embodiment is as a 'singleton' (as opposed to a conjoined twin), through the idealizations of heteronormativity and heteronormative persons, through the idealization of persons as not needing (good enough) care and as not having been scarred by bad care, and through the idealization of persons as having cognitive capacities that not all actual humans have (alongside a degrading, stereotyped portrayal of actual cognitively impaired people, who are thereby excluded from personhood).

Christine Overall, contributing to feminism's practice of attending to embodiment, argues in Chapter 5 that ideal theory tends to ignore the fact that persons are embodied at all; feminist theorists do much better in that regard and regularly include considerations of gendered and racialized bodies, and bodies that are shaped by age, weight, and abilities and disabilities, and yet even feminists uniformly assume the embodied personhood of a singleton. Overall challenges the reader to rethink even this assumption, in part so as not to take for granted that the singleton way of being separable from other bodies, and the singleton habits of exercising the sort of authority, awareness and privacy that singletons have with respect to their (single) bodies, are the only or the ideal ways of being embodied. Taking for granted the inevitability or the desirability of singleton embodiment leads to poor treatment of conjoined twins, who, as Overall shows, are not necessarily better off being 'normalized,' that is, turned into singletons through surgical separation.

A different sort of normalization—the normalization and idealization of heterosexuality through a pretense of its universality—is the focus of Chapter 6, by Ada

Jaarsma. She draws on Søren Kierkegaard as a resource for the critical questioning of this idealization. Her reason for turning to Kierkegaard is that she recognizes that, being ideologically motivated, the tenacity of people's allegiance to heteronormativity cannot be undermined through rational argumentation, or even a more comprehensive education, alone; it requires instead an existential guilt and the development of a spiritual inwardness because this is what can subvert the subjective attachment to this particular practice of the normal and the repression (of the queer) that it requires. Additionally, a Kierkegaardian understanding of the spiritual can be counterposed to the fundamentalist's conception of religion (which Kierkegaard would claim is not spiritual at all), displacing the Religious Right's hold on the religious or spiritual discourse on hetero- and homosexuality.

Another discourse that makes idealizing assumptions about personhood is the discourse of distributive justice. Anca Gheaus, in Chapter 7, critiques theories of distributive justice, and the very ideal of distributive justice, by observing that a crucial element for fostering people's equal chances at success—good enough care—cannot be accounted for by theories that purport to cover all the varieties of goods that must be distributed fairly. Idealizing theories of distributive justice both idealize the persons about whom they theorize (by making oversimplified and false assumptions about their care needs, if they are characterized as needing care at all), and idealize the potential capacity of social policies to ensure whatever care is needed. Real, as opposed to idealized, persons often suffer from their histories of *bad* care, which leave traumas that cannot be easily overcome or repaired through fair distributive practices. Real, as opposed to idealized, social policies and institutions are insufficient—and, as Gheaus contends, *cannot* suffice—to meet actual needs for good enough care or to compensate for the effects of bad care. As important as policies directed at equalizing access to good care are, they will remain inadequate because necessary caring relations cannot be created or distributed through even the best policies. Good caring relations, according to Gheaus, must be promoted by those most able to do so, namely those individuals who have themselves benefitted from good care.

Like Gheaus, Eva Feder Kittay engages the literature on care ethics in her chapter, Chapter 8, arguing directly that care ethics stands as an excellent example of a non-idealized ethics. She contrasts care ethics with those justice-based theories that idealize in such a way as to exclude from personhood people who have severe cognitive disabilities, and points out that these exclusions result from failures of responsible and non-arrogant inquiry—failures that are themselves *unethical*—in the very practice of doing (idealized) ethics. Kittay characterizes the contrast between care ethics and theories of justice by emphasizing their different 'entry points': care ethics takes as a point of entry actual practices of care (and from there, aims to conceive and actualize 'best practices' of care), while in the case of justice the entry point is the hypothetical, fictionalized, or oversimplified theoretical assumptions or stipulations about moral subjects and moral conditions. Kittay's critique of idealized ethics focuses on two utilitarian theories—that of Peter Singer and Jeff McMahan—that distinguish between persons and nonpersons in such a way as to exclude people with severe cognitive disabilities from personhood, an exclusion that results from

their reliance on hypothetical examples that employ only stereotyped portrayals of the cognitively disabled, instead of on accurate, empirical information.

While Part II of the volume primarily critiques idealized characterizations of personhood, the essays of Part III take the next step and re-envision the moral and political subject without engaging in pernicious idealizations. Various traits are considered for this remade subject—who is understood to be living under and struggling against the non-ideal conditions of oppression—as the authors explore the possibilities of the self as vulnerable, as exhibiting a virtuous sort of anger, as appropriately (and imperfectly) forgiving, and as solidaristic.

Desirée Melton theorizes the vulnerable self in Chapter 9. Just as Jaarsma pointed out in the case of heteronormativity that it cannot be undermined with mere rational argument but requires instead an existential guilt and a spiritual approach, so Melton argues that whites' refusal to recognize racial injustice cannot be dislodged with evidence or argumentation; undermining this refusal also requires an existential awareness in the form of a disposition that Melton calls 'vulnerability.' Her claim is that the disposition of vulnerability enables the self to be open to recognizing racial injustice. The disposition—which involves an attunement to the mutual dependence of self and other on each other for understanding and respect—can be purposely cultivated, and Melton recommends such cultivation, a task which, because of how racism and white privilege function, she expects will be easier for blacks than for whites.

For Macalester Bell in Chapter 10, the trait to be investigated is anger, which can count as a virtue only if it is appropriate anger; Bell is interested in the possibilities of anger being a virtue under the very non-ideal conditions of oppression. Anger, a response to being wronged, seems promising from a feminist perspective because it can be an oppositional response to the wrongs of oppression, an assertion of self-respect in the face of a wrong done to one, and a force that serves to motivate resistance. As a character trait understood along the lines suggested by an Aristotelian framework, anger, to qualify as a virtue, must be appropriate in a variety of respects (well timed, well targeted, properly moderated, etc.). Bell further questions whether anger can count as a virtue in non-ideal conditions if its only connection to flourishing is that it will eventually lead to flourishing (for the bearer of the trait or for others). She dubs an account that depends on this future-oriented connection between virtue and flourishing the 'Eventual Flourishing Account' and argues against it, supporting instead an account—the 'Appropriate Attitude Account'—that insists on the non-instrumental value of a trait such as anger.

Anger emerges again as a consideration in Alice MacLachlan's discussion of forgiveness in Chapter 11. MacLachlan illustrates the inadequacy of any singular ideal of what forgiveness is or should be, noting that forgiveness can take place in a wide range of contexts and for a wide range of reasons. Singular ideals or paradigms of forgiveness have tended in the philosophical literature to ignore how contextual meanings—and the very value—of forgiveness can vary depending on gendered dimensions of the situation; the expectation that women will self-sacrifice and refrain from anger about wrongs done to them, for instance, can make the value of their forgiveness suspect. And yet, since forgiveness does retain some value even

in non-ideal situations where its value may be compromised or reshaped, MacLachlan proposes that one look at forgiveness as a practice (rather than an ideal), and recognize it as an imperfect practice that can and often should take place even under imperfect conditions. For instance, forgiving may be animated as a practice in which forgiveness is entangled with anger and resentment, and this 'imperfect forgiveness' may be exactly the sort of forgiveness that is best suited for certain situations, such as situations in which women's anger is so constrained that it can only be expressed when intermingled with the forgiveness she is expected to deliver.

Sally Scholz, in Chapter 12, investigates the moral and political subject whose obligations and responsibilities stem from her being in a relation of feminist political solidarity, a solidarity that forms in opposition to injustice. Describing feminist political solidarity as a commitment (to a cause or political struggle) that members of a solidary group undertake together, rather than, for instance, an already-existing unity amongst people who share an identity, Scholz contends that the particularities of the group's political aim will affect the sorts of obligations and responsibilities that arise from their solidarity; that is, the members of the solidary group are transformed through their commitment, as well as, often, through the challenges of carrying out this commitment with a diverse group of others.

A requirement of non-ideal theory is that it contextualize moral and political problems within the actual worlds about which it theorizes. The essays in Part IV of this volume are each strongly rooted in a different, particular, context, in each case a context that exhibits a problem or an injustice. In each of these essays, the author refrains from examples in which the characteristics of the moral/political subjects and of the background conditions are hypothetical, counterfactual, and impossible in the real world—each author refrains from pernicious idealization—and instead analyzes an actual problem within a context whose details the author knows about through accounts of experience, including empirical studies and fictional and non-fictional narrative.

In Chapter 13, Peggy DesAutels begins with the recognition of the importance of studying moral life in contexts where power is unequal and exercised abusively, and she compares two such contexts: contexts of oppression, and contexts in which a particular organizational structure supports unequal and perhaps abusive power relations. She focuses on hierarchical organizations in which a moral wrongdoing has taken place, and considers the possibilities for someone within the organization to resist this wrongdoing by engaging in 'whistleblowing'—exposing the wrongdoing with the aim of bringing it to a halt. Individual whistleblowers, DesAutels claims, are much like (other) resisters of oppression, especially in terms of the sort of moral damage they may sustain, and in terms of the sorts of virtues that they need to exercise in the course of their resistance. Furthermore, gender analysis shows some particular ways in which women whistleblowers are especially vulnerable.

María Pía Lara's analysis in Chapter 14 is contextualized in the problem of rape, including many of its varieties (for instance, rape in war, rape of young girls in forced marriages, rape within abusive relationships); her primary focus is on explaining how to derive meaning and ultimately legal accountability by way of concrete narratives. Beginning with stories—in this case, stories of rape—as

presenting particular examples of a kind of violence and moving from there through the moral disclosures that the stories open up, one can arrive at new conceptualizations of violence. Borrowing from Arendt, Lara emphasizes that it is in the public realm—where 'spectators' of a story can debate its meaning—that the 'moral filter' that allows one to understand the story emerges. Being able to understand the sort of violence that rape is (through the moral lens that Lara proposes, a 'paradigm of evil') and then define rape as a crime (through a 'paradigm of justice' which offers the legal category of accountability) depends upon this process of 'reflective judgment.'

The role of narratives for understanding violence and abuse remains a theme in Chapter 15, by Diana Tietjens Meyers; Meyers explores the relationship between narratives of the victims of human rights abuses and normativity. Meyers rejects two influential narrative theories that connect narrative to normativity but that Meyers views as able to capture neither the conditions of ongoing (rather than isolated) violence under which abuse victims narrate nor the most relevant features of these victims' narratives (including, for instance, the shame-driven silence that suppresses many female victims' stories). She proposes instead that one abandon the idealized expectation of perfect moral closure (where the story's closure is a reflection of moral closure in the real world, a moral closure that would consist—ideally—of a permanent end to all human rights abuses) and pay attention instead to the 'moments of moral closure' that surface in victims' narratives, narratives that are likely to be fragmented representations of sufferings but that cannot reflect any completed real-world moral closure because such closure has not occurred. Representing a 'moral void' through the communication of the violation carries an implied moral demand that takes the place of a traditionally-conceived form of moral closure, and this moral demand that issues from victims' narratives can enter successfully into humans rights discourse if those who listen to the narratives are equipped with the kinds of background knowledge that enables them to competently discern the moral meanings of the narrative.

The last chapter of the book is Ann Ferguson's, which focuses on women's grassroots resistance that is a part of the anti-corporate globalization movements. As the other authors in the fourth section of the book do, Ferguson begins with careful attention to the actual—in this case, to actual cases of women's activism—and bases her theorizations on these concrete cases. Ferguson considers three different ways of framing justice that all can be found within these cases of activism, labeling them the 'libertarian or neo-liberal justice' paradigm, the 'welfare state/social democratic justice' paradigm, and the 'justice as solidarity' paradigm. She finds this last paradigm to be the most fruitful in that it can effect fundamental change in the form that globalization takes, and she spends time detailing the practices—actual, collectivist social relations of production that serve as alternatives to capitalist globalization—that support this vision of global justice as solidarity, noting the important place of women activists with feminist concerns contributing to this vision, and insisting all the while that the vision is achievable rather than utopian.

Together the essays of this volume engage in a wide range of concerns with the ethical, social and political dimensions of the actual, non-ideal world we live

in, focusing a feminist lens on both the oppression and the resistance present or possible in this world. It is my hope that these attempts at critically understanding the actual can support even a bit of movement toward more just arrangements.

Acknowledgments Bat-Ami Bar On and I have been having numerous and lengthy discussions about the relationship between ethics and politics. These discussions yielded both her chapter in this volume and my introduction (particularly the first section of it); both the connections and the disagreements between our pieces should be clear. I am very grateful to her for the ways she has challenged and contributed to my thinking about the issue.

Notes

1. I am using the term 'ethics' and the term 'social and political philosophy' because I am following the customary way of dividing philosophical subfields (in the titles of courses, in the organization of textbooks, in the descriptions of specializations, etc.). However, below, the customary division–where 'ethics' stands alone as one subfield as if it were distinct from the social, and distinct from the political, and where 'social' and 'political' are lumped together as if there were not important differences between them–will be problematized.
2. Thanks to Bat-Ami Bar On for drawing my attention to these elements, especially the element of publicity.
3. See Alison Jaggar's claim that within the 'diversity' of 'Western feminist ethics,' 'a certain consistency of approach may be discerned. This consistency is expressed as a distinctively feminist version of naturalism, rooted in feminists' concern about contingent inequalities of gender' (2000, 457). Of course, there are feminists who reject this naturalist approach; see for instance Virginia Held (2002). A version of feminist naturalism in ethics is developed in great detail by Margaret Urban Walker (1998/2007, 2003).
4. Lorraine Code (2002) makes this point.
5. This observation recalls for me the following incident. One time–maybe twelve or so years ago–my partner Ami and I were camping in a campground. It was morning, and the people in the neighboring campsite had tied their dog up and driven off for the day. Immediately, the dog starting whining and crying, and both Ami and I looked over at the dog sympathetically. 'Poor dog,' I said, 'he misses his people.' 'Poor dog,' Ami said, 'he wants to be free, off his leash.' Our comments–our projections onto this dog–reveal plenty, but among other things they seem to have foretold the fact that in the past decade Ami has drifted more squarely into the position of a political theorist centrally concerned with the question of freedom, and I into the position of an ethicist focused on the concept of flourishing. The political theorist wanted to ensure the dog's freedom, and the ethicist wanted to secure for the dog what he needs to flourish (including in this dog's case, and as emphasized in some versions of feminist ethics, connection or relation to others).
6. This claim has roots in Nagel (1979).
7. Cheshire Calhoun uses the term 'realism' to refer to 'attentiveness to what moral life is really like–to what moral agents are really like, to what the production and acquisition of moral knowledge is really like, to what the social practice of morality is really like, to what character development is really like, to what practical decision making is really like–as *opposed* to the conventions employed within moral philosophy for describing these same things,' and she believes that such a realism (which she further qualifies by calling it an 'inventive realism') 'captures the common character of women philosophers' work in moral philosophy' (Calhoun 2004, 4; italics in the original).
8. Mills draws on the work of Onora O'Neill (1987; 1993) and follows O'Neill in rejecting idealization while endorsing abstraction; he argues that while some abstraction abstracts away from gender, race and class realities, not all abstraction does, and that abstraction as a tool of

theorizing is necessary for the theory to avoid particularism and relativism. This puts him at odds with, for instance, Margaret Urban Walker's non-idealizing, naturalized approach, since she falls on the particularism side of the generalist-particularist debates (though her account of 'moral particularity' differs from other literature on 'moral particularism') and even permits a version of relativism. I will not analyze these differences here. Mills' embrace of O'Neill's defense of abstraction also puts him somewhat at odds with Lisa Schwartzman (2006), who, also responding to O'Neill's work on abstraction and idealization, is convinced that in the context of oppression, abstraction is so likely to be pernicious that it ought to be avoided; she contends that 'theorists who aim to construct highly abstract models succeed in abstracting only from certain features, while other aspects of our social world remain unchallenged and often unacknowledged' (2006, 8), and specifically that 'in the context of oppression . . . methods of abstraction often involve the bracketing of information that is crucial to understanding the nature and sources of subjugation' (2006, 78).

9. Schwartzman, too, recognizes the necessity and the value of 'normative ideals,' distinguishing them from 'idealizations' (see Schwartzman 2006, 88–93).
10. I like to keep in mind Iris Marion Young's point that oppression has many different possible 'faces,' including exploitation, marginalization, powerlessness, cultural imperialism, and violence (see Young 1990).

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Part I
Feminist Theorizations of Ethics and Politics, and of the Ideal and Non-ideal

Chapter 1
Normativity, Feminism, and Politics

Bat-Ami Bar On

Abstract In this chapter I explore normativity in politics. I focus especially on feminism because I think that second wave feminist movements illustrate the production of normativity by political action. Feminism, though, does not illuminate this aspect of itself because feminists tend to describe feminist political action with a moral rather than political vocabulary. Such a vocabulary succeeds in capturing just one aspect of feminism – the centering of the transformation of everyday practices by feminists in feminist groups and in personal relationships. What remains outside is feminist political action, which centers the generation and influence of public opinion and participation in the public political contestation of ideas, sub-state institutions, policies, and laws that frame collective life in a polity. The distinction I draw between the ethical and political separates the ethical from the political but does not draw hard boundaries between them. While accepting the partition of morality and politics that took place in modernity, it refuses the standard emptying of politics from normativity along realist lines and its refilling with normativity along moralist lines, which necessarily presuppose the realist lines while claiming priority for ethics. It also requires rejecting a unified idea of power and thinking of people's political power along Arendtian lines, as involving collective action and self-authorization, and also being an emergent quality of people coming together to act politically.

Keywords Arendt · Democracy · Feminism · Normativity · Political action

1.1

Feminists do not agree on what is the best ethical point of view.[1] Nor do feminists agree on what is or is not political.[2] Nonetheless, feminists tend to reproduce the most common strand of a modernist understanding of normativity in politics

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according to which, political normativity, that is, what makes sense to do and think politically and what makes sense to feel in political contexts and about politics,[3] is derived from moral normativity so that if politics is normative at all, it is because while by itself it is normativity neutral, it can be infused with or at least constrained by ethics.[4] This position distinguishes the moral from the political and, accepting the realist description of politics, nonetheless, insists contra the realist that politics can be ethical, thereby also elevating the moral above the political. Feminist activism illustrates that politics is a site for the production of political normativity, as well as that political action is capable of the production of political normativity, and so that political normativity can be produced in and by politics. Feminism, though, tends to not illuminate this aspect of itself because of a general inclination of feminists toward the description of feminist activism primarily with a moral vocabulary.

Asserting that politics is a site of the production of political normativity and that political action produces political normativity is itself a position with roots in modernity. I read Machiavelli (2005) as attempting to teach us about this and learn from him that in what has become the modern 'west,'[5] politics has actually been normatively productive ever since politics began to be secularized in early modernity.[6] Many readers of Machiavelli, especially if they read him as a thorough instrumentalist who argues for the prioritization of specific political ends over any justified concern with the means that are used to achieve those ends, find this capacity of political action to be quite problematic. But this is not the only possible reading of Machiavelli[7] and I think that (liberal-) democratic politics,[8] and especially its popular radically participatory agonal varieties, if it is to maintain its promissory political horizon of freedom, equality, plurality, solidarity, and inclusion – which I take as examples of political ideals/norms that have been produced politically[9] though they have multiple sources[10] – can be trusted with the production of political normativity.[11]

My position has some affinities – for me, somewhat uneasy ones – with that of John Rawls, whom I read as attempting to distinguish the political from the ethical without losing normativity in politics.[12] But Rawls, nonetheless, understands political normativity as a kind of moral normativity, different only as a function of the distinctiveness of the political domain. Rawls, though, is less influential for my own thinking on the subject than Hannah Arendt, whom I read as urging her interlocutors to think of politics, at least in its participatory or republican (liberal-) democratic version, as both foundationless and as capable of producing its own normativity.[13] And so, I tend to think of the production of political normativity in and by politics as not merely a domain dependent version of some general moral normativity. Rather, I take the domain of politics to be historically contingent and co-produced with political normativity. With Arendt I believe that unhooking politics from ethics, and especially from a sense of the moral as a trump with respect to politics, is a risky move since as a result of such unhooking the space of politics becomes more open and anarchic. However, I also think that in the current historical conjuncture, with economic globalization moving along a course that is facilitated by neoliberal control of capitalism's core states'

apparatuses (Harvey 2003, 2005),[14] it is, nonetheless still possible and even essential to think of politics as productive not only in an instrumental sense but of political normativity.[15]

Perspective is extremely important for me as I try to think through the relation of ethics and politics. Mine is that of political action. Usually the perspective that is assumed when the normativity of politics is entrusted to morality is that of institutions that are taken to form the political realm or that of an individual and her or his conduct insofar as that conduct is in some sense political. Rawls provides an example of a perspective that centers institutions. 'Justice,' he declares, 'is the first virtue of social institutions' (1971, 3) or alternatively, 'the basic structure of society,' which is constituted by its institutions, 'is the first subject of justice' (1996, 257). Institutions shape collective life and from the perspective of reflection on institutions it is extremely hard to see how it is that political normativity, even when understood as domain dependent, can be produced in and by politics. Rawls contributes to a lack of clarity about the production of normativity in and by politics because he turns reflection about the practical problem of collective life, which he contends is solved by the construction of social institutions, into a kind of procedural source of normativity for and in politics.[16]

When Norberto Bobbio suggests that there is something peculiar to thinking of politics as so separate from ethics that political conduct is taken as exempt from moral judgment, the perspective that he adopts is that of an individual actor who either has to decide or is evaluated for a decision about 'what conduct would be morally licit, and conversely what conduct would be morally illicit, and possibly for non-rigorist morals, what conduct would be a matter of indifference' (1998, 14) in the context of some social relation. Political conduct, like all human conduct, according to Bobbio, is the conduct of individuals and it occurs in the context of social relations whose characteristics necessarily form part of what is to be taken into consideration when principles of action that are to be used in ethical decisions are pondered. For Bobbio, the political social relation is not so dissimilar when compared with other social relations – and Bobbio's list of examples of other social relations includes economic relations, sexual relations, sports, and the relations of doctors and patients – and so it seems that there is nothing about it that differentiates it so much from other social relations to justify the exemption of political conduct from moral scrutiny.

Michael Walzer (1973), less an ethical monist or absolutist than Bobbio, still employs the perspective of an individual actor when suggesting that as a political actor one will necessarily encounter situations in which values and principles collide and in order to be a good politician and not just a good person, the political actor qua political actor may have to choose to 'dirty' her or his hands, solving her or his dilemma in a manner that leaves her or him betraying some of her or his values or principles. While Bobbio's individual centered perspective is useful when worrying, for example, about the violation of trust, particularly in the context of a political social relation that is similar to a fiduciary relation, such as that between elected officials and the public[17] and Walzer's individual centered perspective is useful when worrying, for example, about the goodness of the political actor

qua individual,[18] I find this perspective to be partial and, therefore, limiting when thinking about politics and political action.

As viewed by both Bobbio and Walzer, a political action is an action of individuals considered individually[19] and it is as such an action that it comes under either objective or local but either way preexisting ethical principles that can be applied to it and which it conveys or fails to convey. What this perspective misses is that political action is, as Arendt suggests, at once both individual and collective.[20] The reduction of political action for most residents of liberal democracies to voting, the decline of political parties, and the emphasis on individual political leadership, especially of candidates for offices like the presidency in the United States or the prime minister in England or Israel, obscure the collective aspect of political action. Even so, political action is not merely something individuals do alone but rather something individuals do together with others whether in face-to-face small groups like a local Citizen's Action group or in technologically facilitated networks primarily of strangers like MoveOn.org, and do best when they maintain rather than shed their individuality. It is the shift in perspective from political action as simply the action of an individual to political action as at once both that of unique and even singular individuals and yet at the same time a collective action, that I think is needed in order to begin exploring the production of political normativity in and by politics.

1.2

The kind of political action that is at once individual and collective and discloses most clearly that political action produces political normativity is modern revolutionary political action, which since the French Revolution has come to be associated with, if not the actual, then the promise of the possibility of a radical transformation of a polity.[21] A radical transformation of a polity does not merely involve the application of present norms and values to the present that is to be transformed. It entails the transfiguration of present values and norms before and through the revolution, and, therefore, the co-production of new values and norms and of the domain of politics itself.[22] The French Revolution, for example, co-produced its ideals/norms of freedom, equality, and solidarity and the Republic.[23]

The new social movements of the 1960s to the early 1980s were inspired by revolutions and revolutionary political action and with some exceptions conceived of themselves as revolutionary, at least in the sense that they aimed at a profound and far-reaching social change (Arrighi et al. 1989).[24] Almost thirty to forty years after the movements sprouted and flourished, during a time in which the possibility of revolution may seem remote if not foreclosed,[25] the intense concern with revolution and revolutionary action of the kind that one can find in period feminist writings may seem rather naïve. At the same time though, these writings also tell about what second wave feminists thought of themselves as political activists and how they understood their actions.[26]

Thus for example, Ann Koedt found an opening for 'a female revolution within the general revolution' (1973, 319) and urged women activists in the New Left

radical movements to fight for women's liberation and prioritize this fight since no one other than women was motivated by women's distinct interests. Shulamith Firestone buttressed arguments like Koedt's by suggesting that feminist political action had the potential to be revolutionary political action because 'for the first time in some countries the preconditions for feminist revolution exist – indeed the situation is beginning to *demand* such a revolution' (1970, 1). And, Ann Ferguson and Nancy Folbre clarified further what about the era was revolutionary by calling attention to both the contradictions between capitalism and patriarchy and to these contradictions' importance to women for whom the 'conflicts are a source of an increasing dissatisfaction and disaffection with the current state of society' increasing 'the likelihood that women will become actively involved in radical social change' (1981, 328).

Mobilized to become activists, feminists described not only the time but their activism in revolutionary terms. So, for example, the Combahee River Collective stated that, 'as Black feminists and Lesbians we know that we have a very definite revolutionary task to perform and we are ready for the lifetime of work and struggle before us' (1982). And, Nancy Hartsock noted that for second wave feminists revolutionary action took place on 'several levels: the personal, the group or organizational, and the level of social institutions;' involved 'redefining the self, building different kinds of political organizations, and gaining economic power for women;' and each change was 'understood as important not only as a facet of political change in itself but as a precondition for further change' (1974, 13). All these changes, Hartsock believed, were revolutionary because they undermined domination,[27] to which power had been put to use. Power, as Hartsock and other feminists understood it, could be possessed just like any capitalist commodity. It was produced structurally through the unequal distribution of resources between women and men so typical of patriarchy. Power was possessed by individual men assuming their roles within patriarchal structures as husbands and heads of households, school principals, doctors, department heads in factories, CEOs of companies, and as congressmen, senators, governors, and presidents (Brown, 1981).[28] Power, according to feminists, did not operate only externally as a coercive force. When subjects are produced in the context of unequal relations of power, as women and men are, power also has internal psychological effects (de Beauvoir 1953, Chesler 1972).[29]

Paradoxically for feminists who with the rest of the New Left were suspicious and critical of power due to its negative effects, feminists qua feminists seemed to produce and possess power (hooks 1984). Feminist began to realize this as they thought about their own personal changes while becoming feminists and feminists of color (Allen 1973, Bunch 1975, Bartky 1976, Moraga 1981). In addition, they struggled with their sense of their own power within feminist organizations as they rethought organizational structures for feminist groups, attempted to maximize equality, participation and collective decision-making, and had to come to terms with leadership (Freeman 1973, Bunch 1974, Bar On 1976). And, the very creation of feminist organizations was about power since what they were needed for was to empower women. The logic was simple: without feminist organizations there could

be no feminist movement and without a feminist movement, there could be no feminist revolution (Kollias 1976, O'Sullivan 1976).[30]

The situation in which feminist found themselves with respect to power added to the justificatory pressures that feminists felt due to their revolutionary aspirations. Change from the status qua is always under justificatory pressure. Though one may have to account for the desire to maintain the status quo against it as the background, one usually is expected to account for the desire for change. The desire for radical social change is doubly suspect. And after the rise of Nazi, Fascist, and Communist totalitarianisms, the revolutionary potency of the times did not suffice to justify a revolution.[31] Feminists in particular were under justificatory pressure since the feminist revolutionary vision even in its liberal versions was sweeping because it strove to change among other things what up to then was considered personal and private. For feminists 'the personal' was, and in many cases still is, 'political.'[32]

When feminists thought of the times and themselves as revolutionary, they used an available vocabulary on which they built and which they revised and they did the same when beginning to develop justifications for their demands for radical social change and of their actions toward such a change.[33] As Michael Walzer (1977) points out in his reflections about the available vocabularies of the time, there were basically two such vocabularies. One vocabulary was that of political realism which construes all social relations as functions of normatively neutral forces. The other was a moral vocabulary. Feminist tended, and still tend to primarily mobilize the available moral vocabulary. This is the way in which feminists, for example, understood feminist social theory, which Alison Jaggar and Paula Rothenberg Struhl described as offering 'a *des*cription of women's oppression and a *pre*scription for eliminating it' because it 'examines women's experience' and 'characterizes certain features of it as oppressive' while suggesting 'a new vision of justice and freedom for women' (1978, xi). That for feminists who took themselves as engaged in social critique, 'oppression,' 'justice,' and 'freedom' were moral terms, becomes obvious when one looks at instances of feminist analyses, which include as varied analyses as those of the oppressive moral expectation that women self sacrifice for the good of men and children, the morality of abortion, the moral wrongness of rape, sexual harassment and other forms of gendered violence, sexual ethics, the moral wrongness of structured inequality of opportunities and gendered role expectations that penetrate into marriage and the family, the morally problematic expectations of feminine appearances and representations and more. Alison Jaggar brings these assortment of issues that are contested even among feminists – contestations that she explains as rooted in moral concerns and whose lack of resolution, she claims, produces moral discomfort – under an umbrella that she refers to as 'social ethics' (1994).[34]

1.3

The impression that is left by feminist analyses of the kind I describe above is that the feminist revolution, while social because it is about social institutions and social relations, is fundamentally a moral or ethical revolution.[35] To the extent that the

feminist revolution is also political, it is so because the moral-social changes that feminists advocate and engage in yield changes in power relations and involve the reworking of unequal distributions of power that are the condition of possibility of oppression and domination. In accordance, feminist activism is political only in this derivative sense. Feminist activism is, in the first instance, social-moral.

Margaret Urban Walker's work on moral understandings (1998)[36] represents for me a certain kind of philosophical recasting of movement based feminist understandings of feminist moral-social change and feminist activism as its catalyst.[37] Walker says of morality that it consists of practices, of which some are discursive, and that these practices are not 'socially modular' (17) in the sense that 'moral practices are not extricable from other social ones' and 'moral identities' are enmeshed with 'social roles and positions' (2001, 6). Walker does not thematize politics or political activism.[38] She uses the term 'political' in three common ways, all three suggesting that the political is subsumed or subsumable under the ethical.[39] Thus, Walker describes organizations that form or are part of the state or similar enough supra-state arrangements like the European Union or the United Nations as political. The specialization of the state or state-like organizations does not differentiate them, for Walker, in a manner that requires thinking of them in any other way but as a nodal point in the social-moral fabric of a shared collective life. Walker also describes social relations that involve power as domination, such as morally unjustifiable unequal gender relations as political. And, Walker uses the term 'political' to refer to the contestations of morally unjustifiable forms of power, for example, by feminists.

Contestatory action, though political because it confronts unjustified power, is, according to Walker, a social-moral practice of holding to account, similar in this respect to other holding to account moral-social practices, both formalized like the accounts asked for in tribunals and truth commissions, and informal, like those asked for by friends. A special case of such a practice, and for Walker a particularly significant case when it comes to feminist demands for change, involves critical reflection and transparency testing, which is intended to expose morally unjustifiable social arrangements. Transparency testing is something akin to what happens in consciousness raising groups and what one does when engaging in ideology critique, and as Walker suggests, what feminist ethics does when it makes visible 'gendered arrangements which underlie existing moral understandings, and the gendered structures of authority that produce and circulate these understandings' (1998, 73)[40].

It is quite interesting that for Walker the exemplary social-moral contestatory action is transparency testing, the transformative potential of which is, she claims, a result of a disequilibrium in the moral-social fabric of shared understandings which is torn or shredded by the revelations of lies (1998, 219). For Iris Marion Young, the exemplary contestatory action is the protest – 'picketing, leafleting, guerilla theatre, large and loud street demonstrations, sit-ins, and other forms of direct action such as boycotts' (2001, 673). Young tends to describe protest in terms that almost translate it into a version of transparency testing. Protest, for example, she claims, exposes harms that are entailed by inequality. Moreover, because she describes activists engaged in protest as morally motivated and debating their tactics under various ethical considerations, she seems to think of protest as moral-social action. At the

same time, though, Young conceives of protest, when successful, as *generating* and *influencing* public opinion and eventually perhaps even policy and law in small local settings or globally (2001, 688, the emphasis is mine).

For Young, positioning protest as potentially generating and influencing public opinion, policy and law, is a move intended to create an equivalence between the protester and the deliberative democrat. The deliberative democrat believes that political action is communicative-deliberative and involves an exchange between parties that offer reasoned arguments to each other.[41] For the deliberative democrat, the process of deliberative communication leads to the formation of public opinion, which is understood as not a simple sum of individual opinions but rather as displaying some level of integration as a result of people changing their minds because they are convinced by the force of the best argument. It also leads to political will formation, the willingness to take collective action. Young's protester's generation and influence of public opinion is intended as an equivalent of the deliberative democrat's process of opinion and will formation and this brings out that about protest that is productive of normativity.

But, Young hesitates and does not elaborate on this aspect of protest. This is because she creates the equivalence between the deliberative democrat and the protester due to her concern with the dismissive and delegitimating construction of progressive oppositional direct action by its opponents, including sympathetic deliberative democrats.[42] As she constructs the equivalence, she does not distance herself enough from the constraints on political speech that are imposed by deliberative democrats. As a result, she moves too quickly to shelve the deliberative democrat's suspicion that protest functions more like physical force than like deliberative speech and it is because of this that it is, according to the deliberative democrat, an improper kind of political action.[43] By trying to demonstrate to the deliberative democrat that the protester is more like a deliberative democrat than not, Young misses an opportunity to consider protest as a performance that projects not force, as the deliberative democrat contends, but rather political power.

Following Arendt, I suggest that protest as an intentional organized collective political action indeed projects political power. In her reading of Arendt, Young claims approvingly that what Arendt means by power is 'collective action' performed by people who come together 'to constitute their manner of living together' (2007, 84–85). On first impression, protest, especially when it is focused on a specific issue such as opposition to an ongoing war like the United States' second Iraq War or support of same sex marriage, may not seem to fit into what Young takes to be the Arendtian understanding of power. Protest, though, more than other kinds of political action, both displays political power and has the potential of reminding people of their ability to act collectively and shape and reshape their collective life. Put differently, protest, exactly because of its display of political power, can remind people that the form of their collective life is always open to political negotiations and revisions, as well as that they can come together with others and be political agents of change. In this way protest may be reminding people of their capacity for political freedom.

Protest may appear disruptive against the background of routinized politics in existing liberal democracies, though, because in existing liberal-democracies protest itself has gotten routinized in many ways, it may have lost its disruptive appearance.[44] So, it is against a background of repression and authoritarianism that protest still best illuminates the embodiment of political freedom in political action. Habermas's reading of Arendt on power is helpful here since he points out that for Arendt 'political power' is not 'a potential for asserting one's own interests or for realizing collective goals nor the administrative power to implement collectively binding decision but rather an *authorizing* force' (1996, 148). This is how political freedom appears through political action, as an authorization and, I would say that for Arendt this means first and foremost as self-authorization, as a comprehension of the political actor and the group to which she or he belongs as a group of authors that they therefore can authorize. Habermas goes on to discuss the Arendtian version of authorization as aligned with the creation of law and the founding of institutions. But I believe that, in addition and perhaps more generally, what Arendt has to offer in this context is a direction toward understanding political action as a collective self-authorization/authorization of new political norms that may but do not necessarily get embedded in law or political institutions.[45]

1.4

I am suggesting above that Arendt be read as embracing the democratic myth of self-authorization/authorization by the people who as sovereign have been considered to be the source of legitimate authority in liberal-democracies.[46] I am also suggesting that following Arendt one should not take a mythical route to the interpretation of the idea of collective self-authorization/authorization and popular sovereignty but find evidence for it in the lived political experiences of political action by small to large groups that come together in order to act politically. I am suggesting further that this collective self-authorization/authorization is the normative condition of possibility of the production of normativity in and by politics. I want to add to this that I think that for Arendt political power has another dimension, which is connected to its ability to leave concrete normative marks and traces.

Political power is, for Arendt, also, an emergent quality of the coming together of individuals in groups that act politically and as such are concrete and tangible to themselves and others. It is what appears as the 'power of numbers' in the case of large scale demonstrations, and which under certain conditions has palpable effects.[47] The fall of the Berlin Wall on 09 November 1989 is an example of such an effect. It was preceded by a million people demonstration in Alexanderplatz in East Berlin on 04 November, which made the power that emerged from the assembly itself quite tangible. This demonstration was preceded by smaller demonstrations in several East German cities that began as early as September and led to a cascade effect that culminated in the Alexanderplatz demonstration, facilitated in part by people's sense that the Soviet Union would not respond with violence, leaving the East German regime on its own.

Even when political power is crushed by violence, as it was in Tiananmen Square in Beijing on 04 June 1989, just five months before the fall of the Berlin Wall, it is still experienced as power and can have extensive effects due to the boundlessness of political action, especially in a globalized world that is integrated by information technologies that make possible not only the immediacy of the transmission of digitalizable data but also the easily accessible storage of unimaginable amounts of it.[48] The effects of political power are, however, mostly unpredictable. In 1973, after *Roe v. Wade* was decided by the United States Supreme Court, one could not have predicted that in 2008 abortion would still be contested in multiple arenas and a position on *Roe v. Wade* would be a litmus test for nominees to the United States Supreme Court. Still, sometimes the normative effects of political power are concretized for long enough to become relatively stable and even ossified and recede into the background. Even in the background they can still communicate a sense of vitality imparted to them by political power, unless ossified.[49]

My description of political action and political power can be easily used to describe feminist action and feminist power. Doing so offers a more nuanced account of feminism as a movement. Feminism is a social movement – or multiple social movements[50] – in the sociological sense, namely feminism is a movement of people who have come together in loose organizational forms in order to struggle for change. As such it belongs in civil society.[51] But, civil society is the primary site of popular political action and within this site feminism has been active politically. Feminist political action is so in the Arendtian sense of self-authorization/authorization since feminists in multiple collectivities assumed the authority to negotiate for revisions of the frameworks of collective life and much of feminist political activism has been and continues to be directed toward generating and influencing public opinion and public political will formation. Much of feminist activism has also been directed at experimenting with alternative social relations. I believe that to the extent that they remain internal to feminist organizations and to feminists' personal relations, they are primarily social-moral[52] and more similar in that respect to experiments like those of the Shakers in the United States or the socialist kibbutzim in Israel.[53]

One could conceive of these experiments as political and part of a 'politics of everyday life.' As Nancy Fraser notes (1981), an analysis of power like Foucault's, which locates the instantiations of power in mundane everyday micropractices leads to a 'politics of everyday life.' Feminists, independently of Foucault but also with awareness of his work, have called attention to the instantiation of power in mundane everyday micropractices, such as those of the family and child rearing, and rejecting the distinction between private and public with its association of family life with the private and politics with the public, have moved to politicize the private.[54]

I want to propose, though, that there are several senses in which the idea of the politicization of everyday life can be understood. According to one, everyday life is politicized when it is re-described in such a way as to expose the hitherto unacknowledged circulation of power through some set of connected everyday mundane practices. It is in this sense that feminists, for example, politicized the heteronormative family. It is in direct relation to this first sense that a second sense of the

politicization of everyday life can be constructed. According to this second sense, the re-patterning of mundane everyday practices in a manner that resists the now exposed power operations in everyday life is what politicizes them. It is in this sense that feminists, for example, politicized lesbian relations. A third sense of the politicization of everyday life involves re-descriptions though not necessarily in terms of power but rather (also or instead) in normative terms that expose a deficiency, as well as a demand for addressing this deficiency that goes beyond personal and small group arrangements (such as those of partners who rearrange their personal lives so as to maximize their equality). It is in this third sense that feminists, for example, politicized various aspects of the family such as child and elder care that has traditionally been delegated to women in families and have made demands for child care in work places and paid family leaves.

It is only in the case of politicization in the third sense that groups of individuals come together to act collectively, enter the political public sphere on its multiple public sites of contestation,[55] and speak and act in concert intent on the generation and influence of public opinion and will formation among other people, many of whom are at least initially, and may remain, strangers to each other. Politicization in the first sense may take place as part of politicization in the third sense, but only if the critical re-description in terms of power is brought into the political public sphere as contestatory political action. In the case of politicization in the second sense, the actors do not necessarily enter the political public sphere but rather as individuals who are among people with whom they have personal relationships, they try together to reform them.[56] Like politicization in the first sense, politicization in the second sense may take place as part of politicization in the third sense, but only if power resisting relational re-patterning is brought into the political public sphere as contestatory political action.

Though referred to as forms of politicization, I am not certain that the first and second senses should be taken as describing kinds of political action when they do not meet the implicit criteria set by the third sense. They remain, then, social-moral actions. Walker's description of morality as consisting 'in interpersonal acknowledgment and constraint' (1998, 5) is helpful here since it highlights certain limits inherent to moral-social action due to it taking place interpersonally. While Walker herself may have a more expansive version than I of what relationships are interpersonal, the term 'interpersonal' does suggest a closer relationship than one has with strangers or people who are at a certain distance from oneself.[57]

I do not mean for the distinction that I am drawing between moral-social action and political action to imply that political action does not convey normativity or that social-moral practices are not entangled with power. As sociologists have noted, power is not one but multiple (Poggi, 2001, Scott, 2001). And as Habermas points out (1996), even political power is not one but divided in several ways, for example, between the legislative and administrative branches of government, and also between the government and the people who consider themselves members of the polity who through their political action in the political public sphere constitute themselves as a power separate from the government. Normativity too is not one and it is produced in multiple sites and in many different ways.[58] There is moral-social

normativity. There is also political normativity.[59] The two are not necessarily the same but nor are the boundaries between them impermeable. Values/norms migrate and change historically in multiple ways.

1.5

Even as I affirm the permeability of political and moral normativities with respect to each other, I do not want to disregard their differences. The stakes of the distinction between them are, for me, quite high because I have learned from Arendt to appreciate popular political action and politics in ways that were new for me but at the same time appealed to me because she seems to be able to get at their *chutzpa*, at their boldness and audacity. The *chutzpa* of popular political action and popular politics is the *chutzpa* of political freedom, perhaps one of the most fragile achievements and legacies of modernity,[60] since it is the freedom that co-originates with self-authorization to act, itself happening because one is already acting with others to frame a polity's collective life. Political freedom is renewed through popular political action and does not exist without it.

There are circumstances in which individuals find themselves that bar them from political action and therefore from political freedom. Arendt comments on several such circumstances. One was that of Rahel Varnhagen née Levin (Arendt, 1997). Varnhagen, because she was a German-Jewish woman who was born in 1771 and died in 1833, on the cusp of Jewish emancipation in Europe and with the struggles for women's suffrage beginning even later, was excluded from politics by her life circumstances. While Arendt finds Varnhagen's response to her exclusion from politics to be quite admirable, she also describes it as deeply impacted by this exclusion and leaving Varnhagen primarily with few avenues to act, all social.[61] A different set of circumstances confronted Karl Jaspers, fifty-four years old in 1937 when the Nazis forced him out of his professorship at Heidelberg because he was married to a Jewish woman and was not a Nazi. Jaspers and his wife, strangely protected by his fame and their childlessness, spent the time until 1945 in a state that Jaspers referred to as internal immigration. For Arendt (1968) this made Jasper's singular moral timber stand out, especially since all around him people were complicit with the Nazis. Acting morally is, according to Arendt, all one can do when there is little or no space for politics, as was the case in Nazi Germany for Jaspers and many others.[62]

Because of the fragility of political action and freedom, their narration is extremely important and it is as a result that it seems to me crucial to remember feminist activism, when appropriate, as political activism in the Arendian sense. When described in this way, one can, in addition to appreciating its *chutzpa*, appreciate it as a form of taking political responsibility, which Arendt conceives of as responsibility to 'set the time aright' (2003a, 28) – a form of responsibility for justice that has to be understood expansively – and is distinguished from moral responsibility since morally one can be responsible only for one's own acts or omissions. I would like

to add to this distinction by emphasizing that taking political responsibility is, for Arendt, an act of freedom. One does not have an obligation or duty to act politically.

It is possible that what kind of person one is, which for Arendt meant what kind of moral person one is, might make a difference with respect to whether one will act politically and how one will act when acting politically. Arendt was not certain and did not count on moral convictions, or professed beliefs, not even on moral character as motivating anyone to act politically or color political action in a determinate way. She found the experience of Nazi Germany and what she describes as a 'moral disintegration of German society' and its 'total breakdown' (2003a, 24–25), extremely troubling and reports that it was 'strange and frightening' to find out that the terms 'morality' and 'ethics' 'should never have meant more than usages and habits' (2003b, 50). However, Arendt seems to have not given up on one possible connection between ethics and politics – a mixture of conscience/consciousness and integrity, 'the disposition to live together explicitly with oneself, that is, to be engaged in that silent dialogue between me and myself which, ... we usually call thinking' (2003a, 45),[63] a disposition that Arendt believed requires no special talents though like all dispositions it too needs cultivation.

With this connection Arendt seems to try to solve the motivational question or at least identify a condition of possibility of doing what is right no matter what the setting. I think there is a tempting kernel of truth to this idea but I want to point out that even if one grants this kind of connection, at most what Arendt identifies is a limit condition that functions negatively as a constraint on action and cannot be used to account for the production of either moral or political normativity.

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Notes

1. I am not drawing a distinction between 'morality' and 'ethics' though I like and find at least some of the ways that the two have been distinguished from each other by various philosophers (see Hegel [1979], for example) to be quite productive. As to the position in question, Bernard Williams, for example, refers to a version of it as 'political moralism' (2005, 2). See my earlier comments on it (Bar On 2004).
2. 'Political' and 'politics' are contested terms (Connoly 1983, 12–22) that have changed historically (Warren 1999, Hauptman 2004). I am, consequently, reluctant to merely define them.
3. I am following Allan Gibbard (1990) for a basic understanding of normativity. I prefer it over the understanding of normativity that emphasizes a standard's claim or grip on someone (see Korsgaard 1996) which strikes me as too strong. In addition, Gibbard's understanding of normativity accommodates better a hermanutic approach to normativity of the kind suggested by Michele Moody-Adams (2002).
4. There are postmodern versions of this position as well. For a discussion of Jacques Derrida postmodern version of this position see La Caze (2007).

5. As Anthony Pagden (2008) notes the term ‘west’ has shifted its references many times over the past 2,500 years.
6. Pagden (2008) argues that even under Christianity (both Eastern and Western) politics was normatively productive and not merely instrumentally.
7. One of my favorite examples remains Isaiah Berlin’s ‘The Originality of Machiavelli’ (2001) since he calls attention to Machiavelli’s sense of the modern political situation. Republicans like Viroli (1998) also read Machiavelli quite differently by emphasizing his republican commitments. See also Althusser’s suggestion about the enigma of Machiavelli (2000).
8. I am following Chantal Mouffe (2000) who points out that terms ‘liberal’ and ‘democracy’ refer to two separate sets of values or normative ideals that have been conjoined to form the more familiar versions of current western political organization, namely liberal-democracy. With Mouffe I believe that at present the liberal side is stronger than the democratic one. My strange representation of the relation in writing is intended as a critical intervention.
9. This idea too can be found in Mouffe (2000) and since I think it is generally right, I am borrowing it.
10. The ‘Cambridge School’ is wonderfully useful in pointing to the sources and changes of political values over time. For a recent example see Dunn (2005).
11. Existing liberal-democracies, though very flawed, do offer laws and institutions that stabilize and protect an empty space within which many varieties of (liberal-) democratic politics can take place. Violence endangers this space, which is endangered by capitalism as well. Post 9/11 this space has also been endangered by laws and executive orders that increase surveillance and permit dubious governmental interventions.
12. Rawls has been developing this position beginning with ‘Justice as Fairness: Political not Metaphysical’ (1986) He has elaborated on it as he continued thinking about the problem (1996, 2001).
13. Arendt insists on this point in *The Human Condition* (1958). She has no systematic statement of it and it appears in other of her writings as well.
14. I am borrowing a phrase from Althusser (1971) that I take to capture the difference between the bureaucratic and executive and command aspects of the state and politics proper. As these aspects come to dominate, as for example, in the United States under the ‘imperial presidency’ (Schlesinger, 2004) the primary formalized space of politics, the various kinds of representative chambers, are drawn into the orbit of the state apparatus.
15. I am joining my voice to that of many cosmopolitans who believe that politics is a site of confrontation with and the means to tame if not transform economic globalization. I think that most cosmopolitans remain within an instrumental conception of politics. In the instrumental conception politics is a means to other ends. I have no problems in seeing politics *also* as a means. What I am suggesting is that politics not be construed as *only* a means.
16. I do not find in Jürgen Habermas an alternative to the problem that arises from Rawlsian constructivism, due to his own proceduralism. Nonetheless, I am closer to Habermas than Rawls in my thinking since I read him as at least trying to think about the production of normativity in politics in a manner that is more connected to available empirical knowledge. But see Thomas McCarthy (1994) for an interesting discussion and comparison, which I think sheds light on why Rawlsian reflective constructivism adds to lack of clarity regarding the production of normativity by pointing out that it assumes the perspective of an observer.
17. This is the perspective of ethics rules or standards, which concern themselves primarily with abuses of power for personal gain. See, for example, the United States House of Representatives ‘Ethics Manual’ (1992). Compare with the American Bar Association ‘Model Rules of Professional Conduct’ (nd).
18. This is the perspective of virtue ethics, which concerns itself with moral character. For a complex analysis see Tessman (2005).
19. This does not require that the individual be considered atomistically and permits a recognition of the complex sociality of all individuals.

20. This is a point that Arendt tends to repeat in several of her writings. Arendt was concerned about the loss of individuality in politics under varied circumstances but also insisted on political action being the action of people who intentionally act together in 'concert,' a term with allusions to the coordinated multiple distinctive voices of a musical performance, where some voices may be emphasized more than others but all are at the same time absolutely unique.
21. Arendt cites the Duc de La Rochefoucauld Liancourt as offering the first modern use of the term 'revolution' during the event that continues to be associated with the beginning of the French Revolution and celebrated as the origin of the New France – the rush of the people of Paris on the Bastilles (1963, 40). For Arendt the American Revolution is also exemplary. No less exemplary is the Haitian Revolution, which involved decolonization, but due to racist biases is only now beginning to be studied more seriously (Dubois 2005). And a note about my use of 'polity.' I use 'polity' in an attempt to distance from the state and from territory alike. I am aware that such attempts are unlikely to succeed because of a history of connotations. But, I think it is important to try again.
22. I am intentionally using a Nietzschean idea here because it gestures toward the facticity and historicity of values and norms. Revolution does not necessarily imply nihilism.
23. It, of course, also produced the Terror and later the Empire. Arendt (1963) argues that the Terror is co-produced with a different ideal/norm of the French Revolution, that of social happiness, which is combined with the ideal/norms of equality and solidarity instead of or assigned greater weight than freedom.
24. At present the most visible movement of a similar kind is the 'the global justice movement.' On this see Immanuel Wallerstein (2002).
25. This seems to be Francis Fukuyama's (1992) strong message, though he has reworked it a bit. While Michael Hardt and Antonio Negri (2004) remain very optimistic, I think that Wendy Brown (2005) is more on target and the Left including the feminist Left needs to work through the emotional layers of the loss of revolution in its modern version and open a space for rethink its way, if it is to remain politically viable.
26. I am not a social scientist and my use of sources is anecdotal but I do think that the examples I use are quite typical of their time and so can serve the exemplary role I am assigning them.
27. After Iris Marion Young distinguished between domination and oppression (1990), some feminist academics have been tending to follow her distinction. However, second wave feminist movements did not draw the distinction and tended to use domination and oppression interchangeably.
28. Though I am using only the analysis of power within patriarchy, as some of the examples I use show, feminists were thinking of capitalism as well. They were also thinking of racism though the feminist analysis of racism was not as sharp until the late 1970s or early 1980s when feminists of color began to criticize the whiteness of feminism, and this sort of critique both involved and led to the emergence of a more nuanced analysis of racism.
29. I am including de Beauvoir in the references, though her book was originally published in French in 1949 and in English translation in 1953, because of the circulation of her work amongst second wave feminists.
30. Examples of period writings concerned with these three kinds of issues abound. I am choosing a few pieces that I think are representative. And a note about feminist organizations: though a few were vanguardist, in general feminist organizations did not function like a political party but were quite varied and included groups devoted to lobbying for legal change, social services, health services, cultural production and the circulation of feminist artifacts, financial alternatives, education, and of course, consciousness raising.
31. This was a problem for the New Left as a whole. The New Left tried to deal with the situation in part by drawing distinctions between 'revolution,' which remained idealized and 'counterrevolution,' for which Nazism and Fascism were the examples. It also drew distinctions between 'Soviet Socialism' and 'true Socialism,' which also facilitated the protection of the ideal of revolution (Cohn-Bendit 1968, Hayden 2005).

32. According to Carol Hanish (2006) to whom the phrase 'the personal is political' has been attributed, she did not use it to title her 1969 essay by this name and attributes the title and therefore the coinage of the phrase to Shulamith Firestone and Anne Koedt who published her essay. A Women's Studies List file on the subject that can be found at http://userpages.umbc.edu/~korenman/wmst/pisp.html seems to suggest that attempts to connect the personal and social or political were quite common among sociologists of the period. Some trace these attempts to Mills (1956).
33. Feminists categorized themselves depending on their borrowings and the distances they set between themselves and each other as a result. An early study of this can be found in an essay by Alison Jaggar (1977).
34. Dara Silberstein pointed out to me that in the context of feminist legal studies MacKinnon stands out with her emphasis on politics. For MacKinnon, though, the term 'political' clearly means 'related to power' and morality is but an ideological construction that supports existing power relations. MacKinnon bases her normative account on discoverable Truth in the name of which one seems to be authorized to dispose of moral and political normativity all together and act outside of them without producing them through one's actions (1989).
35. Some feminists' writings express this directly (for example, Hoagland 1988, Addelson 1991, Ferguson 1995).
36. Walker published a revised edition of the book in 2007 with Oxford. I refer to the earlier edition because the substantive material that is relevant to me has remained unchanged.
37. Walker presents feminist ethics as developing in a direct relation to feminist movements (1998, 20).
38. This is noted by Lorraine Code, who points out that 'politics' and 'political' are not even indexed in *Moral Understandings* (2002, 167). 'Politics' is indexed in Walker's *Moral Contexts* (2003) but not in her *Moral Repair* (2006).
39. The three uses of 'political' and similar uses of 'politics' are spread throughout Walker's writings.
40. For a longer discussion of transparency testing see Tessman (2008).
41. Young adopts the Habermasian version of deliberative democracy rather than its alternatives, all of which share the centering of reasoned argument in democratic politics.
42. Young performs a similar move elsewhere (2000) when she expands the notion of democratic communication to include forms of speech like greetings. In the case of protest, she may be influenced by the political culture of the United States where most forms of protest are protected legally as speech.
43. For a more extended discussion of Young's commitment to what is 'proper' in politics see Jane Drexler (2007).
44. Disruptive politics is a complex accomplishment. Already in the nineteenth century Karl Marx made the observation that '[t]he tradition of all dead generations weighs like a nightmare on the brains of the living. And just as they seem to be occupied with revolutionizing themselves and things, creating something that did not exist before, precisely in such epochs of revolutionary crisis they anxiously conjure up the spirits of the past to their service, borrowing from them names, battle slogans, and costumes in order to present this new scene in world history in time-honored disguise and borrowed language' (1963, 15).
45. Habermas's reading coheres with quite standard readings of republicanism with which Arendt has been associated. However, Arendt's enthusiasms for the Berkeley Free Speech movement and later about the students' movement in Europe, as well as her work on civil disobedience point at an orientation that did not just channel normativity into law even as she thought that law was important, especially for the protection of rights such as the right of free speech.

46. Margaret Convan (2002) offers a strong analysis of Arendt's commitments and ambivalences with respect to popular sovereignty.
47. Arendt distinguishes between power and strength (1970). I mean to preserve the distinction even though it is harder to draw than Arendt seems to believe because power as an emergent quality is connected to embodiment, which for Arendt characterizes strength.
48. The impressions left by earlier crushed protests such as the Hungarian Revolution of 1956 and the Prague Spring of 1968, attest to this at least for the generation of witnesses.
49. Arendt (1963) expressed concerns about the ossification of political power via its channeling into institutions and law.
50. Feminism can also be thought of as formed by multiple movements. Roth (2004) argues for this convincingly.
51. Jean Cohen and Andrew Arato's (1992) discussion of civil society is particularly useful for thinking about a post-Marxist understanding of it.
52. Some feminists intentionally distanced themselves from politics and from conceiving of what they did and in some cases still do as political. For these feminists, politics is state-centric and the state, the primary form of formal and legally defined organized politics, is irredeemably distasteful. The best examples of such feminists, but not the only ones, are anarcha-feminists (Ackelsberg, 1991).
53. Unlike the Shakers in the United States, who formed politically unaffiliated Protestant religious communal communities, the Israeli kibbutzim were strongly connected to political parties. Early on party discipline was imposed on all kibbutzim members.
54. Alison Jaggar (1983) analyzes many of the different feminist texts that involve these moves as offering a political theory. Susan Okin (1987, 1994) criticizes Rawls for continuing to leave the family outside the political sphere that for him is composed by social institutions that ought to be governed by justice.
55. I follow Nancy Fraser (1997) here.
56. See Iris Marion Young (1990) on conceiving a polity on the model of a city rather than a community. I find the distinctions she draws instructive.
57. The internet has complicated this since it makes possible for people who remain strangers to each other to interact as if they are not in chat rooms, for example. But a distinction between the embodied person and the virtual person can be used to distinguish who does and does not have an interpersonal relation. The embodied people may not while the virtual ones do.
58. People seem to have a natural propensity toward distinctions and evaluation. Evolutionary psychology has been offering various arguments regarding the development of such capacities as adaptive mental capacities, though sometimes in an oversimplified and overreaching form. James Swindler (2008) argues that normativity (though not in a moral sense) is fundamental to human beings. One could definitionally attempt to equate normativity with moral or ethical normativity but people do have different kinds of values, other than moral values, for example, aesthetic and epistemological values.
59. I am suggesting here that people have political values that are different from their moral values. A chief example for me is 'freedom' or 'liberty.' For two quite different discussions of freedom or liberty as a political value see Quentin Skinner (1998) and Williams (2001).
60. One could, as has been done since the renaissance, claim that a freedom of this kind was invented before in ancient Greece and yet again and somewhat differently in ancient Rome and the ancient Romans self-styled themselves as continuing something the Greeks began with the renaissance doing the same. In modernity though there has been a struggle between a 'liberal' and 'republican' understanding of political freedom that one cannot find before. Benjamin Constant (1988) captures the difference between the two. Republican (strong, participatory, radical, agonist, even deliberative) democrats disagree with Constant's observation that a republican version is impossible for modernity/postmodernity.

61. Seyla Benhabib's (1996) observations about Arendt's thinking about Varnhagen situate it as the beginning of Arendt's genealogy of modernity and a prelude to Arendt's development of her ideas about the social sphere and its differences from the political and the private spheres.
62. Even in Nazi Germany politics was not totally extinguished as is testified to by the tiny White Rose, active in non-violent resistance between June 1942 and February 1943.
63. For a careful discussion of this idea see MacLachlan (2006).

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Chapter 2
Ethical Reasons and Political Commitments

Lisa Rivera

Abstract Political commitments to resist oppression play a central role in the moral lives of many people. Such commitments are also a source of ethical reasons. They influence and organize ethical beliefs, emotions and reasons in an ongoing way. Political commitments to address oppression often contain a concern for the dignity and well-being of others and the objects of political commitments often have value, according to ideal moral theories, such as Kantian and utilitarian theory. However, ideal moral theories do not fully explain the ethical reasons political commitments engender. First, ideal moral theories do not explain the normative priority that agents give to politically committed ethical reasons. Their profound effect on a politically committed agent's ethical deliberation and choice and the precedence they are given over other ends cannot be wholly understood through the moral obligations within ideal theories. Second, although politically committed reasons are valuable in ideal theory for the benefits they bring to others, they are not fungible with other reasons ideal theory would regard as having equal ethical value. A person might substitute another beneficial humanitarian aim for that to which she is politically committed and nevertheless regard herself as having done a morally wrong thing for failing or betraying her commitment. Politically committed ethical reasons are also motivated and informed by the social location of agents and their relationship to structures of oppression. Although there are universal ethical reasons to oppose oppression, this means that some of a person's actual ethical reasons will be irreducibly particular.

Keywords Ethics · Obligation · Oppression · Moral reasons · Moral theory

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2.1 Introduction

Berta Cáceres, a Honduran citizen and Lenca activist, is the coordinator of COPINH, the Civic Council of Popular and Indigenous Organizations of Honduras, which represents indigenous people in the Lenca territory of Honduras. COPINH has been engaged in a long-term struggle that is both local and transnational: fighting both to gain Lenca autonomy within Honduran borders, and to oppose the neoliberal economic and military policy that has a devastating effect on the Lenca and other indigenous peoples in Central America. COPINH has a long history of political action but most recently focused its energy on preventing the building of the El Tigre hydroelectric dam, which is displacing the Lenca and many others.[1]

I met Berta in 2001 in Quebec City, while she was on a speaking tour in Canada prior to a major protest during a hemispheric trade meeting. Over the course of several days of conversation, Berta discussed her life history and the choices she made to continue her political work even when opportunities arose for an easier or safer life. She, her family, and her comrades, have endured political persecution as a result of her activism.[2] She has also refused jobs sponsored by the powerful institutions she opposes, such as the World Bank. Although this work would have provided income for her family, she saw the offers as attempts to co-opt movement leaders.

Berta's work rallies international support for the cause of Lenca autonomy and survival. Thus, her work is partly an act of moral suasion: she aims to convince people who may have no knowledge or interest in the issues that concern her to use their own social, political, and economic power as American or Canadian citizens to support her cause. She must also try to engage national and international powers in the hope that they will come to respect Lenca concerns. Further, she has to create local awareness of the larger global context within which the local struggles are taking place. She sees her struggle in the larger context of similar struggles of oppressed people and makes alliances with other indigenous and political groups.

Although our political commitments may be less exigent than Berta's, many of us orient our lives around them. Here, I will focus primarily on people whose lives and choices are shaped by their political commitment to address sex, race, class, or other oppressions. For such people, political commitment is fundamental to ethical deliberation and choice. If we have political commitments ourselves or experience their importance in others' lives, it should be obvious that political commitments are straightforwardly an important part of the ethical lives people hope to lead. Yet, they tend to be invisible in traditional moral theorizing. In this chapter, I offer evidence to support Charles Mills' (2000) concern in '"Ideal Theory" as Ideology' that moral theory in its idealizing form is silent on oppression and that this silence will distort or erase 'the actual workings of injustice in human interactions and social institutions' (168). The problem at issue here is that moral agents' experiences of injustice, their interpretations of those experiences, and their relationships to unjust and oppressive social institutions, all play critical roles in the ethical reasons they form.

Politically committed reasons arise out of agents' particular relationships to oppressive circumstances, and from their interpretation of encounters with structures of social, political and economic power. Many of the objects of these political commitments have moral value under consequentialist and deontological theory, which are my focus here. In spite of the moral value they might assign certain political concerns, such theories distort and misrepresent people's reasons for pursuing these aims.[3] In ideal theory, an agent's own politically committed reasons will appear useful merely as additional incentives for moral action, or they will be morally irrelevant. Second, ideal moral theory misunderstands the ethical nature of agents' attachment to the objects of their commitment. Ethical reasons that arise from political commitment cannot be understood solely from within ideal theory's framework of ethical reasons. A person's social location with respect to oppression plays an essential role in the process of forming and living out their political commitments. If we are to understand the relationship between political commitment and ethical reasons, we must allow that social location plays a role in the construction of people as moral subjects. Political commitment reveals to us ways our social location may be ethically relevant and shapes our subsequent ethical reasons to oppose injustice or to work for political transformation.

2.2 Political Commitment and Ethical Reasons

The politically committed person desires to effect some change in the social, political and/or economic order that she judges as unjust and oppressive. Political commitment need not be self-consciously political in the sense that the individual must be able to describe it as political or see it as such.[4] Political commitment can be a significant part of someone's ethical outlook and moral self-evaluation; indeed, some people frame their political commitments in ethical, rather than political, terms. When political ends and concerns shape ethical choices in an ongoing way, these ethical concerns will also be political commitments.

Political commitments that frame a person's ethical outlook and choices have at least four features in common. (1) They arise out of someone's dissatisfaction with the current social and political order. (2) Their goal is to address a significant element in the social and political order (e.g., governmental or international institutions and policies), unjust differences in persons' social and economic power, or the causes and effects of racist, sexist, classist or other forms of oppression. (3) They cause a person to evaluate her life and actions (and sometimes, the lives and actions of others) in light of the ways these contribute to, and are consistent with, the goals of her commitment. (4) She is motivated to act on this evaluation such that these commitments play a meaningful role in shaping and focusing her ethical outlook, deliberation and choice.

In claiming that ideal moral theories distort or ignore the ethical reasons that political commitment engenders, I do not mean that such theories regard the objects of those reasons as either immoral or entirely outside the scope of morality. People who have reasons to pursue certain basic objects of political commitment to address

oppression will often be able to justify those reasons under some consideration available within deontological and consequentialist theories.[5] I am not concerned here with any and all political commitments, but rather with political commitments that intend to free people from, or at least help them cope with, oppression. Such actions will also promote human dignity, alleviate suffering, promote well being and create conditions where people can flourish. The political commitments considered here will bring about good ends; it is right that we pursue them.

It is not surprising, therefore, that ideal theories have some account of why the objects of these commitments are morally valuable. For example, oppression harms people, and reasons to address certain aspects of these harms will be morally permissible, and sometimes morally required, under ideal moral theories.[6] And, if they are not, their impermissibility will stem primarily from the other moral ends someone might pursue as an alternative, or from conflict with other moral requirements, rather than from a conflict between the account of the right and the good and the object of the commitment. However, the abstract assessment we might make of their moral value from the standpoint of ideal theory is itself an idealization that distorts the ground for these reasons. Without an account of the relationship that agents believe they have to oppression itself, we cannot fully explain or justify people's commitments, the reasons they elicit or the extensive effects they have on their lives. When we overlook the role of social location in the construction of the moral subject, as ideal theory requires us to do, we also fail to see how socially located experiences shape ethical reasons.

Since the goals of the political commitments that matter here have an ethical value (abstractly conceived) that is not usually in question within ideal moral theory, the burden of proof is on the person who wants to deny that our reasons to pursue political commitments are ethical reasons. Under any neutral understanding of such reasons, these are ethical reasons. A full account of what constitutes the moral would beg the question here since the account one gives depends on the moral theory one favors.[7] However, politically committed reasons do have many features that are recognized as characteristic of ethical reasons. Political commitments are normative considerations that people freely accept or adopt. People intend to have the value their political commitments express bear on current and future choices. In other words, they are prescriptive in some sense even if they are more open-ended and fluid than general principles. They are also the result of reflection and can be revised in the face of both personal and collective reflection. Hence, they are responsive to reasons.[8]

When we are concerned with the political, we are also concerned with the social order, more particularly the structures of power that determine human relations and the effects these structures have on human beings. When we turn our ethical focus to the political, we evaluate and assess, and affirm or reject, the form these structures take in virtue of their effects on human beings. Such ethical conclusions transform our reasons for action as well as our moral emotions and attitudes. We feel indignation about our shared oppression or anger towards those who benefit from it. If we ourselves benefit from oppression, we may feel shame or guilt. Political commitment orders and organizes this complex of moral belief, emotions and reasons in an

ongoing way. It is a continuous source of ethical reasons. When we are politically committed, we resolve to go on to further our understanding of political structures and to reflect on our ethical beliefs and attitudes in order to better address political oppression through action.

Therefore, we can see that political commitment is a site where the ethical intersects with the political, and does so in two significant ways. First, it involves an ethical evaluation of political structures and effects. Second, a person's ethical assessment of herself and the reasons she has are shaped by her views on the relationship she has to these structures of power. Her ethical reasons are therefore responsive to her judgments about what political structures do to people, including herself, and what she is responsible for in light of her relation to these political structures. These reasons may ultimately have diverse sources, although they primarily arise out of politically relevant experiences of structural effects and our attachment and concern for others who experience similar effects. For example, we may have a sense of responsibility toward those who share our political fate, particularly in cases of shared oppression.

It is this second relationship between our experience of political effects and our ethical reasons that ideal theory tends to obscure—that the basis for an ethical reason itself may lie in our understanding of our relationship to these political structures. On these views, the source of ethical reasons cannot account either for the ways our relationships to these political structures differ or for their profound effect on our ethical outlook.

Political commitment is rarely a purely individual phenomenon. Political commitment to address oppression usually occurs because a person identifies with, and participates in, some collective understanding such as a liberatory social movement. It is almost always grounded in some context of collective action with shared political objectives and methods. Collective action is also usually required for political commitment to be effective. Personal motivation for political commitment will be enhanced, or even dependent upon, a person's knowledge that others share her goals.

Nevertheless, political commitment results from the choice of individual agents, so it has an important individual dimension. It is also an ethical choice and a way that individuals orient themselves ethically in the world. The beliefs and goals of politically committed agents have ethical content as well. A person working for the 'Justice for Janitors' movement might be concerned with dignity, respect, fairness, and the suffering caused by poverty-level wages and lack of health care. She may judge that the treatment of janitors is wrong, the way the police and judiciary treat organizers and protesting janitors is wrong, and that the right thing to do (at a minimum) would be to pay a living wage to janitors and provide them with health care. If I am a janitor fighting for justice, these beliefs may play a critical role in the ethical reasons I have. If you are someone who benefits from the exploitation of janitors (e.g., because it keeps down the rent in your office) then the reason you have to respond to the situation of janitors as a beneficiary of exploitation may be different from my reason as a person harmed by exploitation. Your ethical reason to support janitors in this case may be shaped by your reluctance to endorse an economic structure where you benefit from the oppression of others.

Some of our ethical reasons arise out of our particular relationship to the situation and the interplay between a political commitment and our social location is multifaceted. Each influences the other. First, our social location can play a role in motivating our commitment. Being Lenca can inspire the commitment to struggle for Lenca autonomy and survival. However, embracing a political commitment, particularly in contexts of oppression, may enjoin us to discover ways our social location is relevant for action. Reflection on this commitment will show us where our responsibility lies and this may bring us to further refine our understanding of the commitment and the actions it may require. When our standing political commitment generates ethical reasons, it is often because the political commitment causes us to realize that our relationship to the situation demands a particular response. As one janitor who is active in the Justice for Janitors movement explained, 'It's hard to fight for what you believe in. . . But I have no choice. What kind of mother would I be if I didn't stand up for my children?'[9] The political commitment then may go on to shape the ethical reasons we have in additional ways, in light of the belief that where we stand in relationship to the situation has significant ethical implications. For example, we may believe that, when oppressed, our position requires solidarity with others who share our political fate. As oppressors, we may choose to use our relative social privilege to struggle against a political system that provides us with a position that advantages us at the expense of others.[10]

2.3 Political Commitment and Ideal Theory

According to Mills, the abstraction involved in ideal-as-idealized theories makes it impossible to understand how injustice works in reality, and thus impossible to actually achieve justice. To apply these claims here: First, the need to develop standards that do not vary across cases in ideal theory will require that theories be unresponsive to the ways that actual situations of oppression shape our ethical reasons. In the case of political commitment, this will mean that the sources of reasons arising out of our interpretation of these situations are rendered invisible and irrelevant within ideal theory. The normative priority a person gives to her politically committed reasons will have to be traceable to another, higher justification. If the source lies in a person's experience of her own oppression, this will seem like a happy coincidence between a particular case and an apprehension that a general moral standard applies. If her ethical motivation to act is partly derived from concern about her relationship to structures of oppression, this would be regarded as a lucky, but indirect, source of moral motivation (in consequentialist theory) or perhaps as an unfortunate distraction from the right source of moral motivation (in Kantian theory).

Second, within actual moral practice, deviations from the ideal model will generally be regarded as random deviations, irrelevant to shaping the theory. For political commitments, this can be seen in the problem of 'moral fungibility.' Politically committed agents will not regard their projects as fungible with other equally morally valuable projects. Under ideal theory the attachment to their particular project will

seem like a peculiar idiosyncrasy rather than being attributable to the fact that a person's conception of herself as an ethical agent may be of a piece with her commitments.

Third, in ideal theory the moral problem that oppression poses must be subsumed under a larger ethical heading (e.g., disrespect, bad consequences). This fails to account for oppression's specific features and the roles they play in shaping agents' reasons. The specificity of our relationship to oppressive social structures will therefore seem irrelevant to our actual ethical reasons even though it may be both the cause of our possessing the reason, and the explanation for the form it takes.

Bernard Williams' (1985) arguments about the dominance of what he calls 'the morality system' shed light on the first two of these concerns. His account of the way social considerations bear on ethical reasons is also consistent with this third concern.[11] Williams' critiques of utilitarianism and Kantianism are sometimes read as a type of skepticism about ethics itself, but his claim that the morality system narrows down the diversity of the ethical field, warping our ethical experience, is sometimes overlooked.

The morality system is therefore a kind of idealization even if it is also 'the outlook or, incoherently, part of the outlook, of almost all of us' (Williams 1985, 174). It idealizes by appearing to comprise the whole of ethics, a much more complex and often socially laden sphere that resists systematization.

According to Williams, the hallmark of morality, as opposed to ethics, is the notion of moral obligation it depends upon, and the primacy it gives to this notion. Williams says a great deal about obligation, but two points are most relevant. First, obligations are the focal point of moral deliberation. Our deliberation either issues in an obligation or indicates permissibility because we do not violate an obligation. Further, obligation shapes our deliberation such that it will generally be about discrete situations and about what to do in such situations.[12] The particular obligations I determine I have at specific times will be subsumed under a general obligation, 'so if I am now under an obligation to do something that would be for the best, this will be because I have some general obligation, perhaps among others, to do what is for the best' (Williams 1985, 175.) If we feel obligated to support a particular cause, 'we are left with the limp suggestion that one is under an obligation to assist some important cause on occasions that are especially propitious for assisting it' (Williams 1985, 181). He calls this 'the obligation-out, obligation-in principle.' Moral obligation is 'inescapable.' Not only am I required to do what I am obliged to do but I can only justify failing to act on the obligation if I see another obligation that defeats the first one. Thus, 'only an obligation can beat an obligation' (Williams 1985, 180).

Williams' argument provides one invaluable suggestion for conceptualizing a non-idealized account of ethical reasons: move ethics/morality away from the terrain of moral obligation alone toward a view of *ethics* as a concern for how one should live. Political commitment will be a source of obligation in some cases. Far more importantly, it is an active component in shaping my ethical life in ways that cannot be understood only through the idea of obligation. We are beginning to see how things start to go wrong when we disregard this fact, when we start with the grid of

obligation that morality imposes and then attempt to fit within it the way our ethical reasons are shaped by the lives we want to live and the values we want our actions to stand for.

In fact, these broader choices always *can* be fit within this grid in some way or other,[13] as we see in my earlier argument that ideal theories give moral value to the objects of political commitment. But in this process, most of what matters to agents is erased. Fitting these reasons within the obligation grid may make them unrecognizable to the person who has them.[14] Even worse, the concrete ground for her actual reason will be lost. When we turn to political commitment, we see that the very source of those ethical pursuits—in a person's experience of oppression—is made irrelevant. Were it not for this experience, she would not pursue them nor would she know what specific shape her reasons should take. How, Mills might ask, could *these* be rendered irrelevant? To understand the normative priority we give to ethical reasons arising out of political commitment, we must go beyond the kind of justification that ideal theory ascribes to such reasons.

2.3.1 Normative Priority

We often give normative priority to reasons that arise out of political commitment. First, ends promoting political commitments can take precedence over other potential ends we might pursue. Second, they will be the subject of an ongoing reflection that has many direct and indirect effects on ethical reasoning and action. In this sense, political commitment is an ongoing project of developing and revising ends, and the choices we make out of these commitments bear on a myriad of other choices.

There are several explanations for the normative priority we give to these ethical reasons. First, we believe they are politically and ethically important. Some political aims may require priority if we are to see them realized and much may be at stake in accomplishing those aims.

A second reason is that political commitments are not just things we have, but things we live. To have them is to make them real in our lives. A political commitment creates self-imposed demands on us. The context of oppression often challenges our ability to satisfy these demands. On rare occasions, the simple failure to prioritize a commitment will put the commitment itself in jeopardy. For example, many social pressures will pull us away from living feminist commitments: when sexism is all around us, the costs of resistance are high and resistance requires conscious effort.

A third reason to give political commitments priority is to explore their implications in our lives. We might want to see to what extent we can live out our political commitments, in the spirit of learning and experimentation. We may ask ourselves what kind of changes we can make in the way we live and how these might transform our desires, beliefs and political understanding.

In other words, reasons arising out of political commitment have priority in two senses: in the sense thought to be typical of ethical reasons, that we feel we must

or should prioritize them (i.e., that it might be wrong not to), and in the sense that we care about them and want to realize them as part of our own self-imposed ideal for how we should live. The critical issue here is that these politically committed choices are ethical choices, made in light of our individual and collective evaluations of political contexts, our place within those contexts, and our understanding of what we should do from that place. The ability to act in ways consistent with our commitment even in the face of ongoing oppression can depend on the strength of our conviction that it is ethically necessary to do so. Many things will pull us away from this desire; such actions almost always have costs. A newly-minted law student with anti-racist commitments may not be able to pay off her student loans if she chooses to work in poverty law or for prisoners' rights. If a janitor stands up to her overbearing supervisor to defend the right of her pregnant fellow janitor to take a break, she may find that stance both frightening and difficult. This will be true for practical reasons—it could put her own job in jeopardy—and also for psychological reasons, because simply surviving in oppressive class, race and gender contexts requires actors to internalize norms of deference that are emotionally unsettling to violate.

Do people hold fast to such choices primarily because it satisfies their preferences? Not at all—these are clearly ethical choices. People are likely to see acting consistently with the commitment as right, and failure will produce moral emotions of remorse, shame or guilt.[15] To recall the issue that Williams raises (and Mills echoes), ideal theory encourages us to read these as ethical choices only when they can also be justified by some overarching moral consideration, such as promoting general happiness or well-being, or treating others as ends of themselves. Of course, through such considerations, we can justify certain actions arising out of commitment. We can cite consequentialist reasons for doing poverty law or working for prisoners' rights rather than working in corporate law or for the district attorney. When I try to protect someone else from unjust authority, I could be said to stand up for both her dignity and my own. I do not claim that these are empty considerations. Instead, they neither represent the reason I have nor are they always necessary in order for me to have such a reason. Further, without my politically committed belief that what I seek ultimately is to change the conditions under which people suffer poverty, unjust imprisonment, and inhumane working conditions, I would not have the reason to act as I do. The politically committed belief is therefore necessary for my reason.[16]

If our explanation depends on an ideal obligation, however, we may lose sight of what justifies our reason for prioritizing the committed choice over other alternatives, or for making the committed choice at all. The ideal justification for the action does not capture the sense of ethical necessity a person gives to her reason. It is not *her* justification.

Further, in some cases, if I give my commitment priority and believe that it gives rise to a compelling ethical reason to act, this would be unintelligible within ideal theory's conception of moral obligation. On this view, if I treat some of these reasons as ethically compelling, I appear to misunderstand moral requirements or I misunderstand what morality is about. When political commitment is part of my ethical

conception of myself, however, it may seem to me that a failure to do something expressing that commitment is also an ethical failure. Many political commitments require us to refuse to collaborate with oppressive structures, whether or not such collaboration would directly bring about an evil or require us to perform immoral actions. Berta's refusal to work for World Bank funded projects is an example of this kind of refusal.

Nor can ideal theory make sense of reasons to perform political actions that are expressive rather than purposive. For example, within ideal theory, it is hard to make sense of actions that are prompted by concerns for political solidarity—the idea of standing with others in their oppression—as ethical actions, even when people make considerable sacrifices in the belief that these actions are morally right. Under some conditions, we could make a higher-order idealized moral justification for expressive moral actions, but it would be very tenuous. Many acts of solidarity do not (and are not intended to) promote good consequences. Nor are they, strictly speaking, acts of beneficence that help others realize their ends. Hunger strikes and civil disobedience do have strategic value at times, but some see them as a way to express solidarity with those who suffer from war or to refuse even symbolic collaboration or cooperation with militarist institutions.

If people have no other access to actions effecting change, they may not be primarily concerned about what the action brings about. Instead, their actions may have symbolic value. In cases of great urgency or times when little can be achieved, a person may be unable to hope for more than being able to express her deepest commitments and to attempt to resist oppressive power in the only way she can.[17] However, such expressive actions are never an obligation on any ideal account of moral justification. Nor are they supererogatory since they are too far outside of recognized duties to go 'above duty.' Further, if ethical justification must always take an idealized form, these actions may also be open to ethical criticism because the ethical space that they occupy leaves us less room to act on other, more 'real' obligations. And the costs we incur make us less able to act on the obligations we are supposed to have.[18]

2.3.2 Fungibility

It is true that within ideal theory, we may have special obligations, given our particular social roles, jobs, particular relationships (e.g., as a parent) and so forth. However, in the most basic moral sense, everyone has exactly the same *general* moral obligations. Ideal moral requirements 'abstract away' from the actual social positions of persons in one crucial way: individual relationships to structures of social, political and economic power are not thought to directly determine the ethical reasons we will have.[19] At most, such circumstantial facts are relevant only because they determine our opportunities for moral action. Our ethical failures, if they occur, come from the failure to satisfy general moral obligations that apply equally to everyone. Two issues arise here. The first problem is that of moral fungibility: on

ideal accounts of obligation, we can discharge our moral obligations in a variety of ways. If we are engaged in a project of moral worth, we do nothing wrong if we substitute that project for another one of equal moral worth. What then do we say of people who believe that it would amount to ethical failure to substitute non-political moral aims for politically committed moral aims?

This question of fungibility helps us understand the close relationship between political commitment and ethical agency. When a person fails to prioritize certain political commitments in circumstances that threaten them, she can see that failure as a profound ethical failure. An explanation for this belief lies both in the actual importance the person believes the commitment has, and in the fact that political commitments are central to her conception of herself as a moral agent.

It is not the case that political commitment has no ethical relevance within ideal theories, even if it is absent from the explicit discussion of moral action these theories provide. If ideal theories were to grant a role for ethical reasons arising out of political commitment, what might this role be? Within ideal theory, political commitment itself does not give rise, on its own, to ethical reasons. Within consequentialist theory, however, it seems that political commitment could be desirable, depending on its content. And within Kantian theory, it is sometimes morally worthy or at least permissible. In consequentialist theory, political commitment could be an important source of moral motivation, one that would get a person to perform many actions that have good consequences. In indirect consequentialist theory, a person might believe that she is performing the action out of political commitment and not for its immediate consequences; that might be a good thing since awareness of the 'true' consequentialist justification could sap her motivation. Ultimately, however, it does not matter for our moral evaluation of her action whether or not she has the political commitment. The commitment itself may or may not have instrumental value.

In ideal theory, certain kinds of moral actions can have what might be called 'moral equivalency.' If I am supposed to perform an action A that has good consequence A_1, I can substitute B (an action with an equally good consequence B_1) for A, and it is a matter of moral indifference whether I perform A or B. I may be able to save lives by becoming an investment banker and donating money to poverty relief. From within the consequentialist perspective, this is no better or worse than engagement in a political movement to challenge the structures of class, race and gender that cause poverty. (It may in fact be worse to engage in the political action if it helps fewer people, but the question of moral equivalence is different from the question of demandingness, which I set aside here.)

Political actions sometimes benefit other people directly. In Kantian theory, many of these actions could be considered acts of beneficence. Oppression interferes with the ability of others to act on their ends, and it violates their dignity. In acting on my political commitments, I am acting in accord with wide or imperfect duties to promote the dignity of others and to treat them as ends in themselves. (I may not be acting *from* duty unless I am primarily motivated by reverence for the moral law.) I could satisfy imperfect duties of beneficence in many ways. Anti-racist work will promote the dignity of others but I would equally discharge my duty to help

others with their ends by volunteering to coach the local soccer team or running errands for the neglected elderly at the local old-age home. If I do nothing wrong, I am permitted to prefer my politically committed goals (and they are morally worthy if I have the right kind of motivation for them). However, within Kantian theory, we cannot get a purchase on my belief that the pursuit of my politically committed goals may be far more important ethically than any other action I might perform.

Political commitment makes us unwilling to grant that I sacrifice nothing of ethical importance when I forego my political aim for another aim of equal moral value. The political nature of the commitment becomes very clear at this point. Substituting one moral value for another fails to satisfy my sense of what ethics requires of me here because my relationship to the political situation itself demands a response. A Chicana who works for justice in her own community may think it is simply wrong for her to do nothing while Mexican nationals die trying to cross the border between the United States and Mexico, and are rounded up into detention centers where they lack all political rights. For her, it is a moral mistake, and a kind of ethical inconsistency, if she overlooks the connection between her own community's struggles and the treatment of those struggling to cross the border. A white person may believe that she cannot in good conscience benefit from white privilege in a racist society without putting her effort into political action that opposes racism. To fail to act seems to endorse her own unjust privilege.

That is, political commitment makes us see that the present political situation demands something ethically of us *now*, something that we cannot discharge in other ethical ways. First, we do not believe there is a morally equivalent action if that action fails to engage with oppression we understand to have a particular connection to us, whether as victims or beneficiaries. Second, we may see the failure to address oppression as a profound ethical failure even if we utilize the opportunity to perform some ethically equivalent action. On ideal theory, Berta's commitment to the survival and autonomy of the Lenca might be praiseworthy. But she would do nothing wrong in acting on her deliberative latitude to choose other ethical aims and give up the struggle for Lenca survival. While I cannot speak for Berta, it is not at all hard to imagine that in the case of such dire oppression a person could perform a host of very praiseworthy actions and still believe she did the wrong thing in this case by failing to act on her political commitment to address oppression. The situation itself, and my interpretation of my place within it, may call on me to do something. Political commitment expands my moral responsibilities beyond the bounds of ideal moral obligation. Whatever else I do to help others or to make their lives better, I cannot rest easy within a regime that tortures people, for example, just because I also gave comfort to many neglected elderly in my neighborhood. This does not require me to have the absurd thought that the neglected elderly are in some way less morally valuable than those who are similarly oppressed as I or those who are victims of the regime in which I live. Rather, my place within a structure that oppresses people and my reflection upon that place gives me an urgent and pressing moral responsibility that goes beyond my moral obligation to consider the dignity or well-being of everyone around me.

2.4 Justification

The discussion of fungibility shows that our ethical choice to act on one reason rather than another is responsive to the circumstances of oppression and our social location relative to those circumstances. A further question is *why* we have the particular ethical reasons that we have in oppressive contexts. I pose this question for the moment not as a question about justification, nor about all ethical reasons, but about the origins of a particular type of politically committed reason. This is more than the question 'why do you care?' or 'why does that matter to you?' That question about motivation lies at the heart of questions about the source of certain reasons to pursue political goals. Many people do not care about oppression; we could ask them 'why *don't* you care?' And many do care (at least to some extent) but do nothing. It is possible to contemplate and witness things we abhor and fail to act. It is also true that we can understand, and care about, the general moral consideration that oppression falls under in ideal theory without necessarily recognizing the wrong of oppression or acting upon it.[20] It is possible to know and care a great deal about dignity or the way suffering detracts from overall happiness and fail to notice many instances of oppression. And, if we wanted to understand why certain ethical agents, but not others, attend to oppression and try to address it, our best explanation will depend on their experience of oppression and their collective commitment to overcome it. That fact is relevant to the issues raised in this paper, even if it is not the basis for my argument.[21]

One interpretation of the claim that what I have a moral reason to do depends on my social location is not very controversial. In any moral theory, my actual reasons depend on what I have opportunity to do and thereby on my circumstances. Suppose there is a general universal reason to Φ when moral consideration Q is present. If moral consideration Q is not present or I can do nothing then I don't have an extant or concrete reason to Φ. However, we can all still have a standing reason to Φ when Q is present. If oppression is a moral wrong, everyone has a reason to Φ to oppose it, but if they cannot, they have a reason to support or approve of others' Φing. In other words, we still have the same general ethical reasons even if those reasons play out differently in actual circumstances. Within ideal theory, my social location affects my circumstances in this way and can affect what I actually have reason to do. On this interpretation, however, social location itself does not play the role in justification that I have suggested it has. We can grant that an agent-neutral version exists for every moral reason that can apply to every person regardless of social location, and that social location will affect opportunities to act on this reason. However, on this view social location with respect to oppression still plays no critical role in justifying the kind of reasons we have.

It is questionable how much explanatory work the above account does in helping us to understand what we have reason to do. To understand reasons to address the wrong of oppression, it will not be sufficient. First, our social location with respect to oppression gives us actual ethical reasons to do things we would not have reasons to do from another social location. We can universalize such reasons, but this universalization will be too idealized to make sense of our reason in real terms, i.e.,

in terms that make them reasons for action. Second, the full justification for our moral reason sometimes depends on beliefs based on evidence that lies in the experience of, and direct reflection upon, oppression. This doesn't deny that any moral reason can be described in an agent-neutral form, but it does deny that the level of abstraction described above tells us much about the ethical reasons people have in situations of oppression or why they have those reasons.

Take the example of acts of self-respect, or what might be called 'standing up' in conditions of oppression. In actions like these, agents resist and refuse to comply with the demeaning images or standards placed upon them within oppressive circumstances, sometimes by other individuals and sometimes more nebulously within the culture. Such actions can be public or private. Since they are acts that affirm the worth of the self, they are probably made better sense of within Kantian theory than within most forms of consquentialism.[22] (They could contribute to good consequences when they are public, but here, the version of consequentialism one holds will matter a bit.) So, one example of standing up might be walking off the job when treated in a racially derogatory way or not conforming to standards of personal behavior or appearance that are demanded of one because of cultural standards that are subordinating. Simply refuting a subordinating idea or image by speaking out is another very common form of standing up, one that requires considerable courage for people with little social power. The ethical reason for these actions can be universalized in some way, such that we could have a prima facie reason that 'anyone who is demeaned by oppressive actions or images within the culture should act in ways to signal their refusal to grant credence to such actions or images.'

But of course, not everyone *is* demeaned in contexts of oppression. On the contrary, members of the dominant group may have politically committed ethical reasons to avoid demeaning others. If we generalize this to the point where (a) oppression as its own social category drops out, and (b) an agent's specific relationship to oppression drops out, then we lose the very point of standing up as an act of resistance. It is true that 'everyone has an ethical reason to resist being demeaned by others' or even more generally 'everyone has an ethical reason to resist acts that demean,' but the action only makes sense within its political context and from a particular social location. The only reason the situation is demeaning is because I am oppressed, i.e., because of my social location. Moreover, you can't be, unless you share that location. Here, social location *just is* necessary to understand our ethical reasons. It is not merely the thing that gives me the *opportunity* to act, it is the very grounds *for* my action.

There is something very compelling about the idea that others have my reason to effect a political change to overcome my or others' oppression. The idea of an agent-neutral reason makes this possible.[23] Persuasion plays a role in political activism and moral transformation and it may seem that the goal of persuading others is to get them to share my ethical reasons. Those who oppose just political projects do so mistakenly. If they want to be ethical, then they have to correct injustice and oppose oppression. But how do I get others to share my reason? While it is absurd to think that Paul Wolfowitz, who headed the World Bank while the project was initiated, really did share Berta Caceres' reason to stop the El Tigre dam, it is arguable that

he should have shared it. Wolfowitz's own interests and ideology probably got in the way of his seeing that he has a reason, or his motivation to act on it. However, we could perhaps still rely on moral recalcitrance as our primary explanation rather than needing to assume his reasons would be transformed by an understanding of the oppressive nature of the dam and his relationship to that oppression.

Even from the standpoint of the ideal sympathetic observer, a myriad of rational considerations tell against the idea that the El Tigre dam ultimately promotes good consequences. Hydroelectric dams quickly become obsolete. The El Tigre dam is a $1.5 billion project in one of the world's poorest nations, and uncountable suffering could be relieved by spending that money elsewhere. The dam will displace 20,000 people. Even the dam's specific impact on the Lenca people has moral relevance from an ideal standpoint. Their displacement will destroy a culture they have maintainted during 500 years of repression. It may not seem that we need to persuade someone like Paul Wolfowitz of more than the truth of consequentialism to persuade him he has a reason to work against the building of the El Tigre dam.

To really make sense of how oppression affects the ethical reasons we have, however, we must consider whether Paul Wolfowitz can share the actual ethical reasons of someone like Berta Cáceres who is 'organizing to defend Lenca territory' to ensure that her people survive.[24] Since this is the basis of the ethical reason to organize against the dam, we must consider whether a general justification for the undeniable ethical good of preserving a whole people from destruction captures the reasons of those who are inside this struggle, i.e., the reasons arising from the Lenca's experience of oppression. Can the reasons be shared by someone who does not have the experience to understand how such circumstances are oppressive? Do our own relationships to oppressive structures provide us with particular reasons that others do not share?

In considering the understanding of political circumstances that reflection upon socially located experiences open up for us, we encounter issues of both 'theoretical knowledge' and practical knowledge—knowing how, rather than knowing that. Even for the oppressed themselves, it takes effort to understand the complex effects that oppressive structures have on people. Here again, a highly general form of what we have reason to do, as well as a very general justification of that reason, is useless without specific knowledge of oppressive circumstances. Oppression causes suffering and interferes with our well-being. It undermines our dignity and makes it impossible for us to act on our ends.[25]

Yet, what, exactly, are we to do about oppression? An oppressed person is not like someone drowning in a river who only needs saving, or someone in the hospital who needs to be visited.[26] Reflection upon socially located experiences can be necessary to recognize the wrongs of oppression but even more so to arrive at reasons concerning them.[27] What reasons do we have when we recognize these wrongs? To answer this requires experience that makes possible reflection upon the actual circumstances of oppression. Since reason requires action, it makes little sense to say that we have reason to Φ when moral consideration Q is present unless it is also possible for us to know what Φing means with respect to moral consideration Q. If we understand Q through the notion of dignity, what specific reasons do we have to

act when oppression undermines dignity? Everyone has a general reason to rectify oppression but coming to *actually* have such ethical reasons in the first place usually results from embracing a political commitment that directs our responsibility toward the oppressed person in that situation. And in the absence of the reflection that political commitment makes possible, it will be very unlikely we will know what to do.

Political commitment—particularly in its collective form—is perhaps the most important way that people work together to develop the knowledge they require in order to determine where their ethical responsibilities lie and what actions would best meet those responsibilities. Berta does complex epistemological work as she shows privileged citizens of the United States and Canada what World Bank projects like hydroelectric dams do to the oppressed people they affect. Her experience gives her knowledge of the way both local and global conditions impact the Lenca. That knowledge is indispensable to any meaningful ethical assessment of the Lenca's situation. Such epistemic work must first occur before anything can be done, before there can be any reason to Φ at all. This is not to say that she cannot convince outsiders of many of these facts. These facts about oppression are not necessarily inaccessible to others, even if knowledge of them must be mediated through the interpretations of those who directly experience them.[28] Nevertheless, the ethical reasons they engender in others who do not share her conditions necessarily have to account for their *different* relationship to oppressive structures.

2.5 Conclusion

I do not deny that we have universal ethical reasons to oppose oppression or contend that the moral considerations raised within ideal theory are empty. However, I have showed here that we may lose something crucial as we translate some ethical reasons arising out of political commitment into universal reasons for every agent. That is, we cannot universalize every concrete or actual reason to oppose oppressive circumstances. One worry that might be raised is that, if some of these ethical reasons to oppose oppression depend upon a commitment we have adopted and our reflection on our social location in light of that commitment, this amounts to a denial of general or universal reasons to oppose oppression. The argument here does not deny the existence of universal reasons to oppose oppression or reasons to pursue the ethical goals of politically committed agents. Instead, it argues that such general reasons do not, on their own, generate or justify all the ethical reasons that arise out of an agent's political commitment.

Thus, the argument may be compatible with some forms of particularism.[29] Mills (172) cautions us:

> There are many dangers in particularism, whether individual or group-based.
>
> Theory necessarily requires abstraction, and to concede this realm to the adversary is an odd way of challenging him.

One concern here has to do with the status of non-idealist work as theory. Yet another is that we won't be able to make a critique of oppressive circumstances that is wide enough or broad enough to appeal to the oppressed and oppressors alike. Rejecting universalism 'risks the dangers of relativism, which makes it difficult to affirm that, objectively, women and people of color are indeed oppressed—not merely that they believe they're oppressed.' In addition, he says, 'the mainstream apparatus (e.g., of justice and rights) then becomes a necessarily alien tool in the oppressor's arsenal, rather than a weapon to be used and turned against him' (172).

The argument I have given suggests that this worry is misplaced even if some particularist elements may show that universal obligation cannot take us as far as we need to go to understand ethical reasons arising out of oppression. Being suspicious about the claim that there is a universal version of all of our ethical reasons need not lead us to reject universalism in every form whatsoever. For example, nothing I have argued denies that certain kinds of lives are better for people than others, or that an ethical life will be one in which we strive to create conditions where people can lead better lives. Nor is it nonsensical to appeal to general ethical considerations like dignity. On the contrary, such appeals will be much more convincing when they are grounded in concrete ethical claims arising out of people's actual experience of oppressive circumstances.

We cannot arrive at the knowledge we need to act and hence at ethical reasons that are actual reasons for action without a reference to concrete experience. Political commitment makes it possible for us to use experiences of oppression to develop new understandings of ethical possibilities. Moreover, political action itself disseminates knowledge. Berta has a goal in working with United States and Canadian citizens, with other indigenous rights groups and with local groups: to be rationally persuasive to others—to teach them what she knows about the history of Lenca oppression and the structures that must be abolished to overcome that oppression. Those in certain social locations will make the 'discoveries' necessary to give us the tools to dismantle the structures that oppress us.[30] Political commitment, which can be entered into from (and experienced differently through) many different social locations, is in part a commitment to attend to, and be ethically transformed by, the knowledge that such discoveries make possible.

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Notes

1. Although political pressure by COPINH and other groups did delay it, construction on the dam began in June of 2006. In Spanish, COPINH is Consejo Cívico de Organizaciones Populares e Indígenas de Honduras.
2. Berta has received credible death threats. Two Lenca activists, Fabian Gonzalez and Santos Carillo, were assassinated in 2003.

3. There are many versions of consequentialism and many interpretations of Kantian theory, but because my arguments are about the structure of these theories, I do not go into extensive detail about how each version would differently handle the cases I describe. Moreover, I do not deny that some versions of these positions could target oppression directly. Because consequentialism is so flexible in its content, for example, a version of consequentialism could focus on oppression as an undesirable consequence and liberation from oppression as a consequentialist goal. Moreover, the Kantian idea that persons are of equal moral worth, and that human dignity is of critical moral concern, is far from morally irrelevant in situations of oppression. What I contend is that this underdetermines agents' reasons to such an extent that we cannot get an explanation for why someone has a reason to act in particular cases of oppression. For that, we need an account of how reflections on her relationship to oppression and choices arising from that reflection shape her ethical reasons. These views—by virtue of the way they are structured—cannot give us such an account.
4. For example, Anna Politkovskay (2007), who was assassinated for her journalistic work exposing human rights abuses in the war in Chechnya, disavowed an explicitly political goal for her work. As she says in her book *Putin's Russia,* 'I am not a political analyst. I am just one human being among many, a face in the crowd of Moscow, Chechnya, St. Petersburg and Russia.' (12). While it makes sense to see her response to the horrors she saw in Chechnya as an ethical response, her work shows that making sense of those horrors did require her to confront the political power structure in Russia. I do not claim that the political and the ethical are easily disentangled but only that we fail to understand someone like Politkovskay's commitment to journalistic truth and the sacrifice she made for it if we fail to recognize how it was prompted by the political context she found herself in and her sense of responsibility within that context.
5. Neither consequentialism nor deontology can explain or fully justify the actual reasons that result from political commitment. However, an account available to ideal theory will also recommend attention to some of the problems caused by oppression. Of course, not every reason stemming from political commitment is justifiable on deontological or consequentialist grounds. Clearly some conflicts arise between deontological restrictions, for example, and what someone thinks politically necessary to overcome oppressive circumstances. Someone might think that some forms of deception are justified in the pursuit of political goals—to protect a political action from police disruption, for example. Even if such actions are impermissible on deontological grounds, however, the point is that the overarching political commitment and its ethical purpose will not be incompatible with valuing others as ends in themselves. What is missing when political commitment is absent is a connection between a moral commitment to value others as ends in themselves and the actual political project and its ethical reasons. People with the right kind of political commitment do respect others, attend to dignity, and so forth, but these concerns alone do not explain their actual reasons, nor do they fully justify what those reasons are reasons to do.
6. The claim is not that these accounts of oppression involve a correct analysis of oppression. Nor does it mean that they necessarily offer the correct account of what makes oppression wrong. It is simply that—at the very least—the effects of oppression on people are morally relevant from the perspective of any ethical theory. The fact that some theories overlook oppression or subsume it under a much more general wrong still means that aspects of oppression—and what must be done to address them—will not be targeted. For example, the specifically political aspects of the harm done by oppression will not be well understood if our focus is primarily upon someone's ability to realize the ends she already has or upon satisfaction of her preferences or other consequentially-based goals. Oppression deeply compromises the ends and preferences we have.
7. I do not argue here for the claim that all of our ethical reasons operate in the way that politically committed reasons do. However, a view that seems promising for explaining the ways that political structures impact ethical reasoning is that of Margaret Urban Walker who argues that we should 'locate morality in *practices of responsibility* that implement commonly shared

understandings about who gets to do what to whom and who is supposed to do what for whom' (2007, 16). In particular, Walker's view explains why politically committed agents prioritize ethical reasons arising out of political commitment in a way that goes beyond any universal obligation they might be said to have. If 'morality itself is a disposition of powers through an arrangement of responsibilities' (2005, 106) then the decision of moral agents like Berta to take up highly specific and demanding responsibilities would be explicable by the ways in which she has been assigned responsibility, and embraced it, because of her membership in the Lenca community. The fact that I might regard it as a great moral failing to ignore oppression within my sphere even if I act on morally equivalent projects can also be explained by the fact that this involves shunning a responsibility I believe I have. However, the argument that political commitments engender ethical reasons may not require that all our ethical reasons arise out of an arrangement of responsibilities.

8. This does not entail their having a wholly rational basis.
9. Autumn Jackson, quoted in www.laborresearch.or/story2.php/42, accessed 3/10/07. Note that these concerns are both general—i.e., what mothers should do for their children—and highly specific, since her circumstances require her to stand up in a situation of oppression that will not be generalizable to other mothers who do not experience oppression. It is the situation she finds herself in that gives her a moral reason to act and, as I will argue below, she thinks she must act. This suggests she would be reluctant to regard her action as either supererogatory or fungible with other morally equivalent actions.
10. One issue is whether there are more general ethical requirements arising out of social location that aren't tied to political commitment. For example, is there a requirement on those who benefit from a system of oppression to resist that system? I don't take up this more general question. The discussion here concerns voluntarily assumed political commitments and the way they shape ethical reasons rather than more general ethical requirements arising out of social location. However, those who take up political commitments may believe that it is not merely optional to act on some of the ethical reasons stemming from that commitment.
11. For example, in discussing Kant's view of practical necessity Williams (1985, 191) says that 'the agent's conclusions will not usually be solitary or unsupported, because they are part of an ethical life that is to an important degree shared with others. In this respect, the morality system itself, with its emphasis on the "purely moral" and personal sentiments of guilt and self-reproach, actually conceals the dimension in which ethical life lies outside the individual.'
12. Of course, some obligations are ongoing, such as the obligation to utilize one's talents, and other obligations to develop one's moral character. But these still focus on determining particular choices in particular situations.
13. Note Mills' discussion of whether one can simply apply ideal theory to the problems that would arise in nonideal theory, such as the problem of racism (176). The analogous point there would be that certain effects of racism are, for example, incompatible with Rawls' principles of justice. However, e.g., having positions and offices open to all would not eliminate racism. (Nor would the difference principle or the principle of equal liberty do so.) That is, Rawls' account is radically incomplete when it comes to race and cannot be just mechanically applied to deal with the problem of racism. If liberal theories of this kind were to address racism, they would have to actually talk about race and racism. (And this will require nonideal theorizing.) A (question-begging) temptation there is to say that what matters about racism when it comes to justice is only what can be understood through the parameters of liberal theory as it stands. Similarly problematic is the claim that the moral content of politically committed reasons can only be what the morality system says it is.
14. See Michael Stocker (1976). The similarity between Stocker's argument and the case here is that the justification for the ethical reason that is available through ideal theory is not the agent's justification. What results may not be quite the schizophrenia Stocker describes. However, what is most ethically relevant in the situation—the existence of oppression—has a tangential and second-hand relevance. Further, the priority the person gives to her reason

may also appear unjustifiable on moral grounds because she believes the situation demands something more or something different than the ideal justification would.

15. Right and wrong are not necessarily idealized notions. They can depend on obligations that arise out of commitment and context rather than universal covering obligations.
16. Ethical situations are highly complex matters. Political commitments will usually be accompanied by a complex of other ethical concerns such as compassion for those who suffer, indignation about violations of dignity, and many other morally relevant considerations. A naturalist and non-idealist account of ethical reasons does not require a single sufficient justification for such a reason. Therefore, I do not contend that political commitment is a sufficient reason in such a situation; rather, I allow that a variety of moral considerations may play a role and these considerations always interact with political commitments in the cases at issue here.
17. Consequentialists might argue that such actions inspire others to perform political actions with greater utility, and so they do have good consequences after all. But this only pushes the question back. If they produce no political gains themselves, why would they inspire others? They are inspiring as political and ethical statements, i.e., statements of commitment. What others attend to is the very fact that they express commitment, and if people did not see the moral value in the expression itself, the actions would not be inspiring.
18. This may be one concern expressed in Williams' integrity argument. However, I take it that more than integrity is at stake in actions that express solidarity with others. While the attempt to disavow connection with evil structures and to refuse to be an agent of injustice oneself may be tied to integrity, the focus on connection with others and the commitments they share with oneself can be grounded in a concern for those others as well as an expression of shared ethical and political identity. See Williams and Smart (1973).
19. See Mills, 166.
20. See Mills, 174–180. 'If it were obvious that women were equal moral persons, meant to be fully included in the variable "men," then why was it not obvious to virtually every male political philosopher and ethicist up to a few decades ago?'(Mills, 176.)
21. Mills mentions one central explanation of this fact: 'that people's social location may both blind them to important realities and give them a vested interest in maintaining things as they are. . .' (Mills, 180)
22. A person has a narrow duty to avoid servility on the Kantian view but it seems unfair to regard a failure to stand up as an act of servility, since the primary moral wrong is caused by oppressive agents or institutions rather than by oneself. It would be an undue burden on us to require us to actively combat each and every instance of oppression or risk being called servile. Internal refusal to take on the demeaning idea or imagery also counts. (In fact, people find very complex ways to resist oppression, both psychologically and socially, when speaking out is life-threatening.)
23. Thomas Nagel (1979, 90–91) first introduced the idea of agent-neutrality. Here, I do not engage with the large debate as to whether all reasons for action have an agent-neutral form. See Christine Korsgaard (1996, 133–134).
24. 'Heirs of Lempira Struggle for the Land,' www.globalexchange.org/countries/americas/honduras/4299.html. Accessed December 15, 2007.
25. Here again, we might need to consider what ends people would have if they were not oppressed.
26. Of course, another issue is that many of the moral wrongs that ideal theory purports to address are tied up in structures of oppression. Thus, the most effective ethical actions will require some relationship and engagement with oppression itself. The neglected elderly in my earlier example experience marginalization, for example. See Iris Young (1990, 53–56).
27. See Satya Mohanty's (2000, 39–40) argument that 'objectivity is inextricably tied to social and historical conditions, and objective knowledge is not the product of disinterested theoretical inquiry so much as a particular kind of social practice. In the case of social phenomena such as sexism and racism, whose distorted representation benefits the powerful and

established groups and institutions, an attempt at an objective explanation is necessarily continuous with oppositional political struggles.'

28. See Henze (2000, 245–249).
29. For example, the view that political commitments generate ethical reasons for one person that are not ethical reasons for everyone is compatible with a rejection of what Urban Walker (2005, 11) calls strict universalism which 'forbids grounds of judgments and consequent affirmings of moral positions which are not compelling for all alike.' However, it does not deny that some moral claims are universally binding on all individuals or that there are no true moral principles. For a view that rejects moral principles as adequate descriptions of moral situations to which our ethical reasons must respond see Dancy (1993, 2004).
30. According to Mohanty's realist theory of cultural identity, 'social struggles of dominated groups, for instance, can help produce more objective knowledge about a world that is constitutively defined by relations of domination. That would help explain why granting the possibility of epistemic privilege to the oppressed might be more than a sentimental gesture; in many cases in fact it is the only way to push us toward greater social objectivity' (2000, 58).

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Chapter 3
Feminist Eudaimonism: Eudaimonism as Non-Ideal Theory

Lisa Tessman

Abstract This chapter considers whether eudaimonism is necessarily an idealizing approach to ethics. I argue, contrary to what is implied by Christine Swanton, that it is not, and I suggest that a non-ideal eudaimonistic virtue ethics can be useful for feminist and critical race theorists. For eudaimonist theorists in the Aristotelian tradition, the claim that one should aim to live virtuously assumes that there will typically be good enough background conditions so that an exercise of the virtues, in conjunction with these favorable external conditions, will suffice for someone to flourish both in the sense of living virtuously and in the sense of living well or living the good life. However, under some forms of oppression the background conditions will not be good enough, and thus an exercise of the virtues will often be insufficient to constitute a flourishing life. It may seem that eudaimonism, with its foregrounding of the concept of flourishing and its assumption of a tight connection between living virtuously and living well, may function as a form of ideology that elides the ways in which non-ideal and oppressive conditions can separate virtue from well-being and can make the state of flourishing (in its dual senses) unattainable. I point out that eudaimonism can be revised to incorporate the claim that virtue and flourishing may typically be unlinked, and I advocate retaining flourishing as an unattainable end, exercising the virtues even with a sense of their absurdity, and confronting the existential states of frustration and disappointment that may result.

Keywords Virtue · Eudaimonism · Non-ideal theory · Feminist ethics · Flourishing

The central question to virtue ethicists—'how should one live?'—is answered by eudaimonist virtue ethicists by reference to *eudaimonia* or human flourishing: one should live so as to flourish in a fully human way, where the human way of flourishing is understood to be constituted, at least partially, by an exercise of the virtues; thus, one should aim to live virtuously. For eudaimonist theorists in the Aristotelian

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tradition, the claim that one should aim to live virtuously assumes that there will typically be good enough background conditions so that an exercise of the virtues, in conjunction with these favorable external conditions, will suffice for someone to flourish both in the sense of living virtuously and in the sense of living well or living the good life. Under ideal conditions—or simply under conditions that are good enough to make the realization of flourishing (not just in the former but also in the latter sense) appear possible—living virtuously is equivalent to living so as to flourish in a fully human way. However, under the more wretched conditions present under some forms of oppression this equivalence falls apart, for without good enough background conditions, an exercise of the virtues will often be insufficient to constitute a flourishing life. The concept of flourishing makes an attractive centerpiece for a moral framework when the concept is understood in its dual senses of living virtuously and living well; but in contexts where living well is nothing but a dreamt-of but unreachable ideal, it is not clear that the concept of flourishing should remain at the center of moral practice and moral thought. Thus eudaimonism, with its foregrounding of the concept of flourishing and its assumption of a tight connection between living virtuously and living well, may function as a form of ideology that elides the ways in which non-ideal and oppressive conditions can separate virtue from well-being and can make flourishing (in its dual senses) unattainable.

Because I agree with those such as Charles Mills (2004), who has argued that feminists and critical race theorists should take non-idealizing approaches to ethical theory precisely because of the ways that ideal theory can function as ideology and can make it difficult to uncover the workings of systems of oppression, I am wary of theorizing as if flourishing were possible in this quite unjust world in the same way that it might be in an ideal world. Non-ideal ethical theory must recognize flourishing as being out of reach under some conditions of oppression and must contribute to understanding moral life given this fact. This chapter will consider whether or not these requirements of non-ideal ethical theory necessitate a rejection of eudaimonism.

I will begin by investigating how a commitment to avoiding idealizing affects the structure of eudaimonistic theories, including the relationship between virtue and flourishing. To do this I will first sketch the basic assumptions of an idealized eudaimonism—namely, a eudaimonism that posits an idealized version of the moral subject and the background conditions—and then contrast these assumptions with a descriptive account of the moral subject and background conditions in a society marred by multiple forms of oppression, to see what assumptions a non-idealized eudaimonism would need to hold.[1]

3.1 Eudaimonism, Idealized and Non-Idealized

Idealizing can take place in the account of the moral subject or the background conditions. In an idealized model of the moral subject, the subject has a perfect capacity for developing and exercising the virtues; of course, not everyone will actually

become virtuous—and Aristotle (1984) certainly thinks that people are virtuous to varying degrees—but virtue must at least be a real possibility for everyone or almost everyone to whom the theory applies (thus for Aristotle, for every propertied, free, adult Greek male). Virtue requires excellence of the rational faculty and also of the desiderative faculty. Thus moral subjects must be taken to be capable of good enough practical reasoning, and must be able to effectively train their desires to align with their correct reasoning. Conflicts between reason and desire result in situations where one can only manage to do the right thing by having one's will overpower one's desires; while the strong-willed make the right decisions and take the right actions, they, unlike the virtuous, take no pleasure in acting. Continually in this painfully conflicted state, those who have been unable to habituate themselves to feel pleasure at the thought of performing the correct action find themselves thereby unable to flourish. The idealized moral subject must have a real possibility of avoiding these conflicted states.

In an idealized model of external conditions, the world would be portrayed as quite conducive to the flourishing of humans. This does not mean that the world would present no hardships, for it is in part because of certain hardships that the virtues can be exercised. But a fully idealized world would not include the level of disaster that makes flourishing impossible. Aristotle, who thinks of humans as vulnerable beings, recognizes the possibility of those kinds of disasters and the threat they pose to human well-being, but he does not theorize a world in which such conditions are pervasive. Aristotle does tend to idealize by focusing on the sorts of humans who were the most privileged in his society and therefore ignoring the conditions of the lives of say, slaves, and the wives of citizens. For members of a privileged or elite class, external conditions could still take their toll, but the terrible or even tragic things that could happen would tend to come about through natural luck. This characterization idealizes by portraying people as not living under the *expectation* of lacking the background conditions for flourishing.

Furthermore, in an idealized account of the context for a eudaimonistic virtue ethics, the people that are encompassed by the theory are characterized as living their lives interdependently with one another. In such a context, there is a high degree of coincidence between what benefits one's own self and what benefits others. The virtues, including those that appear to most directly benefit others (the so-called 'other-regarding virtues') are necessary for one's own well-being, not only because of the pleasure one will take in acting virtuously, but also because in order to live well oneself one must be a part of a flourishing community. What I want to emphasize is that the assumption of interdependence—such that no one can flourish without everyone flourishing (and again it is important to note that for Aristotle 'everyone' does not really mean 'everyone,' but rather everyone about whom he is theorizing, namely the Greek male citizens)—is an idealizing assumption because under actual conditions interdependence can be destroyed and replaced by relationships of dominance and subordination, in which case it will not be true that exercising virtues that benefit others will create a flourishing community that one depends on for one's own well-being. In an idealized community of interdependent citizens—and only in such a community—it is plausible that there is little or no

tension between that which contributes to one's own well-being and that which it is right to do with respect to one's community. In such a context it is normally plausible to characterize virtuous acts as enhancing one's own flourishing both in the sense of living virtuously and in the sense of living the good life.[2]

This idealized model of the moral subject and of external conditions and context can be contrasted with a descriptive account of features of actual moral subjects, living under adverse background conditions, including conditions of oppression. Such actual moral subjects experience systemic barriers to developing the virtues; they may have trouble both in reasoning about what it is right to do, and in having desires that are aligned with this reasoning. The very fact of ideology makes it difficult to reason well about practical matters, for ideologically informed thinking draws on the epistemically unreliable perceptions of the privileged, and is skewed in favor of the interests of the privileged. The presence of false hegemonic beliefs is a good indicator that much of the population is not reasoning well. Is the enemy as scary as the President says it is? If I were just a more diligent worker, wouldn't I be able to make ends meet? Will I be committing murder if I have an abortion? Towards whom should I exercise generosity or compassion? Do I have reason to fear the black man walking toward me on the street? Is it an act of courage to fight in this war or to protest the war? Am I right to be angry toward my husband for expecting me to clean after him or is his expectation justified? Should I trust the police to protect me? Was I raped or am I to blame for what happened since I did go to my boyfriend's apartment? Is it wrong for women to be lovers with each other? Excellent reasoning would presumably yield good answers to these questions, but in a society whose ideology supports multiple oppressions, many people reason poorly about just these sorts of questions and end up with a distorted picture of what it is to act well.

Desires—perhaps even more obviously than reasoning—are very vulnerable to being misshapen under oppression, resulting in the formation of adaptive preferences.[3] Even those actively trying to resist oppression find that while their political and ethical convictions may be liberatory, they cannot align their desires with these convictions. One may be committed to resisting racist norms of beauty and yet self-hatingly reject one's own dark skin and kinky hair. One may know that it is wrong to expect women to focus exclusively on raising their children and yet feel guilty when one leaves one's child at daycare. One may be opposed to every form of sexual violence and yet be aroused by it. One may know one is more likely to be attacked by a white man than a black man and yet feel safer around whites. One may be critical of a capitalist consumption-oriented culture and yet be unable to resist the allure of advertising. These conflicts between reasoning and desires are among the sorts of internal states that interfere with well-being.

Given the difficulty of developing both excellent practical reasoning and excellent or 'healthy' desires under the actual conditions of a society with multiple systems of oppression, virtue is hard to come by for the non-ideal(ized) moral subject. To mark the ways in which victims of oppression are hindered in being able to develop and exercise the virtues, Claudia Card (1996) uses the term 'moral dam-

age,' a term that emphasizes that not being able to maintain the virtues is a form of harm inflicted on members of oppressed groups.

Because the virtues are necessary for flourishing, just the phenomenon of moral damage would make flourishing difficult for members of oppressed groups to achieve. In addition, however—and this seems so obvious that it hardly needs saying—the conditions of oppression serve badly as the sort of external conditions needed for flourishing. The oppressed are likely to encounter hardships including violence and abuse, the deprivation of poverty, invisibility or lack of recognition, exploitation and alienation, and the absence or violation of basic rights. These are not exactly the kinds of bad external conditions that Aristotle had in mind—for he did tend toward idealizing by assuming that external conditions were generally sufficient for flourishing and that exceptions to this came about through relatively rare natural disasters, or accidentally as a result of terrible luck, but not regularly and systemically. But, undeniably, the hardships encountered by oppressed people are just the sort of external conditions that could interfere badly with flourishing, even if the virtues managed to avoid too much damage and to 'shine through' (Aristotle *NE* 1100b22-32). Furthermore, victims of oppression experience the *expectation* of facing conditions that will interfere with their flourishing. They may live their lives knowing that no matter how well they adhere to moral goodness, this will insufficiently constitute their own flourishing.

Additionally, in the context of a non-ideal world there may be an ongoing, pronounced tension between preserving one's own possibility of living well, and working to make a good life possible for all. Replacing the idealizing assumption of interdependence with a descriptive account of the ways in which members of dominant and subordinate social groups are positioned against one another, one can see how, for instance, those who resist the oppression of their own social group enter into fighting situations not unlike that faced by Aristotle's courageous soldier. Even when the fighting is not literal, cultivating the antagonistic stance of resistance may be detrimental to one's own well-being. So might a complete devotion to the 'cause' of justice; a life so oriented may appear to be both praiseworthy and admirable, and at the same time sacrificial of many of the other necessary components of a good life. Without some idealizing assumptions about the world, it quickly becomes implausible to present the daunting task of bettering a very flawed and far from ideal world as coincident with the good life.

To summarize the preceding discussion: In a eudaimonistic virtue ethics that idealizes, or that is at least not self-consciously non-idealizing, one would assume that flourishing—at least to a significant degree—is generally possible both because an adequate level of virtue is achievable and because external conditions are conducive enough. The basic idealized relationship between virtue and flourishing is that flourishing is constituted by an active life of virtue, given a background of good enough external conditions. In contrast, in a non-idealizing eudaimonistic virtue ethics, one will have to assume that flourishing will be largely unattainable, in part because of moral damage, that is, damage to the virtues, and in part because of adverse external conditions. There will be a marked implausibility of the fit between living virtuously and living well. The relationship between virtue and flourishing will now appear in

an altered form: virtues will no longer normally be in a constitutive relationship to flourishing, for given adverse external conditions and/or the overwhelming demands of attending well to a very ailing world, the normal pattern will be of exercising virtues and yet still being unable to attain anything that could be called a flourishing life.

A virtue ethicist committed to non-idealizing, in recognizing the gap between an idealized picture of virtue and flourishing and a descriptive account of the actual possibilities for virtue and for flourishing under oppression, might go in either of two directions regarding eudaimonism. She could reject eudaimonism, reasoning both that any theory in which virtue is understood as not normally in a constitutive relationship to flourishing does not count as a eudaimonistic theory, and that it is not helpful to continue to theorize as if flourishing—now conceived of as largely unattainable—were still the appropriate aim. Alternatively, she could endorse the centering of the largely unattainable aim of flourishing, and contend that theorizing about the now altered relationship of virtue to flourishing and about the complex role that the unattainable normative ideal of flourishing can play in one's life counts as a revision rather than a rejection of eudaimonism. The second approach suggests that non-ideal eudaimonism is possible because one could endorse the centering of the concept of flourishing even if one understands flourishing as unattainable. Christine Swanton takes the first approach and develops a pluralistic virtue ethics that is explicitly not eudaimonistic. I favor the second approach. I will explore each in turn.

3.2 The Rejection of Eudaimonism

Swanton states that her virtue ethical theory is 'not a species of ideal world theory' but rather is 'intended to be applicable to this very imperfect world' (2003, 14), a world that she describes as 'marred by the difficulty of attaining (full) virtue, and the all too frequent occurrence of catastrophe, scarcity, evil and conflict' (2003, 3). Swanton defines a virtue as 'a good quality of character, more specifically a disposition to respond to, or acknowledge, items within its field or fields in an excellent or good enough way' (2003, 19). This conception of a virtue allows Swanton to point to five varieties of pluralism, two of which I will focus on here. The first of these is that there may be a plurality of features that make a character trait a virtue; while a eudaimonistic framework takes a trait's relationship to flourishing to bear on its status as a virtue, in Swanton's framework this is not the only basis for counting as a virtue and a trait may still qualify as a virtue when it is detrimental to an agent's well-being. The other kind of pluralism in Swanton's theory that I will discuss is due to the fact that for her there is not just one yardstick of excellence, but several, given the range of circumstances under which a trait is to be judged.[4]

Swanton's commitment to non-idealizing is part of what motivates her to incorporate into her theory both a pluralism in what makes a trait a virtue, and a pluralism in the standards of excellence against which a trait is measured. Because for Swan-

ton the point of the virtues is to meet the demands of the world—and because the world is in her view quite imperfect—'strategies for attaining the goals of personal self-realization and meeting the demands of the world cannot be assumed to coincide' (2003, 14). Thus 'it is possible for a trait to be a virtue even where it has tendencies to be bad for the possessor in non-utopian universes such as our actual world' (2003, 20). I would agree with Swanton on this point; as I noted above, in the absence of idealizing assumptions about background conditions, virtue is frequently insufficient for securing well-being (and it may even work against it). However, for Swanton—and this is where I part ways with her—this fact suggests a rejection of eudaimonism.

The claim that Swanton sees as central to eudaimonism and that she rejects—she calls it thesis (E)—is as follows: 'It is a necessary condition of a trait being a virtue that it characteristically (partially) constitute (or contribute to) the flourishing of the possessor of the virtue' (2003, 77). She recognizes that an Aristotelian theory will not portray the virtues as guaranteeing flourishing, since for Aristotle bad enough luck can intervene, but she (rightly) points out that responding excellently to the demands of this very imperfect world may not even *characteristically* contribute to or partially constitute a flourishing life. This violates (E) because although (E) permits there to be instances in which a virtue does not connect with flourishing, this must be limited, as it is for Aristotle, to exceptional rather than typical cases. A non-idealizing theory cannot have (E) as a thesis because under persistently adverse conditions the virtues will not *characteristically* contribute to or partially constitute a flourishing life. Because Swanton sees (E) as essential to eudaimonism, she is led to reject eudaimonism. For Swanton, this rejection reflects her sense that a fully flourishing life is too high of an aim for people living in non-ideal worlds.[5]

I do not see the rejection of eudaimonism as necessary because I do not accept Swanton's assumption that every eudaimonistic theory must subscribe to thesis (E). Thesis (E) would obtain within a eudaimonistic theory that assumed an ideal(ized) moral subject and ideal background conditions, for in such a framework, the virtues would characteristically be in the sort of relationship to flourishing that (E) indicates. But to say that this is the only relationship between virtue and flourishing that a eudaimonistic theory can allow is to conflate eudaimonism *simpliciter* with an idealizing eudaimonism. I would contend that in order to avoid the pernicious sort of idealizing assumptions, eudaimonism must do without thesis (E) so that it can take into account the fact that for many people, bad luck is not occasional or unexpected, but rather takes the shape of systemic bad luck[6] and as such is a regular condition of life, and thus that virtue and flourishing are also regularly pried apart. Such a theory can still be considered as eudaimonistic because flourishing is retained as the central aim and virtue is still taken to be necessary (though not sufficient) for flourishing; the relationship between virtue and flourishing can then be theorized in a way that reveals it as complicated, as it is for actual people.

The other form of pluralism that is motivated for Swanton by her commitment to avoid idealizing is the pluralism of the standards for evaluating a trait. Swanton refers to virtue as a threshold concept to indicate that one need not reach an ideal state to be called virtuous, but need only pass a context-relative threshold level;

she argues that 'in a world characterized by considerable evil, neediness and frequent catastrophe, less than ideal states may count as virtuous' (2003, 25). Swanton chooses this approach of 'lower[ing] our sights' over the alternative of aiming for an unattainable level of virtue, pointing out that the latter is a risky approach, 'possibly resulting not just in harm to the agent but in, for example, damaging, misguided altruism, which is based more on resentment than on genuine love for fellow human beings' (2003, 64).

I agree with Swanton that what counts as a virtue must be relative to context (or, better put: evaluated in context rather than universally and/or abstractly) and that it is not useful to mark only an ideal or perfect trait as a virtue, since there are no such traits in actuality. I have focused so far on the fact that oppression may interfere with flourishing in the sense of well-being by producing adverse background conditions. However, oppression may also interfere with flourishing in the sense of an exercise of the virtues, for oppressive conditions can be a source of moral damage or damage to the development of the virtues.[7] If oppressive conditions make it difficult to develop the virtues, then one might point to this fact as one reason why it would be inappropriate to have a universal yardstick for virtue.[8] Both Swanton and I understand non-idealizing to require a changed conception of what a virtue might look like (that is, neither of us think that for a trait to be a virtue it must characteristically be in a straightforward, constitutive relation with flourishing, but both of us think that it must retain some relationship to flourishing); however, I believe that Swanton's approach of 'lowering our sights'—by both being willing to jettison the aim of flourishing and being willing to label traits that are characteristically not constitutive of their bearers' flourishing in exactly the same way as one would label traits that are constitutive of their bearers' flourishing (namely they are both simply called virtues)–obscures the damage that oppression does. If the traits that the oppressed can easily enough exercise are simply called virtues even when they may be detrimental to their bearer, one can lose sight of the fact that moral damage has taken place or that the exercise of these virtues places an enormous burden on their bearer, including the burden of having one's best moral practices be nevertheless impotent in constituting flourishing.

Thus while both Swanton and I want to develop a non-idealizing approach to virtue ethics, I depart from Swanton in two ways: (1) I want to keep flourishing, understood in the dual senses of living virtuously and living well, as the central aim,[9] and to allow its very unattainability, juxtaposed with the insistence that oppressed people do still have a claim on flourishing, to draw attention to the structures that stand in the way of a good life for the oppressed; (2) I want to label the virtues whose constitutive relationship with flourishing is severed due to adverse—including oppressive—background conditions, in a different way than one would label virtues whose relationship with flourishing is not disrupted; thus I refer to the former as 'burdened virtues' specifically in order to highlight the harm that oppression does in the form of burdening the moral efforts of the oppressed.[10] My favored approach, then, is to draw on a descriptive account of moral subjects who live under oppression, and to meanwhile continue to posit flourishing in a fully human way (a way that involves an exercise of the virtues) as the central normative value. This

allows one to investigate what it may be like for actual, non-idealized moral subjects to live in a world in which they are barred from achieving a flourishing life, and in which the best of their character traits fail to be in a straightforward, constitutive relationship with flourishing.

I do not believe that having an aim that—in part because of systems of oppression—stays out of reach functions as an ideological form of idealizing, as long as one avoids idealizing moral subjects, and stays focused on the way that actual moral subjects experience living with the expectation that the good life will remain out of reach. Rather than obfuscating structures of oppression, this approach allows one to theorize about the very encounter of the non-idealized and oppressed moral subject with the stark fact of how deeply depriving, damaging, and dehumanizing oppression can be. The alternative approach—denying that unattainable ideals count as normative aims at all—can then be seen as a 'sour grapes' sort of defense mechanism for shielding one from the intense existential states such as frustration and disappointment that may be a part of the experience of holding an unattainable normative ideal that one believes one has a claim on.[11]

3.3 Eudaimonism as Non-Ideal Theory

What I named as the central question for virtue ethicists: 'how should one live?' and the answer given by eudaimonists: 'one should live so as to flourish in a fully human way, where the human way of flourishing is understood to be constituted, at least partially, by an exercise of the virtues,' leaves those who are barred every step of the way towards realizing the normative ideal contained in this answer vulnerable to frustration and disappointment. What I am advocating is a direct encounter with these experiences rather than the sort of avoidance of them that is possible when one 'lowers one's sights.'[12]

The agony of being denied freedom, where the denial of one's freedom serves as a denial of one's full humanness, is widely acknowledged. Here I point to an experience that I believe parallels the agonizing experience of being denied freedom: the experience of being denied a chance to realize a fully human sort of flourishing, a flourishing that is partially constituted by an exercise of the virtues. One could focus here on the experience of deprivation—of being deprived of well-being or of a good life—but I also want to focus more particularly on the experience of having one's own moral goodness be impotent with respect to flourishing. My claim is that making it through to the other end of this experience without ever sacrificing one's claim to flourishing or one's claim to full humanness, requires that one steadfastly continue to (attempt to) exercise the virtues, but to do so with a sense of the absurd, for the virtues do become absurd in the absence of their characteristic connection with flourishing.

What may be required of someone exercising the virtues under these conditions is what Cornel West has described as a tragi-comic sense of life, a sense that he sees as necessary for warding off the hate, despair, and doubt that all loom as possible

responses to the 'absurd predicament of Africans here and abroad' (1999, 93). This tragi-comic sense manifests itself in 'what W. E. B. DuBois dubbed, in Faustian terms, the "spiritual strivings" of black people—the dogged determination to survive and subsist, the tenacious will to persevere, persist, and maybe even prevail' (1999, 101). 'Black strivings,' West writes, 'are the creative and complex products of the terrifying African encounter with the absurd *in* America—and the absurd *as* America' (1999, 101). Striving in the face of the absurd permits one to maintain a claim on what one is unjustly denied (full personhood); the absurdity lies in the fact that the strivings will never attain their goal, but must be carried on nevertheless; to give up striving would be to announce one's acceptance of the injustice.

One illustration of such striving as a response to the absurd is in the following passage from Derrick Bell's preface to *Faces at the Bottom of the Well*:

> It was a quiet, heat-hushed evening in Harmony, a small black community near the Mississippi Delta. Some Harmony residents, in the face of increasing white hostility, were organizing to ensure implementation of a court order mandating desegregation of their schools the next September. . . . I asked one of the organizers, Mrs. Biona MacDonald, where she and the other black families found the courage to continue working for civil rights in the face of intimidation that included blacks losing their jobs, the local banks trying to foreclose on the mortgages of those active in the civil rights movement, and shots fired through their windows late at night.
>
> Mrs. MacDonald looked at me and said slowly, seriously, 'I can't speak for everyone, but as for me, I am an old woman. I *lives* to harass white folks.'
>
> . . .I realized that Mrs. MacDonald didn't say she risked everything because she hoped or expected to win out over the whites who, as she well knew, held all the economic and political power, and the guns as well. Rather, she recognized that—powerless as she was—she had and intended to use courage and determination as a weapon to, in her words, 'harass white folks.' (1992, *xi–xii*)

The question, 'How should one live?', when asked about a non-idealized moral subject in a non-idealized context, calls for a response similar to Mrs. MacDonald's response. One should live aiming at an unattainable ideal—flourishing in a fully human way and thus exercising the virtues—but with no expectation for 'success' given the unconducive conditions in which one must strive.

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Notes

1. For Mills, what is problematic about ideal theory is that it fails to recognize the 'gap between [a phenomenon P] and the ideal, and correspondingly between ideal-as-descriptive-model (an ideal—in the sense of accurate—model of how P actually works) and ideal-as-idealized-model (an ideal—in the sense of an exemplar—model of how P should work)' (2004, 165). He is particularly concerned with the idealizing of the moral subject and of the background conditions. Ideal theory relies exclusively on idealized models and makes no use of descriptive accounts. Furthermore, since it is the less privileged members of a society whose lives

are farthest from the idealized model, relying exclusively on idealized models serves to make these lives appear as deficient oddities, and does not contribute at all to understanding oppression (for which one needs a descriptive account of experiences of oppression) or how one might transform oppressive practices.

2. I say 'normally' because in some cases, one will benefit from the apparently 'other-regarding' virtues *only* because of the pleasure one will take in acting virtuously. For instance, Aristotle points out that in the case of the courage of a soldier who faces injury or death to defend his state, the bearer of the trait takes pleasure in the fact that he is acting virtuously; he gains a moral benefit from exercising courage. However, he cannot necessarily expect to reap the benefit of living in a flourishing *polis*, since he may very well die. Aristotle seems to recognize that there is something problematic about the case of the courageous soldier, perhaps because Aristotle does recognize the insufficiency of virtue for flourishing; while flourishing in the sense of living virtuously is possible for the soldier, flourishing in the sense of well-being cannot consist just of the pleasure that the soldier takes in acting virtuously. Thus the courageous soldier example may stand as an exception to the usual pattern of interdependent enhancement of flourishing in its dual senses.
3. See Elster (1983).
4. The other three varieties of pluralism that characterize Swanton's virtue ethics are as follows: (1) Pluralism can be found in the multiple 'bases of responsiveness'; that is, more than one feature of an item to be responded to may be morally relevant; (2) Pluralism has a source in the 'modes of responsiveness'; one might respond by, for instance, loving an item, respecting it, honoring it, creating it, or promoting it; and (3) There is pluralism in Swanton's conception of right action.
5. I noted previously that a commitment to non-idealizing is only *part* of what motivates Swanton's rejection of a monistic conception of what makes a trait a virtue, and so her rejection of eudaimonism as monistic in this respect. Swanton rejects eudaimonism for another reason as well: she insists on acknowledging the legitimacy of pursuing ends other than flourishing, suggesting, for instance, that the life of the manic-depressive (and presumably not flourishing) artist exhibits a sort of excellence that is excluded from view by an Aristotelian theory (2003, 82). The creativity of such an artist may actually depend on her leaving the illness untreated. This artist sacrifices her well-being for her art, thus subordinating flourishing as an end, and replacing it with something like meaningfulness. I find this challenge to eudaimonism to be more powerful than the objection that is based on a commitment to non-idealizing, and I agree with Swanton that a relationship to something other than flourishing could confer moral value. However, I will not pursue the implications of this point here, but will instead focus on the question of whether a commitment to avoiding the pernicious sort of idealizing, in conjunction with the fact that flourishing is made unattainable in non-ideal conditions, also requires a rejection of eudaimonism. I do not think that it does.
6. This is the sort of luck that Claudia Card (1996) describes as being due to the 'unnatural lottery.'
7. A full discussion of the ways that oppression may cause moral damage, or damage to the virtues, can be found in Card (1996).
8. I would worry if Swanton were willing to set the threshold for virtue very low (for then the concept of a virtue would be stretched to the point of meaninglessness), but Swanton does put a limit on what can be called a virtue through what she calls the 'Constraint on Virtue,' a constraint that serves to connect virtue to flourishing, though not as strongly as the thesis (E) that Swanton considers to be an essential thesis of eudaimonism. Swanton's constraint is that 'a correct conception of the virtues must be at least partly shaped by a correct conception of healthy growth and development which in part constitute our flourishing' (2003, 60).
9. Though I acknowledge that there may be other aims that could at times displace the ideal of flourishing (see footnote 5).
10. See Tessman (2005).

11. Jon Elster explicitly defines adaptive preferences in terms of the 'sour grapes' phenomenon (Elster 1983, 11). Elster sees the sour grapes phenomenon as 'a purely causal process of adaptation, taking place "behind the back" of the person concerned' and contrasts it with consciously chosen strategies of shaping desires (1983, 117). I am not convinced that the conscious and unconscious adaptations can be easily distinguished, nor that consciously lowering one's sights is unproblematic in cases where the need to lower them is due to injustice rather than to natural bad luck. According to Elster, because the sour grapes phenomenon is a causal process, the agent experiencing this phenomenon suffers from a lack of autonomy. Elster hints at the idea that facing a high level of frustration—which is what the person whose preferences adapt can avoid—is worthwhile if it allows one to escape this loss of autonomy: '. . .even more-than-optimal frustration may be a good thing if it is an indispensable part of autonomy' (1983, 136).
12. I owe my recognition of the value of disappointment to Desirée Melton. See Melton 2006.

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Chapter 4
L'Imagination au Pouvoir: Comparing John Rawls's Method of Ideal Theory with Iris Marion Young's Method of Critical Theory

Alison M. Jaggar

Abstract This chapter compares the philosophical methods used respectively by John Rawls and Iris Marion Young. Rawls's theory is ideal in several interrelated methodological respects: he emphasizes principle over practice; he relies on a fictional reasoning process; and his theory is designed for an imagined world that lacks many problematic aspects of the real world. Young's method, which she characterizes as critical theory, is non-ideal in all the respects that Rawls's method is ideal. Young emphasizes practice; she respects the reasoning of actual people; and she directly addresses existing injustices. If Young has been able to develop philosophical ideals of justice that are more comprehensive, relevant, and substantively acceptable than Rawls's, I suggest that one reason may be the non-ideal aspects of her methodology. In the end, however, Young's philosophical contributions cannot be attributed only to her method; they are also the product of her unique political passion and creative imagination.

Keywords Non-ideal theory · Philosophical method · Critical theory · Rawls · Iris Marion Young

After Iris Marion Young's untimely death, celebrations of her life and work were organized by many philosophical communities of which she had been a beloved member. At one celebration, organized by the Radical Philosophy Association in November 2006, Kevin Graham observed that Young had come of age in the philosophical world that Rawls had built but that her work had transformed Rawls's world. In this chapter, I suggest that Young's transformative contributions were made possible—though certainly not guaranteed—by her method of critical theory.

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4.1 Rawls's Method of Ideal Theory

The 1971 publication of John Rawls's *A Theory of Justice* revived normative political philosophy after a period in which it had been declared dead. In his landmark work, Rawls utilized a philosophical approach that he called ideal theory. His theory not only advocated certain political ideals, as normative political philosophy always does; it was also ideal in several inter-related methodological senses. I will identify three of these senses, although I think that when Rawls speaks of ideal theory he has in mind mainly the last sense.

First, Rawls took his primary philosophical task as that of developing prescriptive principles of justice able to serve as a 'standard' for assessing the basic structures of existing societies. Rawls's assertion that 'the nature and aims of a perfectly just society is the fundamental part of the theory of justice' lends itself to the idea that philosophical reflection on real world injustices takes the form of 'applying' general principles to particular perceived wrongs (Rawls 1971, 9). Rawls certainly does not say that practice can be deduced from principle; indeed, his method of reflective equilibrium, which tests the adequacy of general principles by reference to their practical implications, denies the primacy of principle over practice. Nevertheless, the philosophical priority that Rawls gives to articulating general principles suggests that ideal precedes non-ideal in the sense that particular injustices can be properly recognized only in the light of a comprehensive conception of justice.

Rawls's methodological approach is also ideal in the sense that he argues from a hypothetical reasoning situation, which he calls the original position. In this fictional situation, the reasoners or 'parties' are imagined to be free, equal, and motivated exclusively by rational self-interest. Their reflections occur behind a 'veil of ignorance,' which limits their information about the future society they are planning and deprives them of all knowledge about their own positions in that society. The original position is intended to ensure that the parties reason impartially and that the obligations they undertake may be thought of as self-imposed or autonomously assumed. In *A Theory of Justice*, Rawls asserts that the original position provides 'a conception that enables us to envision our objective from afar,' (Rawls 1971, 22), setting up 'an Archimedean point for judging the basic structure of society' (Rawls 1971, 584). Thus, just as Rawls's principles of justice are intended to provide an ideal standard against which the justice of real world institutions may be measured, so original position reasoning is intended to provide an ideal standard of reasoning against which to measure real world reasoning.

Finally, Rawls's methodological approach is ideal in the sense that his principles of justice are designed for 'a well-ordered society.' Like the original position, a well-ordered society is a philosophical fiction characterized in terms of a number of idealizing assumptions that bracket various problematic aspects of the real world. For Rawls, 'A society is well-ordered when it is not only designed to advance the good of its members but when it is also effectively regulated by a public conception of justice. That is, it is a society in which (1) everyone accepts and knows that the others accept the same principles of justice, and (2) the basic social institutions generally satisfy and are generally known to satisfy these principles' (Rawls 1971, 4–5). Moreover, '(e)veryone is presumed to act justly and to do his (*sic*) part in upholding

just institutions' (Rawls 1971, 8). Rawls also postulates, again counterfactually, a society 'conceived as a closed system isolated from other societies' (Rawls 1971, 8). Rawls is in no doubt that the real world diverges from his imagined world in significant ways. He acknowledges that 'Existing societies are. . .seldom well-ordered' (Rawls 1971, 5) and he also recognizes that 'the problems of partial compliance theory are the pressing and urgent matters. These are the things that we are faced with in everyday life' (Rawls 1971, 8–9). However, he asserts, 'The reason for beginning with ideal theory is that it provides, I believe, the only basis for the systematic grasp of these more pressing problems' (Rawls 1971, 9).

4.2 Young's Method of Critical Theory

Young's overall philosophical project, like Rawls's, is to provide overarching normative ideals capable of clarifying specific injustices and shaping the design of real world institutions. Like Rawls, she rejects particularism, which eschews all general principles. Unlike Rawls, however, Young does not aim to develop a theory of justice that 'both stands independent of a given social context and yet measures its justice' (Young 1990). In Young's view, if a theory were truly universal and free-standing, it would be too abstract to be useful in evaluating actual institutions and practices. Thus, Young rejects Rawls's aspiration, in his earlier work, to develop a theory of justice that is analogous to a scientific theory. She aims instead for a critical conception of justice. 'Critical theory rejects as illusory the effort to construct a universal normative system insulated from a particular society.' Instead, it is 'a normative reflection that is historically and socially contextualized' Young 1990, 5). As Young later expresses it, the goal of the political philosopher is to articulate 'normative ideals and moral arguments intended both to reveal moral deficiencies in contemporary. . .societies and at the same time to envision transformative possibilities in those societies' (Young 2000, 8–9). So on Young's view, the political ideals developed by philosophers should not be imagined to be universally applicable but instead should be tailored to specific social contexts.

Because ideal and critical theorists of justice conceive their philosophical projects differently, so their methods differ. Rather than reflecting on 'the nature and aims of a perfectly just society,' the critical theorist reflects 'on existing social relations and processes to identify what we experience as valuable in them, but as present only intermittently, partially, or potentially' (Young 2000, 10). Although Young does not explicitly characterize her method as 'non-ideal,' it diverges from all three ideal aspects of Rawls's method.

First, Young does not begin with a comprehensive normative vision offered as a standard for recognizing particular injustices. Instead, and following the example of thinkers as diverse as Karl Marx and Karl Popper, she begins by reflecting on particular injustices. It would be wrong to read this difference between Rawls and Young as a sharp contrast between methods that are, respectively, deductive and inductive; neither philosopher's approach is exclusively deductive or exclusively inductive because both use the method of reflective equilibrium. Instead, this first methodological contrast between Rawls and Young is better seen as a difference

in philosophical priorities. Rawls focuses on developing a general ideal of justice, confident that it will illuminate particular injustices, though he says relatively little about these. Young begins with particular injustices and draws on her knowledge of these in developing her general ideals. Thus, Rawls's method of argumentation tends to be top-down, in a logical sense, moving from general to particular; Young's tends to move from particular to general and so, in a logical sense, to be bottom-up.

A more clear-cut methodological contrast between Rawls and Young lies in their respective attitudes toward the moral reasoning of real people. We have seen that Rawls supports his principles of justice by reference to an imaginary reasoning process involving imaginary reasoners in an imaginary situation. However, it is important to notice that the reasoners, their situation, and their reasoning are not simply imagined or fictional; they are also idealized in the sense that they could never be replicated in the real world. The original position is not just hypothetical; it is impossible. However, because those whose thinking most closely approximates original position reasoning are an intellectual elite of philosophers, original position thinking might be thought of as top down also in a sociological sense. Whereas Rawls constructs an elaborate philosophical fiction intended to transcend the partial and imperfect reasoning of situated individuals, Young's books are full of references to the reasoning of real people in actual political struggles, people whose thinking is readily acknowledged to be partial and limited. She seeks 'to express rigorously and reflectively some of the claims about justice and injustice implicit in the politics' of the United States's new left social movements of the 1960s and 1970s and their contemporary successors (Young 1990, 7). Thus Young does not abstract away from differences in individuals' perspectives and motivations; instead she pays attention to them. She treats human difference not as an epistemic disability but rather as an epistemic resource.

Finally, Young's philosophical ideals are designed not for a non-existent and even impossible world but rather for the real world of structural inequality and cultural exclusion. Although Young makes simplifying assumptions, as all theorists must do, she does not postulate counterfactual and even impossible conditions or bracket empirical information that she regards as relevant to injustice. She thinks about justice for a world in which coercion, threats, and structural inequalities are the norm rather than the exception (Young 2000, 17).

To sum up, Young develops her political ideals not by imagining what non-human—even inhuman—beings in an impossible situation might recommend for a world that could never exist. Instead, she reflects on what is actually valued by real people struggling with specific existing injustices.

4.3 Some Advantages of Young's Critical Method

Just as the proof of a pudding is in its eating, so the value of a philosophical method is assessed by the value of the philosophy that it enables us to produce. Philosophical methods are good if and only if they enable us to do good philosophy.

How can we determine which philosophy is good? People disagree about the merits of conceptions of justice even more passionately than they disagree about the merits of theories in many other fields. Nevertheless, it is possible to identify some non-arbitrary and substantively neutral conditions that any good account of justice must meet. In addition to internal consistency, which is a necessary condition for all rational theories, the conditions I have in mind are comprehensiveness, relevance, and substantive acceptability. I do not suggest that this list is complete, so that together the conditions are sufficient for theoretical adequacy, nor am I sure that the conditions are completely independent of each other. However, I do think that these minimum conditions must be met by any conception of justice that purports to provide guidance for the real world. I do not attempt here to assess thoroughly how far Rawls's and Young's respective accounts of justice meet these conditions, but I will offer some examples of how such an assessment might be undertaken.

When I speak of an account's comprehensiveness, I refer to its relative success in explaining the available data. Of course, no theoretical account explains all data. Moreover, theories themselves partially determine the data that need to be explained, and what counts as a good explanation is contestable. This is true in all fields but especially in ethics and politics. Nevertheless, many people would agree that Young's account of justice is more comprehensive than Rawls's. For instance, Young directly challenges the limits of Rawls's distributive paradigm of justice, pointing to the need also to address issues of decision-making powers and procedures, divisions of labor, and culture (Young 1990, 15). Moreover, Young's account of the five faces of oppression covers many issues of justice beyond the distribution on which Rawls focuses (Young 1990, 40).

When I speak of a conception of justice being relevant, I refer to that conception's ability to address the most significant issues of justice facing a given society. A number of critics have noted that Rawls's theory of justice neglects many urgent contemporary problems. For instance, Charles Mills observes that direct consideration of racial justice is 'endlessly deferred' by Rawls and his followers, who fail to acknowledge that they are 'living in one of the most race-conscious societies in the world, with a history of hundreds of years of white supremacy' (Mills 2004, 177, 198). In addition to neglecting some issues, Rawls deliberately deprives his theory of the conceptual resources necessary to address others. For instance, by conceiving societies as closed and isolated systems, Rawls constructs a theory that not only fails to illuminate issues such as justice for immigrants but is actually incapable of doing so. By contrast, Young, who defines justice in terms of the institutional conditions necessary for individuals to develop and exercise their capacities and participate in determining their action and the conditions of their action, addresses many important contemporary concerns of oppression and domination (Young 1990, 37). For instance, Young addresses exploitation, marginalization, powerlessness, cultural imperialism, and violence. In her last work, she was addressing consumers' political responsibility for the foreign sweatshop conditions in which many of their products were manufactured. Thus, Young's work is far more relevant than Rawls's to many injustices that matter deeply. The greater relevance of Young's account may well be connected with its greater comprehensiveness.

Last and most important, normative philosophical accounts must be substantively acceptable. A good conception of justice should not obscure or rationalize significant injustices, just as a good conception of democracy should not obscure or rationalize significant political exclusions. Among other problematic features, Rawls's theory of justice is vulnerable to serious feminist criticism. For instance, Susan Okin has argued that Rawls does not simply ignore but even rationalizes gendered injustice in the family and Eva Kittay has argued that he not simply ignores but even rationalizes injustice to dependents and dependency workers. (Okin 1989; Kittay 1999) Young's conception of justice may well be defective in some respects but at least it does not rationalize these gendered injustices.

These brief comments certainly do not provide a thorough assessment of the respective merits of Rawls's and Young's theories of justice but I hope they show how Young's work is at least arguably more comprehensive, relevant, and normatively acceptable than Rawls's. If this is so, then it likely offers better political guidance in the real world characterized by deep structural injustices, including racism, imperialism, and male dominance.

One reason why Young seems better able than Rawls to address real people's concerns about real injustices may be that she uses the method of critical theory rather than ideal theory. Once these two methods are unpacked and compared, it seems to stand to reason that critical method is likely to produce more reliable conclusions. As some critics have noted, the methodological device of the original position simply provides an illusion of dialogue concealing reasoning that is essentially monological, even though multiple heads are usually better than one (Benhabib 1992; Jaggar 1993). As for Rawls's counterfactual assumptions, Charles Mills has observed dryly that it is not at all clear why ignoring facts about real-world injustices should be thought helpful in developing a prescriptive theory of justice for an attainable future (Mills 2004). As Young deploys her method of critical theory, she demonstrates how philosophers with partial knowledge and limited capacities may nevertheless engage in useful philosophical reflection about justice in a world that at present is still discouragingly unjust.

4.4 The Limits of Method or 'L'imagination au Pouvoir'

Although Young's use of a critical non-idealizing method helps in understanding her ability to make powerful philosophical contributions, it certainly does not provide a full explanation.[1] Philosophical methods are not decision procedures that guarantee correct outcomes; instead, they are hand tools that are only as good as the people who use them. Many political philosophers relying on a supposedly critical method have produced deeply problematic theories—just as supposedly scientific methods have often been invoked to produce conclusions that are quite mistaken.

An additional factor enabling Young's philosophical contributions may well have been her experience as a woman in a world of male dominance and in a discipline where women's voices have been generally muted. 'Actually existing' philosophers

are neither disembodied nor dislocated, although many have devised ingenious strategies for disguising the particular perspectives from which they speak. For instance, philosophers have pretended to occupy an Archimedean point, to take the perspective of an ideal observer or an archangel, to regard the world from nowhere or everywhere, even to take a god's eye view (Walker 1998). Young rejected such pretensions. She asserted that 'the social critic is engaged in and committed to the society he or she criticizes. She does not take a detached point of view toward the society and its institutions, though she does stand apart from its ruling powers' (Young 1990, 6). Young was explicit that, for her as for other philosophers, her own particular but socially conditioned experiences affected which philosophical topics she chose to address and the way she chose to treat them.

Yet even though philosophical insight may be facilitated by using an appropriate method and occupying a particular social location, in the end neither of these is either necessary or sufficient. Many women scholars never notice male bias in the philosophical canon or prejudice in academic life—and increasing numbers of men are able to recognize these. Young was a woman but she was also white, heterosexual, and American—and she still produced insightful analyses of racism, heterosexism and imperialism. Since most philosophers are privileged in a variety of ways, it is encouraging to have evidence that injustices can be recognized even by those who do not endure them personally. However, just as the existence of injustice is unlikely to be recognized by those who lack compassion, so remedies for injustice are unlikely to be envisioned by those who lack imagination. As Young asserts, 'Imagination is the faculty of transforming the experience of what is into a projection of what could be, the faculty that frees thought to form ideals and norms' (Young 1990, 6). When we realize how much of Young's philosophical contribution was possible only because of her compassion for those suffering injustice, coupled with her soaring imagination, it is even more heart-breaking to remember the irreplaceable individual we have loved and lost.

Notes

1. This slogan, 'All power to the imagination,' was scrawled on the walls of Paris during the uprising of May, 1968, and became an emblem of the European new left.

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Part II
Critiquing Idealized Characterizations of Personhood

Chapter 5
Conjoined Twins, Embodied Personhood, and Surgical Separation

Christine Overall

Abstract The medical treatment of conjoined twins presents a compelling example of the need for non-idealizing approaches to ethical decision-making. Since surgical separation often results in the death of one or both twins, the question whether separation is justified is controversial. I argue that the debate remains unsettled because of insufficient attention to the actual metaphysical status of conjoined twins.

Until the twentieth century, conjoined twins were usually seen not as two entities but one, and treated as freaks and objects of exhibition. Since then, although they are more readily recognized as two persons, conjoined twins continue to be regarded as inherently *im*paired—as if they were essentially singleton individuals who happen to be contingently joined—and therefore in need of *re*pair via surgical separation. The error arises from the idealization of singletons' embodied personhood, and the failure to notice that embodied personhood is crucially different for conjoined twins—different with respect to physical independence and the relationship to the corporeal, bodily ownership and authority, and self-awareness and privacy. The implication is not that surgical separation is never justified, but rather that surgical separation must be decided within the context of a non-idealized, non-ableist understanding of conjoined twins' actual embodied personhood.

Keywords Conjoined twins · Embodiment · Impairment · Personhood · Surgical separation

Both as liberation movement and as theory, feminism has always had a special concern with embodiment. Gender, sexuality and reproduction, often the defining conditions for women's lives, make the feminist focus on the body essential. In addition, health, illness, and disability, race, age, size, and appearance challenge us to consider the ways in which various kinds of bodies are treated as sites for empowerment or pretexts for oppression.[1] Feminist theory raises important questions about

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embodiment: Are some bodies more valuable than others? What is the relationship between different types of bodies and different types of power? Is there a genuine difference between what is natural and what is not natural for human bodies? Feminists are interested in the political meanings and uses of bodies, and how they both reflect and reinforce the culture in which they are located (Weitz 2003). But human bodies are not inherently endowed with meaning and significance, and many of the socially-significant characteristics and values of bodies are attributed or misattributed to them as part of the process of trying to understand, manipulate, and change our embodiment.

Moreover, we human beings do not merely inhabit our bodies, like a pilot in a ship, a ghost in a machine, or a divine soul in an earthly casement. We *are* our bodies. Yet we are also more than our bodies. Human beings, I suggest, are embodied persons. Rather than idealizing human beings as non-material minds, spirits, or souls, it is essential to recognize how our embodiment defines and constitutes our personhood.

However, embodied personhood is not the same for all human beings. Feminists have given a great deal of attention to the ways in which racial, sexed, disabled, and aged embodiments have been constituted, and the significance, to the maintenance of systems of hierarchy and oppression, of being racialized, sexed, disabled, or aged. Yet one fundamental form of embodiment is seldom subjected to feminist analysis and critique: the state of what I shall call singletonhood.

The state of singletonhood is defined by two main properties. First, there is the property of being fundamentally *unattached* to any other human body. Second, there is the property of having a *one-to-one relationship* between a single human body and consciousness. This relationship includes three characteristics: the individual's physical independence, the individual's ownership of and authority over her body, and the individual's self-awareness as a single body and sense of privacy with respect to her body. Together, these particular properties of embodiment are so taken-for-granted as to be virtually unrecognized, unarticulated, and unanalyzed, whether by feminist or by non-feminist philosophers.

Conjoined twins, however, provide material evidence both that singletonhood is not universal and that the properties of singletonhood ought not to be taken for granted as unexceptional or as ideal. For, as this paper will demonstrate, the history of attitudes toward and treatments of conjoined twins reflects one or both of the following errors: The erroneous attribution to conjoined twins of the properties that constitute singletonhood, or the assumption that these properties are inevitably the only or at least the best way of experiencing embodied personhood.

These errors fail to take account of the characteristics that make conjoined twins ontologically unique and their embodied personhood valuable. Recognizing these errors is therefore important for at least two reasons. First, it is certainly worthwhile for its own sake to understand the varieties and value of human embodiment. Second, and more pragmatically, we know from other cases that failing to understand the varieties of human embodiment, over-generalizing from one type of embodiment to another, or valuing some forms of embodiment more than others, can lead to unjustified ethical attitudes, inappropriate social policies, and even dangerous

medical treatments. Sexist societies, for example, are notorious for taking male bodies as the norm for human embodiment and either ignoring female embodiment or inappropriately generalizing from the characteristics and needs of male bodies to the characteristics and needs of female bodies. The result has been the failure to attend and respond to the specific procreative, sexual, and medical needs of female human beings (e.g, Sherwin 1992). Ableist societies are notorious for taking temporarily able-bodied bodies as the norm for embodiment and either ignoring the varieties of disabled embodiment or inappropriately generalizing from the characteristics and needs of temporarily able-bodied bodies to the characteristics and needs of disabled bodies. The result has been the failure to attend and respond to the specific medical, environmental, and social needs of disabled human beings (e.g., Wendell 1996).

Similarly, I will argue, societies that take singletonhood not just as the norm but as the ideal for human embodiment and inappropriately generalize from the characteristics and needs of singletons to the characteristics and needs of conjoined twins have for centuries failed to recognize and respond to the unique medical, social, and environmental needs of those who are conjoined. Hence, an examination of the unique embodiment of conjoined twins demonstrates and reinforces the importance of refusing to assimilate all human beings to an ideal or taken-for-granted type of embodiment, and a compelling example of the need for non-idealizing approaches to ethical decision-making.

5.1 Conjoined Twins

The birth in British Columba on October 25, 2006 of conjoined twins Tatiana and Krista Simms immediately prompted media discussions, fuelled by medical speculation, of whether or not the twins could be surgically separated. Since surgical separation often results in the death or severe disability of one or both twins, the question whether separation is justified for any given pair of conjoined twins is inevitably controversial. I argue that the debate remains unsettled because of insufficient attention to the actual metaphysical status of conjoined twins, in particular, attention to their embodied personhood.

Conjoined twins are caused by the delayed division of the fertilized egg, resulting in genetically identical siblings who are physically connected. They are very rare, occurring in maybe one in 50,000 or one in 100,000 births (Segal 1999, 297). Twins may be joined at a variety of different locations, including the chest, the back, the lower trunk, and the head. Sometimes they are so joined as to share a common lower body and only two legs. They are always monozygotic (that is, the product of one fertilized egg, unlike fraternal twins), always of the same sex, always share one placenta and one amnionic membrane, and always have identical chromosomal patterns (Bondeson 2000, 151). Yet there are both equal and symmetrical forms, and unequal and asymmetrical forms (Segal 1999, 298), the latter being cases in which one twin is smaller and/or less developed than the other, or one twin suffers from a congenital disease that the other does not share.[2] Forty to sixty percent of conjoined twins are delivered stillborn, and only 35% survive longer than a single

day (Quigley 2003, 161). The overall survival rate is between 2 and 25 %, with about 600 sets surviving over the past 500 years. The majority, about two-thirds, are female (Dreger 2004, 31).

Within bioethics there has been extensive discussion of particular cases of conjoined twins and whether or not it is justified to attempt to separate them via surgery (e.g., Annas 1987, Wasserman 2001). 'Nearly two hundred surgical separations of conjoined twins have been attempted, with approximately 90% occurring after 1950. Survival of one or both twins has occurred in close to 150 cases' (Segal 1999, 306). Given these odds, is the surgical separation of these twins morally justified? Many discussions, especially by physicians, make the error of supposing that embodied personhood means the same thing for conjoined twins as it does for singletons.[3] In what follows, I first discuss the issue of surgical separation and attitudes toward it. I describe the history of metaphysical assumptions about conjoined twins and the debates about separating them. I then discuss embodied personhood and the crucial ways in which it is different for conjoined twins than it is for singletons, including non-conjoined twins.

5.2 The Issue of Separation

There are three types of cases in which surgery to separate conjoined twins may be contemplated. First, there are those for whom the continued bodily configuration, in the absence of surgery, is life-threatening for one or both twins. Such was the case for Gracie and Rosie Attard of Malta, thoracopagus twins who were joined extensively at the base of the torso. Failure to operate would eventually mean death for both children, since Rosie was said to be entirely dependent on Gracie for crucial life functions, including the circulation of blood. Second, there are those for whom the continued bodily configuration is not life-threatening for either twin and therefore surgery is medically unnecessary. This group includes Chang and Eng Bunker, the original so-called 'Siamese twins,' who were joined via a band of tissue at their mid-section, and nineteenth century twins Millie and Christine McKoy, joined at the base of the spine. Both pairs of twins were otherwise entirely functional and lived full lives. It also includes contemporary children like Kendra and Maliya Herrin, joined at the abdomen and pelvis, who appeared to be healthy before separation but who lacked sufficient organs (including a liver and large intestine) and limbs (legs) for each to have a complete set after separation (http://www.herrintwins.com/About.htm). Within this second group, there are those for whom elective surgery for separation is not life-threatening for either twin, and those for whom surgery is life-threatening for one or both twins. For example, it is speculated that surgery would not have been life-threatening for the Bunker brothers, even during the nineteenth century when they lived, although they always refused to consider the possibility. By contrast, Reba and Lori Schappell, adult twins joined near the top of the head, are healthy while conjoined, but their separation is deemed impossible because of the entwinement of their brains. The moral debate among bioethicists about separation is primarily focused upon three groups: first,

those like Rosie and Gracie Attard, where at least one twin is likely to die without surgery; second, pairs like Reba and Lori Schappell, where separation could be gravely dangerous or fatal to both; and third, pairs like Kendra and Maliya Herrin, where separation results in severe impairments for one or both twins.

Surgeons who routinely favour the separation of conjoined twins speak of 'freeing them from one another' (surgeon quoted in Quigley 2003, 5). Heinz Röde, a pediatric surgeon at Cape Town Children's Hospital where many separations are performed, says, 'My own philosophy and that of our department is that Siamese twins are born to be separated' (BBC programme 2000). Neurosurgeon Jonathan Peter adds, 'I think the ethical decision about separating twins is . . . quite established and I think it is the right thing to do, so the risks are worth taking'. He claims, '[T]o live a life joined together at the waist is no life to live at all' (BBC programme 2000).

The separation is regarded as particularly urgent when one twin is partly or wholly dependent upon the other for life processes such as the circulation of blood. Dena Davis says, 'Nobody, certainly not a child, can be required to act as permanent life support for another person' (Dena S. Davis, quoted in Quigley 2003, 12). The dependent child, in these cases, is sometimes thought of as a 'parasite'. Simon Edge remarks, in regard to Gracie and Rosie Attard,

> 'Where the egg has not divided symmetrically, the lesser half is not a human being. It is more logical to think of it as a tumor, a growth which is sapping life. By giving it a name, these poor parents [of conjoined twins] have created a situation where they think they are killing a baby by having the operation. But what they are calling Mary [Rosie[4]] is really a tumor, and all that is being proposed is the removal of a tumor' (Simon Edge, quoted in Quigley 2003, 13).

Yet even in cases where the conjoinment is not life-threatening, that is, where neither twin will die without surgery, there is pressure to 'normalize' such twins (Quigley 2003, 5). Such was the case with male conjoined twins Lin and Win Htut. Between them they had only one set of genitalia. Nonetheless, the Canadian surgeon who separated them thought the operation 'worth a whirl' (Wong 2005, F4). Lin was 'allowed to keep the male genitals' (Quigley 2003, 89) because the nurse who attended the twins thought he was 'more dominant' (Wong 2005, F4). Win's sex was reassigned to female because he was thought to 'have the nature of a little girl, so clean and tidy' (Wong 2005, F4). 'A vagina was constructed from a section of colon for Win, but it was acknowledged that the child would never be able to have a full sexual response and would of course be unable to bear children. She would have to begin taking female hormones at puberty' (Quigley 2003, 89).[5]

By contrast, those who mostly oppose the separation of conjoined twins point out that, in the words of author Christine Quigley, '[F]rom an early age, many [conjoined twins] state—and most of them emphatically—that they would not want to be separated' (Quigley 2003, 4). Alice Dreger, a medical historian whose goal is justice for conjoined twins, says, 'Most people who are conjoined, given the opportunity to do so, accept and embrace a life of two minds in one packaging of skin' (Dreger 2004, 43). She adds, '[C]onjoinment becomes so essential to these twins—to their sense of who they are—that they cannot readily conceive of living in a different mode' (Dreger 2004, 47).

Opponents of separation have been especially critical when the separation results in the death of one twin. Quigley states, 'Edward Kiely [a surgeon] of Great Ormond Street Hospital agrees that separation is an extremely difficult problem, particularly when there is no overriding medical indication to operate: "You've got two healthy children. You can't make them better than they are if they're healthy. You can certainly make them an awful lot worse and you may kill one or both in the attempt to separate them"' (Quigley 2003, 151). In the case of Rosie and Gracie Attard, 'It was the first time a British court had been asked to accelerate the death of one person in order to offer the chance of life to another' (Laura King, quoted in Quigley 2003, 12). Dreger remarks, 'The sacrifice separation of conjoined twins is the only instance in which physicians are sometimes given permission by legal authorities and ethics committees to intentionally kill a child who is not clinically brain-dead' (Alice Dreger quoted in Quigley 2003, 149).[6] George Annas refers to it as 'selective infanticide' (Annas 1987, 27), and Michael Barilan points out that if one of two non-conjoined identical twins was terribly ill, she would not be killed in order to provide organs to enhance the life of the other one (Barilan 2003, 32).

5.3 The History of Metaphysical Assumptions About Conjoined Twins

Historically, conjoined twins were regarded collectively, as a monster or freak of nature, and as being one individual, not two.[7] For example, Millie McKoy and Christine McKoy, born into slavery in 1851 and exhibited in public for most of their lives, were encouraged to think of themselves as one entity. They were consistently talked about and addressed as if they were one person, despite having between them two heads, four arms, and four legs, and being joined only at the lower part of the spine. They were called, and referred to themselves as, 'Millie-Christine'. This phenomenon may not have been a mere artefact of the dehumanization caused by slavery—though it may have been a wise show-business decision. For even after being emancipated, they chose to bill themselves in their exhibitions as the 'Double-Headed Girl' (Smith 1988, 63).[8] People who met them spoke of conversing with the two heads of a single entity (Martell 2000, 169), and published descriptions of the twins would mix singular and plural, saying both that *they* danced well, and that '*she* was talking to herself—that is, the two mouths were engaged in speaking' (Martell 2000, 201, my emphasis). Theologians debated whether the two women would be resurrected joined as in life or separated (Martell 2000, 119)—a debate that reflected ambivalence as to whether Millie and Christine had two souls or only one.[9]

Thinking of the McKoy twins as just one person, not two, is an approach that was even, rather surprisingly, adopted by a recent biographer of the women. Writing in 2000, Joanne Martell refers to the twins as 'Millie-Christine,' just as did the various circuses that exhibited the twins. Martell writes,

> 'Whether to speak of Millie-Christine as "she" or "they" posed a problem. Monemia McKoy [the twins' mother] said "my baby" or "my child". Family members called her "Sister". But most people outside the family looked at Millie-Christine and saw twins. "They had the

> nicest personalities," a neighbour recalled. Millie-Christine herself was ambiguous on the subject. "Although we speak of ourselves in the plural, we feel as *one person*," she wrote'.
>
> 'I handled the problem [continues Martell] the same way Millie-Christine and people who knew her did—by using either form, as seemed appropriate to the context' (Martell 2000, viii, emphasis in original).

Similarly, writing about the Attard twins, philosopher Michael Barilan refers to them as 'the Maltese,' a term that he claims is neither plural nor singular, but which mostly sounds singular to me (Barilan 2003, 29). Significantly, he also remarks, 'Does the fact that many conjoined twins develop diverse personalities persuade us that conjoined twins are two distinct persons? Not necessarily' (Barilan 2003, 36).

Likewise, philosopher David Hershenov refers to dicephalus ('two-headed') twins as '*a* dicephalus,' and defines them as having 'two cerebrums but otherwise no more organs than the average reader'. He is wrong about this statement, if it's taken literally, since dicephalus twins *each* have the normal number of everything else (eyes, nose, etc.) that goes along with having a head. Consider the contemporary adolescent sisters Abigail Hensel and Brittany Hensel. They are dicephalous twins who between them have two heads and a partially doubled upper torso, but only two arms, one lower torso, and two legs. Yet Hershenov claims that dicephalus twins are 'one organism, not two conjoined organisms. . . . [T]he dicephalus is just one person cut off from himself' (Hershenov 2004, 448). George Annas, normally a progressive and empathic writer, suggests with apparent approval that judges might conclude 'that a child with one body and two heads is just *one* child, and that removing one of the heads would be similar to removing an extra arm or leg' (Annas 1987, 28).

Despite this persistence of the idea that conjoined twins are only one individual, the more common viewpoint in the late twentieth and early twenty-first centuries is that conjoined twins are two persons, not one, no matter how much they are conjoined. For example, Dreger assumes that with conjoined twins there are two individuals, two persons, whose anatomy just happens not to be the norm. She notes, 'It seems to be typical for each [conjoined twin] to think of him- or herself as a unique, individual being' (Dreger 2004, 41).[10] Indeed, in the last fifty years or so there has been a lot of emphasis on how different each twin (supposedly) is (e.g., Smith 1988).

I suspect this emphasis is the outcome of a more general change in attitude toward non-conjoined identical twins. The tendency, manifest in the twentieth century until the 1970s (Klein 2003, 20), to think of non-conjoined twins as a unit, 'the twins,' is no longer in vogue. An expert in non-conjoined identical twins, Nancy Segal, writes, 'identical twins are sometimes referred to as "one". . .. But the twins' differences [are] obvious to them and to their families. Surprisingly, many identical twins say that they don't look alike, probably because they see small differences between themselves that others don't see. It's wrong to think that identical twins' nearly identical looks and behaviors mean that they have identical selves' (Segal 2005, 252).[11]

Some writers have gone so far as to claim that conjoined twins are likely to be *more* different from each other than un-conjoined identical twins, and that this difference might occur because the embryonic cell mass splits at a point when the

mass is beginning to develop a right and a left side; hence conjoined twins are physical 'opposites' or mirror images, at least in terms of handedness and the direction of their hair whorls and fingerprints (Horatio Newman, in Smith 1988, 116).

Even the Hensel twins, more extensively joined than almost any others, have always been strongly encouraged by their parents to think of themselves as two people, and they seem to think of themselves that way (Quigley 2003, 77–79). Their mother remarks, 'I just want people to know that they're two separate kids with their own personalities,' (Patty Hensel, quoted in Quigley 2003, 79), and she supports their duality by, for example, ensuring that every shirt they wear has two separate necks.[12]

The Hensels' approach of regarding conjoined twins as two persons appears, at least *prima facie*, more enlightened than Millie-Christine's self-description as one. There is something morally significant about the presence of a functioning head, no matter what the nature of the body to which it is attached. It is likely that most people's moral intuitions will revolt against George Annas's suggestion that a supposedly extra head can simply be removed. I don't think that removing a functioning head is just like removing a functioning arm or leg. There is something uniquely significant about each head, since each one is the locus of visual, auditory, kinaesthetic, olfactory, and gustatory sensations, and each is, actually or potentially, capable of thought, emotion, and action.

It seems entirely reasonable to conclude that, where there are two functioning heads, there are two persons, even—or especially—in a case like that of the Hensels where the body is otherwise mostly unitary. I therefore assume that conjoined twins are almost always two persons and that counting heads offers a basic but accurate way of assessing the number of persons present. This assumption, with its criterion, also suits those rare cases of conjoined twins where there are not two heads. Consider Myrtle Cobin, born in the nineteenth century, who was 'double-bodied from the waist down' [the technical term is 'dipygus'] (Quigley 2003, 52). Although she is classified among conjoined twins, it makes good sense to see her as just one person with extra body parts, and she was viewed as such by her contemporaries.

5.4 Embodied Personhood in Singletons, Non-Conjoined Twins, and Conjoined Twins

Still, there is something inadequate about thinking of conjoined twins as simply two ordinary persons, full-stop—like identical twins, but ones who just happen to be closely linked. There are several reasons for this inadequacy, and they all have to do, I suggest, with the differences between embodied personhood for singletons (as well as non-conjoined twins) and embodied personhood for conjoined twins.

First, in singletons embodied personhood means a one-to-one relationship between one person and one body. Each person has one and only one distinct physical body, with which she has a unique relationship, and which is separate from the body of anyone else. My being the person I am is inseparable from my having, or

being, the one body that is mine (cf. Barilan 2003, 41, endnote 10). As Stephen Jay Gould remarks, 'physical separation is the essence of our vernacular definition of individuality' (Stephen Jay Gould, quoted in Smith 1988, 115), and Dreger concurs: 'psychosocial individuality [conventionally requires] anatomical individuality' (Dreger 2004, 7).[13]

In singletons, embodied personhood also involves the idea of ownership of, rights to, and authority over one's various bodily parts. I think and speak of 'my' arm, 'my' toes, 'my' lungs, and so on. Although I do not own them in the way that I own my books and my clothes, they are intimately a part of me, and no one else has any entitlement to them or authority over them. I have the exclusive use and disposition of my own body parts. I may seek the advice of others, but if I donate an organ, permit the removal or amputation of a body part, undergo surgery, engage in physical training, or move to another province, it is my decision and mine alone. I have both authority and power over only one body.

Finally, embodied personhood in singletons also includes ideas about self-awareness and privacy. A singleton person is aware of herself as an individual separate from other individuals, and understands physical privacy in terms of the protection of her unique body from the gaze and the interference of others.

What about non-conjoined twins? Is their embodied personhood different from that of singletons? Experts on non-conjoined twins indicate that, in their infancy, non-conjoined twins may be less clear about the boundaries of their own bodies than singletons are. Elizabeth M. Bryan writes, 'When most babies are beginning to explore their own bodies, twins may spend as much time in discovering that of their twin. Initially they seem to make no distinction between the two. It is not uncommon to see twins peacefully sucking each other's thumbs' (Bryan 1984, 113). Some twins, when very young, call themselves by the name of their twin. The situation may be more complex for identical non-conjoined twins than for fraternal twins, who usually do not look more alike than any other pair of siblings. Indeed, fraternal twins learn to identify their mirror-images several months before identical twins master the task (Bryan 1984, 113).

According to Elizabeth A. Stewart, whereas infant singletons must only learn to differentiate themselves from their mother, infant non-conjoined twins have the challenge of separating psychologically both from their mother and from each other, thereby developing a bodily identity that recognizes that they are not one with their twin (Stewart 2000, 66). Sometimes non-conjoined twins continue to be heavily dependent, psychologically, on each other, even into adulthood (Stewart 2000, 71 ff; 165–167). However, there is no evidence that, as they mature, non-conjoined twins do not recognize that they are *physically* separate from each other, just like other singletons. Indeed, one expert writes,

> 'It used to be thought that twins sucking each other's thumbs were bound to grow up with a confused idea of where their own body ended and where their twin's began, but it has been pointed out that a sharp bite or kick will very quickly define which bits belong to whom. "Getting to know you" through physical contact is actually an effective way of "getting to know me" too. Far from being confused, infant twins are probably more aware of their own physical outline much earlier than single children at the same stage' (Rosambeau 1987, 43)

Hence, at maturity, non-conjoined twins are like singletons as regards their embodied personhood: There is a one-to-one relationship between one person and one body; each twin has ownership of, rights to, and authority over her/his various bodily parts; and each twin possesses self-awareness as a separate individual, understanding physical privacy in terms of the protection of her/his unique body from the gaze and the interference of others.

Conjoined twins are inherently different from singletons and non-conjoined twins in all of these respects.

First, because the twins are not physically separate, each one is in a one-to-one relationship not with just one body but with two. Thus, whatever food or drink a conjoined twin takes into her mouth inevitably reaches her twin's body. She is not simply nourishing herself; she is nourishing her twin. So, also, if one drinks a lot of alcohol and the other does not, both twins will experience the effects and endure the consequences. Conjoined twins do not always have the same medical conditions, but if one takes prescription medication, the other will be affected. The same is true for cigarette smoking and the use of illegal drugs. In addition, if one twin has a sexual relationship, necessarily the other twin is implicated in the relationship.[14] Moreover, health care for one twin is inevitably health care for both twins. If one twin undergoes surgery, the other must also lie on the operating table and feel the effects of the anaesthetic. And although there are cases where each twin takes a different job (Reba and Lori Schappell are one example), it is impossible for one to travel without the other, or to take physical risks without the other (Barilan 2003, 34). Finally, if one commits suicide, the other will die. So for conjoined twins, who they are is partly constituted by the relationship of each one to two bodies.

Second, for conjoined twins the idea of ownership of and authority over organs and limbs is inevitably different from what it is in the case of singletons. We might be inclined to say that the hand on the right side of twin A, closest to A's head, is A's hand; it belongs to A.[15] But her use of that hand inevitably has great potential either to increase or to infringe upon the wellbeing and rights of twin B. We should say, therefore, that A's ownership of and authority over the hand is both more powerful and more constrained than a singleton person's ownership of and control over her hand.

But we might want to say something even stronger. Consider the fact that for a conjoined twin, organ donation, limb amputation, surgery, physical training, and travel inherently involve the person to whom she is conjoined. No unilateral decision about these activities can be made; or if it is made, either through duplicity or because one twin is incompetent or even unconscious, the activities still inevitably happen to two persons, not just to one. Or imagine that one twin wants to commit suicide, and that her death will cause the death of the other twin, who nonetheless wants to live. In such a case the suicidal twin does not have a right to dispose of her body as she sees fit. Hence in contrast to singletons, it is not reasonable to say that the body parts, organs, and limbs of conjoined twins belong to only one of the twins, or that only one twin has authority over them. All body parts, organs, and limbs are

a part of the whole entity that is twin A and twin B. Thus, in regard to conjoined twins Rosie and Gracie Attard, David Wasserman argues that

> 'the organs in Jodie's [Gracie's] body . . . belong[] to Mary [Rosie] as well. On this understanding of their embodiment, [Rosie] and [Gracie] share a single, asymmetrical body, and each has an equal interest in every part of it (except, perhaps, each other's brains, heads, and necks). The surgery [that separated them] is like a forced and unequal partition of jointly-owned property, that transfers [Rosie's] half interest in the working heart and lungs to [Gracie]' (Wasserman 2001, 10).

Therefore, says Wasserman, we should see the twins as 'fellow victim[s] of an embodiment inadequate to sustain them both,' rather than seeing Rosie as a parasitic and deadly threat to Gracie (Wasserman 2001, 9).

I believe we should see all conjoined twins as *each* having a joint interest in, ownership of, and authority over their unseparated physical being. Body parts do not belong exclusively to just one twin (Himma 1999, 430). In effect, the twins share one body, many of whose parts are doubled, rather than having two bodies that are merely contingently joined.

Third, self-awareness, privacy, and bodily integrity are inevitably different for conjoined twins than for singletons. From the earliest time of consciousness, each twin has a sense of embodied personhood that includes the other twin. Each is a permanent feature of the physical gestalt of the other. Thus, for each one, bodily privacy means the privacy of their shared physicality. Now according to physician Heinz Röde, the result of this condition is that 'They will always have to share whatever they do. That is defecation they will share, it's a practical example, they will share mobility, they will share sleeping, they will share the ups and downs of life . . .. I think for the rest of the world it's unacceptable to live in close proximity to somebody else if the chance had been for a successful separation early on' (BBC programme 2000).

Röde's description is resonant with the horror *he* feels for such a condition. And he's right in one respect: for most of the rest of the world, that is, singletons, it is unacceptable to have to experience what feels like unremitting violations of privacy throughout their entire lives. But conjoined twins see their situation differently. For them, having the other twin present at a particular activity could, most of the time, be no more a violation of one's privacy than having one's arm present at an activity. When necessary, and primarily for the sake of romance with singletons, conjoined twins also have developed methods of handling conventional matters of privacy. Take, for example, twentieth-century show-business twins Daisy and Violet Hilton. Each one had romantic relationships, although Daisy was repeatedly denied, in a number of American states, a license to marry her boyfriend on grounds of 'morality and decency' (Quigley 2003, 84). Clearly, the state inappropriately applied singleton standards of privacy to conjoined twins. But Violet Hilton explained that when necessary, they learned 'to get rid of each other. . . . [W]e get rid of each other mentally. . . . We . . . learned how not to know what the other was doing unless it was our business to know it' (quoted in Smith 1988, 74).[16] This is, of course, not how most contemporary singletons seek out privacy, but it works for conjoined twins.

5.5 Some Conclusions

Embodied personhood is not the same for all human beings, and arguably there is still much to figure out about the nature and value of certain variations.[17] The examination of the ontological status of conjoined twins reinforces the importance that feminists have placed upon understanding the true range of variations of human embodiment. It both demonstrates and reinforces the value of refusing to assimilate all human beings to an ideal or taken-for-granted type of embodiment, and is a compelling example of the need for non-idealizing approaches to ethical decision-making. Failing to understand the varieties of embodiment, and over-generalizing from one type of embodiment to another, can lead to the imposition of inappropriate treatments that presume that one form of embodiment is ideal. By contrast, an accurate understanding of the nature of human beings' embodied personhood is the essential ontological basis for making ethical and political decisions about fairness to and the wellbeing of human beings.

As I have shown, until at least the twentieth century, conjoined twins were frequently regarded not as two persons but as one, and were treated as freaks and objects of exhibition. Since that time, conjoined twins are more readily recognized as being two persons. Yet it is also assumed that their conjoinment is merely contingent to, rather than constitutive of, their personhood. Surgery, to create for each of them an embodiment as a singleton (even at the risk of severe physical trauma and even death for one or both), is usually regarded as the most appropriate medical and ethical response to their deviance. They continue to be seen as being inherently impaired and therefore in need of *re*pair via surgical separation, regardless of whether or not the conjoinment itself is life-threatening. Thus, Richard Hull and Stephen Wilkinson, for example, use 'normal species functioning' (Hull and Wilkinson 2006, 117) as the standard by which they decide that all conjoined twins are impaired. 'Normal species functioning' refers, in their account, only to the situation of singletons.[18]

To be sure, having an unusual embodiment may indeed *be* an impairment within a social context that renders persons with that anatomy disabled. An unusual embodiment may be constituted as an impairment within a social context that takes one form of embodiment as the norm and fails to attend and respond to other forms of embodiment. But merely having an unusual anatomy is not necessarily an impairment in itself. Being conjoined is neither an unavoidable weakness or problem, nor an inevitable reason for pity on the part of singletons. Indeed, it can even be an enhancement.

According to Dreger, for example, Chang and Eng Bunker's conjoinment 'actually may have *accentuated* each man's individuality and *increased* many of his freedoms,' including travel and earning an income (Dreger 2004, 18, her emphasis).[19] Likewise, Millie and Christine McKoy, born into slavery, had much greater freedom than singleton slaves because of being conjoined twins, for their condition enabled them to earn money, travel, purchase property, and eventually buy their freedom and live as emancipated women. Today, when viewing the films of Abigail and Brittany Hensel, it is hard not to believe that the life of each the two

adolescents is immeasurably enriched by the constant conjunction with her sister. The girls make jokes, do homework together, and share a rich social and athletic life (http://www.figure8films.tv/content/shows/jfl16.htm).

Nonetheless, conjoined twins have almost always been the target of a good deal of ableist fear and oppression. Throughout recorded history it has probably been the extraordinarily small number of conjoined twins who have survived birth and infancy that has led to the social constitution of their version of embodied personhood as an impairment. They are a tiny minority who deviate from the norm of singletonhood. Yet what is genuinely 'impaired' is conjoined twins' capacity to function in just the way singletons do. And if it is assumed that singleton existence is the *only* acceptable form of life then conjoined twins are inevitably rendered impaired.

Unfortunately, unjustified assumptions about conjoined twins' embodied personhood may also result in inappropriate decisions about their medical treatment. For singletons, the preservation of bodily integrity and autonomy means the protection of the one body that is one's own from non-consensual contact of any sort by another person. But for conjoined twins, the preservation of bodily integrity and autonomy often means the protection of their *shared* anatomy. For them, embodied personhood inevitably departs from singleton norms with respect to physical independence, bodily ownership and authority, and self-awareness and privacy. Each twin is a permanent part of the 'environment' of the other (Smith 1988, 107). Each twin is, in effect, an 'integral part' of the other (suggested by George Annas, quoted in Dreger 2004, 104).

From this perspective, the separation of conjoined twins is not a matter of simply freeing one person from another. Nor is it a matter of making each twin into what she already is: a distinct person. *Pace* Barilan (who argues that in some cases there are *no* persons present until after separation [Barilan 2003]), it is also not a matter of *creating* persons through the process of separation.

Instead, the separation of conjoined twins should be recognized for what it is: the creation of a new type of embodied personhood for each of the twins.[20] It is an embodied personhood that is constituted by a radically different body, a body that may obtain some new powers and certainly acquires the standard properties of singlehood, but thereby also loses the advantages, born of conjoinment, that it formerly had.[21] As Barilan remarks, 'what some take to be "corrective" or "rehabilitative" surgery is actually a distortion of a unique inter-human world' (Barilan 2003, 39). The embodied personhood that is experienced by conjoined twins who are surgically separated is replaced by a new experience of embodied personhood: the experience of singletonhood, and along with it, all the pain and trauma that accompany major surgery. Whether that replacement is an improvement is a judgment that only former conjoined twins can make. It cannot be assumed, a priori, to be an improvement by lifetime singletons who have never experienced conjoinment.

Hence, the implication of the reflections in this paper is not that the surgical separation of conjoined twins is never justified, but rather that surgical separation must be evaluated within the context of a non-idealized, non-ableist understanding

of conjoined twins' actual embodied personhood. For as feminists emphasize, the body is never merely incidental in defining who we are, whether we are singletons or conjoined.

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Notes

1. See, for example, Davis 2003; Miedema et al. 2000; Price and Shildrick 1999; Shildrik and Mykitiuk 2005.
2. For example, in the case of conjoined twins Lori Schappell and Reba Schapell, Reba has spina bifida and can't walk, while Lori does not have spina bifida and can walk (BBC programme, 2000).
3. Michael Barilan, however, argues that in some cases there are *no* persons present until after separation (Barilan 2003).
4. "Mary" and "Jodie" were the pseudonyms for Rosie and Gracie respectively, which were used in legal debates about the twins.
5. This choice was a recipe for potential disaster. The evidence suggests that sex reassignment for a genetic boy can be disorienting and even destructive (e.g., Colapinto 2002), and that raising a child as a girl in such a case may be wildly inappropriate. Indeed, Win Htut says that, having learned at age five that he had been born a boy, he decided by age ten that he was still a boy and told his mother he would always remain one. He now lives as a man (Wong 2005, F4).
6. I have not been able to find any studies that explore the long-term psychological or physical effects on the surviving twin after surgery that killed the other but I believe they deserve to be investigated.
7. Oddly, however, in the past, an entirely parasitic twin, lacking many organs and a head, was sometimes given its own name (Bondeson 2000, 155) and thought of as a true sibling.
8. Cf. the comment of the father of Pakistani twins Hira and Nida: 'I see them as one life that God has given to two children'. The Canadian surgeon who operated on them said, 'There's a possibility of cutting *this* into two children' (Shildrick 2001, 397).
9. In the 1930s, conjoined twins Mary Gibb and Margaret Gibb tried to take advantage of the ambiguity of their personhood by arguing that they should travel on a single ticket by train or ship. The White Star Line, a passenger ship company, responded that meals for two individuals would be needed, so they had to have two tickets (Smith 1988, 76).
10. Margrit Shildrick suggests that this view may be a response to the threat of union: 'the much-repeated claim that despite appearances such twins are essentially autonomous—as though concorporation were merely a surface effect—acts almost as a necessary strategy of ontological reassurance' (Shildrick 2001, 392–393).
11. Segal also says, 'We have travelled full circle in our thinking about keeping twins together or apart, first leaning toward inseparability, then pushing toward individuality, and now easing toward a happy balance in which two people enjoy themselves and each other' (Segal 1999, 69).
12. In a recent video, one of their teachers comments that one twin, Abigail, is more assertive and outspoken than the other, Brittany (http://www.metacafe.com/watch/351485/conjoined_twins).

13. 'In the United States, conjoinment might be especially challenging because American culture equates individualism with independence, and interdependence with weakness' (Dreger 2004, 31).
14. The degree of involvement depends to some extent on the nature of the conjoinment. In the case of twins Chang Bunker and Eng Bunker, both of whom married, each was, at the very least, in the same bed when the other had sexual intercourse with his wife. In the case of dicephalous twins, with two heads but mostly one body, a sexual relationship by one twin with another person is possible only if both have the relationship.
15. In the case of the twins Gracie and Rosie Attard, David Wasserman points out that physicians and members of the media tended to think that the one heart in the twins' body 'really' belonged to one twin in particular, simply because it was on that twin's 'side' of the body mass. The 'side,' I suggest, could only be defined by reference to nearness to the head.
16. They claimed that they learned this trick from Harry Houdini.
17. One important example is pregnant embodiment. Although it is very different from conjoined embodiment, there may be something to be learned about pregnancy from the analysis of conjoinment and its differences from singletonhood. To anyone who has experienced pregnancy it will be evident that while the pregnant woman remains a single person, her state of singletonhood is both similar to and different from that of non-pregnant singletons. The pregnant woman is not merely attached to but contains, or is possessed by, or simply relates intimately and physically to another living being of the species *homo sapiens*. (See, for example, the discussions in Whitbeck 1983, 1984.) She thereby constitutes, and is constituted by, a physical relationship with a future embodied person. This relationship, I suggest, redefines, at the very least, the physical independence and the self-awareness that help to constitute her embodied personhood when non-pregnant.
18. See Hull and Wilkinson 2006 for an extended argument that conjoined twins are impaired. This claim is related to Hull and Wilkinson's second argument that, contrary to the theme of this paper, conjoined twins do not have an ontological status that is different from that of singletons.
19. When troubles arose in their relationships with their wives, they made a plan of 'alternating autonomy,' three days and three days (Smith 1988, 31). That is, each twin determined their joint activities three days of each week.
20. Dreger goes so far as to say, '[W]hen one's identity is grounded in the experience of one's anatomy—as it is for virtually all of us—the elimination of that experience can legitimately be equated with the elimination of self' (Dreger 2004, 124). There is no evidence to suggest that surgical separation *eliminates* formerly conjoined persons' sense of self. But at the very least, by radically altering their bodies such surgery does transform them as persons.
21. Given these advantages, I predict that it is only a matter of time before pairs of individuals will be seeking surgery to conjoin their bodies.

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Chapter 6
The Ideology of the Normal: Desire, Ethics, and Kierkegaardian Critique

Ada S. Jaarsma

Abstract According to recent scholarship within queer theory, heterosexuality maintains itself as a class by employing its epistemological authority for identifying and defining homosexuals. Heterosexuality is thus an ideological abstraction that privileges those with social and material advantages, rather than an accurate description of the actual, and thus heteronormative descriptions of sexuality correspond to Charles W. Mills' description of ideal-as-idealized theory. Since ideological arguments cannot be overturned simply by appeals to rational debate, to what can we turn to subvert the sense of entitlement and rightness that heteronormativity provides? Recent feminist philosophers have stressed the distinction between guilt as emotional self-assessment and existential guilt. Taking up Kierkegaard's existential account of guilt, I claim that in order to advance a non-ideal theory of desire, which grounds critique in actual conditions, it is important to consider the nature of subjective attachments to exclusive, idealized conceptions of the 'normal.'

Keywords Kierkegaard · Spirituality · Religion · Guilt · Heteronormative privilege

6.1 Introduction

The on-going project of contemporary queer theory has developed in part out of feminist commitments to challenge and displace the claims to normalcy that continue to be issued in the name of hegemonic heterosexist institutions. This challenge to the so-called normalcy of prescribed heterosexuality rests upon two significant propositions, among others: first, that while the categories of hetero- and homosexuality are diacritical, depending upon each other for meaning, they are hierarchically related, with heterosexuality constructing and maintaining itself as a class by

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employing its epistemological authority for identifying and defining homosexuals. Regardless of whether homosexuality is defined through 'acts' or through 'personhood', both of these definitions locate 'the homosexual' as an object of heterosexual knowledge (Halley 2000, 93). Moreover, the default category of heterosexuality, which secures its meaning by relying upon an opposing category of exclusive, fixed heterosexual personhood, is itself incoherent. This definitional incoherence is able to maintain material dominance through what Janet Halley has called 'definitional politics.'

Second, this material dominance, which is the condition of possibility for heteronormative definitional power, sustains a significant form of blindness towards the 'actual' by putting the burden of conformity onto the disenfranchised. The ideological force of the 'normal' enables specific bodies to enjoy a kind of unmarked status. The unmarked, normal body thus perpetuates counterfactual universal ideals which then disavow the actualities of embodiment. Eric O. Clarke has identified this as the 'subjunctive mode' of bourgeois publicity (2000, 7), explaining that in order to achieve integration within forms of public discourse, excluded groups must appear to conform to the standards of the 'normal citizen' by which they were excluded to begin with.[1] Those social norms which prescribe certain forms of normalization—act 'as if' you are normal, and you will be rewarded by the community—contradict the disinterested universal nature of publicity norms.[2] According to the ideals of universal abstraction, we all must act 'as if' we are disembodied, even though the privilege of disembodiment is never an equitably distributed resource. Although the public sphere formally promises equality, this is contradicted in actuality by what Lauren Berlant has called the 'state prophylaxis,' the highly specific ability to identify with state disembodiment.[3] In other words, the social system which subtends violence against those who are subordinated protects itself through the very suppression of what enables privilege.

In Charles W. Mills's terms, there is an ideological gap between the ideal-as-idealized conception of the 'normal' and an ideal that accurately describes social behavior—in the case of this analysis, between the idealization of universal heterosexuality and the actual practices of so-called straight folk, which do not and have never fully cohered with the prescriptions of this category. Moreover, there is an overall refutation of the 'actual', as hegemonic versions of the universal pose as disembodied while exacerbating the embodied otherness of marginalized or vilified groups and individuals. It is thus the gap between the ideal and the actual that *perpetuates* the diacritical hierarchy of homo- and hetero-sexual belonging. As Mills puts it, ideal theory, in contrast to non-ideal theory, relies upon the exclusion or marginalization of the actual (2004, 166). By calling it 'ideological,' Mills is demonstrating the need for critical theory to expose both the theoretical presuppositions of idealizing norms and the resultant justification of discriminatory prejudices.[4]

In what follows, I explore the ways in which claims to privilege are purchased with the currency of idealized norms. Given the pressing need for productive critical theory, how best to confront one's own privilege, and how to prompt transformative self-awareness in another individual? What seems unlikely to provoke sufficiently critical change is a direct invitation to admitting guilt for one's complicity with social injustice. As Sonia Kruks has recently demonstrated, guilt, as a common

emotion that arises from the acknowledgment of privilege, can compromise or even jeopardize the feminist project of overcoming privilege (2005). According to her analysis of contemporary feminist indictments of white privilege, for example, Kruks explains that a personal sense of culpability, often experienced in the form of guilt, risks a kind of indulgence and overly individualistic response to what feminists have recognized are societal and structural problems. Conversely, the temptation to be judgmental towards others and to be self-righteous about one's own transformative journey can result in the kind of *ressentiment* that we find in the already too large political gulf that tends to mark U.S. public sphere debates. Guilt in this case can serve to reinforce, rather than subvert, what needs to be at the heart of feminist critical theory: the praxis of theoretical commitments to social justice.

Kruks, however, makes use of a categorial distinction clarified by Sandra Bartky in order to suggest that guilt, when understood differently, could play a critical role in undermining privilege. Bartky writes, 'Guilt is not simply an "emotion" of self-assessment. . . I have argued that guilt is also a moral-existential predicament' (2002, 146). Guilt, when understood along existential lines, does not refer to events or situations that are external to the self. Rather, as a condition that cannot be reduced to any particular quantifiable act, existential guilt refers to the predicament in which we all find ourselves as existing and embodied finite selves. There is no way to mediate someone else's existential guilt, and so appeals to education and various forms of social therapy will not be sufficient in addressing the uncertainty and anxiety that arise from existential inwardness. At the same time, however, such guilt is not separate from social critique, as evidenced especially by Simone de Beauvoir's writings on the struggles for embodied selves to lay claim to freedom and authenticity. Following Bartky and Kruks, I take up the suggestion that existential guilt may provoke a confrontation with the actual, meaning that it can be understood as a critical resource for undermining ideological repression. I locate theoretical resources for such an existential confrontation with the actual in Søren Kierkegaard's account of guilt-consciousness, and I lay out a theory about the role that 'ideals' can play in precluding inwardness, resisting guilt, and reinforcing social inequities through ideology.[5]

There are several reasons for turning to Kierkegaard in a discussion about subjective attachments to idealized norms.[6] First, as a somewhat untapped resource for contemporary feminist thought, Kierkegaard's project seems especially useful for undermining the overly religious tenor of much contemporary heterosexist rhetoric. Writing in 19th century Lutheran Denmark, Kierkegaard directs his existentialist critique against not only the disinterested apathy of those who fail to take themselves seriously as individuals but also the overly confident Christians whose claims to self-righteousness prevent any real sense of the need for self-doubt, self-responsibility, and passion. In Kierkegaard's day, it was commonplace to self-identify as 'Christian,' thereby taking for granted a certain sense of belonging which resulted from ubiquitous infant baptism. However, as Kierkegaard's pseudonym Johannes Climacus makes clear, those individuals in Danish Christendom who misunderstand what it means to *become* Christian are simply resting complacently in the knowledge that as infants they were baptized (1992, 418). Kierkegaard's emphatic

portrayal of Christianity as an 'existence-communication'—as something pertaining to existing, rather than to objective doctrines or knowledge—undermines the religiosity of believers whose certainty is grounded solely in external rituals and acts of conformity.[7] By emphasizing subjective existence, Kierkegaard also points out the impoverishment of any crowd mentality, a phenomenon that he identified as an increasing problem in 19th century society.

In our present age, the leveling effects of corporate media continue to result in widespread apathy, and so Kierkegaard's overall project of awakening readers—in the sense of challenging individuals to take up the project of *becoming* selves—remains relevant to current social theory more generally. As well, specifically Christian discourse in North America continues to be hugely in need of social critique. Given the hegemonic power of religious discourse, Judith Butler has recently noted 'how badly we need religionists' to engage on their own terms the official heterosexist stances of institutionalized faith communities (2006, 289). She contrasts such an engagement with 'smug secularism' that reinscribes a cultural divide between the church and non-religious society, leaving the sites of power uncontested. Since today many people continue to express fidelity to the prevailing terms of Christianity, it seems productive to discern to what extent a Kierkegaardian critique of Christianity can be mobilized for feminist purposes.[8] Moreover, as Mark D. Jordan demonstrates, to critique contemporary heterosexist ideology means examining the genealogy of the category 'homosexuality,' a category which itself is tied up with the specific history of Christianity. Whereas many theorists, following Foucault, tend to rely upon a clear distinction between the older denunciatory category of the 'sodomite' and the modern scientific category of the 'homosexual,' Jordan points out that such a distinction depends upon a deeper distinction between state power and church power. In contrast, Jordan identifies a 'sodomitic' logic to the contemporary category of 'homosexual,' exposing the ongoing political influence of Christian rhetoric and the necessity of productive critique.[9] Indeed, as Marcella Althaus-Reid explains, considering the ideological elements of heterosexuality leads to the possibility of queer theology (2004, 103). By turning to Kierkegaard, therefore, I am drawing upon critical resources from within the Christian tradition itself in order to call into question the ideological elements of heterosexist norms.

Second, despite Kierkegaard's own convictions, his concept of religious inwardness does not necessarily imply commitment to Christianity but rather to an engaged, intensified spiritual passion. Throughout his writings, Kierkegaard makes the case that each of us, as individuals, must develop what he calls spirit or passion. We must each make the existential choice to take ourselves seriously *as* selves, and so each of us must confront the fallibility of our social bonds, including that of communication and the claims of dogma.[10] This existential passion is first and foremost entirely subjective and indeed cannot rely upon the teachings of any specific religious tradition. While Kierkegaard's own project makes the case for the necessary transition from spiritual passion to specifically Christian existence, I will be exploring the extent to which spiritual inwardness in itself can advance a feminist non-ideal critique of ideology.[11]

Third, Kierkegaard's methodology itself is productive for feminist non-ideal theory. Many of Kierkegaard's texts have been written under the name of pseudonymous authors, each of whom dramatically endorse their own perspectives through first-person declarations about the meaning of existence. While this practice leads to notoriously complicated questions about how best to interpret his texts, Kierkegaard's pseudonymous approach models a central point of his philosophy—namely, that existentialism involves subjective capabilities and passions, rather than abstract or objective knowledge. In Kierkegaardian terminology, this means communicating *indirectly* to the reader, rather than directly. 'The most one person can do for another,' Kierkegaard's pseudonym Climacus explains, 'is to unsettle him [or her]' (1992, 387). Put most simply, no one can secure existential meaning for another, not even a wise teacher or an influential mentor. Rather, we must choose to engage with our own actualities and thereby take responsibility for our own guilt, despair, and passion. This means that even philosophy is limited as a source of truth and meaning, in light of the highest good. It also means that social norms and communication—what Kierkegaard refers to as the 'universal' and the 'ethical' – is limited as a source of self-identity.

In order to engage with Kierkegaard's project for feminist ends, we need to be able to demonstrate that seeking subjective inwardness actually serves to break the claims of ideology. How is it that hegemonic social norms are able to validate a particular misappropriation or idealization of an ideal for individuals? When a social norm is upheld in idealizing ways, on Mills' terms, such an ideal presumes a certain social transparency that justifies the bracketing of relevant actual factors. In contrast to idealizing ideals, non-idealizing ideals abstract without idealizing (Mills 174). For an ideal to play an existentially edifying role for an individual, then, it needs to augment and deepen rather than preclude the individual's awareness of and attachment to his or her own actual embodied particularities.

Kierkegaard stakes his existential project on the claim that the individual is *higher* than the universal. One reason why individuals fail to seek spiritual inwardness—and thereby fail to actually become passionate and responsible selves—can be found in the false security of conforming entirely to the social norms of one's 'ethical' community. For example, in his text *Fear and Trembling,* Kierkegaard's pseudonym Johannes de Silentio asks, 'How does the single individual reassure himself that he is legitimate? It is a simple matter to level all existence to the idea of the state or the idea of a society' (1983a, 62). It is clear that the individual who finds moral or existential legitimation solely by referring to 'the idea of society' is an individual who either accords or seeks to accord fully with social norms and dictates. This can seem reassuring because, as Silentio explains, this enables the individual to be subsumed within the universal. In this way, idealizing ideals reinforce social inequities because the capacity to conform to social norms is not in itself an equitable resource.

'The universal' in this context refers to intersubjective transparency and inclusivity.[12] By describing the leveling of existence to the 'idea of the state,' Silentio suggests that prevailing institutions in society—in Kierkegaard's case, the exemplary institution is marriage—are able to yield such existential importance for

the individual that the subjective horizon of meaning becomes limited to the ideals of those institutions. This is highly problematic because, to continue Silentio's statement, 'one never comes to the paradox that the single individual as the single individual is higher than the universal' (1983a, 62). To put this in Kierkegaard's religious terminology, the singular individual cannot be faithful simply by acting in accordance with social norms.[13] Doing so can impoverish one's very understanding of the meaning of existing as a self. Kierkegaard hereby highlights the potential dissonance between one's own passions and desires and the socially sanctioned norms of one's community.[14] Moreover, the descriptive fact that we do not occupy roles within our socio-ethical communities equitably or universally seems to bear crucial existential relevance for how each of us negotiates the differences between the idealizing universal and what Kierkegaard calls the absolute or the eternal.

This means that transparency as such has limited meaning for the existence of the single individual. I want to distinguish here between the 'ethical' individual, who seeks wholeness and meaning within education, discourse, and other social relations, and the 'religious' individual who confronts the limitations of the ethical realm. I discuss the differences between these two modes of existence below. For now, I merely point out that whereas socio-ethical norms aspire to transparency, as Silentio explains in *Fear and Trembling,* we see their *limits* manifested in silence. Of course, it is the religious individual—for Silentio, it is the knight of faith—who accepts these limitations and acknowledges the incommensurability between the silence of inwardness and the discourse of the ethical community.[15] In contrast, the individual who seeks complete meaning in the ethical realm itself will refute such limitations, upholding the idealizing force of transparency.

This means that there is literal silence, on the one hand, about the actualities that do not accord with the idealizing prescriptions of the prevailing social community, and there is also silence, on the other hand, because of the inequitable structural accessibility for individuals to be able to make use of the very material resources of public communication. The ethical individual fails to take heed of such silence and, more likely, is unable, because of his or her ideological attachments, to even perceive it. In Halley's analysis of the construction of the category of heterosexuality, cited above, silence plays a crucial role in perpetuating the ideological force of the category. Looking specifically at juridical discourse, she explains, 'Despite its representation as monolithic in its nonhomosexuality, heterosexuality as it operates in federal equal protection cases is a highly unstable, default characterization for people who have not marked themselves or been marked by others as homosexual' (2000, 83).

Silence, when expressed from within the ethical realm, is the mark of privilege. Despite explicit protestations to the contrary, silence does not reflect a comfort found within one's coincidence with a natural or stable universality. Rather, Halley explains that silence reflects the bribed complicity of members within the class to hide any characteristics that would threaten the so-called normalcy of heterosexuality. Silence thus results in the appearance of heterosexuality as exclusively 'pure' of what Halley calls 'sodomitical desires or conduct' (2000, 83). Silence marks the power of a class to deny its own definitional incoherence, as its members are

threatened with expulsion and sanctioning for exposing this truth. The privileged category is the default category for 'nonhomosexuals,' who may only belong if they are silent about 'the heterogeneity and fabricatedness of their class' (2000, 96). To put this in Kierkegaard's terms, the privileged individual demands to be equated with the universal, and with this willed conformity, perpetuates the confidence in the so-called transparency of the ethical realm, thereby discriminating against all who cannot or will not be subsumed within the idealized norms.

Transparency thus sustains its idealizing attractiveness because those who enjoy privileged status are encouraged to disavow any actual incompatibilities, found for example in their own actions, desires, and inclinations, with the prescriptions of normative heterosexuality; they thus take the bribe of normalcy. In this case, the lack of actual sufficiency with the conditions of the so-called universal normal results in what I am calling ethically limited silence. On the one hand, the way that the bribe functions on an individual level demonstrates that individual's subjective longing for according with social ideals, despite obvious incompatibilities with those ideals. On the other hand, there is also a structural blindness towards the actual, as the definitional politics of heterosexuality maintains its hegemonic ability to define by refuting the role that actual privilege plays in its disembodied invocation of the universal. This is why we need to be skeptical of the 'spurious universalism' and hegemonic principles that Mills identifies in ideal theory (171). It is the claim to universality that gives hegemony its force and justifies its perpetuation of its own dominance. Moreover, if we follow Silentio's descriptions of silence, it is in the religious realm that the limitations of ethical discourse are acknowledged and accepted.

In the following two sections, I elaborate a Kierkegaardian theory of the role that idealizing ideals can play in precluding subjective inwardness, thereby reinforcing social inequities through ideology. More specifically, I argue that we can use Kierkegaard to elaborate a religious non-ideal ethics. I expect that this claim may be met with either disinterest (why would I want to contaminate feminist critique with religion?) or disdain (why look to religion, an ongoing source of oppression and discrimination, for critical resources?). These responses reflect the fact that religious discourse continues to wield hegemonic power in our contemporary society by justifying many forms of violence and oppression. Indeed, as Lewis Gordon reminds us, quoting William Jones, '"the step is indeed a short one from a demonic deity to a divine racist"' (Gordon 1995, 143). I also anticipate—and empathize with—philosophical disagreements about the very invocation of a transcendent divine in a non-ideal critique of prejudice. After all, does not the belief in a divine, above and beyond the realm of the actual, reinforce rather than subvert idealizations that lead to real oppression? While this is a complex question, I will note here that Kierkegaard's critique of established religion is compatible to a perhaps surprising degree with certain versions of atheism. As I examine below, it is the aspirations of reason and social norms *to* a divine and therefore unquestionable status that Kierkegaard's existentialist project undermines.[16] Indeed, in part because of the prevailing force of religion, I will make the case below for an explicitly religious critique of ideological prejudice. I will argue that the religiosity that wields so much repressive power does not

in fact deserve to be qualified as *spiritual* or indeed religious, and in contrast, I will introduce alternative, emancipatory conceptions of the 'religious' and the 'spiritual.'

First, I examine Kierkegaard's description of existence-stages, looking especially at the critical import of the religious stage of existence. Second, I assess Kierkegaard's understanding of the 'spiritual' as a qualification of existence. In both cases, I argue that an acknowledgment of the *actual* corresponds to existential inwardness. As we will see, it is the non-religious individual (identified variously as aesthetic, apathetic, or idolatrous) who mistakes the accidental for the actual and thereby maintains the hegemony of discriminatory norms. The 'idealized' ideal then corresponds to willed blindness—to social privilege rendered invisible and to the reinforcement of repressive ideology.

6.2 Critical Theory and the Stages of Existence

One advantage of Kierkegaard's project is that it emphasizes several different modes of existence: aesthetic, ethical, and religious, respectively. These stages of existence embody different attitudes towards the subjective meaning of ideals in one's life. Most importantly, these differences hinge upon the ways in which individuals do or do not cultivate responsibility for their own choices: do I as an individual accept responsibility for my own actions? Do I acknowledge the limitations of my own decisions, and am I willing to make difficult choices despite the inevitability of angst and uncertainty? Moreover, am I willing to confront the role that ideals play in my understanding of myself-in-the-world? Kierkegaard's schema of existence-modes refers not to different ways of perceiving the world epistemologically but rather to differently embodied ways of inhabiting the world. The transition from one stage to another is not progressive; the stages do not refer to a teleological route of maturing from the aesthetic to the religious. Rather, the stages refer to qualitatively more intense degrees of passionate existing, in and through one's relationship to one's own choices.

Demonstrating the least inward mode of existence, the 'aesthete' fails to acknowledge the role that his or her choices play in the development of the self. According to Climacus, the aesthete is likely to find meaning in possibility, rather than in actuality, and so is essentially 'disinterested' in the task of existence itself (1992, 390). Since we all do make choices in life, the inability to accept responsibility for one's choices leads to an uncultivated sense of oneself as an embodied, moral agent. The aesthete has no willingness to commit or risk anything because, above all, for the aesthete, everyday life must remain interesting. One of Kierkegaard's exemplary aesthetes, a self-identified seducer, explains, 'How beautiful it is to be in love; how interesting it is to know that one is in love' (1987a, 334). In other words, by focusing on external sources of enjoyment and entertainment, the aesthete avoids any sense of the meaninglessness of existence. There is a central contradiction within the mode of the aesthetic, then, between existing as an individual and failing to take responsibility for one's own existence. As Michelle Kosch has recently put it, an underlying premise of Kierkegaard's existentialism is that as individuals we

cannot *not* choose, even if our choices involve denying our own freedom (2006, 93). There is therefore an intrinsic instability to the aesthete's lack of acknowledgement of his or her own agency.

An unwillingness to acknowledge one's responsibility for one's choices seems inevitably apolitical, and so aesthetic existence seems limited in its ability to lead to real social change.[17] An aesthete will experience guilt solely as something externally determined and so will seek ways to overcome unpleasant circumstances.[18] An aesthete might model herself after a mentor like Oprah, who endorses a highly individualistic, consumer-based approach to social justice. There may be a semblance of sincerity in such an approach, but, as Climacus points out, any sermon which preaches 'indulgent exemption from the religious' (1992, 437), meaning exemption from passionate self-choosing, is only posing as religious. In other words, 'religion' in the case of Oprah and any other consumer-based preaching is merely what Climacus refers to as an aesthetic 'acoustic illusion' (1985, 51).[19] On these grounds, we can resist an *aesthetic* approach to social justice because it risks legitimating complacency in the face of hardship and exemption from taking oneself seriously as an individual.

In contrast to the aesthete, the 'ethical' individual, who has a more determined sense of self, is able to perceive the relevance of experiences and actions through a more passionate receptivity towards his or her own particular, embodied situation. In the ethical mode of existence, there is a sense of self-responsibility and the importance of staking one's life on the grounds of fundamental choices. Put in existential terms, the ethicist is willing to take into account his or her own freedom. In the voice of one of Kierkegaard's ethicists, 'the ethical, although it modestly places itself on the same level as the aesthetic, nevertheless is essentially that which makes the choice a choice' (1987b, 168). In an ethical mode of existence, one's own situatedness becomes a matter of existential importance because ideals must be appropriated concretely by the individual. An ethical approach to social justice might endorse, for example, arguments that advocate for legalizing same-sex marriage, since for an ethicist, laws must be universal in scope because of their crucial import for individuals.

Just as the aesthetic mode of existence is self-contradictory, there is also an important existential contradiction within the ethical mode, and this contradiction concerns the fact that social norms are essentially limited as a source of meaning and freedom. In Kosch's terms, choosing oneself in freedom already involves an acknowledgment of the limitations of social norms: 'The "choice of oneself " is in the first instance a choice of oneself as an agent, not the choice of a set of characteristically ethical values over a set of more or less hedonistic ones' (2006, 94). However, it is not incidental that many of Kierkegaard's ethicists seem to equate ethical choice with social conformity, especially in terms of describing ethical choice in terms of the decision to marry.[20] In the ethical mode, one's existential choices easily become routine habit, especially when affirmed by prevailing, idealizing social prescriptions. By succumbing to the temptations of normative conformity, Kierkegaard's ethicists demonstrate Beauvoir's assessment of the specific challenges of laying claim to transcendence from positions of privilege. In *The Second Sex*, for example, Beauvoir

identifies a correlation between one's position of relative social privilege and a certain ease of habitual apathy.[21] When one's sense of self corresponds to qualities that hold social and material value, often literally in terms of economic opportunities and resources, one can look to the safety and resultant comforts as reasons for justifying and making ethical sense of *not* responding passionately to the 'drama' of injustices that are affecting others. In contrast, inward or religious passion, as we will see below, is what secures the conditions of possibility for combating apathy and claims to privilege.

If we only encounter 'ethical' guilt, meaning that we seek meaning and fulfillment through education, discourse, and social relations, then we can despair solely of the limits of our own institutions, which leads to a kind of moral paralysis. However, if we follow Kierkegaard's demonstration of a realm beyond the ethical, ethical despair requires something that it cannot provide: the religious. This does not, however, lighten our ethical burdens—to the contrary, such a sense of responsibility cannot be shirked after the completion of discrete, external tasks. Marcella Althaus-Reid puts it wonderfully: 'For queering theology may have an indecent redemptive role, by inviting people to come back to themselves' (2004, 108). Religious inwardness thus challenges us to take up the more central subjective task of existence: namely coming back to ourselves as *projects*, as subjects always in the process of becoming. It is only in the move from the ethical to the religious mode of existence that the individual willingly gains what Climacus calls 'guilt-consciousness.'[22] Guilt-consciousness provokes the central question: at what point can we as individuals no longer depend on social or ethical resources for faith and spiritual wholeness? In other words, religious self-denial replaces ethical self-assertion. It is a category mistake—and an act of idolatry, religiously speaking—to extend *religious* meaning to socially limited cultural norms. Guilt, then, especially as described by Climacus, refers to religious inwardness per sé, not to the doctrinal prescriptions of any one tradition, including Christianity.

We can hereby appeal to Kierkegaard's concept of the *religious*—as a stage of existence—in order to reject all imperialist violence committed in the name of religion. Christianity is of course implicated in a long history of colonialism, in which accusations of religious 'idolatry' have served only to reinforce the hegemonic and exclusive claims to truth and righteousness upheld by Christian apologists. As anthropologist Webb Keane has recently described, for example, 'By the end of the nineteenth century, the decision of what to salvage in colonial societies commonly hinged on whether the practice or idea in question could be defined as culture, and therefore more or less harmless, or as false religion' (2007, 85). By juxtaposing 'false' or idolatrous religion with the 'true' religion of Christianity, such discourse demonstrates an aesthetic, rather than religious, position. Kierkegaard's pseudonym Climacus suggests that we reject the religiosity of imperialism, on the grounds that it reflects an impoverished and aesthetic misunderstanding of religion. He explains that 'even the introducing of Christianity into a country can be an aesthetic matter. . . no more a religious action than the conquering of countries' (1992, 433).[23]

Above all, the 'religious' for Kierkegaard refers to the passionate existence of an individual whose choices reflect an understanding of the difference between

choosing externally determined roles and inward subjectivity. Paraphrasing Climacus, the religious individual lives in the finite, but she does not have her life in it (1992, 410). Renunciating 'relative ends,' the religious individual becomes more and more concrete by acting to transform her or her own existence (1992, 432). What seems especially striking about this conception of the religious is that the external conditions of one's social position bear only contingent significance for existential passion and inwardness. To 'hold fast to the changeable', as an existing individual, is not only 'demented,' as Climacus points out, but at odds with religious passion (1992, 422). In contrast, to choose inwardness over the external involves what Kierkegaard's pseudonyms refer to as resignation and guilt. Therefore, when we consider the material and epistemological forces wielded by the idealization of categories such as heterosexuality, it becomes apparent that an individual who develops the inwardness of religious guilt-consciousness must confront his or her own culpability in absolutizing finite social norms and ideals. We ultimately are responsible for where we place our faith and how we seek meaning in life, and so to evaluate one's contingent attributes, including compliance with heterosexist ideals, *as if* they secure one's religious or existential legitimacy is to essentially misunderstand existence itself.

6.3 Critical Theory and Spiritual Inwardness

Elizabeth Povinelli has recently described the constellation of contemporary social repressive forces in terms of 'the poison of a vicious pervasive racism and homophobia, a monolithic money-oriented capitalism, and an otherworld-oriented, often apocalyptic spiritualism' (2006, 100). Similarly, Marcella Althaus-Reid claims, 'The fact is that Christianity more than a theology has a sexual programme. The story of colonization shows this quite distinctively' (2004, 101). Institutionalized Christianity, historically and today, bears responsibility for reinforcing both capitalist hegemony and heterosexist ideology. As I will argue below, Kierkegaardian 'spirit' can be understood as a corrective to such violence, undermining the role that ideology plays in supporting prejudice precisely because of its critique of false spirituality.

In his descriptions of what it means to become a self, Kierkegaard claims that 'spirit' is the most important qualification of existence. Spiritual passion, in the context of an existential account of subjectivity, refers to the intensity of selfhood that we as individuals choose to attain. It can only be acquired through one's willingness to make authentic choices, and it leads to inward transformation. Given the descriptions in the preceding section, we can see that the 'ethical' stage of existence is presupposed here; becoming spiritual involves first and foremost accepting myself as a moral agent, willing to make difficult decisions in the face of uncertainty.

According to Climacus, the quality of my spirituality intensifies in part because of an important question that I pose to myself: what is the difference between the relative and the absolute sources of meaning for myself? It is only an individual's relation to the absolute—an 'eternal happiness'—which occasions real inward change.

Put another way, this means that the spiritually passionate person actually *practices* how to circumscribe the relative, the finite, and the external—everything that cannot transform one's existence absolutely. Spiritual passion corresponds to the transformation by which an existing person 'in existing changes everything in his existence in relation to that highest good' (1992, 389).

Put another way, this means that the existing person practices how to circumscribe the relative, the finite, the possible, and the external—everything that *cannot* transform one's existence absolutely. No one can do this work of discernment for another individual. The more abstract the individual is, explains Climacus, the *less* he or she relates to an eternal happiness (1992, 528). In contrast, the religious self 'becomes more and more concrete by acting to transform existence' (1992, 432). Here we can see that an intense spirituality corresponds to the religiousness described above—to the stage of existence in which I accept responsibility for my own freedom.

The Kierkegaardian concept of 'spiritual' is especially useful because it undermines a simplistic binary distinction between the 'secular' and the 'religious.' If we follow Kierkegaard, there is a heterogeneity between the believer and the secular individual, not because of dogmatic or doctrinal disagreements but because of the existential modality of faith—as passionately spiritual individuals, we manifest what we believe in how we exist, rather than in specific arguments that we might make or particular claims that we might uphold. Indeed, to continue with Climacus's descriptions, 'Eternal happiness, as the absolute good, has the remarkable quality that *it can be defined only by the mode in which it is acquired*' (427). We can define 'secular' here as the misunderstanding of the very meaning of existence. Kierkegaard claims that there is incommensurability between religious existence and the 'world's' understanding of existential becoming. Employing the algebraic terms of the relative and absolute, Climacus explains that the 'agonizing self-contradiction of worldly passion results from the individual's relating himself *absolutely* to a relative *telos*' (1992, 422).

Religious fundamentalism then would be designated as 'secular' because it is, in essence, a repudiation of existence as such. The 'world' misunderstands existence because it understands everything directly and relatively, asserting meaning in terms of external goals: 'in the world, the outcome is lord of all lords and tyrant of all tyrants' (1992, 398). Likewise, Kierkegaard claims that Christendom—as a hegemonic institution—misunderstands its relation to the finitude of existence. In the words of Kierkegaard's pseudonym Anti-Climacus, 'No wonder established Christendom is like sheer meaninglessness' (1991, 112). Religious affiliation can be just as limiting, existentially speaking, as any other social bond that claims absolute validity. As well, the capitalist approach to existence—in which we express who we are solely in terms of consumption—reflects the fundamental misunderstanding of the distinction between relative comparative sources of meaning and the absolute: 'Bourgeois-philistinism always has its roots in the use of the relative as the absolute in relation to the essential' (1992, 547). In contrast, spiritual inwardness involves scorning 'the external' and forgetting 'the earthly mind's interpretation of what is advantageous' (1992, 386).

There is a crucial subjective righting of priorities that happens with spiritual inwardness. The spiritual individual *expresses* that he or she is capable of doing nothing on her own terms. This expression does not happen in the external realm according to Climacus because externality would 'secularize' the relationship and would facilitate superficial comparison between individuals (1992, 508). The eternal happiness is demonstrated solely through the existing individual, who expresses that it exists through 'absolutely venturing everything' (1992, 427); it can only be defined by the mode through which it is acquired, and it is experienced through joining together the absoluteness of the religious with the specifics of my everyday life.

There are normalizing aspects of 'the world of the finite.' Individuals who enjoy a false sense of privilege do so through the specifics of their situated bodies, specifics which do not appear marked precisely because they accord with the idealized picture of a deserving citizen: for example, whiteness, able-bodied and class-based indicators of mobility, heterosexuality expressed most commonly through marriage. Privileged individuals hereby can enjoy a sense of 'rightness' and self-deservingness without having undertaken the task of existential becoming. Climacus's algebraic description of gaining spiritual inwardness is highly relevant to the process by which an individual confronts the *ideological* nature of his or her own privilege. Climacus explains that spiritual inwardness deepens as an individual renunciates 'relative ends' and relates absolutely to 'the absolute' (1992, 432). When the relative is mistaken for the absolute *and* when social conditions validate this mistake in terms that inflate the particular subject's finitude into naturalized privilege, we encounter the disembodied abstraction of bad faith; in other words, the individual takes the 'bribe' of conformity and looks for absolute meaning in the relative. To cast this in Beauvoir's terms, we need to *resist* as free subjects against forces that limit our freedom, which means that we need to discern subjective sites of complicity with oppression.

We can find an implicit normative theory in this description of spiritual inwardness. As we take up an absolute relation to the absolute, Climacus explains that we hereby affirm that we are all equal as individuals (1992, 400). Rather than relying upon 'the market-town idea of what it means to be a human being' (1992, 489), which requires external markers in order to compare individuals, as a spiritual person I acknowledge that every individual is assumed to be capable of this relation with the absolute (1992, 510 and 585). In other words, spiritual inwardness is ultimately not only about my own freedom but about the existential value of every person. As Beauvoir puts it, 'To will oneself free is also to will others free' (1976, 73).

6.4 Conclusion

To be productive, critical theory operates on two levels: first, there is an indictment of a specific, context-based social injustice (in the case of my argument, then, the ways in which prevailing discursive terms in North America uphold a particular

understanding of 'heterosexuality,' to the exclusion of any deviating passions or actions); second, there is an appeal to a strategic intervention by which social justice will be achieved. Critical theory is profoundly hopeful, therefore, and the *source* of hope is what necessarily connects these two levels.

Put differently, it matters in what we place our hope because this illuminates the nature of the problem. For example, if social prejudice simply stems from ignorance, the hope for change will involve education and the development of rational clear thinking. This would locate critique squarely within the ethical mode of existence, on Kierkegaard's terms, because the processes of education, communication and socialization would be sufficient for rectifying misunderstandings and fully according individuals with the norms of their community. However, if social prejudice stems from misplaced passions and lack of resoluteness, as in the case of the aesthete and the ethical individual, change should involve the cultivation of authentic and decisive emotional engagement. On these terms, social prejudice is a matter of existential stubbornness and despair—defiance, in the words of Kierkegaard's religious pseudonym Anti-Climacus; hope, then, must stem from a spiritual resource.

Wendy Brown has recently described critical theory as an insistence upon the self-reflexivity of its own historical production, pointing out 'how thought is partially formed by the object it thinks' (2006, 3). If we express this in existential terms, we can describe critical theory as an articulation of the spiritual stakes of injustice. As readers of Kierkegaard, we are free—and indeed, invited—to engage with his texts in whatever mode we choose: the aesthetic, the ethical, the religious. My own hope is that, as individuals, we will find great meaning and potential in elaborating a specifically religious response to ideological forms of prejudice.

By moving the analysis to the religious realm in this way, I am suggesting a response to Leslie Howe's noteworthy assessment that Kierkegaard's project is limited for feminist thought because of the ways in which women are excluded from the trajectory towards authentic selfhood.[24] Kierkegaard's pseudonyms, and the examples that they employ in describing existence, are more often than not essentially gendered and inflected with culturally bound assumptions about femininity and the female body. At stake here is the important distinction that Mills makes between falsely idealizing ideals—which refute or abstract away from actualities of oppression and prejudice—and productive normative ideals—which enable us to engage in theoretical activity. If we elaborate a religious critique of privilege, I'm arguing, then we can identify idealizing theory itself as a form of despair.

We should extend this point to Kierkegaard's own writings, specifically to the exclusions of women identified by Howe. This also acknowledges an ongoing debate within Kierkegaard scholarship—namely, the problem that if we follow Kierkegaard and claim that freedom is that which comes from the self, and not from the finite world, how can we level productive critique against real social sources of unfreedom and oppression? One way to keep this question in mind involves acknowledging Kierkegaard's own despair, not always acknowledged by himself or his pseudonyms, about the inability for any identity claim, whether it be a gendered or sexualized claim, to secure spiritual inwardness. A simpler way to put this is that every individual is called to confront his or her own complicity with

ideological norms. As Althaus-Reid puts it, 'It requires that heterosexuals come out of their own closets too' in order to recognize the 'instability of sex' itself (2004, 105–6)

I suggest that such a strategy corresponds productively with the contemporary turn in queer theory, seen for example in work by Warner and Berlant, Lee Edelman, and Tim Dean, in which critical theory is understood as anti-identitarian.[25] To critique idealizing privilege, in other words, exposes the despair at work within identity claims of normative heterosexuality.[26] This means in turn that a non-idealizing critique of despair, which emphasizes the passion of inwardness, is implicitly spiritual or even religious. This claim provides at least a partial response to Sonia Kruks' point, cited above, about the need for an existential critique of privilege that does not depend upon a self-transforming, liberal sense of individuality.

First, an existential account of passion, rooted in what Kierkegaard calls love and what queer theorists call desire, affirms the importance of a critical theory that does not rely solely upon social norms or community-based modes of activism or senses of identity for cultivating solidarity and social justice. This means that even feminist community, something that many of us affirm as a robust source of identity and motivation, is not sufficient for overcoming the stubbornness of entrenched prejudice. Similarly, we need a *spiritual* critique of religion, as Kierkegaard himself argued. Since religious dogmatists continue to wield hugely problematic sway in public sphere debates about sexuality, social norms, and education, we can use Kierkegaard as one strategic way to undermine the so-called religiosity of these arguments.

More significantly, the inevitable failure of social and ethical constructions of the self challenges us to become deeply troubled, not just theoretically but spiritually, by the naturalizing and pathologizing social norms that have been religiously and politically legitimated both historically and today. Idealized norms substantiate despair and are therefore at odds with religious existence. Further, when we translate Kierkegaard's project into feminist terms, we see that the religious antidote – love—is in direct response to *spiritually* understood problems of apathy, violence, privilege, and resultant prejudices. In other words, despair is the existential condition that provokes inwardness and compels us towards a force outside of ourselves, namely, on Kierkegaard's terms, love. This means that I cannot simply address social and material forces or even other individuals who manifest blindnesses towards injustices; rather, I am called to look at my own sources of defiance.

The argument cuts two ways, of course. If feminist commitments are being called to confront a certain need for spiritual renewal, religiosity is also targeted as in need of humility and transformation. This is where we need feminist analyses of prejudice to take this statement much further. What are the ways in which assertions of belief intersect with dominant social norms, thereby actually endorsing the continuity of inequalities and prejudices in the name of religious dogma? In what ways, for example, religious believers resuscitate, rather than condemn as blasphemous, those normative ideals of exclusive privilege? It seems that Kierkegaard's affirmation of passion is productive in raising these questions and holding out hope for individual and collective moral renewal.

According to a religious critical theory, it is not through ethical mediations—including social institutions, laws, and education—that we will secure redemption. Social justice will never be attained through solely social strategies. However, if we mobilize one of Kierkegaard's claims, gender and other social markers make no difference before God. This claim for the radical equality of individuals is clearly incompatible with ethical systems that prescribe inequitable social roles.

In her recent book on contemporary feminist thought, Janet Halley calls for an *existentialist* attitude towards theory itself. She writes that 'my desire is for a pragmatic posture, a sense of being *in relation* to problem seeing and problem solving; and for an existentialist attitude that understands being as just the appearance of phenomena to a being. My desire is a posture, an attitude, a practice, of being in the problem, not being in the theory' (2006, 7). Not coincidentally, Halley's book is in part a polemic about the specific limitations of feminist thought, a tradition in which she is trained and clearly continues to operate. I conclude, therefore, by suggesting that a non-idealizing critique of privilege necessarily includes a reflection on its own theoretical limitations. This means that, on a more meta-level, theory itself reflects an existential attitude towards the enterprise of critique. This means that we can approach our own scholarship with a sense of open-ended uncertainty, cultivating a spirit of humility and fallibility.

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Notes

1. Clarke states that 'the normative definition of publicity ideals can carry with it a potentially conformist demand that the disenfranchised be like those from and by whom they are disenfranchised' (2000, 73), forcing the burden of persuasion onto those who are already excluded. For a similar argument, see Michael Warner (2000).
2. 'A heteronormative sexual morality is able to present itself inappropriately as if it were a universal prerequisite for enfranchisement' (Clarke 2000, 70).
3. 'The white, male body is the relay to legitimation, but even more than that, the power to suppress that body, to cover its tracks and its traces, is the sign of real authority, according to constitutional fashion' (Berlant 1991, 113).
4. This definition of 'ideology' that I am employing—discourse which stays within a prescribed framework and thereby limits the possibility for critical questions; discourse which tends to result in discriminatory, violence-prone us-versus-them binaries—can be found in recent interviews between Davis (2005).
5. Kierkegaard wrote many texts under the names of pseudonymous authors. When I am discussing a concept or argument that is elaborated by one of the specific pseudonyms, I will take care to identify the appropriate pseudonym in the text (for example, Johannes de Silentio or Johannes Climacus). When I am referring to Kierkegaard's project more generally, I will simply refer to Kierkegaard himself.
6. It is noteworthy that Merold Westphal has made the case for reading Kierkegaard's project as a critique of ideology already twenty years ago (1991). What remains somewhat untheorized

in Kierkegaard scholarship are the relations between Kierkegaard's project and contemporary feminist and queer thought.

7. Climacus states, for example, 'Precisely because Christianity is not a doctrine, it holds true, as developed previously, that there is an enormous difference between knowing what Christianity is and being a Christian' (1992, 380). Later, he muses, 'Of course we are all Christians. But what, I wonder, have we all become because of this, and what, I wonder, has Christianity become because we are all Christians of sorts as a matter of course' (1992, 586)?
8. Citing a 1997 study, Dawne Moon notes that 44 percent of American adults attend Christian worship services weekly, making U.S. America the industrial nation with the highest percentage of weekly churchgoers. She goes on to emphasize the significant impact that religious views have on political discourse (2004, 4).
9. Based on his analysis, Jordan concludes, '"Homosexual" is a theological riddle. It cannot be unriddled by pretending that theology is dead' (2004, 240). For a closer look at Jordan's study of the construction of 'sodomy', see his *The Invention of Sodomy in Christian Theology*. In this earlier text, Jordan emphasizes the misogynistic logic of the theological discourse around 'sodomy'. He explains that condemnations of sodomy 'condemn violently anything feminine, but especially anything that seems to surrender masculine privilege. . . They depend on the familiar male horror about women' (1997, 169). It is a feminist project, therefore, to elaborate critique against the ongoing Christian condemnations of non-normative sexualities.
10. The relation between Kierkegaard's concept of generic religiousness and other religious traditions is itself a matter for careful scholarly debate. In this argument, I focus especially on the category of existence that Kierkegaard identifies as 'generic religiousness,' which does not rely upon fidelity to any specific religious tradition.
11. The precise nature of the relations between Kierkegaard's project and Christianity is obviously complicated and is worthy of its own extended analysis. As I will describe below, Kierkegaard sets up a schema of different existence-stages, and I identify one of those stages as highly relevant for critical theory. It is not coincidental that the stage that I see as most valuable is 'generically religious' rather than explicitly Christian. Given that Kierkegaard's project extends beyond generic religiousness to what he calls the 'second ethics'—or Christian existence—I suggest in the conclusion to this paper that we may find important emancipatory resources in the works of love. It is an open-ended question whether we can approach such 'love' without at the same time endorsing a specific set of Christian doctrinal claims.
12. As has been thoroughly argued in Kierkegaardian scholarship, the 'universal' corresponds to the Hegelian concept of *Sittlichkeit*. For a concise explanation of the 'universal' in Kierkegaard, see Schrag (1959).
13. Silentio's use of the word 'leveling' recalls Kierkegaard's critique of the present age in which the media reinforces the scope of normalizing pressures through the homogenizing forces of consumption (2000).
14. My analysis resonates with a certain strand of recent Kierkegaard scholarship which emphasizes the socially critical import of Kierkegaard's project. For example, Rick Furtak identifies the presuppositions in Kierkegaard's work that '[w]ithin a culture whose fundamental values are dubious, a life of social conformity is no guarantee of moral integrity' (2005, 84). Moreover, 'To say that I love you is to say that I want you to be, not merely that I want you to be a respectable member of society' (2005, 136).
15. In his reflections on the knight of faith, as embodied by the figure of Abraham, Silentio explains that indeed, Abraham *cannot* speak (1983a, 60). As the knight of faith, Abraham seeks to obey the divine command to offer his son Isaac as a burnt offering, while maintaining confidence that Isaac will somehow be returned to him. According to Silentio, Abraham must be silent because any speech must appeal to the norms of the existing moral ethical order. In contrast, Abraham looks to a higher *telos* than the ethical realm. He thus suspends the ethical in the name of this higher telos, enacting what Silentio calls 'the teleological suspension of the ethical' (1983a, 57). Following Silentio, then, we can argue that the 'ethical' as such is limited in terms of its spiritual relevance for the individual.

16. I realize that this objection to a religious non-ideal theory deserves a more sustained response. Kierkegaard's invocation of a transcendent beyond, especially in terms of what his pseudonym Climacus calls 'Religiousness A' or 'generic religiousness,' is highly compatible with atheistic versions of existentialism, exemplified for example by Beauvoir and Jean-Paul Sartre. In each of these philosophical projects, the task of selfhood, to which each individual is called, results in an intensified rather than disavowed relations to the actualities of one's own situation as well as to the situations of others. For a more extended reflection on the relations between Kierkegaard and atheism, see Westphal (1998).
17. For an alternative feminist reading, see Battersby (1998). In her chapter 'Kierkegaard, Woman and the Workshop of Possibilities,' Battersby argues that it is the aesthetic—rather than the ethical or religious—stage of existence which proffers emancipatory feminist resources.
18. As Climacus puts it, 'Aesthetically, the dialectic of guilt is this: the individual is without guilt, then guilt and guiltlessness come along as alternating categories in life; at times the individual is guilty of this or that and at times is not guilty' (1992, 537). Aesthetic guilt thus contrasts tremendously with the guilt-consciousness of the religious individual, who understands that taking responsibility one's own existence is an ongoing task.
19. Kierkegaard's most religious pseudonym, Anti-Climacus, explains that the established order proclaims itself to be divine and accuses of blasphemy anyone who speaks out of inward subjectivity. However, he clarifies, 'the blasphemy is actually a projection from the impiety with which one venerates the established order as the divine, an acoustic illusion occasioned by the established order's tacitly saying to itself that it is the divine' (1991, 88).
20. As one among many examples, Climacus writes, 'Wherever the ethical is present, all attention is called back to the individual himself and to acting. Thus the pathos of marriage is to act; the pathos of falling in love is poetry' (1992, 390). On Climacus's terms, whereas falling in love reflects the external joys of the aesthetic, marriage reflects ethical interestedness.
21. See especially the introduction to *The Second Sex* (1989).
22. Climacus writes that 'guilt is the expression for the strongest self-assertion of existence, and it is, after all, an *existing person* who is supposed to relate himself to an eternal happiness' (1992, 528).
23. Similarly, see Nancy Cardoso Pereira for an astute analysis of how non-critical or aesthetic expressions of Christianity simply reinforce the hegemony of capitalism: 'Without self-criticism and the overcoming of the sacrificial christological and ecclesiological models, the action of the churches ends up reinforcing the market's inevitability and its demand for exclusion that generates poverty, alienation and violence, principally against women and children' (2006, 72).
24. Along these lines, Céline Léon points out two consistent characteristics of the gendered narratives found within Kierkegaard's pseudonymous texts. First, there are numerous male individuals who focus their narrative attention on female objects of desire. Second, these relationships and engagements ultimately lead nowhere: 'Although there is no dearth of fiancés—the Young Man of *Repetition* (1843), Quidam of *Stages on Life's Way* (1845), and Kierkegaard himself—none of the engaged parties ever actually walk to the altar' (1997, 148). The numerous broken engagements in Kierkegaard's texts may signify from the perspective of the speaking narrators what it means to negotiate universal expressions such as marriage as an individual. However, the kind of exception dramatized by these ethical and ethical-religious male speakers—namely that of a broken engagement—is existentially fallible and politically problematic. We should be skeptical about the social and religious stakes of claims to 'exceptionality' by individuals who fail to perceive their own culpability in sustaining norms that exclude and oppress others.
25. One way to sum up this turn is that queer theory resists identity politics in favor of anti-identitarian affirmations of desire. As Tim Dean explains, queer theory moves past the 'straightjacket' of identity, 'insisting that "queer" is opposed not simply to "straight," but more broadly to "normal"' (2000, 225). Opposing 'normal' in this way involves careful analysis of the material and cultural processes through which notions of identity are stabilized

and maintained, as well as the psychic and subjective processes through which individuals appeal to idealizations of identity as they act and make choices.

26. For example, Kierkegaard's religious pseudonym Anti-Climacus identifies the most intensive form of despair as the despair of willing to be oneself: 'the self in despair wants to be master of itself or to create itself, to make his self into the self he wants to be, to determine what he will have or not have in his concrete self' (1983b, 68). Despite of or even because of its defiance, such despair reflects the self's attempt to build itself upon 'castles in the air' (1983b, 69) and the self's 'demonically understood, infinite superiority over other men' (1983b, 72).

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Chapter 7
The Challenge of Care to Idealizing Theories of Distributive Justice

Anca Gheaus

Abstract The ideal of distributive justice as a means of ensuring fair distribution of social opportunities is a cornerstone of contemporary feminist theory. Feminists from various disciplines have developed arguments to support the redistribution of the work of care through institutional mechanisms. I discuss the limits of such distribution under the conditions of theories that do not idealize human agents as independent beings. People's reliance on care, understood as a response to needs, is pervasive and infuses almost all human interaction. I argue that the effect of care on shaping the social opportunities of all individuals is huge, although often invisible. Much of the optimism of theories of distributive justice comes from ignoring or downplaying the way in which care influences most factors of social success. Jonathan Wolff distinguished between three types of resources whose fair distribution is important: internal, external and structural. Care, I argue, does not fit well in any of these types. Inseparably interwoven with relational realities, care cuts across these categories and thus poses a challenge to the feasibility of equal chances. I focus on the under-analyzed issue of bad care and show how difficult it is to dismantle legacies of bad care. Their effect on even close-to-ideal social arrangements is too significant to be disregarded, yet very difficult to tackle through institutional mechanisms. A commitment to certain elements of individual ethics – as opposed to merely political institutions – is required in order to bridge the gap between ideal theories of justice and feasible practical aims.

Keywords Ethics of care · Distributive justice · Luck egalitarianism · Opportunities · Relationships

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7.1 Introduction: People We Meet and Egalitarian Theories of Distributive Justice

In the preface to her book on ethics, *The Unnatural Lottery*, Claudia Card says: 'Much of the salient luck in my life has been in individuals I have known' (Card 1996, x). This article explores the political and ethical implications of the widespread intuition captured by this quote: that, to a wide extent, the people we meet make our lives go better or worse and their influence is sometimes as great as – or greater than – the influence of other important factors such as class, gender, economic background, sexual orientation or individual intelligence and skill. Although all encounters with others influence our lives in obvious or obscure ways, in this article I concentrate on one kind of relationships, namely those in which care plays a significant role. Following the feminist ethics of care literature, by 'care' I understand the disposition and activity of meeting one's own and other people's needs – physical, mental and emotional.[1] For the sake of simplicity I focus the argument on the impact of the care we receive early in our lives, from parents or parenting figures. However, some of the points I make also apply to other kinds of close relationships that involve caring, such as those we have with lovers, spouses, friends as well as, sometimes, with teachers, medical care-givers, priests, therapists and even strangers.

Reflection on the influence of caring relationships, on how we do in terms of social and economic opportunities and, more generally, access to a good life, is likely to point to the limitations of a very popular type of ideal theories of justice[2] that are often referred to as 'luck egalitarianism.'[3] Luck egalitarianism is based on a distinction between things that happen to us because of circumstances that we could not have possibly controlled (like genetic endowment and social background) and things we bring upon ourselves through our own (well informed) choices.[4] It is right that we are held responsible for the latter, but not for the former, and therefore luck egalitarians argue that, as a matter of justice, all inequalities resulting from the former should be prevented or somehow corrected. According to John Rawls, for example, the moral goal of a theory of distributive justice is to come up with a conception 'that nullifies the accidents of natural endowment and the contingencies of social circumstance as counters in the quest for political and economic advantage' (Rawls 1972, 15).[5] Much of the post-Rawlsian egalitarian theory of distributive justice works with the assumption captured by this goal. Central to luck egalitarianism, therefore, is the question of what those natural endowments and social circumstances are that play a role in shaping social opportunities, and which individuals cannot control. The list of widely accepted factors includes class, gender, race, sexual orientation, health, education, intelligence and even – in the academic if not in the pragmatic debates – good mood or good looks. Various policies have been designed, in the name of egalitarian justice, to correct the unfair disadvantage that people suffer, in different societies, due to one or more of these factors.

The influence of personal encounters throughout one's life and, in particular, early caring relationships is largely disregarded by egalitarian theories of distributive justice or included only indirectly, to the extent to which they can be captured

by some of the above factors. For example, poverty may affect the quality of care one receives in ways that result in lower levels of education and life-long health problems. Or, unlucky physical characteristics could prevent some people from ever finding suitable life partners, thus making it unreasonably difficult for them to pursue a part of a life plan that most people find important. In the next section I focus on caring relationships as a category in its own right. I try to show why it constitutes a crucial factor in shaping opportunities, partly by being instrumental to the creation of other characteristics (such as good looks or level of social and intellectual skill), and partly by being an intrinsic good. Ideal theories of distributive justice aim to eliminate brute luck for the sake of ensuring that all people stand an equal chance to lead a good life according to their ideal of it – in different words to follow their 'life plan'. Part of my argument is that (good enough) care is essential for the very existence and realization of any life plan. Thus, I show in the second section, egalitarians should hold equal access to good enough care as very important.

I argue that not only the quantity, but also – and, perhaps, foremost – the quality of care is what matters for our lives to go well. The third section will be dedicated to a short overview of the many ways in which care can go wrong, and to a brief analysis of the causes by which this can happen.

One kind of common criticism to egalitarian theories of distributive justice is directed at their utopian character; even if justice requires that the effects of natural and social circumstance be corrected, critics say, it is not possible to achieve this in practice. In the fourth section I show why the redistribution of care has serious limitations. I look at different practical proposals and point out their shortcomings. The upshot of the argument is not that policies of equalizing access to care are undesirable. Indeed, many are legitimate and some are particularly important for reasons of distributive justice in general, and of gender justice in particular. However, they are inadequate as attempts to avoid or nullify the impact of bad care on social and economic opportunities – or, even more radically, to eliminate bad care altogether.[6]

The fifth section analyzes why adequate policies to redistribute care are, even in theory, impossible. Drawing on a distinction made by Jonathan Wolff between internal, external and structural resources, I show that care defies these boundaries. Because what we find particularly valuable in caring relationships comes from the dynamics between two individuals, public policies, no matter how generous, will never be able to ensure an adequate distribution of good enough care. This section makes explicit the structural challenge posed by an ethics of care to most egalitarian theories of distributive justice. When one thinks of people as products of care, and as needing caring relationships in order to survive and thrive, one sees attempts to eliminate all socially relevant luck as incoherent with the kind of creatures people are. Ideal theories of distributive justice are unfeasible not only as a matter of practice, but also for reasons of principle.

I end with a series of conclusions concerning the role of individual responsibility on the part of those who have been lucky enough to benefit from good care, as a necessary complement to theories of institutional design and adequate public policies.

7.2 Care as a Form of Luck

The vast feminist literature on care developed in the past quarter of a century abundantly exemplifies how care can be conceived of as a form of luck. We do not choose our parents, or parenting figures. However, their impact on us – on our bodily and psychological well-being, on our character and personality, on our expectations from ourselves and others – is inestimable. Building on the ethics of care literature, I shall briefly point out various kinds of luck easily associated with care, and suggest why they influence our social opportunities as well as the ability to form reasonable life plans and pursue them.

Whether or not we enjoy good caring relationships with others is often important for our ability to create and seize social opportunities. Since for the vast majority of us caring relationships are at the core of our well-being, they partly determine whether we are at our best, physically and intellectually, and in general, whether we have a positive or a fatalistic general attitude. Even deeper, (our history of) caring relationships, particularly with our primary caring figures, is essential for who we are – for how we developed or failed to develop individual characteristics (amongst which intelligence and attractiveness, that, as mentioned, are amongst the factors egalitarians count as forms of brute luck.) Moreover, how we have been cared for arguably has a strong impact on our motivational characteristics – such as curiosity, patience, endurance and trust in our ability to achieve our goals that, in turn, are crucial for our capacity to learn and work and, thus, for our social and economic well-being. Sara Ruddick's work on maternal ethics, which she takes to be a paradigm of early caring relationships, is exemplary in showing why care represents a kind of labor that aims at nurturing individuals and ensuring their physical well-being, intellectual development and proper socialization (Ruddick 1989).

The care from which we benefited does not only represent a form of brute luck, but also a kind of constitutive moral luck.[7] Caring relationships shape who we become morally. Even more specifically, they determine how easy or difficult we find it to be good and this, in turn, can make it easier or harder to be socially acceptable but also to pursue life plans structured by ethical ideals.[8] The feminist ethics of care made it clear how early caring relationships shape moral persons. Close to Ruddick's approach to care is that of Virginia Held.[9] Her work highlights the crucial moral significance of mothering by arguing that mothering is not a merely reproductive activity (as some of the history of philosophy has represented it), but a productive, creative activity. Mothering and the values it generates fall within the scope of morality because mothering creates the (future) moral agent: 'in bringing up children, those who mother create new human persons' (Held 1997, 634). Held shows why human reproduction is a moral and not merely a natural activity. She describes the relationship between parents and children as a paradigm case of moral relationships, because this relationship is, *par excellence*, a situation in which the exercise of power is voluntarily limited by moral reasons. This is the ideal context for learning that might is not right and for trusting other people's genuinely moral intentions: 'Whatever claims a child makes against a mothering person must be based on something other than superior strength, and the child should come to

trust the restraint of one who could – but does not wish to – cause the child harm' (Held 1993, 212). The (lucky) child in relation to the mothering person is permanently in the best possible position from which to recognize that sheer force is not the source of normativity, that power, including the power to teach and enforce a given morality, is not equivalent to morality itself.

Held shows how care and morality are deeply intertwined: the child does not simply learn morality from a parent who explains and illustrates it through moral rules and behavior, which the child is then required to emulate. Rather, parent and child *do* morality together. The nurturing parent and the child are engaged in a relationship that has a significant and dynamic moral component, including negotiating (changing) needs. Additionally, the moral standards of such relationships go beyond duty. The parent has to interpret the needs of the child and meet them, to refrain from an abusive use of his or her superior power, and to be able to altruistically defer his or her own interests if necessary. From the (good enough) parent, the child will learn, through practice, the difference between possible uses of power, between egoism and altruism and between pursuing one's own interests and giving priority to the needs of another. Good enough early caring relationships teach us a sense of justice as well as the importance of the supererogatory.

The work of Annette Baier, as well as that of Held, reveals the ethically formative role of nurturing care. Baier also believes that a comprehensive moral theory has to ensure that 'new members of the moral community do get the loving care they need to become morally competent persons' (Baier 1994, 7). She argues that, in order for individuals to be fair and keep contracts, they need to develop trust. Typically, this happens in the family: the first link of trust is between the infant and her/his primary care-givers. The moral – as opposed to the prudential – disposition of justice can be acquired only by a caring socialization. In the absence of care, community bounds will not be forged, and the person who does not care for her community will lack much of the disposition of justice. Rephrased, this is to say that through care-giving one acquires the virtues of care – for instance, trust in one's fellow citizens. Trust is one example of a virtue necessary for a just society and the process of developing trust is a good illustration of how the work of care contributes to the virtue of justice.

I propose an additional reason why egalitarians should consider care as an important category – and wish that we can all enjoy it equally – which has to do with the influence it has on our ability to design and to pursue reasonable life plans. The ideal of living in a society in which various kinds of resources are justly distributed is considered crucial by the egalitarian project because egalitarianism is based on the moral conviction that all people should have reasonable chances to realize their life plan, i.e., to lead good lives according to their own idea of what a good life is. If it is true that the care we receive, especially as children, and its quality, in many ways determines who we become, then it is very likely that caring relationships also largely determine our ability to *design* a life plan. The reason is that the kind of caring relationships that shape us strongly influence our desires and capacity to know ourselves. Self-knowledge is arguably a function more of care than of any other variable (class, education, intelligence, looks, race, gender etc.). In turn, the ability to make life plans that are reasonable enough, that one can possibly accomplish and

that, once accomplished, will bring satisfaction (as opposed to life plans that do not really suit one, either for reasons of feasibility or adequacy) – are to a large extent a function of self-knowledge.

When care goes well, those who are nurtured by it benefit from good luck, and part of this luck consists in good opportunities to flourish socially and economically. What happens, though, when care goes wrong? How exactly can it go wrong, and what is the relevance of failed care for matters of egalitarian distributive justice? The vast majority of the work on the ethics of care has understandably focused on the virtues of care, and very little so far on its failures. Some of the possible failures have been indirectly indicated while elaborating the virtues of care. Ruddick, for example, gives ample account of the virtues of care, which she takes to be realism, compassion and delight (Ruddick 1989, 98–100). One can read between the lines that lack of realism, insensitivity and indifference are likely to affect the quality of care and bring harm to those who are on the receiving end.

In Joan Tronto's account of care, the main ethical elements of an ethics of care are attentiveness to the needs of others, responsibility, competence and responsiveness of those who receive care to those who give it (Tronto 1993, 127–137). Evidently, lack of attention, irresponsibility, incompetence in addressing needs, or the absence of response and reciprocation lead to failed caring relationships. Even more explicitly, Tronto mentions and briefly describes possible moral risks of care: paternalism, parochialism (paying disproportionate attention to those near and dear and not enough to particularly needy strangers), and neglecting one's own needs to the extent that one accumulates too much frustration and becomes resentful and eventually unable to care (Tronto 1993, 142–145). More recently, new reflection on the harm done in the context – and sometimes in the name – of care has been offered by Nel Noddings and Ann Dillon (Dillon 1999; Noddings 2002). Noddings illustrates what she so inspiringly calls 'pathologies of care' through a reading of Samuel Butler's *The Way of All Flesh* in which a man, whose childhood was marked by his father's cruelty, inflicted on him in the name of care, decides to refrain from raising his own children. He fears he might pass on a legacy of bad care. Dillon tells the story of a boy who, through a process of self-analysis, understands how he is reproducing his father's impatience and lack of understanding in his own relationship with a younger sister.[10]

Overall, however, there is very little feminist literature on bad care – on how it can go wrong and on the consequences of its going wrong on people's opportunities to lead a good life. More specifically, the question of how failed care as a form of brute bad luck should be taken into account by egalitarians is still to be analyzed. I suggest a beginning into this analysis in the next section, by indicating different sources of failures of care – located both at the social and at the individual level.

7.3 Sources of Failed Care

Failed care represents a particularly hard challenge to egalitarian ideals of distributive justice because legacies of bad care are very enduring, and their sources manifold. A first source of failed care is social. One of the aims of good caring (especially,

but not only, when the cared-for are children) should be empowerment, or helping the cared-for learn how to meet their own needs in socially acceptable ways. Trouble arises in societies where this task cannot be pursued without systematically encountering conflicts between the need for acceptability and other needs. For example, a very important need is that of knowing and being able to express one's emotions. But when certain emotions tend to be socially unacceptable parents have the particularly difficult task to teach their children to deal with the socially censored emotions. An illustration is the serious discouragement of women to show anger, and of men to show fear. Parents will often be themselves shaped by social expectations with respect to their acceptable emotions. But even when they are not (because, for example, they are recent immigrants), and no matter how good their personal abilities to care, they will often heed social expectations for the sake of their children's socialization.

This possible source of failed care is suggested by Ruddick's analysis of the three aims of care, which, I argue, can not always be maximized at the same time: the child's physical preservation, development and socialization. One of the hardest dilemmas, according to Ruddick, appears between the aim of fostering the psychological development of the child and the goal of socializing the child. Often, in order to adapt to others and to 'fit' in, children have to respect conventions and practices that curtail their emotional and intellectual growth.

When raising children takes place in deeply unjust societies, care-givers have to yield to unfair, sometimes even cruel, social expectations or else frustrate the aim of socializing their children. Parents who live in societies that impose clear normative models of femininity and masculinity and which in turn impose differential – and often unjust – norms on boys and girls, will have, sometimes to a considerable extent, to treat differently their daughters and sons. Extreme, and thus powerful, illustrations of Ruddick's point could be the practice of binding girls' feet in China to prevent their normal development and thus make them sexually more desirable. How could care be good enough when mothers have to decide between mutilating their daughters or making them non-marriageable and confining them to a life of economic and physical insecurity?[11]

A second social source of the perpetuation of bad care resides in the institutional, rather than in the cultural, make-up of many societies. Particular institutional designs are better or worse at alleviating poverty and, in turn, the quality of care for children is severely jeopardized by poverty irrespective of how good individual parents are. The quantity and quality of socialized care also depends on the institutional design. Whether day care, kindergartens and public schools with after-class programs are available or not, and how good they are, has a strong impact on equalizing children's access to adequate care. Additionally, in many societies work markets and public policies are such that most working parents do not have the necessary physical time to give good enough care to their children. Or else, they need to engage in painful trade-offs between caring well for their children and other dependents, pursuing their professional life and ensuring the minimum free time and resources they need for themselves.

Third and finally, personal histories of bad care, taking the forms of – mostly unconscious – legacies, are probably the most difficult to dismantle. Many parents

are likely to be unaware that their caring is failing, or, if they feel that things went wrong, not be able to know why exactly. Patterns of harmful interaction with people with whom we are intimate are often unconsciously inherited from our own parents and grandparents and passed on to our children.

In the next section I briefly look at different proposals, most of them coming from feminist philosophers, concerning the distribution of care. If followed, some would lead to much more equal access to care than current arrangements. Others would have the effect of improving the quality of care, or even eliminating all but excellent care. Many have important merits, and some are, I believe, absolutely essential for the realization of justice – especially those that aim at turning care-giving into a fairly shared social responsibility. However, even if we were to follow these suggestions (or at least those which are most feasible), we would fail to *ensure* equal access to good enough care or the complete elimination of legacies of bad care.

7.4 Improving Care: Towards Equal Access and Better Quality

Social norms and expectations are a source of moral dilemmas of parenting, and therefore of failed care. Thus, one thing we should do in order to minimize such failures is to take a critical stance towards those social conventions that are motivated by prejudice that stem from histories of oppression. Feminist theorists of care have shown how patriarchal gender norms and practices corrupt care. Changes of social ethos and cultural norms are long-term projects and their success cannot, unfortunately, be ensured by institutional action alone. Such change seems to be a matter of aggregated individual responsibilities at least as much as one of institutional design. Besides, not only those norms that can somehow be connected to unjust expectations are likely to introduce dilemmas of caring, but any norm can, if there is too much pressure to conform, or conflict with the development needs of a particular child. It is unlikely that, even if people were as self-critical as they could humanly become, all social norms and expectations will be eliminated. (Or, indeed, that this would be a desirable consequence, all things considered.)

Fortunately, there are many things we could do at the institutional level, in order to eliminate sources of failed care stemming from inadequate social policies. Here a vast feminist or at least women-friendly literature is available with practical suggestions. A main concern of recent feminist political theory is to show why the work of care, traditionally assumed by women, and relegated by societies to the private sphere, should instead be assumed as a matter of social responsibility. The redistribution of care-giving is a pivotal theme of gender justice and the search for adequate ways for achieving it is currently high on the feminist agenda. The main drive behind looking for solutions of how to turn care into social responsibility is to achieve arrangements that are more just for those who do the work of care. Because, at least in parenting (but perhaps in all caring relationships), the interest

of the cared-for are conceptually and empirically intertwined with those of the care-giver, policies that will advance the interests of care-givers will also be good for the cared-for.

Eva Kittay's *Love's Labor* (1999) shows why Rawls' theory of distributive justice should include dependency in the model of social relationships and take into account its relevance when counting the burdens and benefits of social cooperation. Her argument about what we owe to those who do the hands-on care is built around a view of dependency on somebody else's care as ever-present in human lives. Because dependency is pervasive, care should be recognized as a primary good. However different their life plans may be, all individuals share the need to know that they will be taken care of in times of dependency, and that they will receive adequate social support if they end up in the position of care-givers. Relying on Rawls' understanding of justice,[12] Kittay concludes that the provision of care within society is a matter of fairness and the way in which care-giving is ensured should be institutionally regulated.

What would these regulations comprise? For an answer, one could look at work on gender justice and public policy done by Fraser (1994) and, more recently, Gornick and Meyers (2003). Fraser advocates a model of family-work arrangement that seeks to eliminate the unjust choice faced by most women between family and career, which she calls 'universal care-giver' model. This model has been elaborated by Gornick and Meyers who call it 'the double-earner-double-carer' model, where couples have equal shares in both home-making and career. It seeks to eliminate the current tension between work and family, which would lead to better care in conditions that are gender-just by concerted policy measures. These would comprise the redistribution of the cost of care through adequate public institutions (day care, elderly care, care for the ill and the disabled, full day schools). They also advocate the creation of policies that shape market practices to allow flexible working schedules and high quality part time jobs that do not penalize workers for not fitting into the ideal worker model of the full-time employee with no family responsibilities, and policies to guarantee rights to paid family leaves. One upshot of such reforms would hopefully be the advancing of symmetrical involvement of men and women in child-raising. Apart from improving women's situation and eliminating to some extent gender injustice, such measures would arguably improve a lot the quality of care and disadvantaged children's access to it.

An additional arrangement for redistributing care, with similar consequences, has been suggested, on different grounds, by Bubeck (1999) and Fabre (2006). Their suggestion is that much of the care-giving be socialized by turning care-giving into a duty of citizenship such that all citizens do, for a limited period of their lives, some of the hands-on care. Among the expected consequences is that most individual's care-giving competence would improve and that it would become socially easier to see care-giving as an issue of justice rather than as a supererogatory activity. Undoubtedly, such arrangements would advance the central aim of egalitarian justice as well as of feminist politics. But, if it is true that legacies of bad care are deeply rooted in personal and family histories, and their individual causes are often difficult to grasp, it is unlikely that these policies would ever eliminate serious

failures of care-giving. While the material resources for care-giving – including time resources – can be redistributed, the emotional assets one needs to care well – including having experienced good care oneself – are much more difficult to tackle.

Possible policies to address this issue have been considered. Various countries offer classes to improve parenting (which however many parents strongly resist). Some run public campaigns to promote better care – but, in general, they are aimed at diminishing particularly bad care, such as child neglect or violence against children.

Taking the next step, Hugh LaFolette suggested that natural parents should be licensed in the same way in which adoptive parents are (LaFollette 1980); many will probably find such a measure exceedingly intrusive and patronizing. And, going even further, Lisa Cassidy argued that all apart from potentially excellent parents should abstain from procreating (without suggesting that any legal ban on parenting should be introduced) (Cassidy 2006).

For reasons of space I shall not engage at length here with the above suggestions. With the exception of the last one, which is very unlikely to ever be adopted, I believe they would not, even if successfully implemented, eliminate all failures of care that constitute forms of bad luck. The following section proposes a theoretical analysis of the limits of all policies aimed at equalizing access to good care.

7.5 The Limits to Redistributing Care

The analytical framework for thinking about how to address disadvantage proposed by Jonathan Wolff is particularly useful for understanding the difficulty of ensuring equal access to good enough care (Wolff 2003). Wolff suggests dividing the factors that determine people's opportunities in life into three broad categories: external resources (such as money or possessions); internal resources (such as talent or knowledge); and the social structures and frameworks within which people live (such as laws, traditions, customs, culture, class structure or even town planning). Depending on the particular unjust disadvantage individuals suffer, the aims of redistribution will be either to offer material compensation (money for example) or training in various skills or aptitudes (by providing free education), or to change physical and social spaces to accommodate the disadvantaged (for example, by building special facilities for disabled people).

It is not easy to see how care fits into this division. It is obvious that it is not an internal resource because care is something one receives from others. A more likely category for care would then seem to be that of external resource; but if we place care there, we run into difficulties once again. As long as care is something purely external, without engaging us actively, it lacks the characteristic that turns it into a deep, moral resource. If conceived of as a purely external resource, care fails to address the need for loving relatedness. To be fully effective, care must engage us into taking an active position in the relationship, turning us into care-givers and care-receivers at the same time. In individualized, as opposed to institutional, caring

relationships both persons' needs are at stake because the need for relatedness is central. Some of the best things that result from loving care become part of our identity and thus stay with us even when the care relationship as such does not exist anymore.[13] Many of the benefits of care – including the moral ones – appear only when we are able to internalize the things made available to us through loving care. Through adequate care we develop into mature persons, gain self-confidence and acquire values that guide and support us. And, throughout one's life, one is sustained and motivated by one's own caring for people and things, made possible by good primary caring relationships. (That care does not sit easily with the internal/external resources divide is indicated by the fact that it makes perfect sense to take care of oneself.)

Finally, it is likely that there are important causal links between the social structures and frameworks and how caring a society is (i.e., how much time and other prerequisites people have for developing close, emotional relationships, and how many enjoy these prerequisites). However, for the reasons already mentioned, the issue of care cannot be reduced to some social structure, like a care-giving institution. Care seems to ignore the divide between external and internal resources by involving the care-giver and the cared-for in a relationship that challenges the border between what is 'inside' and what lies 'outside'. This dynamic can be favored, but not determined, by environmental conditions.

When considering how care fits in the internal/external/structural divide, it is striking that whatever it is that people get from caring relationships, it is very unlike other external resources in that it matters enormously who the care-giver is. If I need money, or information, my need can be met by anybody who will provide me with these resources. Even with medical care, or education, it is to a certain extent the same. (In the case of these external resources it matters more how and by whom they are provided than in the case of other resources. The more importance one gives to personal involvement in providing these goods, the more similar they become to loving relationships with respect to how they fit into the internal/external/structural divide). By contrast, the value I receive from potential love or emotional support depends a lot on who the care-giver is. In extreme cases, one may need emotional support but be totally unable to receive it because it comes from the wrong person, at the wrong moment, or in the wrong way. (Think, for example, of young delinquents, unable to trust anyone, who seem to need care more than anything, but who are nevertheless completely unable to accept it).

Why is the value of care so dependent on who is providing it? The answer I suggest is that what we 'get' from loving relationships is part of our self-identity. This, again, is much more true in some situations than in others, and particularly true with respect to primary caring relationships, those very close 'bonds of love' we had as infants and children – or it may be more appropriate to say 'we have been in' as infants/children. Together with a number of internal resources that we receive through other people's care (confidence, sense of self-worth) we also receive from the first close and sustained loving relationships an identity. We learn our first language(s), which helps us map the world, we identify emotions and concepts, we get a foundation of beliefs about ourselves, other people and the world in general,

and values of all kinds. We definitely obtain from the first loving relationships a certain image of, and relationship with, our own body. We continue to embrace or we rebel against this heritage, but one way or another it forms the very essence of our selves. And, possibly, we learn to love and value ourselves because we internalize the love and valuing of our parent-figures.

If we call 'resources' all the things that come to us through loving relationships, what is left of the self that is not a resource? If it makes sense to talk about a self (whatever it is) as distinct from internal resources, then loving relationships determine the medium in which various resources thrive or perish. Loving relationships might be more fundamental to equal opportunity than each individual internal or external resource (although not, perhaps, than structural factors).

To sum up, if it is true that we become who we are with the help of care received in loving relationships, we have a problem in classifying care in any of the categories suggested by Wolff. It is most likely that later relationships have the same kind of contribution to our identity, but that their effect is incremental and therefore much more difficult to pinpoint. On the one hand, care does not fit well in any of the three categories of factors that determine our opportunities in life. On the other hand, as the growing body of literature convincingly shows, care is too important a factor to be ignored. The difficulties of redistributing care come from the inability to place it on any side of the internal/external/structural divide. To the extent to which care is not an external resource (like money), it cannot be redistributed. Inasmuch as it is not a strictly internal resource either, it cannot be trained (like various skills can).[14] And, although structural changes of social practices and institutions can go a long way in helping caring relationships thrive, it is unlikely they can secure relatedness to everyone.

The claim that the lack of caring relationships cannot be redistributed needs of course some qualification; as argued above, there is much we can do in terms of institutional design in order to enhance people's chances to enjoy good care. We can ensure that caring institutions are better able to meet the demand for care and that individuals have more time and knowledge that enable them to care well. The main question is whether these measures can bring us even close to realizing the ideal of equality of good enough care. (Or, indeed, to a less demanding ideal of universal access to good enough care.)

7.6 Conclusions: The Ethics of Care Illuminates the Limits of Ideal Theories of Justice

I have argued in this chapter that by demonstrating how important care is to the creation and development of new persons, a feminist ethics of care poses a serious challenge to egalitarian theories of justice that seek to eliminate or compensate brute luck. This argument supports Elisabeth Anderson's claim that luck egalitarianism is as such problematic as an ideal of justice (Anderson 1999). Luck egalitarianism wants to either eliminate all factors that, due to circumstances beyond an

individual's control, function as obstacles against equal social and economic opportunities, or else compensate for their effect. But, pushing reflection to the limit, one can see that *all* the factors that are outside individuals' control can have, at least in certain causal histories, an important impact on our opportunities. The present chapter has analyzed one such factor whose influence is outstanding: the care one receives especially during childhood.

Even if it were practically possible, would we really want to eliminate or compensate for *all* forms of luck? One has a serious reason to resist a positive answer. If all non-trivial forms of luck were eliminated, so would all sources of surprise, unpredictability and (positive, as well as negative, self- as well as other-) spontaneous development. We could avoid all opportunities-related luck only if we lived in a life that were, in all meaningful ways, predictable. Then the future would, in all non-trivial senses, be perfectly foreseeable and, inevitably, boring. Would we be happy in such a world? Would it even be possible to survive as human beings in such a world?

One response prompted by recognizing how limited our attempts are to nullify luck, even in theory, is to take responsibility as suggested by Card: 'From this perspective, we are likely to think more of taking responsibility than of attributing it.' (Card 1996, 23) The positive conclusion of this chapter is at the level of individuals' ethics rather than at that of institutional design, suggesting that what we need is to connect individual responsibility with the perceived level of having benefited from good care.

I assume that there is only so much that can be done via institutions and policies in order to integrate care and justice and to diminish the risks of conflicts between these two values. In order to address the remaining conflicts – for example some people's lack of opportunities due to insufficient or bad care – we should focus on individual morality. One step towards doing this is by encouraging individuals to acknowledge that luck plays a big role in people's lives even under social arrangements which are as 'perfect' as humanly possible. A second step would be to see how one has benefited oneself from good luck and how, in the specific case of care, one's opportunities and one's ability to make use of opportunities are a result of the good care one has enjoyed. Finally, those who find themselves at the lucky end should acknowledge some moral duties towards those who suffered from bad luck. Inasmuch as care is a form of (good or bad) luck, there is a case for lucky individuals having to do their best to compensate for the misfortunes of those who received bad care or were neglected.

Thus, one's own past experience of having received care can become a source of normativity. This issue has not been thoroughly explored, so far, by the ethics of care but it is not untouched either. As Sara Ruddick and Nel Noddings note, the experience of caring relationships early in life shape both individuals' moral understanding and their moral commitments. The 'memory of our own best moments of caring and being cared for sweeps over us as a feeling – an "I must".' (Noddings, in Ruddick 1998) Equally, 'the memory of our worst moments of caring and being cared for also sweeps over us with a comparable compelling feeling of "I must not"' (Ruddick 1998, 20).

Notes

1. The ethics of care has developed the concept of care to mean different types of things: a disposition or set of dispositions – or virtues – as labor and as relationship. In each case, however, the moral significance of meeting needs is at the core of the feminist ethics of care.
2. Theories of distributive justice can be idealizing in two different ways, both of which are addressed in this chapter. First, they can idealize human nature and relationships, for example by working with oversimplified models. One theoretical consequence would be that bad – as opposed to good, or good enough – care would be easier to identify and correct. Second, theories can be idealizing with respect to what we can achieve by means of institutional and policy design. The two ways are clearly connected: the more one simplifies the models of individuals and relationships, the higher the expectation becomes that they can be regulated *via* institutions.
3. The term has been coined by Anderson 1999.
4. See, for example, Ronald Dworkin 2000. Dworkin also draws a distinction between brute luck – luck to which individuals are subject for reasons beyond their control – and option luck, which is a consequence of individuals' past choices. In what follows, I shall only refer to brute luck, because children are in no way choosing their parents or parenting figures.
5. This quote, in which Rawls comes across as a luck egalitarian, is not necessarily consistent with his attempts at reconciling justice and inequalities of opportunity due to bad luck.
6. Some feminists have claimed that the very attempt to integrate the question of care, or of other kinds of social relations, in the distributive paradigm originates in a misconception about justice. Iris Young (1990), for example, argued that one should not extend the 'distributive paradigm' to non-material goods and, instead, to conceive of justice and opportunity as having a wider scope than distribution. In spite of the merits of this approach, it does not fully address the strong normative intuition that a just world is one in which people do have equal opportunities to a good life, that human relationships, including those based on love and care, shape these opportunities, and that there are many kinds of social action that can increase equality in this respect. To the extent to which theories and practices of justice address issues of domination and oppression – as Young herself proposes – or of good care – as many feminists, including myself, argue we should – these will inevitably also lead to higher levels of distributive justice.
7. The term 'constitutive moral luck', introduced by Bernard Williams, refers to circumstances outside one's control that determine one's (future) moral identity. See Williams (1981).
8. I assume that Aristotelian moral psychology, which emphasizes the importance of upbringing, is correct. Being capable of living morally requires moral dispositions based on habit.
9. This is a recurrent theme in Virginia Held's work, for example in Held 1993 and 1997. See especially Held (1993, 35–38, 43–63, 192–215) and Held (1997).
10. I offer an analysis of Noddings and Dillon and a general discussion on some forms and effects of bad care in Gheaus (2007).
11. The tensions between care and justice, when socialization takes place in unjust environments, extends beyond the issue of gender expectations. Elsewhere I have shown how the practice of private tuition, as it takes place in Romania is an illustration of dilemmas between the aim of developing the personality of one's child in a harmonious and moral way and socializing her or him properly. See Gheaus (2006).
12. John Rawls defines justice as a fair distribution of the benefits and burdens of social cooperation. See Rawls (1972).
13. Object-relation theory made a strong case in favor of this way of understanding the function of care in primary relationships. For an overview on this issue, see for example Jessica Benjamin (1988, 11–50).
14. Perhaps it is worth thinking about an analogy between receiving care and obtaining education, as the latter may also be found to elude the internal/ external divide.

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Chapter 8
The Ethics of Philosophizing: Ideal Theory and the Exclusion of People with Severe Cognitive Disabilities

Eva Feder Kittay

> *What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual. . .. [I]deal theory either tacitly represents the actual as a simple deviation from the ideal, not worth theorizing in its own right, or claims that starting from the ideal is at least the best way of realizing it.*
>
> Charles W. Mills, '"Ideal Theory" As Ideology'

Abstract Care ethics is especially responsive to the actual narratives and practices of care. In the first section of this chapter, I consider why an ethics of care exemplifies a non-idealized ethics. I show that both justice-based theories and care-based theories could be thought of as ideal theory or non-ideal theory—the difference is a question of the point of entry into these theories—but a care ethics is more clearly attuned to the actual practices from which it emerges. In the second section, I consider a brand of philosophizing, exemplified by Peter Singer and Jeff McMahan, that depends heavily on idealizations and hypothetical examples. Insofar as they deal with idealizations, they tolerate empirically inadequate descriptions drawn from stereotype. The misrepresentations justify the exclusion of certain individuals who fail 'to measure up', namely people with severe cognitive impairment from the status of moral persons. The exclusion of this group from the protection of 'moral personhood' comes to seem inevitable, unavoidable, and fully justified only because these philosophers neglect important maxims of responsible, non-arrogant inquiry, maxims drawn from 'best practices' in ethical inquiry and ethical practices. In the final section, I suggest that the omissions and problematic conclusions that result from idealizations are truly *ethical* lapses in the practice of ethics itself.

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8.1 Introduction

Onora O'Neill has criticized idealizations in practical philosophy, particularly idealizations of persons. She writes: 'If the world is to be adapted to fit the conclusions of practical reasoning, and these assume certain idealizations, the world rather than the reasoning may be judged at fault. More concretely, agents and institutions who fail to measure up to supposed ideals may be blamed for the misfit' (O'Neill 1987, 42). As theorists of marginalized groups have demonstrated, whether we make members of the marginalized group in question invisible, or whether we distort and misrepresent the group with false stereotypes, we exclude its members from one's own moral community. There is one theory that I will characterize as a non-idealizing theory, an ethics of care, which in contrast to many ideal theories of justice, is especially responsive to the actual narratives and practices of care.[1] It tries to forgo rigid binary distinctions (including the distinction between care and justice) and remains open to changing contexts of care that require us to consider concepts that have been missing in previous moral theories. Finally, and this may be the greatest challenge, but also the greatest strength of a theory of care ethics, it aims to be inclusive of all and to see the networks of relationships in which and through which ethical norms emerge.

In the first section of this chapter, I will consider why a Care Ethics appears to be an exemplar of a non-idealized ethics, one that is suited to the particularities of the context and the individuals of those affected. In this regard, it appears to stand in contrast to theories that are oriented toward justice and which take ideal theory as their starting point. I shall however argue that both justice-based theories and care-based theories could be thought of as ideal theory or non-ideal theory, but that when we view them as ideal theory what we are really doing is constructing hypotheticals that freeze transitory moments of ethical life and that these 'freeze frames' are drawing upon practices that change with different contexts of moral understanding no less than theories that renounce ideal theory.[2] But a care ethic, insofar as it is a naturalized theory is less apt to fall into the difficulties O'Neill as well as other theorists have pointed out.

In the second part of the chapter, I consider a brand of philosophizing that depends heavily on idealizations and hypothetical examples. Peter Singer and Jeff McMahan are two philosophers whose work I examine here. Both rely on utilitarian arguments of varying degrees of sophistication. For both the interests of sentient beings are to avoid suffering and experience pleasure. But all sentient beings do not have a similar moral status. Some are persons; others are non-persons. This bifurcation of sentient beings is based on criteria of psychological capacities, chief among which is the capacity to reason. Thus nonhuman animals (except perhaps the higher primates), infants, humans with sufficient mental impairment fall into the class of non-persons. Unlike an ethics of care, these theories are not grounded in the practices to which they are meant to apply. Insofar as they deal with idealizations,

they tolerate empirically inadequate description drawn from stereotype. Their misrepresentations are used to justify the exclusion of certain individuals who fail 'to measure up' in the idealized theories of Singer and McMahan, that is, people with cognitive impairment, from the status of moral persons.

The exclusion of this group from the protection of 'moral personhood' comes to seem inevitable, unavoidable, and fully justified only because these philosophers neglect important maxims of responsible, non-arrogant inquiry. The maxims are drawn from 'best practices' in ethical inquiry and ethical practices. I suggest that the omissions and problematic conclusions that result from idealizations are truly *ethical* lapses in the practice of ethics itself.

8.2 An Ethics of Care as a Naturalized Ethics

A good candidate for a naturalized ethical theory is an ethics of care. It is an ethical theory that is being articulated by *critically* examining practices of care. This contrasts with the justice theories that have been formulated by philosophers by deducing principles through sheer rational contemplation, sometimes with hypothetical examples drawn from our imagination or by greatly simplifying possible situations that may arise. The relation of the two types of theories has sometimes been spoken of as a question of scope, that is, as relations between a few intimates, versus relations that hold among many. Sometimes the relation of care and justice has been construed as a matter of domain: a care ethics governs the intimate domain; a justice ethics is appropriate to the public domain. Walker (2003) speaks of care as a foundation for other moral relationships and justice as the pale substitute for the more robust ethical relationships of care. Virginia Held, a moral pluralist, thinks that the different theories each have a role—none are reducible to the others—and each has a domain where that theory is the most appropriate moral theory.[3]

There is, however, an important asymmetry in our use of the terms 'care' and 'justice.' When we say of someone that she cares for another, we might mean that she is engaged in activity or that she has a certain feeling and attitude toward the other. Moreover, neither sense of caring necessarily carries a positive evaluation, moral or otherwise. The care may be of a poor quality: neglectful, perfunctory, overbearing, not sufficiently respectful to the cared for. Or it may be exploitative of the caregiver. But when we say that someone is acting justly (toward another), that is immediately a moral evaluation. Of course when we say of someone that 'she is a caring person', it has a positive evaluation different in content, but not different in kind from 'she is a just person.' This asymmetry in the use of the terms is often accounted for by saying that care is a practice as well as a value (or norm or virtue), while justice is purely a value (or norm or virtue). Another way to express this is to say that care is a naturalized ethics (that is, it is an ethic that grows out of looking at the actual activities and interactions and understands norms to be embedded in the actual), and theories of justice, by contrast, are idealized (that is, they begin by adopting or articulating an ethical norm by idealizing). Ideal theories not only abstract from actual situations, but work with idealizations,

for instance, idealizations of the parties to whom and from whom we are to expect justice and idealizations of how we determine what is just. As Charles Mills writes: 'What distinguishes ideal theory is the reliance on idealization to the exclusion, or at least marginalization, of the actual' (2005, 166). Beings in the ideal universes of the philosophers whom we are exploring are interest bearers rather than mothers, fathers, daughters or sons. Not Black, White, or Brown. And human beings are calculators maximizing their utility—something we know humans are actually not that good at.[4]

Nonetheless at least one prominent care ethicist, Virginia Held, is not friendly to the idea that a care ethics is a naturalized ethics (see Held 2002–2003). She worries that if we do not conceive of a care ethics as first and foremost a normative enterprise, a practice fully infused with values, then, as care is associated with 'woman's morality, it plays directly into the misogynist views of women: that [they] lack "deliberative faculty" (Aristotle) or lack a superego (Freud)' (Held 2006).

Instead, she maintains that justice and care *each* are both practices and values—that the values of justice are refinements of primitive untheorized practices of justice, such as revenge. Theories on this view stand outside the practice itself and are there as a standard, a measure, an evaluative tool that helps a practice develop and evolve into a more moral form. Theories are, on this view, not meant to be responsive to practices. Theories are idealizations that generate the values and principles against which we judge the morality of practices. In the case of justice, the primitive practices have yielded to better practices, for example, the legal, judicial and penal practices, and we have developed theories of justice by which to evaluate such practices. In the case of care, practices have also evolved, but without the benefit of theorizing.

But if, as Held suggests, justice as a practice has evolved as it has *because* of its ethical theory, then the implication is that care as a practice could not have evolved as well as justice has. If, on the contrary, care is no less evolved as a practice than justice is, then moral theory is not necessary to refine or reform practice.

Neither implication seems right. Care may not yet be sufficiently refined as an ethical theory, but its practices are no less ethically evolved than are those practices that presumably are guided by theories of justice. One could argue that practices of care are still more evolved, embodying an ethic still more refined than practices of justice. In fact, I think one can make the case that because the values of care are imminent in the practice itself, there is an evolving but constant calibration that aligns the practice and the values. That is, the values care practices express are closely constrained by the telos of the practice. For example, let us say that we believe in the value of discipline. Yet a child may well not flourish if she or he is repeatedly and mercilessly disciplined for every infringement. Different tacts may be better at eliciting the desirable behavior. Thus rather than merely following a rule that demands discipline X for behavior x, caring practices would encourage deliberating about whether in *this* instance carrying out the rule will actually reflect the *point* of restraining behavior x. If the behavior can be restrained or modified using less coercion in *this* situation then a good caring practitioner will modify the disciplinary action according.

Similarly, we may value freedom, but a child who is given no guidance, no limits and restraints can become a menace to herself and to others. The stops we place on both disciplining a child and letting her do whatever, whenever she likes are constraints of the practice itself. That telos is the rearing of children to be adults who are flourishing and can live in sociality with others. In this sense practices of care need to be, above all, *responsive.* They must respond to the demands of the cared for, the carer and the particularities of caring for *this* individual in a particular time and place.

What then is the point of theorizing care? I suggest that it is to extract 'best practices' and to garner from these whatever we can about how we ought to engage ethically with one another. In the case of justice, it does appear as if theories of justice stand apart from its practices in just the way Held suggests, although I have been suggesting here that this can be as much of a liability as an advantage to a theory.

If both care and justice require values and practices as Held suggests, but contra Held, we reject the supposition that theories of justice help refine practice, but practices of care have yet to be refined by theories of care, then to what shall we ascribe the source of the asymmetry between the terms 'care' and 'justice' to which I alluded earlier? The perceived asymmetry, I suggest, results from different *entry points* into the process of theorizing care and justice. The point of entry for a care ethic is an *actuality*—one party is in need of care and another is in the position to meet that need; in the case of justice it is a *fiction* or *idealization*—a hypothetical state of nature or a universalized set of interests.

These different starting points have implications for the theories themselves. In the case of justice, we construct a fictive account, a mythical or hypothetical original situation, in order to ask how we *ought* to proceed. As the original situation is not an empirical one, the work of theory appears to be relatively unconstrained by empirical reality—it appears that the values that are expressed in a theory of justice derive from a normative source that is sharply differentiated from an empirical reality; that is, they derive from an 'ought.' The *ought* is not (putatively) derived from an *is.* By proceeding in this manner, we can make the case for constructing a theory for the idealized situation. By virtue of this idealization we can *isolate* those values, which we believe should pertain in the real world. Therein lies the rationale for ideal theory.

In the case of care, we begin our theorizing by considering how an ongoing practice *is* executed. When we ask how such a practice *should* proceed, we are inevitably constrained by the empirical reality that already defines the practice. Still to get at the normative core of care we cannot simply accept that *any* care is good care. Such an uncritical acceptance of the existent activities of care would not yield a coherent ethic, a coherent theory, much less a feminist theory. We need only think of the damaging ways women's labor has been extracted and made to appear either 'natural' or sentimentalized as a glorious form of self sacrifice. These practices are not caring practices for the person who gives the care. There are also ways in which some care is practiced that does not feel like caring care. Impersonalized care at a hospital or nursing home may attend to some of the needs of the person cared for, but it does

not deliver the affective component that is often as needed for healing and protecting the dignity of the patient.

We do indeed speak of *good* care, *true* care or *caring* care, that is, care as it *ought* to be. But whence comes this *ought?* Unless we import our norms from somewhere else, which most all versions of care ethics claim not to do, any *ought* that we determine must arise in some manner from the *is* of the actual activities that constitute the practice. This is just to say that a care ethics *is* a naturalized ethics.

An ethic of care is a naturalized ethic on several grounds. First, it is neither abstract nor disembodied: it is an ethics that begins with the reality of caring, with real women (mostly) tending to embodied beings in all their concrete particularity. Second, it is a naturalized ethics in that the source of the normativity is not outside of the activity or practice to which the norms apply. In this sense it is naturalized in much the same way that current philosophy of science aims to be a naturalized theory. As Alison Jaggar suggests, feminists are in fact doing something analogous to the philosophers of science who similarly begin with scientific practice, itself imbued with norms. Jaggar writes: 'Feminist moral philosophers recognize that women make mistakes, just like scientists. . . Therefore, just as naturalized philosophy of science evaluates which practices of inquiry constitute good scientific method, so naturalized moral philosophy engages in normative assessment of women′s empirical practices of morality.'[5] But we need not have an idealized epistemic theory to gather what constitutes good scientific method. Scientists who are engaged in the scientific enterprise determine that. Goodness is judged by the work that the science aims at doing.[6] The point of that enterprise has been variously characterized. For some, it is finding the true laws of the universe; for others, it is finding theories that yield reliable predictions, and integrate data into a coherent picture. If we think of naturalizing ethics in this sense, we can speak of a naturalized care ethics without assuming that the term 'naturalizing' means that caring is any more 'natural' than justice or scientific activity.

I suggested above that the apparent asymmetry between a theory of care and a theory of justice is due to different entry points. That is, when we try to develop an ethic of care we proceed by reflecting on practices of care—we effectively try to derive an *ought* from an *is*[7]; when we theorize about justice, we begin formulating an *ought* which is meant then to apply to an *is*. Can we imagine reversing those points of entry? That is, can we conceive of care theory as ideal theory and justice theory as a naturalized theory? What would doing so tell us about the relationship of practice to theory?

Imagine that we start our thinking about justice by looking at the practices of economic exchanges, the legal system, politics and governance, the various practices that constitute civil society, and global arrangements. We call them all practices of justice even though some, or even very many of these practices fall short of what we want to call 'true justice.' We consider what norms govern the best practices and we call these 'the *truly* just practices.' Certain questions would immediately arise: 'Best practice for whom?' 'As viewed by whom?' 'Best practice in what regard?' Let us say that we settle on the best practices being minimally those in which each individual who is affected by the activities constituting the practice is not adversely

affected and receives the maximum value of that practice, compatible with every other such individual getting the maximum value. We now look at the best, most cooperative, most fair and most workable practices, with the expectation that we will discern which norms and values are operative when things go well. We also look at those who are oppressed by these institutions or 'practices of "justice,"' and ask how (or why) we are failing some, thus failing to deliver *true or just* justice to those persons. We would doubtless come up with many of the same norms that we arrive at from the hypothetical queries: norms of reciprocity, equality, fairness, a respect for another's right to get as much out of the practice as we hope to get, and so on. But we would also see some things that don't arise in the hypothetical case. For instance, we would be face to face with racism, sexism, ablest privilege, etc. We would recognize that these practices are failing to deliver to women, blacks, people with disabilities, and so on, what they hope for from *truly* just practices and just institutions, that is from practices in which all who participate and are affected by them can expect as much good as everyone else whom the practices affect. A practice in question may be governed by law, but that law or its actual functioning serves some better than others. For examples, problems such as rape and domestic abuse continue to be widespread in spite of the legal remedies available. We would have to conclude that either the practice of law is not truly just in these arenas or the legal recourse is not adequate; that the intimate domain in which these abuses occur require other practices of justice to achieve justice in these areas of life. Certainly, we would have to look not only at hypothetical participants or the formal delineation of the law, but at the impact of these practices on actual people. In fact, we do evaluate the adequacy of laws in this way, and sometimes we need serious revisions of our practices of justice to address wrongs.

We may also find norms that we value, which do not emerge when we consider only idealized situations. I believe that trust would stand out as especially salient—imagine any 'justice practices' without some modicum of trust. Yet trust appears to be a very subsidiary norm in many theories of justice—not well explored and either assumed when there is no reason to consider participants 'trustworthy' or neglected altogether. By looking for the main norms of justice practices, that is examining the features of actual institutions that are supposed to offer justice, we see at the same time how these practices fall short. Doing the sort of work that I have merely adumbrated here would be naturalizing theories of justice.

Now let us imagine that we begin our theorizing about an ethic of care through a hypothetical (and the hypothetical I suggest here can have many variants). We imagine a desert island with two human beings, an adult, and at his (or her) feet, an infant—like baby Moses in the bulrushes when Pharaoh's daughter discovered him. This is our original situation. Now in the original position, we posit that each deliberator must imagine that she or he is one of these two individuals, but cannot know which. (. . .sound strangely familiar?) And we ask, what sort of ethic should govern the adult, and what should be the obligations and responsibilities of the infant as he (or she) develops? The deliberators in the original position are then representatives of the individuals in the original situation. How would such a representative want the adult to behave if it were to turn out that she represents the infant, and how

would she want the infant to respond and act as he matured if the representative were representing the adult? Would the representatives choose to be governed by a utilitarian calculus; would it be workable in this original situation? Would the representatives choose Kantian principles? Or would the representatives have to come up with something else, something appropriate to the inequality between the adult and the child, the neediness of the child, the alterations in the child's capacities over time, etc.? Clearly the representatives would not choose egoism, because in that case we can imagine that the adult might just let the infant die. If food was scarce, he might even slaughter and consume the helpless infant.

Nor are we likely to choose utilitarianism. As a developed individual, it may be argued, the adult has many more interests than the just born infant, who may not yet have even developed the self-consciousness needed for interests other than being fed and avoiding pain.[8] In a trying circumstance, a utilitarian islander might well reason that neglecting the infant will, overall, serve to promote much more utility than sacrificing food and energy in the service of the infant.

An ethic of fairness would have a similar fate, for how do you tell an infant that it is not fair to keep your caregiver up all night because you happen to have colic? What can fairness mean between two beings of such disparate needs and power? How could you insist on the sort of fairness requiring equal participants when you might be the infant in question?

As a representative of the infant, we would want the adult to be responsive to the needs of the other; we would want the adult to have cultivated a sense of her or his own good as including the good of the infant because in that way she or he would be most invested in meeting the needs of the infant. In fact, we would want the adult to do more than just meet the infant's material needs, we would want him/her to truly care, to be affectionate, kind, and genuinely concerned about the infant's well-being for the infant's own sake. In this hypothetical, especially if the gender of the adult were put under the veil of ignorance, one would be far less likely to say that the adult would be 'naturally caring,' for a representative of the infant could not responsibly simply count on the adult having these natural impulses.

As a representative of the adult, we would want the infant to develop into a being with the greatest use of her/his capacities so that s/he would develop into a fit companion. We would want the infant to develop feelings of love and gratitude towards us for all our troubles, and to care for us when we got ill or became too frail to manage alone. We would see that some of these could not be demanded of the infant unless we ourselves lay the groundwork for it.

Note that in this hypothetical, the 'relationality' of care is not a given—the found infant and adult have no prior existing relationship, but relationality would still emerge as an important value because of its importance in making the adult sensitive to the needs of the infant and making the infant, as she matures, into a worthy companion.

By beginning with a hypothetical we would presumably not be tied, even loosely, to the *is*, for that *is* may be the adult cannibalizing the infant. The ethic that emerges would look clearly normative and would not look like a 'naturalized ethics.' But, of course, in our imagining we are *in fact* drawing on what we know of practices of

care. Analogously, we are also drawing on what we know of just practices when we theorize justice from hypothetical cases.

These musings support Held's claim that there is only a superficial asymmetry between care and justice—that both are norms and practices. But it also supports both the idea that either or both ethics can be naturalized, that is both can be seen as actually emerging out of and being responsive to a set of practices we actually engage in, and concomitantly that both, when conceived as idealized theories, distort many salient features of the practices, fail to be responsive to others, and miss entirely the importance of certain aspects of care or justice.

I already mentioned how *trust*, whose significance is evident when we look at 'practices of justice', falls away or assumes a peripheral place when theories of justice are idealized. In the mini-idealized theory of care I presented, the ethical dimensions of the larger context of care are left out. The ethical dimensions of a caring relationship appear to be limited to a dyadic relationship between carer and cared for, thereby losing the polyadic relationships that actually characterize caring. A carer requires a larger set of relationships that allow her to meet the needs of one who is entirely dependent on her care. The carer always exists in other relationships, has other obligations, etc. And the cared-for too may have many relationships in which she stands that affect the ethical relationships to her carer(s). Among these relationships are the social and economic class of both caregiver and cared-for. For example, in the hypothetical I introduced, all the power is in the hands of the potential caregiver. The infant and the adult are each stripped of any identifying class or race identity; both are presented as lacking any familial relationships that mediate or modify the dyadic relationship of caregiver and cared-for. Thus seen in isolation, it appears that all the power is in the hands of the carer. But consider the power differences in two care relationships: the first between a wealthy yet frail elderly person and her paid caregiver, and the second the relationship between a parent and a hapless infant. The paid caregiver is frequently from a lower social and economic class than the person for whom she is caring.[9] The caregiver still holds some power over the person in need of care insofar as that caregiver has the wherewithal to grant or refuse aide. But, in most instances, the exercise of such power is checked by the social and economic power of the cared-for, the family, or the institutional setting in which the care takes place. These differences in the way power is distributed have important ethical ramifications. It suggests, for example, that the interests that require protection are not only those of the cared-for, especially as the cared-for is vulnerable to the actions of the carer, but that the carer may need protection against the power of the cared-for (or the cared-for's family or the institutional setting in which she works or all the above).

Similarly the hypothetical abstracts away from any gender relations present in actual care situations. This abstraction may allow us to see that there are dynamics in the relationship that are independent of the gender identities of the participants in the relationship. But these dynamics are at the same time influenced by gender relations in the real world. The fact remains that it is mostly women who give hands-on care, and that women often have to answer to a male authority to whom they are accountable when they give care to a vulnerable person in the male's sphere of

influence. The hypothetical has no way to incorporate the ethical and social repercussions for women in care giving relationships (whether paid or familial).

Just as the lone island inhabitant and a lone babe in the bulrushes is a fiction, so too is a society with only fully functioning, equal, adult contractors. Nor is there, nor could there ever be, any society that even approximates this hypothetical. The idealizations slice off an aspect or moment in ethical life, and take this thin sliver for microscopic investigation, thus revealing features less easily available by looking at the whole context, but also introducing distortions that come from decontextualization and from the investigative apparatus itself. While a theorist may be fully cognizant of the fictive nature of the representation, a full account of the effects of the distortion is required if an idealized theory is not to become, as O'Neill and Mills have dubbed it, an ideology.

An idealized care ethics would suffer from the same difficulties as an idealized theory of justice, even if the idealization highlights certain features of a care ethics. But as a care ethics has in fact arisen from considering the actual practices of care, it acknowledges this tie to those practices. In the case of justice theories, the necessary link between the ratiocination and the actual practices is either submerged[10] or denied.[11] When we place these two approaches to moral life side by side, we see that we probably have lost more insights and encountered more distortions in the latter than in the former. This is not to say that there is *no* value to these hypothetical thought experiments. Insights can be gleaned. But we need to be alert and not be seduced into thinking that they are the distilled essence of either care or justice. The difference in the approaches between care-based theories and justice-based theories, then, is a difference in the attentiveness and responsiveness to the actual and various practices of care and justice, respectively. The detailed working through of justice-based theories may have been facilitated by a 'freeze-frame' approach, but the cost to those whose lives are far from the paradigmatic frames has been substantial. For they have either been excluded, or if included, seriously misrepresented.

8.3 Problematic Inclusion and Effective Exclusion from the Moral Community

When the existence of certain people is ignored in idealized theories the consequence is not simply a theoretical lapse. This lacuna also prepares the philosophical grounds for excluding such individuals from the moral community. When moral theory results in such exclusions we have to ask if the philosophizing itself does not violate an ethic of philosophizing.

We see this exclusion especially clearly when those people who are usually invisible do make an appearance in the theoretical work. Their presence is primarily used to underscore a point, to seal an argument, or to provide a contrast between those within and those outside the scope of the theory. In their role as placeholders rather than participants, as instruments of an argument rather than the subject of discussion, they are invariably misrepresented, and reduced to stereotypes.

Thus, while people with 'normal' characteristics and capacities enter the theoretical stage as idealized versions of themselves, usually featuring selves with all and only desirable characteristics, the others bear all the weight of that which in our human existence is 'abjected.'[12] Women have long complained about their absence or stereotyped presence in such theories, as have people of color and those oppressed because of their gender identities. But the exclusion of people with disabilities, especially those with cognitive disabilities, has, until very recently, gone without comment.

I will illustrate the problematical inclusion of this group in idealized theorizing within bioethics. The work of philosophers Peter Singer and Jeff McMahan illustrate a philosophical strain in biomedical ethics that relies especially heavily on ideal theories of justice, especially utilitarianism. Much medical ethics and bioethics are practice-based. This more practice-based ethics encourages clinical experience (such as participation in medical rounds) and actual case studies. Bioethics is frequently practiced in a multidisciplinary setting that includes scholars of academic specialties other than philosophy, medical practitioners, patients and families. Such bioethics dips into ideal theory when it looks to theory to determine ethical norms. Some bioethics is closer to care ethics insofar as it deduces norms from the practices themselves. But it is the top-down, theory-driven idealized approaches of philosophers such as Singer and McMahan which has gained them acceptance by philosophers who otherwise have been reluctant to acknowledge 'applied' areas of philosophy such as biomedical ethics.[13]

Singer and McMahan are the major proponents of the view that I wish to examine because this view has serious implications for people with severe mental disabilities.[14] Namely, the position that the category of human being is not a morally significant one, and that moral personhood ought to be assigned on the basis of cognitive capacities, as those capacities are determined on a transgenic spectrum, that is, as comparison may be made across species. The case they make for our obligations to animals is tied to the possibility of making such comparisons, and making them intelligible. Therefore their arguments depend heavily on the putative capacities of those who lack what philosophers have presumed to be the central requirement for personhood, the capacity for rationality. As those who will acquire these capacities and those who may have had them at some point, but lost them through accident or disease might be accorded the status of personhood in deference to their past capacities or in anticipation of those that will develop, the hard case is that of those who have never had and never will acquire the requisite cognitive capacities.

Peter Singer focuses on infants who are severely disabled, especially those with severe mental retardation (not those who are beyond the stage of infancy however), while Jeff McMahan considers the congenitally severely mentally retarded (henceforth CSMR) of any age. The examples in their works are meant to establish that our moral preference toward our own species is unwarranted. The point is hammered in by questioning the extension of that preference to whose humans who lack the requisite moral capacities for personhood, and denying that status to animals who supposedly demonstrate higher mental functioning than the impaired humans.

In his book *The Ethics of Killing* McMahan makes the argument that it is less bad to kill a CSMR person than to kill 'one of us'. In the most provoking of Singer's books, *Should the Baby Live?* he and co-author Helga Kuhse state quite baldly: 'We think that some infants with severe disabilities should be killed' (1985).

Both authors set forth their arguments so that the conclusion seems inescapable that some nonhuman animals deserve better treatment than they now do and that some humans deserve treatment on par with animals. I do not dispute the soundness of the moral conviction shared by Singer, McMahan, and others that our treatment of animals, especially those who are our close cousins on the evolutionary scale, is ethically unjustifiable. The moral disenfranchisement of human beings born with severe mental retardation, is however, no less morally repugnant than the moral disenfranchisement of any other group of fellow human beings, whether it serves as a premise or as an outcome of a philosophical argument, and whether or not that argument is used in the service of another morally worthy proposition.

The arguments that lead Singer and McMahan to their conclusions are not free from prejudicial input. The bias enters in through the idealized presumptions that establish the premises and guide the line of argument. Furthermore, by declaring themselves to be engaging only in pure argumentation, they free themselves from the need to be constrained by empirical realities, namely the actual lives of people with severe cognitive disabilities and the fact that some of these speculations can have disastrous implications for those lives—lives of people who are not party to the discussions. The problematic use of idealizations can be found in

1. the ontologies deployed in both sets of writings,
2. the detachment of the theory from empirical data,
3. the willingness to 'go where the argument leads' even when the moral implications of the conclusions are unpalatable, and
4. the use of hypothetical examples which are imported into the theory without considering the methodological distortions inherent in such thought experiments.

The use of such moral theorizing fails to meet the standards of what I would suggest are found in the 'best practices' of ethical inquiry. These 'best practices' are attentive to an ethics of philosophizing. This ethic will be developed in Section 8.4 of the chapter.

8.3.1 Singer's Arguments

Singer's arguments are familiar. He avers that there is no justification for privileging those who belong to a certain group for no other reason than that they belong to that group. Justifying differential treatment based on group membership has, claims Singer, the same logical form as the defense of racism, sexism and other forms of discrimination we reject. Arguments that privilege humans simply because they

belong to the group of humans is speciesism, and is as much a prejudice to be overcome as racism. Instead, if humans have some privileged status morally, it is by virtue of their possession of attributes that turn out to have moral relevance. If beings other than humans possess these attributes, then they too have the same moral standing. Those humans who do not possess these attributes do not share this moral standing. Human animals that do *not* have those attributes have no moral priority over non-human animals. For example, when considering whose organs to harvest for the purposes of organ transplants, Singer argues that to take the life of a 'brain-dead' individual, or an infant who is so severely impaired that it will have very minimal cognitive functioning[15] is morally preferable to killing a perfectly healthy primate or pig for the purpose of harvesting its organs.

To make his argument in its latest version, Singer invokes a provocative example. In *Rethinking Life and Death* Singer asks us to think about a 'special institution' for the retarded that is found in the Netherlands. Here mentally retarded individuals are confined, but live a life without many of the constraints to which residents of such institutions normally are subject. They are free to wander about, free to form associations with one another, even free to engage in sexual activity, and have and raise children when they result from sexual encounters. None of the residents have language, but indicate their desires and wants with grunts and gestures. From Singer's description it appears that they have no physical problems, other than their cognitive deficits. They communicate perfectly well with one another. These residents, he tells us, raise their children, pick leaders, get elderly females to help with raising the little ones. Close to the end of the description he notes that when one of the residents kills another, the death is not treated as would be the death of a non-resident, and the killer is not thought to have done the same sort of injury. This 'special institution' for the retarded, it turns out, is not for people at all, but for Chimpanzees. From the description we are meant to think that the behavior of the chimps is adequate to a description of a group of retarded persons, and so conclude that both populations share the same morally relevant attributes determining their moral standing.

Singer's use of this elaborated image of the 'special institution' illustrates well the features I pointed to above. A hypothetical example, one that is not tethered to any actual circumstance (and how loosed it is from reality will be discussed below), is used to establish an argument that has results we would otherwise find unpalatable, namely that there is no moral difference between humans with mental retardation and chimpanzees. The social ontology underlying the example is one where persons are distinguished by the possession of certain cognitive capacities that make killing them more serious than killing nonpersons. There is little reflection on how the simplifications and representations demanded by a hypothetical of this sort create serious distortions of the reality of people with cognitive impairments, the notion of community and the relationships we bear to people and to nonhuman animals. Finally, his use of the example makes it clear that he is willing to go where the argument leads, even when the results are strongly counterintuitive and would adversely affect the population of human beings under discussion.

8.3.2 Jeff McMahan's Arguments

Jeff McMahan argues in 'Cognitive Disability, Misfortune, and Justice' (1996) (henceforth CDMJ), that those with congenital severe cognitive impairments fall below the threshold of capacities needed for personhood and thus are not subject to the claims of justice. In *The Ethics of Killing: Problems at the Margins of Life* (2003) (henceforth *EOK*), McMahan sets out to determine when and why killing is wrong. He is especially interested in cases where those concerned are ones 'whose metaphysical or moral status . . . is uncertain or controversial.' In contrast to 'them,' there are 'us.' But who are 'we'? McMahan's answers by determining what 'we' are, when we come into existence, and when we cease to exist (2003, vii).

McMahan develops a complex metaphysics derived from the work of Derek Parfit. Here the self we are at any one time is only contingently related to the selves that preceded and that might succeed our present self. To the extent that we can recall previous selves and can anticipate future ones, we are more closely connected to these selves. The more continuity we have to our previous selves and our future selves, the more we can think of our own interests at this moment as tied to the interests of the past and future selves. If we have little continuity with a future self then our current interests have little in common with the interests of that future self. Being able to have that continuity requires, for McMahan, a set of psychological capacities—the ones that characterize us, namely rationality and other higher order cognitive capacities. This metaphysics is then based on the idealization of an 'us'—'us' persons who have rationality and higher order cognitive capacities—and the 'us' is exclusive of all who lack these capacities. Infants and, arguably, those who are congenitally severely mentally retarded (CSMR) lack these.[16] This means that they lack the interests of folks like us, that is to say, persons. In particular, they lack the same sort of interest in not being killed as persons. The CSMR are not persons on at least two counts. First, they fall outside the descriptive bounds of personhood as traditionally philosophically defined. Second, they fail to be persons on metaphysical grounds, which similarly require psychological capacities that they appear to lack. That they are not persons also leads to the conclusion that we treat CSMR as we treat animals. Although this does not comport with common beliefs, McMahan eventually concludes that we have to bite the bullet and accept that those with the same cognitive functioning and psychological capacities should be given the same moral status regardless of their species. This means treating many animals better than we do now and treating some humans worse than we do now. To support the need to accept this counterintuitive conclusion, he makes the following appeal in this remarkable passage, which I quote at length:

> It is arguable. . . that a[n] . . .effect of our partiality for members of our own species is a tendency to decreased sensitivity to lives and well-being of those sentient beings that are not members of our species.
>
> One can discern an analogous phenomenon in the case of nationalism . . . [where] the sense of solidarity among members. . . motivates them. . . . But the powerful sense of collective identity within a nation is often achieved by contrasting an idealized conception of

> the national character with caricatures of other nations, whose members are regarded as less important or worthy or, in many cases, are dehumanized and despised as inferior or even odious. . .[I]n places such as Yugoslavia and its former provinces—the result is often brutality and atrocity on an enormous scale. . . .
>
> I believe our treatment of the severely retarded and our treatment of animals follows a similar pattern. While our sense of kinship with the severely retarded moves us to treat them with great solicitude, our perception of animals as radically 'other' numbs our sensitivity to them. . . . We are not . . . aggressively hostile, . . . we are simply indifferent. But the indifference . . . when conjoined with motives of self-interest . . . involve[s] both killing and the infliction of suffering on a truly massive scale. . . . When one compares the relatively small number of severely retarded human beings who benefit from our solicitude with the vast number of animals who suffer at our hands, it is impossible to avoid the conclusion that the good effects of our species-based partiality are greatly outweighed by the bad. (2003, 221–222; emphasis is mine)

Here McMahan uses the results from a theory whose idealizations are embedded in a metaphysics of the person and follows the argument to wherever it may lead. Where it leads is to the 'impossible to avoid' conclusion that we pamper the cognitively incompetent at the expense of the well-being of non-human animals.

McMahan's indignation at the coddling of individuals merely because they bear the relation of same-species membership to 'us' is palpable. And yet, his own portrayals of the severely mentally retarded are mere 'caricatures' of the 'other,' viewed 'as less important or worthy,' 'dehumanized,' and—if not '*despised* as inferior'—regarded as inferior. Elsewhere I also argue that the analogy is inapt, but I leave that point for the purposes of this chapter.[17]

The moral dangers of drawing lines among human beings, even in the worthy cause of advancing the well-being of animals, are not hypothetical. As Nozick warned in his review of Reagan's *Animal Rights*, it is less likely to bring about better treatment of animals than much worse treatment of humans (Nozick 1983). Furthermore, cultivating moral sensitivity to the suffering of animals is no guarantee that the same sensitivity will extend to the nonperson humans, as we learn from the history of Nazism.

The law for the protection of animals was passed by the Nazis on November 24, 1933, very shortly after they took power. It was a law 'designed to prevent cruelty and indifference of man towards animals and to awaken and develop sympathy and understanding for animals as one of the highest moral values of a people.'[18] The law called on Germans to not regard animals in terms of mere utility. Experimentation involving animals had to avoid causing them pain, injury, or infection, except in very special circumstances, and special authorization was required for the use of animals for experimental or medical purposes. As we learned from the Nuremberg Trials, the same doctors who rendered certain humans as beyond moral protection were filled with noble moral sentiments toward animals. They could not only experiment but could neglect these precautions in the case of those who were outside the bounds of moral consideration. Sensitivity to the suffering of nonhuman animals did nothing to foster sensitivity to the suffering of human nonpersons. In the hands of people less moral than McMahan, Reagan, and other ethicists who hold similar views, the

recalibration of the moral worth of some humans and the moral worth of animals may be at least as pernicious as the nationalism with which McMahan compares the solicitude toward the CSMR.

8.4 The Ethics of Philosophizing and the Best Practices of Ethical Thinking

The exclusion of the mentally retarded from the community of human persons and its moral consequences result, I want to claim, from some highly questionable ways of theorizing. Such theorizing rides roughshod over empirical realities and descriptive adequacy, takes the values of a privileged group as the principal values worth endorsing, and fails to consider the consequences of one's theorizing on those whom the theory deems outside the purview of its principal considerations.

In light of these faults, I want to articulate four maxims that are not heeded in this philosophizing, maxims too easily ignored when we are no longer tethered by the actuality of practices. Two (1 and 4) are maxims of responsibility; two (2 and 3) are maxims of humility:

1. Epistemic responsibility: Know the subject that you are using to make a philosophical point.
2. Epistemic Modesty: Know what you don't know.
3. Humility: Resist the arrogant imposition of your own values on others.
4. Accountability: Pay attention to the consequences that may be implied by your philosophical account.

8.4.1 The Practice of Epistemic Responsibility: Know the Subject that you are Using to Make a Philosophical Point

Let us consider the thought experiment set up by Singer: that of a community of cognitively subpar humans which turns out to be a description of a community of chimpanzees. From the description, we are meant to think that the behavior of the chimps is adequate to a description of a group of retarded persons, and so conclude that both populations share the same morally relevant attributes determining their moral standing. However, the description is suspect because human impairments are multiple and the sorts of deficits in a population of retarded persons would vary considerably. Yet these residents are pretty much alike—function at pretty much the same level—in large measure because they are chimps without the sort of deficits of the severely cognitively impaired human. To borrow from Tolstoy, 'all unimpaired human are alike; all humans with severe impairments are impaired in their own special way.' We can retain some characteristically human capacities and lose

others. What's lost and what is retained determines how much of the scope of human existence we can partake in. Therefore it is most unlikely that one could have a community of humans who all have the same cognitive impairments, all functioning at the same level, and able to function as a human community without the assistance of humans without such impairments—if they could, then they would be capable of the moral capacities of other humans and the last somewhat shocking claim that killing among them would be of no moral consequence would be inconsistent with the premises of the thought experiment. What the example indicates is that the author has a very little knowledge of people with the sorts of impairments he is presumably speaking about. Now this is a thought experiment, and so it can surely include counterfactual elements. What is counterfactual, however, is exactly what is at stake in the example—that is, whether chimps are functionally indistinct from mentally retarded humans. So it cannot be effective in proving that very point without begging the question. As Singer is an astute philosopher, it is probably more likely that he erred in the empirical claims embedded in the example than in the form of argumentation. Moreover, the example *depends* on the reader's ignorance of what mental retardation in humans looks like.

The sense that it is unnecessary to acquaint oneself sufficiently with the empirical realities of mental retardation is still more evident in the work of McMahan. McMahan defines the severely mentally retarded (in a note he excludes the mildly and moderately retarded and those with subsequent brain injury) as human beings 'who not only lack self-consciousness but are almost entirely unresponsive to their environment and to other people' (1996, 5). He also says, 'The profoundly cognitively impaired are incapable . . . of deep personal and social relations, creativity and achievement, the attainment of the highest forms of knowledge, aesthetic pleasures, and so on' (1996, 8).

This is seriously misinformed. Most severely retarded people can speak at least a few words and can be and are involved in activities and relationships. Even profoundly mentally retarded individuals are far from being unresponsive to their environment and to other people. My daughter, Sesha, was diagnosed as severely to profoundly retarded. She is enormously responsive, forming deep personal relationships with her family and her longstanding caregivers and friendly relations with her therapists and teachers, more distant relatives, and our friends. Athough she will tend to be shy with strangers, certain strangers are quite able to engage her. I have written quite a bit about her love of music, especially but not exclusively classical symphonic music, with the master of this form, Beethoven, being on the top of her list. So much for the assertion that persons with severe mental retardation cannot experience aesthetic pleasures!

Since I wrote the article in which I counter McMahan's claims and arguments, I experienced one of the most profound learning experiences of my life. My daughter now lives in a group home with five other people who are all considered to be severely mentally retarded, and have been so since birth. Two of her housemates lost their fathers within the period of a month. One, a young woman diagnosed with Brett's syndrome, would be found sitting with tears streaming down her face after

she was told that her father was extremely ill and would die. In the case of the other, a young man who invariably greets me with a huge smile, I myself witnessed the howling, wailing grief minutes after his mother and sister informed him of the death of his father. He waited till they left before he began his heart-wrenching sobbing. They most likely left not knowing what he had understood, and only learned of his response when they later spoke to the staff. It is not unreasonable, in the case of this young man, that he held back his grief to spare his mother and sister. We are speaking here of the capacity to understand the very abstract concept of death, the death of a beloved person. So much for cavalier claims that the severely retarded cannot form profound attachments.

McMahan has other characterizations of the CSMR. In EOK, he sometimes speaks of them having the capacities of a chimp, in other places maintains that they have psychological capacities equivalent to that of a dog.

I am not going to rehearse the things that Sesha can or cannot do and what a dog can or cannot do. Such comparisons are otiose and odious. They are also senseless, for nowhere do we learn what it means to say that a human individual has *the same level* of psychological capability as a nonhuman animal. What Sesha can do, she does as a human would do them, though frequently imperfectly, but it is humanly imperfect, not canine perfect. However, even with all that Sesha cannot do and seems not to be able to comprehend, her response to music and her sensitivity to people is remarkably intact—or more correctly, quite simply remarkable. What a discordant set of abilities and disabilities she exhibits! This unevenness, a feature of many severely and profoundly retarded persons, is neither evident in the transgenic comparisons of McMahan or those of Singer. Such unevenness is not a feature of the animals with whom McMahan and Singer equate them.

8.4.2 Epistemic Modesty: Know What You Don't Know

What cognitive capacities Sesha possesses I simply do not know, nor do others. And it is hubris to presume. Every so often, I am shocked to find out that Sesha has understood something or is capable of something I did not expect. Although she has consistently been exposed to some of the most progressive teaching available and her gains have been modest, the surprises keep coming. And, as I related above, other people with similar diagnoses keep surprising me and their caregivers. These surprises can only keep coming when their treatment is based not on the limitations we know they have but on our understanding that *our* knowledge is limited. If my daughter's housemates had not been told of their fathers' death, on the premise that they could not possibly understand the concept of death, we never would have known that they could. Matt's response to his father's death was identical to that of any son who learns of a much beloved father's death. The grief expressed was as full and as profound as any I have seen or experienced.

8.4.3 Humility: Resist the Arrogant Imposition of Your Own Values

This humility in the face of our ignorance of what others know and do not know must extend to humility in the face of our uncertainty of what people care about as well. This means that we need to be alert to the possibility that the values we hold dear blinker us and allow us to presume that these values *must* have the same importance for others. To a certain extent such projection, in the face of our ignorance of what another finds salient, may be a gesture of solidarity. To stay with the example at hand, we know that the death of a parent is a momentous occasion in our own lives, and we think that it may be no less so in the lives of people with severe mental retardation. So we conclude that we should at least expose an individual to the fact, and do so in a sensitive manner. In so doing we refuse to distance the individual with mental retardation as an Other who bears scant resemblance to ourselves.

But when we pay little heed to what others have to say about what they believe to be important, create hierarchies in which our own values always trump those of another, unreflectively rely on such hierarchies when we appeal to 'what is evident' or what is 'surely' the case, then we act out of hubris.[19] While, we cannot help but make appeal to our own values and perspectives, we need to pay close attention to the role these are playing and not presume our logical argumentation is untouched by the importation of such values.

When philosophers hold that contemplation is the highest human endeavor or that logical inquiry is the crown jewel of the human mind, they either fail to perceive the source of that value, namely that of a philosophical temperament, or fall prey to a hubris, which takes that which philosophers hold dear to be what all *should* hold *equally* dear. Such projection is disrespectful of the lives of others, or of other conceptions of the good, and is contrary to any liberal principles that maintain the plurality of goods.

Violations of this principle occur in both Singer's and McMahan's work, both of whom place excessive emphasis on the importance of cognitive capacities, and depend on what they take to be self-evident claims that are not at all self-evident. The violation is found in McMahan's presumption, one shared widely among philosophers, that a life without developed cognitive skills is always and inherently an inferior life. McMahan extends this presumption to the life of animals, arguing that they have less good in their lives than we have since they have reduced cognitive capacities. By closing off the horizons of those whose life is not centered on cognitive capacities, we help make a self-fulfilling prophecy of the claim that such a life is a lesser life.

8.4.4 Accountability: Attend to the Consequences of Your Philosophizing

It is ethically irresponsible to fail to consider the real-world consequences of one's philosophical position, especially upon those who are not—and cannot be, in a

crucial sense—a party to the debate. Where there is a danger that some will be harmed if policies based on a theory are put in place, the philosopher must be ready to acknowledge responsibility for these harms, or, better still, reconsider the theoretical options. Clearly philosophers often engage in this sort of reflection; it is part of the practice of philosophizing that keeps it responsive to the actuality of what is being discussed. The method of reflective equilibrium, for example, aims to reconcile philosophical theorizing and common moral intuitions in part because of the possible negative consequences of abandoning common moral intuitions in favor of philosophical theory. McMahan appears cognizant of the potential harm of treating the CSMR as animals, and so is not unaware of the negative consequences of his theoretical conclusions. He weighs the negative consequences for the CSMR against the improvement in the treatment of animals, and, taking into account mitigating factors that allow us to treat CSMR somewhat better than animals, concludes that he is satisfied with the outcome. But this version of 'reflective equilibrium' seems very inadequate.

But how can he seriously suppose that sentences such as: 'allowing severely retarded human beings to die, and perhaps even killing them, are correspondingly somewhat less serious matters than we have believed,' are responsible statements, especially given the history of murder and abuse of this highly vulnerable population? Imagine McMahan the parent of such a child who finds himself without the financial means to save his child because some legislator was responsive to McMahan-type arguments. Could McMahan find this acceptable? If he cannot, can he really allow his own results to stand?

McMahan acknowledges that the line between those who are persons and those who are not is somewhat arbitrary, and that we might want to draw the line so as to offer ourselves maximum protection, but asserts that this argument implicitly acknowledges that there is no difference between the CSMR and animals. It seems to me that what is suggested is not that the line between humans with mental retardation and non-human animals is arbitrary, but that making cognitive capacity the criterion for personhood is arbitrary.

We have seen clearly in the Nazi experience—and it is not only in the case of Nazis—how quickly lines dissolve when someone draws a line between humans who are like us and those who are not—how easily those on the right side of the line pass to the wrong side. We also know that what is a severe impairment and a mild impairment, what is a disability and what is not, is frequently determined by the way in which the persons with impairments are viewed.

McMahan has responded to some of my criticism by saying that he did not intend the term 'CSMR' to refer to people such as my daughter or her housemates; that he was using the term stipulatively.[20] That is, the CSMR are just those people who have just the characteristics he attributes to them—it is merely shorthand for just that description. This he believes leaves him off the hook for the first principle. But if it does, it merely adds weight to the charge that he violates this last principle. To claim that a diagnostic term such as 'congenital severe mental retardation' can be used stipulatively is to ignore the fact of its circulation in medical, treatment, and policy contexts; thus, it is to ignore the consequences of the philosophical

argument on all those who bear that label. And, it lands McMahan with another sort of charge of violating the first principle since this is empirical information it is crucial to have in thus using language. Furthermore, in his 'stipulative definition' he employs all the stereotypes of people who are in fact labeled 'severely mentally retarded' even though these, like stereotypes in general, are based on ignorance, misrepresentations, and prejudice. It is as if I argued for conclusions that supported adverse policies to deal with people who are avaricious, loud, pushy, too smart for anyone's good. For convenience, I *stipulate* that I will call those who fit the description, 'jews.' Now, suppose that a policy maker, influenced by my arguments, then imposes severe restrictions on actual Jews. Can I beg out of any responsibility for this anti-Semitism on the grounds that my use of the term 'jew' was merely stipulative?

Works as apparently rigorous and authoritative as McMahan's, or as seemingly cogent, readable and widely read as Singer's have serious destructive possibilities, even when their motive is a worthy one, to improve our treatment of animals.

8.5 Concluding Remarks: Ethical 'Best Practices'

Granted that it is always important to act responsibly and with some humility, but where, one might ask, do these particular maxims come from? I would suggest that first, they can be traced to certain values within the practice of philosophy itself, even though much philosophizing ignores these maxims. Second, in the practices that constitute our ethical life, acting responsibly and with appropriate humility are among the best of our ethical practices. They are among those 'best practices' that allow us to live together harmoniously. In a naturalized ethics such as care ethics, for example, it is relatively easy to identify each of these maxims in the 'best practices' of the ethical practice of giving care.

Consider the first maxim, *epistemic responsibility.* Philosophy, by many accounts, is concerned with 'truth'. The truth cannot be served if philosophers do not acquaint themselves with the basic facts about the subject under consider. As I have indicated, both Singer and McMahan fail to do so in their discussions of individuals with mental retardation. One might ask, 'Why is such a clear violation of a philosophical value tolerated?' Here a pernicious effect of idealization displays itself. Empirical realities give way to idealized descriptions and 'stipulative definitions,' in order to construct a theory which then can be 'applied' to the real world. But these idealizations and stipulative definitions may well construct a theory that is not applicable, or not applicable to that part of the real world that it purports to cover.

Consider, in contrast, the way in which a naturalized care ethics is theorized. The practice of caring requires attention to the actual condition of the individuals who need care. Broad generalizations and presumptions—such as 'the severely mentally retarded cannot have aesthetic experiences'—cannot be the basis of good care for the severely mentally retarded, since the principal source of joy for many people with cognitive impairments derives from aesthetic experiences. A carer intent on giving good care must reject stereotypes and be attentive to what and how the

person in front of her responds. (Certainly this no less true of health care situations, although practical pressures result in a considerable relaxation of this demand of care.) A care ethic thus expresses the central values of attentiveness and responsiveness to actual conditions, and with that the responsibility to make oneself knowledgeable about the facts on the ground. That is to say, it values epistemic responsibility of the sort that I discuss above.

Not only do we need to be responsible and insure that our philosophizing does not ignore salient empirical realities that are known, we have to be humble in the face of that which is as yet unknown (the third maxim). It seems hardly necessary to remind philosophers of what Socrates taught, that the greatest wisdom is to know what one does not know. Yet idealized theorizing, with its tendency to prefer clear lines of definition and opposition, makes it easy to forget to keep a focus on knowing what we do not know.

Humility in the face of ignorance also reflects a value, one might say a necessary virtue, in the practice of caring. When we presume to know what we don't know we are likely to fail in truly meeting the needs of the one for whom we care. In the practice of medical care, such hubris can easily cost lives.

With respect to the third maxim, we can point out a dominant philosophical position is that of liberalism. Central to liberalism is the recognition of a plurality of goods. This elevates the avoidance of an arrogance of imposing one's own values as the true and sole values to a central precept of contemporary philosophy. Reasonable value pluralism (as distinguished from value relativism, where anything goes) is, if you will, the received view. But philosophers frequently neglect this very maxim by presuming the overriding value of reason.

An antidote for such presumption is found in the very practice of care. Many who need care are not in a position to exercise their rational functioning (to whatever degree they possess it). Yet for the carer who does good care the value of, and respect owed, the person is never in doubt. The very act of care (when it is good care and not a merely perfunctory carrying out of assigned duties) attests to the value we place on the person's life and well-being whether or not they are capable of rational deliberation. Caring for one who is seriously dependent on our ministrations can, however, tempt one to presume to know what is good for another and what is of value. It can tempt us to think that we can (or even should) impose our own view on the other. However, such caring, I maintain, is not respectful caring, caring that respects another's agency. Thus, I believe, best practices of care equally demand that we do not presume that what we value is the only thing that is valuable.[21]

Finally, there is the issue of accountability, the final maxim. Most practices require some accountability. The need for accountability is inherent in any practice, for without it, one cannot guarantee a consistency of standards. This is evident in practices of care. Parents are held accountable for their children's actions when harmful actions were foreseeable and preventable. In medical practice, physicians similarly must be held accountable for foreseeable consequences. Any ethic of care must include the importance of being accountable for what we do.

Yet, philosophical practice has been strangely inattentive to the importance of accountability. In this philosophers appear to take their cue from theoretical science,

in which practitioners claim that they are only after the truth, and if others use their discoveries in a harmful fashion, that is not the pure scientist's concern.

There may be a conceit in philosophy that philosophy is of interest only to other philosophers, thus philosophers need not worry about accountability. Again consider the influence of idealization in philosophy. If one is doing ideal theory, one is not writing about philosophy that can apply in a straightforward way to the world. Another related conceit is that philosophy is so abstruse and prone to misunderstanding and multiple interpretations that the philosopher ought not to be held to account for the misreadings and misapplications. Consider how Socrates was unjustly held to account for his teachings and one sees quickly why philosophers have chafed at the idea of accountability.

Yet people who write about ethics often do want their work to have an impact outside the confines of academic philosophy. Clearly, it would seem, this is true about applied and practical ethics such as bioethics. The particular writings under discussion are a sort of hybrid. Like other bioethical writings they take up issues that are of immediate relevance—questions about euthanasia, the infanticide of neonates, abortion, prenatal testing, the rights of animals. But while most bioethicists who are closely tied to clinical work, these writers develop their positions by deducing their conclusions from theories that are full of idealizations. This hybridity, which partakes in the idealization of much philosophical theory and yet is meant to be immediately applicable, can be quite pernicious when the levels of discourse are not clearly delineated and when the central concepts and conceptions are only loosely related to the facts on the ground.

For instance, when McMahan speaks of the great harm our 'solicitude' directed at the congenitally mentally retarded causes to animals, is he engaged in metaphysical speculation, or is he laying the groundwork for a policy recommendation about the use of public resources? And when he speaks of the CSMR in this context, is he speaking only about those who fall under his stipulation or about people such as my daughter? If he means to speak of those who fall within the limit of his stipulated definition, it is not clear whom these people might be and how much 'solicitude' they receive. If he is speaking about the latter, then it is hard to draw any policy conclusions from this theorizing. If he is speaking of the former, then surely he should be held to account for the foreseeable consequences of such philosophizing. These are real people and the consequences for their lives and those of their families would be profound if an eager young policy maker, influenced by the book, were to implement cost-cutting by slashing funding for the severely mentally retarded.

Biomedical writings, whether of the philosophical sort or the more practice-based sort do have a reach beyond the academic community. And those of us who engage in this work must understand ourselves to be engaged in a practice that holds people accountable for the foreseeable consequences of their writings. By remaining attuned to the practices themselves, I suggest, we are better equipped to accept such responsibility, even when we reach out to ideal theory for guiding norms. But it is still better to do bioethics on the model of a care ethics that finds the guiding norms within the practice itself.

Notes

1. For an extended discussion about the limitations of ideal theory, which I also refer to as 'idealized theory' to form a contrast with 'naturalized theory', see Charles W. Mills (2005). See also, Onora O'Neill (1987).
2. The point is effectively made by Onora O'Neill (1987) and Charles Mills (2005) when they claim that ideal theory ignores the condition of those who are already excluded from justice and really is an idealization of just a few, if at all. My claim here is that many ideal theories of justice, at their best, model only a few practices and thereby exclude many aspects of human life, as the notion of model is defined in John Rawls (1980).
3. For the latest statement of this position see Virginia Held (2005). At the same time, Held believes, within each domain, there is room for other moral considerations, considerations not adequately dealt with by the ethics that is generally applicable. So, for instance, the intimate sphere of the family cannot be exempt from all considerations of justice. Similarly, there are salient aspects of political life—both global and domestic—that do not go well when the care and concern for our fellow citizens, the environment and co-inhabitants of our globe are left out.
4. A large body of work, mostly by psychologists Amos Tversky and Daniel Kahneman attests to our deficiency in calculating risks and potential gains.
5. Jaggar (2000, 464); see also Margaret Urban Walker (1998).
6. In this sense naturalizing science is a project that is allied with, though not necessarily identical to, pragmatic theories of truth.
7. But the naturalizing avoids many of the objections to deriving the is from the ought (which is usually identified as a fallacy, 'the naturalistic fallacy') because it understands practices as already having embedded norms, norms which have to do with the effective carrying out of the practice. Clearly however some judgment (which is not contained within the practice) is needed to determine if the aim of the activity is itself ethical. There may be norms embedded in 'the practice' of thievery. But we can make an external judgment about the ethical nature of thievery itself.
8. For a metaphysical justification of this view of an infant see McMahan (2003).
9. Of course in a misogynistic culture, a female carer, even when she is the mother, has a lower status than a male child. A male child may learn to exercise that power even while the mother is still physically more powerful, knowing well that her physical strength is matched by the backing he receives within the family and the larger society if he wishes to defy her. Note how often punishment is meted out by fathers, who carry the full authority of parenthood, rather than the mother, who is on site to respond to infractions.
10. For an account of the submergence of gender in the social contract see Pateman (1988). For an analogous account concerning race, see Mills (1997). Also, Pateman and Mills (2007).
11. See Kant (2005). Kant, for example, writes that ethics has an empirical part and a rational part. The rational part he calls 'morality' while the empirical part he calls 'practical anthrolopogy' (2005, 50).
12. The concept of 'abjection' originated with Julia Kristeva. She writes, 'There looms, within abjection, one of those violent, dark revolts of being, directed against a threat that seems to emanate from an exorbitant outside or inside, ejected beyond the scope of the possible, the tolerable, the thinkable' (1982).
13. It is noteworthy, for example, that until recently, a premier philosophy department such as Princeton has not offered any course in biomedical ethics and would not even accept a course offered in the religion department on medical ethics to count toward its undergraduate philosophy major. Perhaps because of Peter Singer's leading presence at the Princeton Center for Human Values, the current curriculum does offer a course in Practical Ethics that is co-sponsored by the Center for Human Values.
14. Others who are well-known proponents of variations of this view include Rachels (1990), Regan and Singer, ed. (1989), Tooley (1984).

15. In fact, Singer believes this is true of infants with Down Syndrome as well and their cognitive functioning is generally not minimal. They are usually classified as having mild to moderate retardation. But I put the point this way to put forward what many may think is the stronger argument.
16. 'Congenital' is often added to this list of adjectives characterizing the individuals in question, so as to exempt those who have at some point in their lives been sufficiently cognitively able to fall under the philosophical use of the term 'person.' This narrows the category of individuals whom these discussions concern. However, the concept of 'person' these philosophers favor involves a continuity of mental life that is often disrupted by severe injury to the centers of cognitive activity. It is arguable that the individual in question is no longer the 'same person' and so it becomes mysterious why they ought to have a different moral status than those who were born with the cognitive deficits that they believe disqualify human individuals from personhood.
17. For a fuller elaboration of this argument see Kittay (2005).
18. Telford Taylor, *Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10* (October 1946–April 1949); available from http://www.humanitas-international.org/holocaust/drtrial4.htm.
19. This is fairly close to what Iris Young calls 'cultural imperialism,' which she takes to be one 'face of oppression.' See Young (1990). For a skeptical take on Iris Young's conception, however, see Appiah (2006).
20. Stipulative definitions are another constant in idealized theories.
21. Arrogance in the practices of medicine and healthcare are often easy to detect but can also enter into the practices in ways that are not easily seen. When it does it is deemed paternalistic and currently is not considered to be the standard of (good) care. But aside from the respect we believe a patient is due, a physician or healthcare worker can subvert the very care they intend to give by the often unreflective imposition of their own values, values that may not be shared by their patients or that patients have not been given the opportunity to think about. For two excellent accounts of how medical care is undermined by such imposition, see Feder (2002) who discusses the interaction between parents of intersexed children and their physicians; and Fadiman (1998) for an account of a collusion of values between a Hmong family and well-meaning physicians and the disastrous results for the child.

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Part III
Remaking the Moral and Political Subject

Chapter 9
The Vulnerable Self: Enabling the Recognition of Racial Inequality

Desirée H. Melton

Abstract This chapter is a descriptive account of a disposition that promotes the recognition of racial oppression. Insofar as white supremacy conditions whites to not see racial injustice, they are discouraged from recognizing white racism; as a result, disagreement on matters regarding race and racism often falls along the color line with a typical black view that accounts for racism and a typical white view that often does not. It is therefore unlikely that more evidence will convince whites of the fact of racial oppression. It seems reasonable, then, to turn to the self and reveal what character disposition enables the recognition of racial oppression despite conditioning. I propose that selves who are *dispositionally vulnerable* are able to recognize racial inequality. *Dispositional vulnerability is an awareness of self dependence on others for understanding and respect, and an awareness, in turn, of the other's dependence for understanding and respect*. Whether dispositional vulnerability is cultivated or conditioned, it promotes understanding across group differences like privilege and subordination and contributes to an atmosphere in which people feel compelled to understand and cooperate with one another.

Keywords Vulnerability · Racism · White privilege · Reparations · Racial oppression

9.1 Introduction

There is convincing evidence that racial discrimination is systemic. Housing discrimination continues despite laws banning it,[1] blacks receive longer prison terms than whites who commit the same or similar crimes[2] and black children attend under-resourced schools more often than their white counterparts. Still, many whites deny that racial discrimination is to blame. They instead choose to believe that

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blacks are responsible for making poor choices of where to live, blacks are prone to criminality, and black schoolchildren are lazy or have unsupportive parents. They assert that our society is meritocratic and egalitarian and will concede that at the most, there are unfortunate racist individuals but not systemic racial discrimination. Charles Mills holds that views like these are indicative of a 'cognitive handicap' (Mills 2007, 15) that whites have regarding racial discrimination and oppression such that they are unable to recognize that it exists. Still, there are some whites who manage to avoid the cognitive handicap of white supremacy, or, despite their handicap, do appreciate the reality of racial oppression.[3]

In this chapter I offer a descriptive account of a disposition that I think promotes the recognition of racial oppression. Insofar as the ability to recognize racial oppression is independent of the persuasiveness of the evidence because white supremacy conditions whites to not see racial injustice, it is unlikely that more evidence will bring about recognition. It is reasonable, then, to suggest that the ability to recognize racial oppression lies within the self; that is, if whites recognize racial oppression, they do so because they are dispositionally inclined to recognize it.

I propose that selves who are *dispositionally vulnerable* are able to recognize racial inequality despite powerful white supremacist conditioning that discourages it. *Dispositional vulnerability is an awareness of self dependence on others for understanding and respect, and an awareness, in turn, of the other's dependence for understanding and respect*. Thus, I advocate rescuing vulnerability from its negative connotations of weakness and helplessness by claiming that being vulnerable is a desirable disposition because, as it encourages understanding across difference, it encourages the recognition of systemic racial oppression.[4]

9.2 A Matter of Perspective

In a lifetime we are presented with a dizzying amount of information that we must sift through and judge whether to discard or accept. What we decide to believe and what we decide not to believe will be colored by how we have been conditioned to judge. In a society ordered under patriarchy and white supremacy—structures of dominance—those in privileged positions will suffer from blindness to their privilege and others' subordination.

Feminists have long noted that patriarchy makes it difficult for males to see their privilege. In this way, males can be said to be cognitively disabled in matters concerning gender oppression. But even if men do acknowledge the existence of gender oppression, they may be unwilling to acknowledge their role in gender inequality. In other words, men may concede that gender oppression exists, but will not concede that they benefit from it in any way. Peggy McIntosh opens her famous essay 'White Privilege: Unpacking the Invisible Knapsack of Privilege,' (McIntosh 1989) by describing her experience with male students in her women's studies class. Not surprisingly, some men denied the existence of gender oppression, but among the ones who did not, some were unable (or unwilling) to see their own role in gender oppression, how they personally benefited from gender privilege. The experience

led McIntosh to realize that she too missed the ways in which she benefited from privilege—not gender privilege but white privilege. Indeed, her essay shows how white privilege often goes unnoticed by whites while underprivileged blacks easily recognize it.

Feminist philosophers like Sandra Harding, Nancy Hartsock and Alison Jaggar (Harding 1986, 1991, Hartsock 1983, Jagger 1983) have argued that one's social location (standpoint) affects one's knowledge claims. Historically, claims about 'universal' truths have been made by men from their privileged locations, yet they supposedly speak for all of us, including underprivileged women and blacks. The notion that men could speak for everyone comes from a patriarchal social structure in which men hold the only position from which true knowledge can come—the only position that counts epistemologically.

As feminists argue that patriarchy hides gender oppression from the gender privileged, so critical race theorists have argued that white supremacy effectively hides white privilege. Part of the difficulty in persuading the unpersuaded is that antidiscrimination legislation obscures the reality of gender and racial oppression. Because it is against the law to discriminate on the basis of gender or race, whites and men are encouraged to see sexist or racist behavior as anomalous or a matter of individual racism or sexism rather than systemic gender and racial discrimination (Pateman and Mills 2007).

Mills asserts that 'white ignorance' (Mills 2007, 15) is a phenomenon of white supremacy that poses a serious obstacle to seeing racial injustice. It is a handicap that whites are encouraged to maintain all their lives. This cognitive disability is to blame for opposing perspectives between white cognizers and black cognizers resulting in a typical black view and a typical white view.

> . . .*white misunderstanding, misrepresentation, evasion, and self-deception on matters related to race* are among the post pervasive mental phenomena of the past few hundred years. . ..requir[ing] a certain schedule of structured blindness and opacities in order to establish and maintain the white polity. (Mills 1997, 19; emphasis in original)

Whites, he points out, '*mis*interpret the world' and 'learn to see the world wrongly' (Mills 1997, 18). The problem is a problem of cognition and knowledge where, because of white supremacy, whites have incorrect knowledge of social realities like racial oppression and will often go to shocking extremes to deny what seems obvious to blacks.

Others have noted the discrepancies between white cognizers and black cognizers. Mills notes that David Roediger

> [U]nderlines the fundamental epistemic asymmetry between typical white views of blacks and typical black views of whites: these are not cognizers linked by a reciprocal ignorance but rather groups whose respective privilege and subordination tend to produce self-deception, bad faith, evasion, and misrepresentation, on the one hand, and more veridical perceptions, on the other hand. (Mills 2007, 17)

Mills asserts that cognition will improve if 'cognitive practice' improves, resulting in a 'practical payoff in heightened sensitivity to social oppression and the attempt to reduce and ultimately eliminate that oppression.' (Mills 2007, 22)

Improving cognition will be quite a task for those who have been socialized and conditioned to construct a false reality and ignore accounts that counter it.

> Inference from perception. . .will be founded on testimony and ultimately on the perceptions and conceptions of others. The background knowledge that will guide inference and judgment, eliminating (putatively) absurd alternatives and narrowing down a set of plausible contenders, will also be shaped by testimony, or the lack thereof, and will itself be embedded in various conceptual frameworks and require perception and memory to access. . .[Testimony] will have been integrated into a framework and narrative and from the start will have involved the selection of certain voices as against others, selection in and selection out. . .at all levels, interests may shape cognition, influencing what and how we see, what we and society choose to remember, whose testimony is solicited and whose is not, and which facts and frameworks are sought out and accepted. (Mills 2007, 24)

Here I will discuss two contentious topics, one a historical plea for justice and the other a contemporary tragedy, that highlight perceptual differences between whites and blacks about racial inequality.

9.2.1 Traditional (Dysfunctional) White Cognizers and Racial Reparations

Every so often the topic of racial reparations for American slavery in the form of financial compensation, education programs, business subsidies (and others), finds its way into the national spotlight. Whites who are opposed to the idea of financial compensation quickly point to the implausibility of compensating people who have not been directly wronged by American slavery. After all, they point out, no one alive today was ever a slave or a slave master. Derrick Bell notes that '[h]idden by the often-outraged opposition to reparations is the fact that this country compensates for generalized loss all the time' (Bell 2004, 73). Bell identifies four general arguments for reparations:

> (1) slaves were not paid for their labor over two hundred years, depriving their descendants of their inheritance; (2) the descendants of slave owners wrongfully inherited the profits derived from slave labor; (3) the U.S. government made and then broke its promise to provide former slaves with forty acres and a mule; (4) systematic and government-sanctioned economic and political racial oppression. . .excluded them from sharing in the nation's growth and prosperity. (Bell 2005, 73)

Opponents of reparation ask, 'What are forty acres and a mule going to do for anyone these days?' and 'How do we go about locating and paying all of the descendants of all slaves?' Rather than spending time to linger on the arguments themselves and coming to terms with what they represent,[5] in knee-jerk fashion, opponents dismiss reparations (financial and otherwise) as an outdated and impossible project to carry out. When whites take this position, it is upsetting to blacks. It is reminiscent of the era of segregation where whites (sometimes well-meaning whites) urged blacks to drop attempts at integration, not because they were against it, but because it would take too much effort and was just too hard for whites who were used to segregation to adjust to.[6]

Robert Gooding-Williams asserts that the gap between the 'black view' and the 'white view' could be narrowed with multicultural education.

> [W]ere. . .whites to learn something of American racial slavery and of its impact on African-American life, they could begin to see that the argument for reparations is plausible and begin to share with the African-Americans who advance that argument a common moral ground for further deliberations. . .through the study of African-American social history, they could begin to acknowledge the cogency of the considerations in light of which many African-American black persons, in reflecting on that history, have insisted that being black in America involves collective injustice. (Gooding-Williams 1998, 20)

I agree with Gooding-Williams that exposing whites to black social history through quality multicultural education curriculum could lead to whites acknowledging the reality of racial inequality. Certainly whites (and blacks) could benefit from more education on black history. However, given white supremacy's legacy of white denial of racial injustice, I think that unless whites are dispositionally situated to take up information that requires them to give up their denial, whites are unlikely to do so. If whites are invested in evading racial oppression, presenting more evidence, information, and narratives is unlikely to provide the impetus for them to acknowledge it. Thus, whites will accumulate more information but there is no reason to believe that the information will be accepted.

9.2.2 Traditional (Dysfunctional) White Cognizers and Hurricane Katrina

The horror of Hurricane Katrina brought to the fore the relationship between generational poverty and racial inequity. When the storm struck in August 2005 many black families did not evacuate even though authorities issued credible warnings of impending floods. The national discourse soon broadly divided into two camps. In one camp were those who believed that the people who stayed in New Orleans did so because they did not have a *choice* to leave. They understood that the legacy of racial inequality severely limited people's ability to escape such that they *could not* leave. Having no savings to draw from, no investments to cash in, no car to drive away in, no credit cards to pay for a hotel, and no extended family economically able to help, they remained.

In reality, racial oppression is to blame. Because of discrimination and the legacy of racial inequality, blacks are more likely to take out large loans to attend college, to pay a higher interest rate for cars and homes and financially support other family members. These factors limit one's ability to accumulate wealth. In contrast, many whites have parents who pay for college so that when they graduate they hold little to no debt. Their parents help them with a down payment on their first house (perhaps with a home equity loan from their own home). Meanwhile, more blacks rent than own homes but if they do own they are more likely to have a mortgage with a high interest rate leaving them barely able to make the payments much less take out an additional loan. Or they may live in a neighborhood where houses do not appreciate

much limiting the amount of equity they earn on their homes. Families draw on home equity to finance college, buy cars, and make investments. A household's wealth is primarily determined by the amount of home equity accumulated. If wealth is a good indicator of future success, and economists and sociologists suggest that it is,[7] then the future looks dismal for many black families.

The other camp—mostly white—drew a very different conclusion about the disproportionately large number of blacks who remained in New Orleans after the hurricane. To them, stubbornness and stupidity, perhaps combined with poor financial choices were to blame. Tyrone Forman and Amanda Lewis, in 'Racial Apathy and Hurricane Katrina: The Social Anatomy of Prejudice in the Post-Civil Rights Era' (2006), suggest that 'racial apathy' among whites explains why so many believed that blacks were responsible for their lot. Forman defines racial apathy as 'an indifference to societal, racial and ethnic inequality and lack of engagement with race-related social issues' (Forman 2004, 44). And contrary to popular thought, they point to an increase in racial apathy[8] rather than a decrease. Apathetic whites feel that blacks are inferior to themselves and/or express ignorance about racial inequality. Racial apathy led many whites to see the Hurricane Katrina survivors not as victims but as irresponsible (and therefore responsible for their situation). Not surprisingly, these same whites are opposed to black federal assistance like reparation and affirmative action (Forman and Lewis 2006, 186).[9]

This interpretation misses the reality of the legacy of long-standing racial inequality. If one takes into account that many of the people who stayed had no car to carry them to safety, no bank account from which to withdraw cash, and a lack of other critical resources to draw from in times of disaster, then it is easy to see that stubbornness and stupidity did not keep blacks in New Orleans, but rather a systemic lack of means. Even in cases where homeowners had the ability to leave, they may have been reluctant to do so if, lacking other valuable possessions, their one source of wealth was their home. The reluctance itself can be understood as having a structural basis.

9.3 The Vulnerable Self

Being vulnerable usually denotes a negative state that we would want to avoid. Most of us would not want to seek out a state of vulnerability because being vulnerable means that we are in danger, helpless, or weak. In what follows I argue for vulnerability for blacks and whites as a positive state or disposition of openness and exposure to others that can promote understanding across difference.[10]

Vulnerability is (a) recognizing one's dependence on others for respect and understanding and (b) recognizing others' dependence on oneself for respect and understanding. The vulnerable self, then, is existentially aware of self and other dependence for respect and understanding. The ability to possess the first component, recognizing one's dependence on others for respect and understanding, is an exercise in humility because one recognizes and internalizes how one needs others. The ability to possess the second component, recognizing others' dependence

on oneself for respect and understanding requires one to de-center the self in the interest of others.

As a structure of dominance that affects how honest one will be with oneself and how responsive one will be to others, white supremacy affects how vulnerable the self will be. I stated earlier that white supremacy confers privilege on whites that often blinds them to realities that others experience. Vulnerability, then, will be easier for blacks to achieve because of their subordinate status and will pose a challenge for whites to achieve because of their privileged position.

9.3.1 Black Vulnerability

Developing a positive notion of black vulnerability that is sensitive to black oppression is tricky—claiming that there is anything beneficial that results from oppression is problematic. Some may see it as ignoring, romanticizing, or failing to appreciate the horror of oppression. However, in noting a positive dispositional ability that results from underprivilege, I am neither supporting oppression or arguing in favor of it. The kind of vulnerability I'm describing should not be confused with vulnerability in general usage, i.e., susceptibility to harm. White racism and oppression certainly makes blacks susceptible to harm and this is precisely the kind of vulnerability I am not arguing for. I am describing a *dispositional* vulnerability of openness and exposure to others for understanding and respect that blacks are generally more familiar with than whites because of their experiences with discrimination and oppression. Put another way, because of underprivilege, blacks are already primed to attain the first component of vulnerability which fosters an ability to meet the second component.

Conceptually, black vulnerability is problematic. Vulnerability is a desirable disposition of openness and exposure, but white supremacy can lead blacks to have an unhealthy relationship with whites where blacks are overly dependent on white validation. Thus, the legacy of white supremacy's violence to the black psyche may make blacks too vulnerable in this sense, where they try to make sense of their own oppression and 'understand' racial inequality. With black vulnerability, then, the risk lies in being *too* exposed and open such that one attempts to understand what perhaps should not be understood and not withdrawing respect when one should.[11] Mills notes that 'power relations and patterns of ideological hegemony' (Mills 2007, 22) mean that along with whites, some blacks will also suffer from 'white ignorance.' I suggest that ideological hegemony will have some blacks believing (and supporting) the hype of white superiority by privileging white respect and understanding over blacks. Here we have a danger of vulnerability: one can be too vulnerable in ways that damage the self. But vulnerability is not at fault—white supremacy is. Because blacks have lived it, blacks are able to meet the first component of vulnerability: the recognition of one's dependence on others for respect and understanding which sensitizes one to others' discrimination and oppression. In what follows, I give an example that illustrates how the experience of oppression can prime one to recognize other kinds of discrimination.

In the spring of 2004, the state of Georgia tried to push through a constitutional amendment banning same-sex marriage. A group of black members of the House of Representatives, most of them deacons and ministers, stalled the amendment. Even though they were strongly against same-sex marriage (in fact most of them already backed the state's law against it), they were against amending the constitution because they did not want to 'restrict the aspirations of a group of people.' (*NYT*, March 3, 2004) Representative Georganna Sinkfield of Atlanta said, 'What I see in this is hate. I'm a Christian, but if we put this in the Constitution, what's next?. . .You're opening the floodgates for people to promote their own prejudice' (*NYT*, March 3, 2004). This case demonstrates understanding across difference in that when one has suffered from discrimination it becomes easier to recognize it. To do so, they had to subordinate their own interests and beliefs to respect homosexuals enough to try to understand their call for justice. And they succeeded. They proved that they 'know discrimination when they see it.'[12] As Seth Kilbourn of the Human Rights Campaign noted,

> At the national level and in states like Massachusetts and Georgia, African American leaders have been pretty clear in their opposition to these kinds of constitutional amendments. No matter how they feel about marriage for same-sex couples, they don't want to write into our governing documents laws that treat one group of people different from another. They've seen this country go down that road before. (*NYT*, March 3, 2004)

To be sure, some representatives were against it for self-interested reasons. Some members of the Legislative Black Caucus saw it as a bullying tactic on the part of conservative Republicans and dug in their heels to prevent the Republicans from riding on their coattails to a large turnout during voting season (*NYT*, March 3, 2004).

Their recognition is not unflawed, however, given that they did support the state ban against same-sex marriage. Possibly, they saw the battle for same-sex marriage in Georgia as futile given its history as a very conservative state. Or perhaps they saw it as a politically savvy move, supporting the state ban against same-sex marriage that is more vulnerable to being overturned by a judge while blocking a constitutional amendment that is far more difficult to repeal. What does seem clear, though, is that the 'state′s Legislative Black Caucus has largely come to see [a constitutional amendment against same-sex marriage] as denigrating a minority.' (NYT, March 3, 2004) Some of the representatives who were polled were vehemently opposed to any comparison of the fight for same-sex marriage equality to the fight for black civil rights but most of the black legislators who opposed the amendment, 'compared the resolution to laws that once restricted the lives of blacks' (NYT, April 1, 2004).

Although imperfect, the black legislators responded as vulnerable selves, exposed and poised to understand the plight of others across difference—no small feat considering that homosexuality and same-sex marriage deeply clashed with their religious beliefs. They recognized the proposed constitutional amendment against same-sex marriage as discriminatory because they were conditioned to see discrimination by virtue of their own experiences with it; they were better positioned

to 'know.' Through their recognition of their own dependence on others for respect and understanding, they were able to see that others are dependent on them for respect and understanding.

Religious beliefs presented a challenge to black vulnerability and recognition across differences and would surely present a challenge to white vulnerability as well. But there is another, perhaps more pernicious impediment that will tend to make one invulnerable to others—privilege. Privilege due to gender, race, sexuality, or social class can be a stumbling block to recognizing gender, racial, sexual and class discrimination and oppression.

Black women experienced how privilege confers blindness during the Civil Rights Movement when black men overwhelmingly expected women to take on supporting roles rather than be a part of the movement themselves. Subordinated by race, black men are privileged by gender and often blind to the sufferings of black women who are subordinated on both accounts. Black men have expected black women to put their feminist concerns aside for the 'larger' struggle against racism. Black women who refuse to give primacy to the fight against racial domination over gender domination are seen as enemies to the black struggle—insofar as black men view the black struggle as a struggle for black men. Called militant, traitors, and man-haters, black women quickly discover that racial solidarity is no match against gender privilege. White supremacy as a structure of dominance is complicated by the intersectionality of gender domination. In Mills' words, '*nonwhite men get to be white supremacists too*, at least with respect to nonwhite women' (Pateman and Mills 2007, 191; emphasis in original).

Thus, where one is positioned in the race/gender hierarchy will affect how vulnerable one is to others. Subordinate by race and gender, black women do not have a stake in not seeing things as they are. They 'have no vested interest in privilege, which does not, of course, mean that their cognitions will automatically be veridical, but means that they will have no group interest, as others do, in getting things wrong' (Pateman and Mills 2007, 191). Black women, located at the bottom of the race/gender hierarchy, at the intersection of underprivilege, will be the most open and exposed to recognizing oppression and discrimination in its other forms. Yet, because of their subordinate status, black women 'will find it more difficult to speak in the first place, and more difficult to be taken seriously even when they are heard (if they are)' (Pateman and Mills 2007, 191). Those who have been socialized and conditioned to invulnerably not see or know will have to work harder to recognize oppression.

9.3.2 Challenges to White Vulnerability

Whites enjoy 'accidents of birth' (Bartky 1999, 35–36). This means that whites are given the benefit of the doubt; seen as a smart, knowledgeable, trustworthy individual with an agreeable disposition. For the most part, I am oversimplifying white privilege by abstracting away from class, gender, and sexual orientation to

highlight the differences between blacks and whites. Still, it is important to note that white supremacy does not confer superiority equally. Gender, sexual orientation, and social class will affect how privileged one is, and, accordingly, how dependent one will feel on others for respect and understanding. Whites in lower social classes, white women, and white gays and lesbians are not privileged in the way that white, upper class, heterosexual men are.

Heterosexual white men will be less inclined to look to others for respect and understanding than, for example, white women and white gays and lesbians, because they occupy the most privileged position in the race, gender, and sexual orientation hierarchy. Privilege means that they do not have to. Not only will they fail to see others as mutual dependents for understanding and respect, but they will also fail to see race and gender dominance. They will, as Mills states, 'be most susceptible to the delusions of race and gender ideology, since they have the greatest stake in maintaining the structure of illicit benefit and exploitation' (Pateman and Mills 2007, 179).

One would expect that white women, subordinated by gender domination, would be more sensitive to other forms of domination, like racial and sexual domination. The exclusion of nonwhite women by white women from both the first and second wave feminist movements, however, shows that white superiority often trumps the bond of sisterhood against gender subordination. At the intersection of race privilege and gender subordination, white women occupy a contradictory position. They are, in Mills' words, 'subpersons' (subordinate to men due to gender) and 'subcontractors' (superior to nonwhites due to race).

> [in the racia-sexual contract] one has simultaneous insight and sightlessness. . .contradictorily located, [white women] are subpersons with respect to the white male, but are nonetheless superior to the different variety of nonwhite male subpersons, and certainly to the nonwhite female nonpersons. So while they may be objects for the subjecthood of the white male contractor, *they are nonetheless subjects and subcontractors in their own right with respect to nonwhite men and women.* (Pateman and Mills 2007, 179, my emphasis)

The first component of vulnerability, recognizing *one's dependence on others for respect and understanding*, will then be difficult for whites to attain—even those one would expect to be more sensitive to oppression and discrimination (white women, poor whites, gay/lesbian whites)—because whiteness handicaps them epistemologically—even if they have other sorts of epistemic privilege.

The second component, the ability to recognize *others' dependence on oneself for respect and understanding*, will also be a challenge for whites. White supremacy confers privilege, but as I stated earlier, it also leads many whites to be cognitively deficient about racial inequality. In order for whites to see the reasonableness of reparations for American slavery, for example, or how the legacy of racial inequality left many blacks behind when Hurricane Katrina hit, or how blacks are not prone to criminality but rather the legal system is prone to racism, the ability to empathize with blacks is necessary. Feeling empathetic toward blacks about racial oppression will require them to de-privilege their own privileged experience and (imaginatively) replace it with the underprivileged black experience.

But if white supremacy discourages whites from thinking of blacks as fully human equals it is difficult to see what would motivate whites to empathize with those who challenge the very structure that affords their privilege and fosters apathy rather than empathy.

9.3.3 White Vulnerability

I argued above that whites are encouraged to not be dependent (or deny that they are dependent) on others for respect and understanding. White supremacy also discourages them from empathizing with victims of oppression because that would require them to acknowledge their privilege. Still, some whites actively work against their privilege. Abolitionists and race traitors belong in this group. Why are some whites able to see the reality of racial oppression? Understanding across very different social locations is a great challenge. As Mills notes, 'When the individual cognizing agent is perceiving, he is doing so with eyes and ears that have been socialized. Perception is also in part conception, the viewing of the world through a particular conceptual grid' (Mills 2007, 23–24).

How we are disposed to others—our disposition—is a part of our socialization and also affects how we cognize and perceive. Disposition, then, is a part of our conceptual grid through which we view the world and will influence how responsive we will be to another's situation, and/or suffering. Thomas Hobbes sees us as mutually vulnerable in that we are all susceptible to harm from others (Hobbes 1982) but that is just one side of the story. The other side is that we are also mutually dependent on one another. No doubt luck plays a part, but we could not do well in school without good teachers who cared about our progress, we could not recover from misfortune without family or friends or companions to help us through, we could not succeed in our careers without good mentors. The fact is that we need each other more than we ever let on.

Rather than recognizing our susceptibility to harm and then taking measures to protect ourselves against it, per Hobbes, why not recognize our mutual dependence and then feel an obligation to understand others? If people focus on their susceptibility to harm, they may (unjustly) mobilize against others whom they perceive to be most harmful even if they are not (under white supremacy the most harmful group is black men).[13] How we feel toward others, then, whether we feel pulled to recognize others' dependence on us for respect and understanding or whether we feel disconnected due to overprivilege, will guide our responsiveness.

Milton Fisk holds that a mixture of social feelings like 'sympathy, compassion, and benevolence' (Fisk 2007, 123) toward others when they suffer and 'outrage, mistrust and disillusionment' (Fisk 2007, 123) at people and institutions that cause the suffering, can foster a moral orientation that motivates cooperation with others.

> A mixture of social feelings of both types [compassion and outrage] serves to motivate important social tasks—defining problems, uniting people, setting goals, and implementing them. The identification with others coming from these feelings lays the basis of working together with them on social tasks. (Fisk 2007, 124)

Fisk is concerned with making socialist morality transparent and showing its opposition to capitalism yet I think he invaluably shows how the ways in which we identify with others, the feelings we have toward others, can motivate cooperative behaviors. He argues that if we locate ourselves dispositionally within a community of dependent others, then we will feel morally pulled to help. He asserts that we should focus on what feelings generate in us a sense of being responsible for helping others.

9.4 Vulnerability: Enabling Understanding Across Difference

Recognizing others' dependence on us fosters a way of being that promotes understanding and cooperation. Looking upon the other not as a potential danger but as a human with the same dependencies and vulnerabilities (in my sense, not Hobbes') as oneself advances humanity because it promotes dignity. Vulnerability promotes dignity because recognizing another's lived experiences and appreciating their worth enriches one's own view and affirms the dignity of oneself and others. Actively going about in the world open to and with a desire to understand others' experiences is praiseworthy. It is not meant to take the place of active work against oppression—which is vital if racial oppression is ever to be eliminated—yet its worth remains even if no measurable action is taken because of the social feelings and relationships it encourages.

Although in this society we are encouraged to believe that we are autonomous beings who make it on our own, humans are far from being autonomous.[14] We are social beings who need to interact with others and interacting with others makes up a large part of our lives. Most of our interactions require that we communicate (verbally or nonverbally) with others. And in a society as racially, ethnically, and socio-economically diverse as ours, we often must communicate across great differences. Sometimes our interactions do not go well and we communicate poorly. It may be for pretty straightforwardly ordinary reasons like we may be in a bad mood or having an 'off' day, but I think that often, how well we are able to interact and communicate with others, especially differently situated others, is influenced by other reasons, namely, whether we think we are respected and whether we feel we will be understood.

Communication is difficult if one does not have the sense that one will be understood—or that there is at least the possibility of understanding. If we do not feel we are respected, communication becomes difficult because we are reluctant to communicate and interact with those whom we think do not respect us. Understanding and respect are closely connected as well. Sometimes we try our best to understand others because we respect them; understanding may even come easy because of it. We try to make sense of what someone is saying because our respect for them urges us to try harder to understand. Alternatively, we may be more inclined to respect those whom we feel we understand well *because* we understand them well.

Return to the argument for racial reparations with a vulnerable white cognizer rather than a deficient white cognizer. The vulnerable self does not point out that her family never owned slaves and that she is not a racist. She does not begin to

point out the difficulties of awarding a compensatory damage package to millions of blacks. First, she listens. Listening well requires a dispositional move on the part of the listener. She may first try to imagine how it must feel that measures have been taken elsewhere to compensate those who have been egregiously wronged and may see why blacks seek the same kind of justice. After all, the United States government financially compensated Native Americans and Japanese Americans.[15] The vulnerable self does not immediately disparage and blame the victims of Hurricane Katrina for not evacuating. Aware of the other's dependence on her for understanding, she considers the arguments and evidence from a position of openness and exposure and sees the awful cascade of misfortune Hurricane Katrina victims experienced as deeply rooted in their racial oppression.

9.5 Conditioning and Cultivating Vulnerability

Whether vulnerability can be cultivated or whether one is socialized or conditioned to be vulnerable, or whether the vulnerable self is a combination of conditioning and cultivation are questions for a longer project. I do have some ideas, borrowed from recent socialist thought, about how vulnerability may come about via a mixture of socialization and cultivation.

Earlier in this chapter I mentioned Fisk's notion of a moral orientation that comes from having social feelings like compassion and empathy. Social feelings, he claims, lend themselves to a society—a socialist society. In contrast, capitalism's moral orientation which is based on 'non-social feelings of insensitivity, indifference, and self-seeking' (Fisk 2007, 124) lends itself to a society organized by control. Fisk argues for the superiority of a society where people help each other, not because it is someone's right to have help but because we want people to thrive.

I have been arguing that seeing others' dependence on oneself for understanding is part of being a vulnerable self and that it can promote understanding. Like Fisk, the particular kind of society I have in mind that is best positioned to carry it out is a well-functioning socialist society. Ordered from cooperation with its members guided by social feelings of compassion and empathy, socialism aligns itself quite nicely with the notions of vulnerability and non-autonomy I have been developing here.

Learning solidarity may be key to seeing mutual dependence. As Richard Schmitt notes, we have a considerable amount of relearning to do.

> Once we learn to distance ourselves from [the attitude that we are not responsible for poverty, limited educational opportunities, etc.] and begin to get an inkling that everyone has some responsibility for the well-being or troubles of others, solidarity is moved from the arena of power struggle as well as the realm of fantasy. (Schmitt 2007, 154)

There are practical ways to accomplish this and Schmitt notes several, including changes in hierarchy in workplaces, schools, and neighborhoods, affiliating with those from different religions, backgrounds, social locations. As Romand Coles

asserts, 'citizen concern for the least well-off is empty if they are variously objects of disgust, marginalization, and everyday indifference' (Coles 2001, 505).

9.6 Conclusion

Throughout this chapter I have been offering a description of the kind of self who can see injustices like long-standing racial oppression and discrimination. I have argued that selves who improve their cognition despite powerful social phenomena that discourage understanding are vulnerably open to understanding others. Vulnerable selves are proudly non-autonomous individuals who are dependent on others for understanding and see the dependence others have on them for understanding. Vulnerability aids in cognition because through exposure and openness to others, vulnerable selves are poised to 'know' better. It is a way of being in the world that promotes dignity through the affirmation of another's experiences and worth as one strives to understand.

This chapter is meant to be descriptive, not prescriptive, although in the previous section I introduced some ideas from recent socialist thought that I think point to the kinds of changes that may foster vulnerability. I am cynical (realistic?) enough to not expect that there will ever be an end to racial oppression. Indeed, across the globe, many of the suffering peoples are reds, browns and blacks and a good bit of their suffering stems from racial injustice due to the belief that they are just inhuman enough to be exploited. If there ever is an end to racial oppression it will probably come about from self-interest, not vulnerable selves mobilized against injustice. But I can still hope.

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Notes

1. The city of Baltimore is suing Wells Fargo, a major lending institution, for offering loans at much higher interest rates for mortgages in predominantly black neighborhoods than mortgages for comparable homes in predominantly white neighborhoods.
2. There have been many studies on the disparity between white, black and Latino imprisonment rates. See the report by the National Center on Institutions and Alternatives and 'Racial, Ethnic and Gender Disparities in Sentencing: Evidence from the U.S. Federal Courts.' (The Journal of Law and Economics, vol. 44, no. 1, 285–314.
3. For example, white-skin privilege is a phenomenon that some whites find deeply troubling. It would be emotionally easier to, in bad faith, not see one's privilege and to explain away instance after instance of privilege. See McIntosh 1989.
4. See Charles Mills' discussion of epistemologies of ignorance (Mills 1997) and his recent, longer treatment of the phenomenon (Mills 2007). I do not have unreasonably high

expectations of vulnerability, i.e. I do not think that it can or should replace institutions of justice. I am instead interested in revealing what I think are common traits among people who are moved by the suffering of others.

5. I am not suggesting that the arguments for reparations are only representative and not real demands, for they certainly are. I am merely noting that the demands have a two dimensional quality: (1) they appeal to a promise made and then broken and (2) they highlight the legacy of long-standing racial inequality.
6. It is the kind of argument one hears now for the continued discrimination against same-sex couples. Society is 'not ready' for same-sex marriage and civil unions so the discomfort of others trumps justice due homosexuals.
7. For example, scholars have shown that wealth, not income, is a reliable predictor of future success. Statistics indicate that black households hold 1/8 the net worth of white households (Conley 1999), highlighting a huge disparity between black families and white families. Wealth offers a buffer during difficult economic times and comfort when the economy is strong; still, whether the economy is strong or weak many black families are just a paycheck away from homelessness.
8. Forman and Lewis interviewed young whites and compared their responses to older adult whites because young people are usually more empathetic toward others than older adults.
9. What was surprising, however, was that even some whites who had had a 'significant interracial experience' (Forman and Lewis 2006, 187) like living among blacks in the inner city (although the whites who did not experience racial apathy came from this group), missed the racial inequality that was all around them.
10. It should be noted that I see vulnerability as a desirable disposition apart from racial oppression. Its value does not lie in its ability to foster responsiveness to oppression but in its expression of the good of humans and human relationships.
11. I am thinking of victims of abuse who continue to attempt to understand their abuser and the 'reason for their abuse instead of recognizing that there can be no justifiable 'reason' for it.
12. Thank you Bat-Ami Bar On for putting it so succinctly at the Social, Political, Ethical and Legal Philosophy Colloquium at Binghamton University in April 2004.
13. This could certainly be the case with the white response to the 'dangerous black male,' treated as being prone to criminality and thus justifying harsh treatment.
14. Individual autonomy is a myth in the sense that we are able to get on in the world without help from others. Feminist scholars have troubled the notion of autonomy as individual self-sufficiency and developed an account of autonomy that focuses on control over important parts of one's life like one's ability to have an identity and express it. Clearly I don't want to argue for complete dependence. We would not want to be dependent on others for our identities or sense of self and being financially dependent on others is dangerous. What I hope to reveal is our dependence on others for understanding and respect. An account of autonomy that focuses on transcending social relations can be problematic because it can hide the care that one receives from caregivers—often subordinate groups like women and minorities—and gives the false impression that one is able to accomplish things 'on one's own.'
15. The fifth argument Bell notes for reparations for Blacks is just this—that these reparations set precedents for the feasibility of a reparation program for blacks (Bell 2004, 74).

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Chapter 10
Anger, Virtue, and Oppression

Macalester Bell

Abstract In recent feminist moral psychology, anger has been defended as an appropriate response to sexist oppression. Most of these defenses of anger stress the instrumental value of discrete episodes or bouts of anger. In light of these defenses of anger, I take up the question of how one might defend what I call a *virtue of appropriate anger* under grossly non-ideal circumstances. I argue that defending a virtue of appropriate anger under grossly non-ideal circumstances is not at all straightforward. I consider one recent and promising defense of the virtue of appropriate anger (the Eventual Flourishing Account) and argue that this account conflicts with our considered judgments about when the character trait of appropriate anger is a virtue. Moreover, I argue that the Eventual Flourishing Account does not provide a fully adequate characterization of the kind of anger partially constitutive of the virtue of appropriate anger. I sketch an alternative justification of the virtue of appropriate anger (the Appropriate Attitude Account) that stresses this trait's non-instrumental value. I close by arguing that the Appropriate Attitude Account offers a better understanding and justification of the virtue of appropriate anger than the Eventual Flourishing Account.

Keywords Anger · Feminist · Moral psychology · Virtues · Virtue theory

In recent years, several feminist philosophers have defended anger as a morally and politically appropriate response to sexist oppression. In this paper, I will explore how philosophical discussions of the value of anger might be enriched by bringing virtue theory to bear on our evaluation of the role of anger in the moral life. In what follows, I will take on the question of how one might defend a *virtue* of appropriate anger. More specifically, I'm interested in how one could defend a virtue of appropriate anger in the grossly non-ideal conditions that characterize life under oppression. In these contexts, the task of justifying a virtue of appropriate anger is

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not at all straightforward, and part of what I aim to do in this paper is argue that a coherent justification of this virtue ought to be sensitive to the social circumstances in which it arises.

I'd like to begin this exploration of the virtue of appropriate anger under conditions of oppression by considering a portrait of Frederick Douglass.

10.1 Douglass' Anger: 'Majestic in His Wrath'

In the permanent collection of the Art Institute of Chicago there is a daguerreotype of Frederick Douglass that seems revelatory of at least one aspect of his character.[1] What is most arresting about the image is the expression on Douglass' face: his countenance smolders with tightly controlled anger. Douglass quite deliberately presents himself as a strong, stern, and angry man. As I interpret it, the portrait has not captured a fleeting emotional state, but something more enduring about Douglass' character. The fact that this is a daguerreotype is significant: given the long exposures required by this process, those who sat for these portraits could exercise a level of control over their representation that would be impossible in a painted portrait or in the short exposures of many of today's photographs. So when we look into the eyes of the young, incandescently angry Douglass, it is not unreasonable to infer that we have before us an accurate representation of one aspect of Douglass' character, or at least one aspect of how he wished to be regarded.

Douglass' anger is often remarked upon and often with approval. For example, Elizabeth Cady Stanton describes the first time she saw Douglass speak as follows: 'He stood there like an African Prince, majestic in his wrath.'[2] Born into slavery and rented out to Edward Covey (a well-known 'slave-breaker') when he was 16, Douglass escaped slavery at the age of 20 and became a leader of the abolitionist movement and an accomplished orator. As Douglass saw it, the turning point of his life came when he found himself giving into his anger and resisting one of Covey's vicious attacks on him. Douglass describes the aftereffect of his resistance to Covey as follows:

> This battle with Mr. Covey was the turning point in my career as a slave. It rekindled the few expiring embers of freedom, and revived within me a sense of my own manhood. It recalled the departed self-confidence, and inspired me again with a determination to be free. The gratification afforded by the triumph was a full compensation for whatever else might follow, even death itself. He only can understand the deep satisfaction which I experienced, who has himself repelled by force the bloody arm of slavery. I felt as I never felt before. It was a glorious resurrection, from the tomb of slavery, to the heaven of freedom. My long-crushed spirit rose, cowardice departed, bold defiance took its place; and I now resolved that, however long I might remain a slave in form, the day had passed forever when I could be a slave in fact. I did not hesitate to let it be known of me, that the white man who expected to succeed in whipping, must also succeed in killing me. From this time I was never again what might be called fairly whipped, though I remained a slave four years afterwards. I had several fights, but was never whipped. (Douglass 1997, 79)

This passage describes a pivotal moment in which Douglass stood up to Covey and, through physical resistance, made his anger felt. While Douglass expressed his

anger through violent resistance, what I'm most interested in is Douglass' anger itself.[3] Douglass describes the aftermath of his angry resistance to Covey in such glowing terms that it is easy to cheer on his anger as a praiseworthy response to his oppression and cruel treatment. In fact, many people would be inclined to describe Douglass' disposition to respond with anger towards the ills of America and the wickedness of Covey as *virtuous*; I take it this is what Stanton means when she describes Douglass as 'majestic in his wrath.' But what does it mean for one's anger to be virtuous? And what sorts of considerations can we appeal to in defending a virtue of anger under circumstances of oppression?

Let me begin by saying a bit about the nature of anger and the particular kind of anger I'm interested in here. Developmental psychologists have found that the most effective way to elicit anger in infants is through physical interference; this is most commonly accomplished by pinning down the infants' arms, rendering them unable to move freely (Ekman 2003, 110). This suggests that, most generally, anger is a negative response to being *blocked* or *constrained* in some way.[4] In what follows, I will be focusing on the kind of anger we experience when we judge that we have been blocked or constrained by being *wronged* by another. This subspecies of anger is often termed 'resentment.'[5] I'll retain, for the most part, the term 'anger' rather than 'resentment' in what follows since this is the term used by the two philosophers I'll spend the most time discussing. But despite using the terms 'anger' and 'resentment' interchangeably, I will always have my sights focused on the subspecies of anger that is directed towards *a person* in response to an apparent *wrong done*.

Virtue ethicists disagree about the moral status of anger. While some have argued that there is a virtue associated with anger, there is also a long tradition of describing those prone to anger as vicious. Wrath is, of course, included on the list of the Seven Deadly Sins, and several contemporary theorists have argued that a settled disposition to at least some forms of anger is a serious moral flaw, not a virtue.[6] All will agree that *some* patterns of anger are vicious; the difficult question to answer is whether or not some patterns of anger are virtuous. Before we consider whether there is a virtue associated with anger, what can be said in defense of the emotion itself? In particular, what can be said about the value of anger in grossly non-ideal circumstances? In answering this question, it will be helpful to consider recent work in feminist moral psychology. Let's turn now to a brief overview of recent feminist defenses of the value of anger under circumstances of oppression.

10.2 Recent Feminist Defenses of the Value of Anger

Within recent feminist moral psychology, there has been a great deal written about the moral status of anger and other so-called 'negative emotions' under conditions of oppression.[7] As these philosophers see it, negative emotions, such as anger, have distinct and important roles to play in responding to oppression. In this literature, anger is defended on a number of grounds. Nevertheless, I think we can isolate four main types of feminist arguments in defense of anger that are found in the literature.

First, some have argued that responding with anger is a basic and central way for women to *protest* sexist and oppressive norms and constraints; as a form of protest, anger is an important part of resisting sexist oppression. Responding with anger is a way of responding to an instance of bad treatment as a *wrong done* as opposed to simply a misfortune. This type of protest or insubordination may help women retain their self-respect. To docilely submit to being wronged without a trace of anger is usually a sign that the agent in question fails to recognize her own value or importance. Such an agent is often described as lacking self-respect. To respond with anger to anger-meriting situations or actions signals that the individual in question has at least a modicum of self-respect. Thus, anger is seen as a form of protest or insubordination that helps women to express and retain their self-respect.

Second, some feminists defend negative emotions such as anger by arguing that these emotions provide us with a unique way of gaining knowledge about the world. Some feminists emphasize what we might term the *direct epistemic value* of the negative emotions, while others emphasize the *indirect epistemic value* of these emotions.

Feminists who stress the *direct* epistemic value of anger and other negative emotions argue that, by experiencing certain emotions as the result of being oppressed, women possess a distinct kind of knowledge. Specifically, the negative emotions are thought to provide the oppressed with a distinct form of knowledge about their oppression that those who lack these emotions do not have access to. For example, Uma Narayan (1988) argues that members of oppressed groups may possess a kind of epistemic privilege as compared to those who are not oppressed. Narayan suggests that one very important component of this epistemic privilege is the knowledge 'constituted by and confirmed by the emotional responses of the oppressed to their oppression.' (39)[8]

Those who stress the *indirect* epistemic value of the negative emotions argue that by paying attention to how their emotions are received by others, women can indirectly gain insight into their standing in the moral community. Marilyn Frye (1983), for example, has argued that we can learn much about women's status in this society by paying attention to the restricted range of circumstances in which women's anger is intelligible *as anger* to others. Since women's anger is typically given uptake (i.e., taken seriously as anger) in a restricted range of circumstances, paying attention to how women's anger is received by others can provide knowledge about women's status in the moral community. In Frye's words, 'anger can be an instrument of cartography' which allows women to map out others' conceptions of their status (94).

Third, some argue that anger is important insofar as it is a way of bearing witness to women's oppression. According to these defenses, anger can be a moral achievement insofar as it tracks an important moral truth; the world is filled with injustice, wrongdoing, and oppression. One way for the oppressed to bear witness to these facts is by responding to these wrongs with anger.

Finally, some feminists argue that anger is morally and politically valuable insofar as it can help motivate social change. Audre Lorde (1984) writes, '[A]nger

between peers births change, not destruction, and the discomfort and sense of loss it often causes is not fatal, but a sign of growth. My response to racism is anger' (131). Insofar as anger can motivate social progress, it is defended as an important achievement.

To sum up, feminist philosophers have argued that anger is a mode of protest that can help maintain agents' self-respect, that anger has at least two important epistemological roles to play in correct moral perception, that it allows us to bear witness to injustice, and that it can directly motivate social change. As should be clear, these defenses of anger stress its instrumental value. Anger is defended as a valuable tool to develop in response to oppression because it can help bring about certain ends—either full recognition of one's oppression, self-respect, or social change.

10.3 Appropriate Anger as a Virtue of Character

Many of the recent defenses of anger concentrate on articulating the value of discrete, temporally bounded, episodes or bouts of anger.[9] But while an episode of anger may be of short duration, anger can also be experienced as an enduring motivational state or aspect of a person's character. Given the various defenses of anger as a response to oppression just discussed, it might seem appropriate for resisters of oppression to consider the aptness and value of developing a *character trait* of appropriate anger.

What does it mean to evince a character trait of appropriate anger? Someone with this character trait would be disposed to respond with anger when anger is called for. Someone with this character trait would use her practical reason to determine which situations merit anger and which ones do not. Presumably, such a person would not only respond with anger to wrongs done to her but she would encourage others to do so as well; she would raise her children to recognize insults and teach them when anger would be an appropriate response to a specific injustice, and so on.

Focusing on the character trait of appropriate anger is important, for we might misunderstand both the value and the potential dangers associated with certain patterns of anger if we restrict ourselves to theorizing about discrete episodes of anger. Anger, qua enduring motivational state, seems to have the potential both to ameliorate and corrupt one's character. While it is easy to praise the *episode* of anger that led Douglass to resist Covey, it is not clear what we should think of the still-present anger on the brow of the 29 year-old Douglass. In what follows, I'll explore the question of what conditions, if any, could justify the claim that a character trait of appropriate anger is virtuous. My goal is not to defend the virtue of appropriate anger so much as to explore the features of a coherent justification of this apparent virtue. Ideally, a justification of the virtue of appropriate anger will preserve the dimensions of the value of anger highlighted by the feminist defenses of anger discussed in the previous section. However, as I shall argue in what follows, a coherent justification of the virtue of appropriate anger cannot appeal simply to the instrumental value of anger stressed by many feminist defenders of anger.

10.3.1 Aristotle and Anger

Perhaps the best place to begin thinking about the virtue of appropriate anger is by considering Aristotle's discussion of the emotion. Aristotle was one of the first philosophers to offer a defense of the role of anger in the moral life and his views on the nature and importance of anger are still highly influential. In *The Rhetoric,* Aristotle defines anger as follows:

> Anger may be defined as a desire accompanied by pain, for a conspicuous revenge for a conspicuous slight at the hands of men who have no call to slight oneself or one's friends. If this is a proper definition of anger, it must always be felt towards some particular individual, e.g., Cleon, and not man in general. It must be felt because the other has done or intended to do something to him or one of his friends. It must always be attended by a certain pleasure—that which arises from the expectation of revenge. For it is pleasant to think that you will attain what you aim at, and nobody aims at what he thinks he cannot attain. (1984b, 1378a–1378b)

For Aristotle, anger is a complex response to a perceived slight or failure of respect.[10] Experiencing anger is painful, yet it is also accompanied by a certain pleasurable desire for revenge or, more generally, rectification.[11]

Aristotle recognizes that most people occasionally respond with anger to anger-provoking situations. Simply *feeling* anger is neither virtuous nor vicious on Aristotle's account, what matters is *how* we experience anger. Most generally, moral virtues are excellences of character in some domain, e.g., courage is an excellence of character in the domain of encountering fearsome situations. Similarly, Aristotle suggests that there is an excellence of character associated with experiencing and managing one's anger in the domain of responding to slights.[12] So how should a virtuous person feel anger? Aristotle describes what he terms the virtue of 'good temper' or what I've been calling 'appropriate anger' as follows:

> Good temper is a mean with respect to anger; the middle state being unnamed, and the extremes almost without a name as well, we place good temper in the middle position, though it inclines toward the deficiency, which is without a name. The excess might be called a sort of irascibility. For the passion is anger while its causes are many and diverse. The man who is angry at the right things and with the right people, and, further, as he ought, when he ought, as long as he ought, is praised. This will be the good-tempered man, then, since good temper is praised. For the good-tempered man tends to be unperturbed and not to be led by passion, but to be angry in the manner, at the things, and for the length of time, that reason dictates; but he is thought to err rather in the direction of deficiency; for the good-tempered man is not revengeful, but rather tends to forgive. The deficiency, whether it is a sort of inirascibility or whatever it is, is blamed. For those who are not angry at the things they should be are thought to be fools, and so are those who are not angry in the right way, at the right time, or with the right persons; for such a man is thought not to feel things nor to be pained by them, and, since he does not get angry, he is thought unlikely to defend himself; and to endure being insulted and to put up with insults to one's friends is slavish. (1984a, 1125b–1126a)

It is important to emphasize that the person who manifests this virtue will be 'good tempered' in the sense of tending towards inirascibility as opposed to irascibility; there is nothing in Aristotle's description of this virtue to rule out the possibility that the good tempered person would respond with great anger to a great slight.

For Aristotle, the person who manifests the character trait of good temper or appropriate anger will neither be too quick to anger, nor too slow to anger. Instead, the person who hits the target will, in the relevant domain, direct her anger toward the right person, at the right time, for the right length of time, and so on. In the passage just cited, Aristotle describes the person who fails to feel anger when it is warranted as foolish and slavish insofar as he is willing to let insults stand without offering any resistance to him; the irascible person is, on the other hand, hot-tempered, out of control, and difficult to live with. So within the domain of responding appropriately to slights, we should strive to manifest the virtue of appropriate anger.

Given the description offered so far, the Aristotelian framework appears to offer us a promising way to begin thinking about the character trait of appropriate anger. The person who manifests the virtue of appropriate anger is praised for responding proportionately to serious slights. In a just society, this character trait would contribute to the agent's flourishing. In these circumstances, appropriate anger would serve as a kind of tool which could be used to respond to and rectify occasional slights. But when we turn to cases of anger in grossly non-ideal circumstances, it is difficult to see how Aristotle's framework can help us understand the virtue of appropriate anger.

Under conditions of oppression, for example, appropriate anger is a trait that can easily, and systematically, become disconnected from the flourishing of the person who manifests this virtue in a way that is difficult to countenance on a theory which posits any connection between virtue and flourishing.[13] The problem is that under conditions of oppression, manifesting the virtue of appropriate anger threatens to systematically lead the bearer of this trait *away from* flourishing rather than *towards* it. Since Aristotle acknowledges that the mean is not the same for everyone but is relative to us he could claim that the proper medial state of anger for someone living under oppression will be different from someone living under non-oppressive circumstances. But what I don't think Aristotle anticipated or appreciated is that the virtue of appropriate anger under conditions of oppression itself interferes with the flourishing of the bearer of this trait.

Why would this be? Habitually responding with anger only to those serious slights that would be foolish or slavish to ignore could well contribute to an individual's flourishing if one lived in an environment where these occasions for appropriate anger were relatively rare. But in grossly non-ideal circumstances (such as the racial conditions of the United States in Douglass' time), the occasions for appropriate anger will be ever-present. Douglass made it clear in his speeches that he, even as a free man, felt slighted every day by the existence of slavery in the south. On top of this, he regularly endured the large and small insults and humiliations associated with being a member of a stigmatized group. In response to these slights and injustices, Douglass was disposed to respond with anger. As Douglass' case makes clear, hitting the target of appropriate anger under conditions of oppression may well require those who manifest this virtue to be in a near constant state of rage.[14] While the person who evinces the virtue of appropriate anger under these circumstances may not always be filled with wrath, such a person will be constantly preoccupied

by thoughts of wrongdoing and will have an ever-present desire for rectification. This state will be accompanied by both pain at the slight or injustice and pleasure at the anticipated rectification.

Not only will the oppressed face many occasions that merit their anger, they often lack wide community support or adequate responsiveness to their anger. In a recent discussion of the value of resentment, Margaret Walker (2006, 136) emphasizes that anger both expresses a sense of being wronged and also involves a call to others within the wider community for recognition of the slight and reparative response. To the extent that the oppressed lack this assurance and reparative activity from the wider community, their anger will lack proper uptake. Thus, as the oppressed continue to respond (quite appropriately) to their situation with anger, they will likely experience greater and greater alienation from the wider community and their anger will remain, in some sense, incomplete.

It is important to stress that the main problem of appropriate anger under non-ideal conditions is *not* that this anger misses the mark or directs itself toward inappropriate objects. While it may be true that anger under oppression has some tendency to miss its mark, this is not the problem that I am interested in here.[15] For, as I see it, what is most problematic about appropriate anger under oppression is that even when it *does* hit its mark, it has a tendency to compromise its bearer's flourishing. Clearly the oppressed person who evinces the character trait of appropriate anger will lack happiness according to many conventional understandings of happiness. That is, given the pain of anger, she will clearly be deprived of a life filled with nothing but wholly pleasurable experiences. This, of course, is not at all problematic for Aristotle who recognized that the *good life* is not simply a matter of enjoying a series of pleasurable experiences. Aristotle acknowledged that some excellences, e.g., friendship and courage, make the virtuous person vulnerable to all sorts of pain.[16] But it might be argued that the virtue of appropriate anger under circumstances of oppression would make the truly good life, and not just the conventionally good life, impossible. For, as we have seen, under these circumstances, the oppressed have reason to be in a *constant state of anger*. I will not attempt to provide an account of human flourishing here, but no matter how we understand flourishing, it seems pretty clear that one cannot be said to flourish if one is in a constant, or near-constant, state of rage.[17] The reason why the person in a constant state of rage cannot be said to flourish has less to do with the pain associated with anger than it does with the way in which anger focuses one's attention on the object of one's anger. In Dante's *Purgatory,* the angry dwell in thick smoke suggestive of how anger has the potential to cloud one's moral vision making accurate moral perception difficult if not impossible.[18] The person who is in (or takes herself to have reason to be in) a constant state of rage will find it difficult to focus her attention on others due to her preoccupation with the slight or injustice which gave rise to her anger. Such an individual will find it tough to open herself up to others, making friendship rare if not impossible. Someone in this state of constant anger will focus her attention on harms and the desire for rectification and find it difficult to be generous with others. In addition, such a person will probably find it hard to trust others and will be reticent to forgive those who have harmed her. In short, it is difficult

to see how someone filled with ever-present rage could be said to really flourish or enjoy the truly good life. If the virtues are partially constitutive of one's flourishing, then it is not clear how appropriate anger could be a virtue under circumstances of oppression.

In her recent book, *Burdened Virtues: Virtue Ethics for Liberatory Struggles,* Lisa Tessman argues that we can use a neo-Aristotelian eudaimonistic theory to justify virtues—like appropriate anger—which are systematically disconnected from their bearer's flourishing. Tessman is the only philosopher that I know of who has offered a well-developed account of the virtue of appropriate anger in non-ideal circumstances, and in the following section I will consider the merits of her account.

10.3.2 Tessman's Account of the Virtue of Appropriate Anger

For Tessman, appropriate anger under oppression is what she terms a *burdened virtue*. Burdened virtues are 'virtues that have the unusual feature of being disjoined from their bearer's own flourishing' (Tessman, 2005, 4). If there are virtues that are disconnected from their bearer's flourishing, how do we decide which traits count as virtues? Tessman offers a four-fold classification of traits that, in some sense, qualify as virtues. While some traits are partially constitutive of flourishing, the virtue of appropriate anger under grossly non-ideal circumstances is not. Instead, this trait counts as a token of what Tessman calls a 'v_3 trait':

> Trait v_3: is chosen because it is judged to be the best trait to cultivate in the circumstances, even though it is not conducive to or constitutive of anyone's flourishing at present; it does, however, tend to enable its bearer to perform actions with the aim of eventually making flourishing lives more possible overall (for the bearer of trait and/or for others). (165)

As Tessman characterizes it, appropriate anger is a virtue under oppression because of its potential to transform the world so that flourishing for at least some will be possible even if this means that the trait precludes its bearer from flourishing. Thus, on Tessman's account, v_3 traits, such as appropriate anger, are instrumentally valuable insofar as they are means to the end of flourishing. While the trait of appropriate anger is disconnected from the agent's own flourishing under conditions of oppression, it may nevertheless count as a virtue if it leads to the *eventual* flourishing of its bearer or of others within the moral community. Let's call this characterization of the virtue of appropriate anger under oppression the *Eventual Flourishing Account*. As should be clear, the Eventual Flourishing Account is exclusively *forward-looking*. That is, what makes appropriate anger a virtue is its tendency to bring about the future good of flourishing, either for the agent herself or for others within the moral community.

What should we think of the Eventual Flourishing Account? While I think Tessman's discussion of the burdened virtues is rich and rewarding, I don't think The Eventual Flourishing Account gives the best account of the nature and justification of the virtue of appropriate anger under non-ideal conditions. Tessman's reliance on a broadly eudaimonistic framework gives us a clear understanding of

the *costs* of oppression (and responding appropriately to oppression) in terms of the corruption of the selves who must endure its hardships. But I don't think the Eventual Flourishing Account properly justifies the trait of appropriate anger.[19]

According to the Eventual Flourishing Account, the trait of appropriate anger is choiceworthy under circumstances of oppression insofar as it will lead to the eventual flourishing of its bearer or others within the moral community. Against this claim, I'd like to suggest that the justification of the virtue of appropriate anger should be completely disconnected from considerations of future flourishing. To see why, let's begin by considering Douglass' anger: is Douglass' character trait of appropriate anger a virtue? According to the Eventual Flourishing Account, the answer to this question will depend on whether Douglass' anger brings about his own or others' eventual flourishing. But this seems to conflict with our intuitions about possible worlds in which Douglass' anger does or does not lead to his flourishing or the eventual flourishing of others. Suppose Douglass died in slavery and his character trait of appropriate anger never brought about his own flourishing or the flourishing of anyone else. In such circumstances, would we really want to say that his character would be no more virtuous than the character of someone who meekly accepted slights hurled against him and acquiesced to gross mistreatment without a hint of anger or malice? While we might have reason not to judge such an inirascible person too harshly, it seems clear to me that Douglass' character that manifested the trait of appropriate anger is more praiseworthy than the character of someone who manifested the trait of meek acceptance of serious slights.

Moreover, it is possible that in these conditions, considerations of future flourishing would likely justify *inirascibility* as a more choiceworthy character trait than appropriate anger. Suppose Douglas responded to Covey's treatment with calm acceptance and allowed himself to be mercilessly beaten. Perhaps Douglass decided that cultivating a placid state of mind would be more likely lead to his own flourishing than cultivating the virtue of appropriate anger. Now suppose that after ruthlessly beating Douglass, Covey has a change of heart. He sees Douglass' bloody body before him and realizes the error of his ways. He frees his slaves, joins the abolitionist movement, and contributes to the eventual freeing of the slaves, which in turn makes flourishing lives newly possible for all those formerly enslaved. While we might applaud Covey's change of heart, does this give us any reason to praise Douglass' inirascibility? While it was Douglass' inirascibility that created the conditions for Covey's change of heart, it seems wrong to praise this character trait. As we've seen, Aristotle considers inirascibility a vice—such inirascible people create the conditions that allow tyrants to rule unchecked. More importantly, this trait is indicative of and helps to entrench diminished self-respect. Considering this case suggests, I think, that whether a trait leads to the eventual flourishing of its bearer or others is not always relevant to determining whether or not the trait in question is a virtue.

Perhaps the problems with this picture can be more easily appreciated if we consider a possible world in which Douglass' anger *would* count as a burdened virtue according to the Eventual Flourishing Account. Suppose Douglass was never loaned out to Covey and instead spent his days working for the relatively gentle and kind Caldwell. In this imaginary world, Caldwell never beats Douglass and encourages

him to further his education, going so far as to lend Douglass books from his personal library. Despite this kind treatment, Caldwell remains Douglass' master and Douglass quite appropriately resents Caldwell for this and makes this resentment felt. Caldwell takes Douglass' resentment to heart, and ends up freeing Douglass and joining the abolitionist movement helping to bring about the end of slavery and making flourishing lives more possible for those formerly enslaved. In this world, is Douglass' character trait of appropriate anger a virtue? According to the Eventual Flourishing Account, the answer would be 'yes.' For Douglass' character trait of appropriate anger brought about the conditions that made possible the eventual flourishing of Douglass and others. But this is an odd result indeed. For Covey was certainly a more resentment-worthy master than Caldwell, yet, on this account, Douglass' character trait of appropriate *anger would* not be considered a virtue in the world where he worked for Covey, and it *would* be considered a virtue in the world where he worked for the much less resentment-worthy Caldwell. This result seems to get things exactly wrong.

Not only does this account seem to be at odds with our intuitions about when the character trait of appropriate anger should count as a virtue and when it should not, but also it seems to offer an incomplete account of the nature of resentment itself.[20] Resentment is usually conceived of as an assessment of and a negative response to vice or ill will. But according to the Eventual Flourishing Account, the resentment partially constitutive of the character trait of appropriate anger has been completely severed from its role of assessing and responding negatively to vice and ill will. Resentment that is completely severed from assessment of or response to vice or ill will ceases to be resentment in any recognizable sense.

To see this, imagine Douglass were to ask *why* he should develop the character trait of appropriate anger rather than give in to, say, his natural tendency towards meekness. A proponent of the Eventual Flourishing Account would say that this character trait might lead to Douglass' eventual flourishing or the flourishing of others within the moral community. But suppose Douglass were to ask why, in some particular instance, he should resent Covey. In this case, we would reject considerations of eventual flourishing as reasons that could possibility warrant his attitude. Whether or not Douglass' resentment would be warranted would not turn on whether or not this resentment would be desirable or would bring about a certain state of affairs. Instead, Douglass' resentment would be warranted if Covey really had wronged Douglass and unwarranted if he had not. Appealing to the desirability of Douglass' anger in an attempt to justify it would be to give *the wrong kind of reason* in support of it.[21] If appealing to considerations of desirability cannot warrant a particular token of resentment, how can the character trait of appropriate anger be justified by appealing to *its* desirability? Something seems to have gone wrong here. In response to Douglass's question—'why should I develop the character trait of appropriate anger?'—I think we'd be forced to give the wrong kind of reason on this account. Thus, it seems to me that the Eventual Flourishing Account not only conflicts with our intuitions concerning *when* the character trait of appropriate anger is a virtue, but it also fails to comport with our considered judgments concerning the *nature of resentment itself.*

Given these considerations, I think we ought to abandon the attempt to explain and justify the virtue of appropriate anger under oppression by appealing to any future state of flourishing and thereby give up on the Eventual Flourishing Account of the virtue of appropriate anger. Does this mean that we should completely give up the task of trying to justify the virtue of appropriate anger under non-ideal conditions? I think not. There are, it seems to me, better and worse character traits to have under circumstances of oppression, and I reject the idea that we should give up theorizing about virtue in general, or the virtue of appropriate anger in particular, under non-ideal circumstances. Perhaps there is a way for an Aristotelian theory to make sense of the virtue of appropriate anger in a way that avoids the problems I've discussed above.[22] However, I suspect that a justification of the virtue of appropriate anger under these circumstances is only coherent if we adopt a rather different kind of virtue theory.

10.4 Appropriate Anger as Non-instrumentally Valuable

As I discussed in the first part of this paper, there is a sizable literature on the value and importance of discrete episodes of anger within recent feminist moral psychology. For the most part, theorists who argue for the value of anger claim that anger has a certain instrumental value, e.g., it is seen as valuable as a means of protesting, as a way of motivating positive change, and so on. Tessman follows in the footsteps of these theorists insofar as she claims that the character trait of appropriate anger only counts as a virtue if it helps to bring about the flourishing of its bearer or others within the moral community. The specific objections I've raised against the Eventual Flourishing Account will apply more generally to any justification of the virtue of appropriate anger that justifies the virtue by appealing to its desirable consequences. While I think it is important to emphasize anger's often-unrecognized instrumental value, the tendency to understand the value of anger *solely* in terms of its instrumental value and connection to human flourishing is a mistake. In this final section, I would like to gesture towards another way of justifying the virtue of appropriate anger.

There is an old ethical tradition that counsels us to love the good and hate the evil. For example, *Romans* 12:9 reads:

> Let love be without hypocrisy. Abhor what is evil. Cling to what is good.

In recent years, both Robert Adams (2006) and Thomas Hurka (2003) have suggested that the virtuous person is one who loves the good and hates the evil (or as Adams puts it, the virtuous agent will 'be for the good and against the evil'). On this approach, virtue is a kind of excellence in being for (or loving) the good and being against (or hating) the evil.[23] Let's call this the Appropriate Attitude Account. While I cannot fully defend the Appropriate Attitude Account here, I think something like this conception of virtue underlies many of our considered judgments about which traits of character count as virtuous and vicious.

What does this conception of virtue have to do with the proper justification for the virtue of appropriate anger in non-ideal circumstances? As I see it, appropriate anger is a mode of hating or being against evil. If humiliation and pain are evil, then on the view I've sketched, the virtuous person will be disposed to hate humiliation and pain. Douglass' cruel slave master Covey enjoyed inflicting pain on others and this is why we judge him to be malicious and cruel. If malice and cruelty are themselves evil, the virtuous person will respond to these vices with some form of hatred. If we understand anger as a kind of hatred or con-attitude, then anger would be a prima-facie apt response to these vices. On this picture, what makes the character trait of appropriate anger a virtue is not its instrumental value in bringing about a state of eventual flourishing. Rather, the idea is that loving the good and hating the evil is *itself* non-instrumentally valuable.

Interestingly, Hurka seems to come to the opposite conclusion about the moral value of anger. In *Virtue, Vice, and Value*, Hurka describes anger as a vice:

> There are more specific other-regarding pure vices. One is anger, at least when it involves, as intense anger can, a desire to strike out at another in or in some way cause her pain. Such anger is a specific form of malice, distinguished both by its cause—a belief that the other has mistreated one—and by its high intensity and short duration. (93)

As Hurka sees it, hating and attempting to control one's anger exemplifies the virtue of self-control, and he goes on to claim that a higher-level desire to control one's anger is intrinsically good (111–112). So, for Hurka, hating one's anger is a virtue.

Hurka is right to suggest that in some cases (e.g., when one's anger is excessive or directed toward the wrong object), hating one's anger may be a way of standing against the bad. However, it does not follow that in all cases hating one's anger is a virtue according to the Appropriate Attitude Account. Anger itself may sometimes serve as a mode of being against the bad or hating evil. As recent feminist defenses emphasize, anger is a way of standing against slights and injustices. It seems unproblematic to claim that *appropriate anger* is a particular way of hating evil or being against the bad.[24] However, it is far more difficult to adduce evidence in support of the claim that anger is a *form of excellence* in being against the bad. Douglass' anger will certainly strike many readers as a kind of excellence in being against the bad; it is, after all, the seeming excellence of this trait that leads some to describe Douglass as 'majestic' in his wrath. But is there anything more one could say about why appropriate anger is a form of excellence of being against the bad?

Clearly there is a multiplicity of attitudes that could reasonably be construed as ways of being against the bad: one could hate it, be disgusted by it, be saddened by it, be disappointed in it, be contemptuous of it, etc. I want to suggest that part of what makes appropriate anger *an excellent response* in the domain of slights is that it is an especially fitting and appropriately expressive response in this domain. While other negative emotions such as disappointment or sadness, might also have a role to play in our emotional attachment to our moral standards and principles, in the domain of slights and disrespect, anger does the best job of: (1) *fitting* the failure; and (2) *expressing* the victim's integrity, respect for the object of her anger, and commitment to the moral standards in question.[25]

To see this, consider the following case. Suppose Douglass never came to feel anger toward Covey, but only responded to him with disappointment. Disappointment is a feeling of dissatisfaction when our expectations are not realized. Disappointment is a con-attitude, however, as everyone knows, we can experience disappointment when even very trivial expectations are not met. While disappointment may be a fitting response to others' failure to meet certain basic standards, and it maybe a way of standing against the failure in question, anger is an especially apt response in these circumstances. For anger does a better job of responding to the slight and expressing the agent's respect for herself and her value as well as for the insulter and her status as a person, no matter how morally deranged. Were Douglass to only feel disappointment towards Covey and never anger at his cruel treatment, then Douglass could not be said to exemplify excellence in standing against evil. I do not mean to imply that responding with anger is the *only* appropriate way to stand against evil or moral badness in this domain.[26] Instead, I mean to argue that anger is one especially important way of standing against the bad in this particular domain. While there may be other ways of standing against badness in this area of life, responding with anger is a more excellent response than responding with just disappointment.

As should be clear, the Appropriate Attitude Account is perfectly compatible with the recent feminist defenses of discrete episodes of anger. If we accept that the trait of appropriate anger is a virtue because it is a form of excellence in being against the bad, this in no way interferes with or poses a problem for recent feminist defenses of anger. For appropriate anger understood as a mode of being against the bad may well have instrumental value: a stable disposition of this kind can help maintain the self-respect of victims of oppression, it can provide the oppressed with knowledge that the non-oppressed lack, it can allow the oppressed to bear witness to injustice, and it can directly motivate social change. But in addition, such a stance is a non-instrumentally valuable insofar as it is a mode of standing against evil.

While there are, no doubt, many unanswered questions that remain concerning the Appropriate Attitude Account, my aim here is not to give a full articulation or defense of this account, but to contrast it to the Eventual Flourishing Account. As I think should be clear, these frameworks justify the virtue of appropriate anger in two very different ways. The character trait of appropriate anger will count as a virtue on the Eventual Flourishing Account insofar as it will eventually lead to the flourishing of the bearer of the trait or others in the moral community, while the character trait of appropriate anger counts as a virtue on the Appropriate Attitude Account because it is a non-instrumentally valuable way of being against evil.

Why should we prefer the Appropriate Attitude Account to the Eventual Flourishing Account? The Appropriate Attitude Account can give a coherent justification of the virtue of appropriate anger and it avoids the problems that plague the Eventual Flourishing Account. Assuming that our hatred of evil should be proportional to its badness,[27] we can explain why Douglass has reason to be angrier at Covey in comparison to Caldwell. Since Caldwell was a less wicked slave master than Covey, Douglass would have reason to respond to Covey with greater anger. The Appropriate Attitude Account can also explain why it is that a character trait of habitual

inirascibility that just happens to lead to flourishing should not be praised. As we have seen, on the Appropriate Attitude Account, what makes a trait a virtue is not its connection to some state of flourishing but that it is a form of excellence in being for the good or against the evil. The type of inirascibility in question would not count as this kind of excellence.

Most importantly, this way of thinking about the virtue of the appropriate anger does not threaten to offer a distorted picture of the nature of resentment itself. On the Eventual Flourishing Account, the reasons an agent has for manifesting a particular trait (i.e., that it will lead to her or others' eventual flourishing), cannot be the reasons she has for experiencing anger on some particular occasion. But the Appropriate Attitude Account faces no such difficulty. Should Douglass ask why he should develop the character trait of appropriate anger we can respond that this character trait is a way of being against evil. On the Appropriate Attitude Account, the kinds of reasons that we would appeal to justify a particular instance of anger will be the same sort of reasons we appeal to in justifying the virtue of appropriate anger. Thus, on this conception of the virtue, there is no disconnection between the sorts of considerations that justify the virtue of appropriate anger and the sorts of considerations that justify a particular instance or token of anger.

At this point, a defender of the Eventual Flourishing Account might object that the Appropriate Attitude Account faces its own serious difficulties. It might be argued that one attractive feature of the Eventual Flourishing Account is that it articulates an ideal of virtue with real *limits* placed on the role of anger in the virtuous life under oppression. In cases where the trait of appropriate anger would benefit neither the bearer of the trait nor others in the community, it ceases to be a virtue. But on the Appropriate Attitude Account, there is no such limit. Since I've argued that, under grossly non-ideal conditions, there often is no connection between the virtue of appropriate anger and its bearer's flourishing, this may seem like an extremely unattractive conception of virtue.

In response, I'll begin by stressing a rather obvious point: I am concerned with ideals of virtue rather than standards of behavior. That is, I am interested in how one might go about justifying an ideal of excellence, rather than an obligation or duty. It seems that anyone who would object to the Appropriate Attitude Account in this way does not fully acknowledge the importance of this distinction. Even if the Appropriate Attitude Account placed no limit on the role of anger in the virtuous life, it is not at all clear why this would be a problematic ideal of virtue. If one were to accept the Appropriate Attitude Account of the virtue of appropriate anger, it does not follow that one accepts that we have a moral duty to be angry all the time; instead, the Appropriate Attitude Account articulates an ideal of virtue to which we may aspire.

Moreover, the Appropriate Attitude Account does place limits on the role of anger in the virtuous life. This account is premised on the idea that the virtuous person is someone who loves the good and hates the evil. I have stressed the important role of hating evil since I have argued that this is central to a proper understanding of how to justify the virtue of appropriate anger. But we should not forget that on the Appropriate Attitude Account the virtuous person is someone who hates the evil

and loves the good. If one's anger prevented one from loving the good, then one would not be a fully virtuous person on this account. Being able to love the good is not the same as flourishing. One might be able to love the good yet be incapable of entering into friendships, for example. However, acknowledging that the virtuous person will love the good and hate the evil does place *some* limit on the role of anger in the virtuous life. For Douglass' anger to be virtuous, it must not reach a point where he finds it impossible to love the good. In short, although the Eventual Flourishing Account does limit the role of anger in the life of virtue, this does not give us reason to prefer it to the Appropriate Anger Account for the later also has room for limits on the role of anger in the life of virtue.

10.5 Conclusion

I have argued that a neo-Aristotelian framework may not provide the best framework for justifying the virtue of appropriate anger under conditions of oppression. I have not so much been concerned with *defending* the virtue of appropriate anger, as with exploring the best framework for thinking about this question.[28] I have argued that a neo-Aristotelian account in general, and the Eventual Flourishing Account in particular, do not provide the soundest theoretical architecture for thinking about the virtue of appropriate anger under circumstances of oppression.

I began this paper by reflecting upon what I take to be an iconic portrait of Frederick Douglass. If Douglass did manifest the virtue of appropriate anger, this is a trait that merits praise. I have argued that it is misguided to think that the praiseworthiness of this trait depends solely upon whether or not it brings about Douglass' flourishing or the flourishing of others in the moral community. Nonetheless, eudaimonistic theory can help us understand why our emotional responses to Douglass' portrait may be somewhat ambivalent: there is *a cost* associated with being the victim of oppression and there is, at least sometimes, an additional price to pay for responding virtuously to oppressive circumstances. Although Douglass' character trait of appropriate anger is praiseworthy, his portrait is a reminder that under non-ideal circumstances, virtue can come encumbered with its own attendant costs.

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Notes

1. See http://www.artic.edu/aic/collections/photo/highlight_item.php?acc=1996.433 for an image of the portrait and a brief discussion of the daguerreotype process.
2. Quoted in William L. Andrews and William S. McFeeling (1997, 130). Also quoted in James A. Colaiaco (2006, 6).

3. Although the kind of anger I am concerned with in this paper is partially constituted by a desire for revenge or rectification, one can clearly be angry in this sense without *acting* on this desire.
4. This idea of anger being a response to being blocked or opposed can also be seen in Aristotle's account of the causes of anger: 'Whether, then, another man opposes him either directly in any way, as by preventing him from drinking when he is thirsty, or indirectly; whether someone works against him, or fails to work with him, or otherwise vexes him while he is in this mood, he is equally angry in all these cases' (1984b, 1379a).
5. It should be noted that we sometimes use the term 'resentment' to refer to a longstanding attitude of a distinct kind. As Ekman (2003) describes it, some forms of anger 'may *fester*, in which case it is never out of mind. The person is preoccupied with the offense ruminating excessively about it' (113). This kind of resentment is clearly akin to Nietzsche's *ressentiment*. In this paper, I am interested in exploring how one would go about defending a virtue of anger or resentment in response to injustice, not a virtue of *ressentiment*. In other words, I am interested in the kind of anger we experience when we have been wronged by another person (i.e., resentment) and not the impotent and festering rage of Nietzsche's *ressentiment*.
6. See, for example, Gabriel Taylor (2006) and Robert Thurman (2005).
7. The following summary of the feminist literature on the value of anger is borrowed from Bell (2005). I also discuss this material in Bell (2006).
8. There are many feminist theorists who discuss the epistemic privilege of the oppressed. I cite Narayan here because she does an especially nice job of showing how this epistemic privilege is connected to the liability to certain emotions.
9. Lynne McFall's partial defense of bitterness is an important exception to this general trend. But while bitterness is, by definition, a stable and enduring motivational state, McFall does not emphasize this in her partial defense of bitterness. See McFall (1991).
10. In equating slighting with failing to respect, I am putting a rather contemporary gloss on Aristotle's notion of slighting. In the *Rhetoric,* Aristotle describes what he means by slighting as follows: 'Now slighting is the actively entertained opinion of something as obviously of no importance. We think bad things, as well as good ones, have serious importance; and we think the same of anything that tends to produce such things, while those which have little or no such tendency we consider unimportant' (1378b). My goal is not to offer a scholarly reconstruction of Aristotle's ideas, but to show how his account of anger is relevant to contemporary debates about the value of anger under oppression. Thus, while I may well be taking liberties with the text by equating slighting with failing to properly respect, I am doing so quite consciously with a particular purpose in mind.
11. This definition of anger raises many questions. Does anger always involve the expectation of *revenge*? Is it possible to experience anger towards groups of people or is Aristotle correct to insist that anger is always directed at individuals? What exactly is anger aiming at? In this paper, I am less interested in Aristotle's own account of the nature and value of anger, and more interested in the contemporary discussions of the virtue of anger which have been inspired by Aristotle's account. Because of this, I will not give Aristotle's own views the very careful attention they deserve. For detailed discussions of Aristotle's account of virtuous anger see Leighton (2002). See also, Michael Stocker and Elizabeth Hegeman (1996, Chapter 10).
12. My understandings of how we ought to individuate the virtues may diverge from Aristotle's account. Since my primary aim is to engage with some of the contemporary literature on the virtue of appropriate anger, I will not here offer a careful précis of Aristotle's account of how we ought to individuate the virtues.
13. For more on this general point see Tessman (2005). In this book, Tessman offers an analysis of precisely these virtues, i.e., virtues that are disconnected from the agent's own flourishing. I will discuss Tessman's neo-Aristotelian account of the virtue of appropriate anger under oppression in what follows.
14. Tessman (2005, 123) makes a similar point.

15. See Tessman (2005, 120–122) for a discussion of how anger might have a tendency to be misdirected under oppression. Cornel West (1994) is also concerned about this possibility. See his essay 'Malcolm X and Black Rage.'
16. For more on this point, see Martha Nussbaum (2001, Chapter 11).
17. Some might disagree with me on this point. Perhaps there is a way of interpreting the good life or flourishing so that even in grossly non-ideal circumstances, the agent who manifested the trait of appropriate anger could be said to flourish. However, as I have indicated above, I find it difficult to imagine how any conception of the good life or human flourishing could count as good life one that was filled with ever-present rage.
18. Gabrielle Taylor (2006, 84) makes this point.
19. Some of what I say against Tessman's view in what follows is quite similar to a line of criticism that Rae Langton (2001) develops. My views here are also influenced by Strawson (1974).
20. Langton raises a similar worry against consequentialist virtue theory in 'The Virtues of Resentment.' While Tessman is not offering a consequentialist account of virtue, her analysis of v_3 traits renders her account vulnerable to this worry.
21. As many philosophers have noted, there are different sorts of considerations that count in favor of a given attitude. A consideration can count in favor of an attitude, such as resentment, in (at least) two distinct ways: it can show that the attitude is *warranted* or it can show that the attitude is *good*, e.g., pleasurable, useful, desirable, etc. To appeal to the latter sort of consideration is to provide *the wrong kind of reason to* justify an attitude such as resentment. For a recent discussion of what has become known as 'the wrong kind of reason problem' see Darwall (2006, 15–16, 65–67).
22. As I will argue in what follows, I think any cogent defense of the virtue of appropriate anger under conditions of oppression must recognize that this trait is non-instrumentally valuable. Interestingly, in his discussion of virtuous actions, Aristotle claims that virtuous actions must be done for their own sakes: 'The agent must also be in a certain condition when he does them; in the first place he must have knowledge, secondly he must choose the acts, and choose them for their own sakes, and thirdly his action must proceed from a firm and unchangeable character' (1984a, 1105a). This is not a feature of Aristotle's thought that Tessman emphasizes.
23. I am intentionally combining the views of Hurka and Adams here in order to contrast their accounts of virtue with neo-Aristotelian accounts of virtue. Since my aim here is not to give a careful exegesis of the view of Hurka and Adams, I will ignore many of the very important theoretical differences between them in what follows. For a good discussion of the important differences between these two theorists, see Adams (2006, Chapter 2).
24. Since I am concerned here with appropriate anger, I will not take up the question of whether inappropriate anger can ever be a virtue.
25. It may be objected that the way I have put this point is contentious. I seem to be assuming that only the principle victim of some injustice can manifest the virtue of appropriate anger. But surely someone who evinces the virtue of appropriate anger may well come to feel anger on someone else's behalf. I do not wish to deny that the virtuous agent may come to feel anger on someone else's behalf. In such cases, the anger would not be expressing the victim's integrity so much as expressing the victim's value as a co-member of the moral community.
26. In some circumstances, I think it would be appropriate to respond to oppressors with contempt. For my defense of contempt as a response to oppression, please see Bell (2005).
27. Adams expresses some worries about proportionality constraints, but I will bracket his concerns for my purposes here. For more on the differences concerning Hurka and Adams on proportionality constraints, see Adams (2006, Chapter 2).
28. A full *defense* of this virtue would require taking on several issues that I have not discussed due to the limited scope of this paper. There is a long history of philosophical objections to anger. The Stoics, for example, might agree that we ought to 'be against the bad' in the sense of *judging* bad things to be bad, yet deny that this must involve the experience of anger or other negative emotions. A full defense of the virtue of appropriate anger would need to respond to these and other challenges to the claim that there is a virtue of appropriate anger.

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Chapter 11
Practicing Imperfect Forgiveness

Alice MacLachlan

Abstract Forgiveness is typically regarded as a good thing – even a virtue – but acts of forgiveness can vary widely in value, depending on their context and motivation. Faced with this variation, philosophers have tended to reinforce everyday concepts of forgiveness with strict sets of conditions, creating ideals or paradigms of forgiveness. These are meant to distinguish good or praiseworthy instances of forgiveness from problematic instances and, in particular, to protect the self-respect of would-be forgivers. But paradigmatic forgiveness is problematic for a number of reasons, including its inattention to forgiveness as a gendered trait. We can account for the values and the risks associated with forgiving far better if we treat it as moral *practice* and not an ideal.

Keywords Forgiveness · Resentment · Self-respect · Gendered virtue · Feminism

11.1 The Value(s) of Forgiveness

Forgiveness has enjoyed an unprecedented surge of academic enthusiasm in the last few decades. We have learned that forgiveness is good for your health (Thoreson et al. 2000), good for your business (Kurzinski 1998), good for your intimate relationships (Coleman 1998), and good for your politics (Shriver 1995, Tutu 1999, Amstutz 2005). According to several religious traditions, forgiveness is also good for your eternal soul. From clinical psychologists and democratic reformers to spiritual gurus and yoga teachers, a surprising number of authorities are suddenly counseling individuals that they can – and even *ought* to – forgive.

Despite the panoply of benefits now associated with it, feminists may have reasons to regard an ethics of forgiveness rather warily. After all, this spate of forgiveness promotion has followed relatively quickly on the heels of several significant

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liberatory movements, including the civil rights movement, second wave feminism, and the rise of queer politics. One would be forgiven (pardon the pun) for noting, as Janice Haaken does – somewhat dryly – that just when 'oppressed groups gain the strength to speak up and claim new rights, including the right to disengage from abusive relationships, the powerful rediscover the salutary virtue of forgiveness' (2002, 184). At the very least, it is worth asking certain questions, most notably: *what*, exactly, is being advocated, when women are exhorted to forgive? Second, in praising forgiveness, what alternatives to forgiving do we thereby critique? Some fear that, in forgiving widely, we waive a valuable form of moral (and political) protest. Others worry that the new ethics of forgiveness masks a more familiar and oppressive paradigm in which women, in particular, are taught the values of self-sacrifice and servility, or concern for others at the expense of their own rights. Given the gendered history of these supposed virtues, the dangers of a new duty to forgive may appear particularly acute from a feminist perspective.

At the same time the intuitive appeal of forgiveness is based on a vision of moral life that goes beyond formal duties and obligations to others, and which imbues relationships as well as rights with value and significance. Forgiveness recognizes human imperfection *and* our capacity for change and improvement. When we forgive, we at least attempt to engage in moral repair: that is, to restore and revitalize moral relations between individuals in the aftermath of wrong, rather than to sever them (Walker 2006). This vision of repair is far from an anti-feminist vision. In other words, forgiveness may not be something we need either to promote or reject absolutely. The problem – or problems – with forgiveness arise from the simple fact that, at least according to many ordinary language uses of the term, we can forgive in a wide range of circumstances and for a wide range of reasons. Some of these circumstances and reasons are better (e.g. safer, more defensible, more self-respecting, more obviously *moral*) than others. That many acts of forgiveness, at least for the time being, must take place in contexts of uneven and often unjust power dynamics only serves to underscore the point.

Faced with the unsurprising observation that acts of forgiveness vary in value, philosophers of forgiveness have responded by calling for (theoretical) reinforcements. Clearly, forgiveness ought to be a moral action, they claim: not merely in the sense that it is open to moral evaluation and may hold moral significance, but moral in the sense of morally *good*, or praiseworthy. The variable moral value of our actual practices of forgiveness is therefore in need of theoretical clarification. Dividing themselves into 'boosters' and 'debunkers' of forgiveness (Murphy 2003), philosophers have, for the most part, either concentrated on shaping forgiveness into a rationally defensible moral ideal or have used examples of poor, risky and seemingly immoral forgiveness to undermine the potential value of forgiveness altogether. This has led to a narrow and often unhelpful set of dichotomies and oppositions, which together frame the philosophical discourse on forgiveness: either we resent wrongs or we forgive them; either forgiveness is conditional on the wrongdoer's repentance or it is entirely *un*conditioned; either forgiveness emerges from a robust sense of self-respect or it is servile condonation; either forgiveness matches – or at least resembles – a philosophical paradigm and is

therefore genuine and praiseworthy, or it is imperfect, immoral, or even 'pseudo-forgiveness.'

In this paper, I want to explore how we might go about theorizing forgiveness, if we begin by rejecting these dichotomies and the picture of forgiveness as a normative ideal from which they arise. I do this for several reasons: first, I see the effort to articulate the perfect paradigm of moral forgiveness as a doomed enterprise. I agree with Margaret Walker that it is unlikely that there is 'a single correct idea of forgiveness, in the way that there is a correct theory of the structure of DNA' (2006, 152). Moreover, searching for such a theory may be dangerous as well as futile, if it prevents us from attending to actual practices of forgiveness and the narratives told by those who do (or do not) forgive, in circumstances and for reasons not contained by philosophical paradigms. If, as I suggest, the neglected narratives are most often those belonging to members of oppressed or subordinate social groups, this neglect is particularly worrying. Finally, in abstracting from the messy details of forgiveness as a practice, philosophical paradigms of forgiveness display some of what Charles Mills calls 'the vices of ideal theory' (Mills 2004, 166). I focus in particular on the role of gender in philosophical discussions of forgiveness: the problematic absence (and presence) of gender in philosophical paradigms and examples, and the ways in which forgiveness is implicitly 'gendered' both in attributions and in expectations.[1]

I make my argument in three stages: first, I offer a wide account of forgiveness and contrast it with narrow philosophical paradigms. Second, I consider forgiveness as a potentially gendered concept, and demonstrate how ideals of forgiveness may reinforce problematic gender assumptions. Finally, I consider what it might mean to theorize non-ideal forgiveness, through an extended meditation on a short passage on women and forgiveness in Dostoyevsky.

11.2 What Does (or Should) Forgiveness Mean?

I understand forgiveness first and foremost as an event or a 'happening': someone forgives; someone else is forgiven. Insofar as forgiveness is deliberative, it is also an action: something we do, or at least aim to do. Of course, 'forgiveness' may also describe our disposition to perform acts of forgiveness (or indeed, if forgiveness is a virtue, to perform them well): Roberts and Griswold have nicknamed this trait 'forgivingness' while David Novitz speaks of what it is to '*be* forgiving' (1995, 2007, 1998). Forgiveness is what forgivingness does. Finally, if acts of forgiveness do express important ideals, we could refer to these ideals, too, as forgiveness. But forgiveness *qua* ideal and forgiveness *qua* virtue both depend upon the act itself: the transformation we intend in uttering phrases like 'I forgive you.'

What do we do when we forgive? Most philosophers agree that forgiveness is a *personal* (rather than an institutional or official) response to wrongful harm. It is also a generous or liberal reaction; acts of forgiveness mark a deliberate shift from away from a negative stance toward the wrongdoer – or, in some cases, the immediate substitution of a positive stance for the expected negative one, in the first place. This shift in stance does not diffuse or ignore the wrongness of the offense: forgiveness

confronts wrongdoing for what it is, and does not try to explain it away. While efforts to forgive may resemble excuses or justifications, articulating a decision to forgive includes the more difficult task of accounting simultaneously for why hostility might be justified and our willingness to forgo or rethink it. I am excused if I am less blameworthy for my action, but I am forgiven *for* my blameworthiness.

In everyday language, what we recognize as acts of forgiveness are also typically characterized by certain attitudes, rituals and behaviors, perceptions and even uttered phrases – but these may change, depending on the individuals involved, the relationship between them, and the nature of the offense. In some friendships, much is conveyed non-verbally; a single gesture may convey apology and its acceptance. In other relationships, words are *all* that is needed for both parties to accept that forgiveness has transpired. Certainly, at least the following cases are possible examples of what we might ordinarily refer to as an act of forgiveness:

(i) Overcoming initial feelings of rage, resentment and anger.
(ii) Coming to believe the wrongdoer is potentially more than the sum of her acts towards me.
(iii) Tacitly or explicitly giving her permission to stop assessing herself morally in terms of that one act.
(iv) Purposefully refraining from any retaliating behavior (including verbal behavior).
(v) Articulating words of forgiveness, or participating in some equivalent ritual, with sincerity and good intentions.
(vi) Sincerely accepting an apology.
(vii) Moving on to a new, positive relationship, following a breach of the old by wrongdoing.

Not every possible way of characterizing forgiveness is listed here, of course. The list is meant to be characteristic, not exhaustive. Moreover, performing one of these actions in any particular situation would not guarantee forgiveness: in a long-standing, complex family relationship marked by distrust on both sides, words of forgiveness alone might be deeply unsatisfying for all concerned. In a more casual or formal relationship, on the other hand, talk of overcoming rage and hatred might actually exaggerate and fossilize hostilities, rather than transform them, especially if the wrong in question was relatively minor (Boleyn-Fitzgerald 2002). But we can certainly imagine that, in the absence of reasons to think otherwise, people who performed one of these actions might take themselves to have forgiven – and equally, if we were the recipients of such gestures, we might understand ourselves to be forgiven.

Moreover, it seems to me that it matters whether or not those involved in an act of forgiveness understand it as such; it may even determine whether or not the act 'counts'. Here I take issue with a recent treatment of forgiveness, which begins with the claim: 'forgiveness has not been given, or received, simply because one believes or feels that it has been. . . regardless of the level of subjective conviction' (Griswold 2007, xv). True, we can imagine cases where individuals are mistaken or deluded in

thinking they have forgiven – but acts of forgiveness also seems to function symbolically within a particular relationship. We cannot depend entirely on self-reporting, perhaps but – equally – we cannot entirely cash out the entire meaning of any act of forgiveness in advance, any more than a disinterested observer can appreciate every gesture of love or apology, distrust or gratitude, from the outside. We must also in each case determine what it means to the forgiver and forgiven, by paying attention to how the concept is used by those in situ (O'Shaughnessy 1967).

Second, I disagree with the dominant assumption among philosophers that 'forgiveness is primarily a matter of how I *feel* about you (not how I treat you)' (Murphy and Hampton 1988, 21). Whatever else forgiveness may entail, they argue, it must at least involve a change in attitude: the deliberative effort to overcome warranted resentment and hostility, undertaken only for a prescribed set of morally acceptable reasons. Virtuous or ideal forgiveness is *conditional* on one or more of these reasons – most often, the wrongdoer's wholehearted and informed repentance.

Why the obsession with resentment? When philosophers take up the question of forgiveness, they do so primarily to problematize its moral value, most often in relation to standards of justice and self-respect (Murphy 1988, Novitz 1998, Hieronymi 2001). In failing to object sufficiently, some argue, the forgiving victim appears to condone and even collude in her own wrongdoing. She does not demonstrate appropriate self-respect. Articulating and promoting forgiveness may also undermine and diminish the potential moral insights of our 'negative' reactions to harm such as anger, resentment and blame (Boss 1997, Potter 2001, Quinn 2004). Since the purpose of these emotions is (i) moral protest and (ii) moral self-defense, they – and not the tendency to forgive – are *prima facie* virtuous responses to wrong (Murphy 1988, Brudholm 2008). All the therapeutic, physiological, strategic and political benefits of forgiveness must take second place to this protest. Only resentment can get the *moral* job done. Moreover, since forgiveness is a normative concept, they argue, (i) forgiveness must be premised on prior resentment and (ii) factors that promote and protect norms of justice and self respect must either be 'written in' to what counts as genuine forgiveness, or added as warranting conditions for successful (genuine, legitimate, praiseworthy, etc.) occasions of it. Understanding ideal or paradigmatic forgiveness is simply a matter of determining the appropriate set of conditions.[2]

I see this focus on the emotional dimension of forgiveness as problematic for two reasons. First, it risks excluding or undermining the ritualistic, behavioral and even pragmatic elements of forgiveness; to the person being forgiven, how she is treated by the forgiver may be far more important than Murphy allows. Being 'let back in' may be as much a matter of social gesture as it is a matter of deep emotional transformation. Second, Murphy and those who follow him tend to idealize and oversimplify resentment, allowing it to do all the moral heavy lifting in the aftermath of wrong.

Murphy understands resentment almost entirely in terms of moral protest. In doing so, he follows Rawls, who defines resentment as 'a moral feeling that invokes the concept of right' (1987, 533). Resentment is good, because it is clearly and unproblematically tied to 'a non-controversially good thing – self-respect' (Murphy 1988, 16). This philosophical definition of resentment is narrower than our common

usage – and that is not necessarily a bad thing. The difficulty is that Murphy shifts between common understandings of resentment (we naturally resent injuries) and Rawls' philosophical account (our resentment necessarily carries a morally robust claim). For example, Murphy moves too quickly from the fact that someone protests an injury to the assumption that her protest must be grounded in a robust sense of her own proper value, rather than – say – fear, need or desperation. Resentment does not always and only express self-respect; people with deficient or absent self-respect may still resent harms and wrongs. Second, daily resentments are often tied to far less impressive norms than the concept of (moral) 'right'. We resent failures of good manners, of reciprocal social conventions, even – as Margaret Walker notes – of fashion, like peculiar haircuts (2006, 124).

Walker remains more faithful to common usage than Murphy does, when she claims resentment is an emotional weapon employed in the face of threats to any number of cherished norms (128). The emotional phenomenology of resentment is the same in each case; our angry feelings represent a desire – a demand – that the transgressor of some norm be held accountable to that norm, that she be *made* to acknowledge its force, to regret her violation. In other words, resentment continues to behave as a reactive attitude (Strawson 1993) whether the norm in question is strictly moral, social or customary. Some resentments are cases of righteous indignation; others emerge from envy and insecurity, disgust and disdain. People can resent the effort to use inclusive language, renovations to older buildings to create accessible spaces, or a gay pride parade marching down their street.

Thus, resentment responds to the violation of norms but not all norms are created equal. When we limit use of the term to instances where it is deployed to defend uncontroversial moral concepts, we risk seriously over-moralizing resentment (Walker, 127). This is not to discredit resentment entirely; it may well express moral protest, as well as function as a witness to wrong, or an emotional refusal to accept the fact of injustice. It may also express fear, insecurity, misguided entitlement, or attachment to problematic, exclusionary norms. A plausible account of resentment must recognize both possibilities.

Instead of relying on resentment to determine whether and when forgiveness is warranted, we might examine 'typical' acts of forgiveness for what they tell us about the relation, or change in relation, between the forgiver and forgiven. There are good reasons to focus on what forgiveness produces as a potential source of its value, and not merely on what it overcomes or erases. Claudia Card describes our ability to forgive as a 'moral power,' capable of achieving something of moral significance (2002, 173). For Card, this achievement is the ability to cope with the moral remainders of wrong: suffering, guilt and regret. Hannah Arendt puts it another way: forgiveness 'frees' the wrongdoer, by releasing her from the worst consequences of her wrong (1958, 237). Forgiveness is meant as a kind of *relief*. Walker characterizes the restorative properties of forgiveness slightly differently; she focuses on *repair* rather than release (2006). Card, Walker and Arendt all emphasize forward-looking values of hope and trust in others, the presumption of goodwill and respect, and the desire to restore and improve relationships. To the extent that forgiveness *is* backward-looking, moreover, the forgiver may concern herself as much with the

breach of a valuable relationship as she does with potential injuries to her self-respect. In other words, I suggest that we forsake a singular ideal of forgiveness and redirect our attention outwards in two ways: first, in recognizing the variety of ways in which people may forgive, and the wide range of expressions that forgiveness may take. Second, I suggest we focus on forgiveness – or 'forgivenesses' – as a set of non-hostile practices for negotiating wrongdoing that may express a *number* of reparative aims: relief, release or reconciliation. We ought to re-orient ourselves away from the highest ideal and down to the threshold of forgiveness.

To those schooled in the philosophical discourse on forgiveness, it might appear as though I have simply presented an incomplete catalogue of usages familiar to *me*, and not a philosophical account. Ordinary language is a far from unproblematic methodology, of course; what is 'ordinary' to me, in my culture, class and circumstances, may be far from ordinary to you. In fact, it is precisely *because* usages vary so widely, and in relation to variables of culture, gender, race, class and historical epoch, that we ought to pay attention to them. Acts of forgiveness respond to two very concrete and immediate things: the offense itself, and the wrongdoer who committed it. It is hardly surprising that the meaning and phenomenology of forgiveness will vary as widely as wrongs and wrongdoers do; providing an exhaustive account is probably beyond the reach of the armchair philosopher. But this is not to say we cannot make headway. In the following section, I consider one problematic variable: gender.

11.3 Gendered Forgiveness

Understanding forgiveness as a moral practice requires that we understand it as gendered, among other things. Men and women are encouraged to express their gender in a number of ways; these expressions vary across social classes and cultures, and can change over time. The categories of 'masculine' and 'feminine' identify a shifting complex of traits, behaviors, images and social expectations. Gender is also expressed through moral norms. For example, Campbell notes that many of our virtue and vice terms are gendered (Campbell 1994). Since gender concepts are 'persistent and powerful organizing categories of thought,' it is hardly surprising that some of our moral ideals are also gender ideals (Norlock 2009, 13). When a vice or virtue term is gendered, it does not praise or censure uniformly; the same trait may be praised in women and criticized in men. Campbell describes the 'Kantian feminine' as an ideal of emotional sensitivity and sentimentality: sympathetic, delicate, compassionate and easily offended (1994, 56). These same traits applied to a man of Kant's time – or ours – would not be unambiguously flattering. The 'Kantian feminine' also calls to mind Virginia Woolf's specter of 'The Angel in the House':

> She was intensely sympathetic. She was immensely charming. She was utterly unselfish. She excelled in the difficult arts of family life. She sacrificed herself daily... in short she was so constituted that she never had a mind or a wish of her own, but preferred to sympathize always with the minds and wishes of others. Above all – I need not say it – she was pure. (Woolf 2008)

As moral exemplars go, the Angel in the House is not particularly empowering. One is expected to admire her for what she suffers and receives, not what she *does* or achieves. Her virtue lies in her own self-effacement; she is an exemplary moral agent by hardly acting at all. Eventually, Woolf concludes, the Angel must be eliminated:

> I turned upon her and caught her by the throat. I did my best to kill her. My excuse, if I were to be had up in a court of law, would be that I acted in self–defense. Had I not killed her she would have killed me. (Woolf 2008)

Since the history of gender is also a history of gender oppression, feminists have good reason to be critical of gendered virtues: the feminine virtues were also, traditionally, exactly those traits that supposedly rendered women unfit for the public sphere and for political power. As Claudia Card notes, oppressive social conditions can recast and disguise moral damage and survival strategies with the honorific of 'virtue' (Card 1996, 53). Of course, a survival strategy is not necessarily a wholly *bad* thing, either, insofar as it achieves just that: survival of its bearer under inhospitable conditions. Identifying a practice or trait as feminine does not require that we reject it altogether (not all Angels need killing), but it does alert us to ask *how*, as a gendered term, it is employed – and exactly what vision of 'good' it appears to promote.[3]

Is forgiveness a gendered concept? For some, forgiveness is most at home in the Christian religious tradition, which counsels that *everyone*, male or female, ought to forgive. If everyone faces a similar expectation to forgive, certainly, forgiveness is *not* gendered – or at least, not explicitly. But even within a Christian context of universally advocated unconditional forgiveness, the story is not so simple. Judith Boss notes that normative uses of forgiveness by Christian institutions focus on forgiveness in families, including abusive and violent families. Given the decidedly gendered nature of domestic violence, Boss asserts, 'discussions of forgiveness. . . cannot be separated from gender politics' (Boss 1997, 235). As long as forgiveness is advocated primarily to sustain abusive and oppressive relationships, its value cannot be separated from the gendered violence it enables (Lamb 2002). In other words, the objects and focus of forgiveness may be gendered. Furthermore, both Boss and Anca Gheaus remind us that the Christian argument for forgiveness is premised on universal fallibility and moral frailty – we forgive others because we ourselves are also sinners, and in need of God's forgiveness – a remark chillingly reminiscent of a long tradition of victim-blaming, in contexts of domestic and sexual violence (Boss 1997, Gheaus 2009). Gheaus notes that according to Christian theologian Paul Fiddes, in human relationships no one is an innocent party.

There are several good reasons to believe that forgiveness *is* gendered or, at least, that forgiveness as we understand it emerges from a profoundly gendered history. Certainly, 'forgivingness' or the disposition to forgive appears at home with other 'soft' attributes traditionally coded as feminine: patience, care, and sympathetic understanding. Indeed, it is exactly these aspects of forgiveness: that it is too soft, too yielding, too self-sacrificing, and fails to confront others appropriately, that motivate many of the philosophical objections to forgiveness raised by Murphy and others. Hannah Arendt notes that forgiveness has been relegated to the private,

rather than public realm – just as women were – in part because of the close association between forgiveness and love (1958, 243). If the ideal woman is responsible for maintaining relationships and for keeping domestic harmony, forgiveness will regularly be required of her.

In characterizing the ideal woman, forgivingness has also functioned as a tool for silencing her more assertive counterparts. Society is far quicker to castigate and to label the woman who will not forgive as angry, bitter or shrewish than her male counterpart – a phenomenon witnessed most recently in Hilary Clinton's campaign for the Democratic presidential nomination. Media commentators have remarked that despite her formidable legislative and political record, the single act that temporarily kept Clinton's campaign afloat was her willingness to forgive her husband: that single action redeemed her femininity sufficiently for middle America. Several recent studies in empirical psychology have indicated that willingness to forgive divides along gender lines, and women are more inclined to forgive than men (Exline et al. 2008, Toussaint and Webb 2005).[4] Exline remarks that the sex differences they uncovered were surprising and unexpected (Exline et al., 2008). Of course, those of us unwilling to accept gender dichotomies as essential may cast a critical eye over these studies, but they reinforce what feminists have long argued; in contemporary western society, women are more likely to be socialized to cultivate empathy and care, to sublimate their needs and rights to those of an ongoing relationship, and to reject negative emotions of anger and resentment.[5] It makes sense that an inclination to forgive – or a sense of its expectation – might be part of this socialization. Given this social pressure, and the historical association between forgiveness and some culturally encoded set of 'essential' feminine characteristics, women may have additional reasons *not* to forgive, or to resist *being* forgiving. Murphy begins his diatribe against forgiveness with a quote from feminist author Fay Weldon: 'understand and forgive, my mother said, and the effort has quite exhausted me' (Weldon 1988, 5). Rather than taking up the practice, many women may be interested in leaving it behind.

Finally, I would suggest that not only is our inherited concept of forgiveness gendered, but the philosophical discourse on forgiveness and the paradigms it generates are, as well. Who forgives, in philosophical examples? For the most part, philosophers writing on forgiveness illustrate their claims with what I think of as 'Smith and Jones' cases: the figures remain shadowy, identified only by the letters 'A' and 'B' (Downie 1965, Harvey 1993) or by single male, Ango-Saxon names: 'Fred and Ralph' (Kolnai 1973) 'Smith and Robinson' (Benn 1996), 'Alston and Bennett' (Haber 1991), 'Jerry and Paul' (Boleyn-Fitzgerald 2002) or indeed, remain nameless but nevertheless male (Bennett 2003).[6] These forgivers tend to be colleagues, business partners, or casual friends: they forgive after they fail to collaborate appropriately on shared projects, break promises or contracts, and forget to repay borrowed money. In other words, they behave very much like the (male) heroes of classical liberal theory: autonomous, independent, atomistic agents, who deliberately choose to engage in shared projects for mutual benefit and advantage. Griswold comments, almost in passing, that the consensus against third-party forgiveness is premised, in part on presumably non-controversial 'common-sense moral individualism,' where

individuals are understood to be atomistic moral units (Griswold 2007, 118). Yet this assumption ignores several decades of work in feminist theory, which has introduced, critiqued and revised the insight that our agency as individuals is often constituted, at least in part, by our most meaningful (and often unchosen) relationships. The point is not to devalue autonomy or individuality, but rather, to rethink exactly in what these values consist.

When women do appear in the literature on forgiveness, they tend to do so in one of two guises: first, as the abused wife or victim of sexual violence (Holmgren 1993, Boss 1997, Haber 1998, Murphy 2003). Interestingly, these examples are always invoked as the quintessential case of problematic, disingenuous or even *pseudo*-forgiveness; they are destined to fail because, clearly, such women cannot possibly forgive and meanwhile possess (let alone express) self-respect. Second, women appear as the mother whose agency is so deeply identified with her child that she can forgive *as* him – the apparent counter-example to the 'common-sense moral individualism' that prevents third-party forgiveness. Mother and child are the exception that proves the rule, apparently, because the mother's agency is indistinguishable from the child. She is so psychologically attuned to her caring relationship that she may not be a separate self at all (Murphy 1988, Haber 1991).

Why consider this paucity of female examples anything more than an unfortunate failure of imagination? Among the potential vices of ideal theory, according to Charles Mills, are its misrepresentations of social ontologies and of moral capacities (Mills 2004, 166). Examples matter because they reveal the subjects of a particular theory; to whom exactly it is meant to apply, and what sort of people they are. Here philosophical theories of forgiveness fall down on two accounts: first, in neglecting women as forgivers for the most part and second, in introducing them only to demonstrate *bad* forgiveness, or forgiveness *for others* and not on behalf of themselves. Insisting that victims of wrong must already have regained their self-respect before they can rightfully forgive may also attribute 'completely unrealistic capacities' to them (Mills, 166). Furthermore, gendered examples work so well in the philosophical discourse because they fit the paradigms they illustrate, suggesting that these too are problematically gendered.

Genuinely considering cases where sexist subordination and gendered violence play a role is not simply a matter of straightforwardly enumerating them, but rather, of taking care to reflect and account for the agency and the voice of women within them, not relying on cultural tropes of the helpless battered woman or the fierce and selfless mother. And while there may well exist an uneasy tension between practices of forgiveness and self-respect, choosing a particular (gendered) experience as typifying self-disrespecting forgiveness, then declaring it illegitimate – almost by definition – is a deeply problematic solution. I have difficulty seeing such a theoretical move as achieving anything except further diminishing the agency of those women who do see themselves as forgiving; neither does such a move attend sufficiently to the reasons they offer for their decision. Women who *do* forgive in these circumstances often describe a complicated moral calculation, in which self-respect is balanced against meaningful, even constitutive, moral relationships (Flanigan 1999).

Is such a narrative a guarantee against desperate or problematic forgiveness? Of course not, but it does not need to provide a guarantee, in order to be of value. For one thing, actually attending to victim narratives may draw our attention to sophisticated 'adaptive strategies' for regaining agency and a sense of control (Brison 1999, 218). The assumption that victims who suffer from diminished self-respect are incapable of anything but passive servility is both patronizing and implausible; it misrepresents the moral capacities of the individuals it claims to protect. As Martha Minow puts it, 'restoring dignity to victims. . . should at a minimum involve respecting their own responses' (Minow 1999, 8). Instead of creating paradigms with self-respect written in, philosophers would do well to attend to first person narratives of forgiveness, and the explanations that accompany them. For one thing, in many cases, the forgiver's self-respect is not what has been damaged, but her trust and good will for another. Accurately understanding the potential value of forgiveness, therefore, may require that we focus on its relational aspects – and this in turn draws our attention back to the actual relationship in question, in all its particularity, and away from abstract paradigms or ideal cases.

11.4 Imperfect Forgiveness

How can we theorize forgiveness without ideals? This may involve little more than looking carefully at non-ideal instances of forgiveness. Philosophers may have much to learn from empirical studies, first-hand reports, and even literary accounts of how and why people forgive. Consider, for instance, the picture of decidedly *imperfect* forgiveness described in the following passage, taken from Dostoyevsky's *The Brothers Karamazov*. Dmitry Karamazov (Mitya) is explaining to his younger brother, Aloysha, why he will not apologize to his lover, Grushenka. When Aloysha suggests that Grushenka would forgive him, Dmitry takes the opportunity to teach his little brother something of the relationship between women and men, and the kinds of forgiveness it engenders[7]:

> May the Lord preserve you, my dear boy, from ever asking forgiveness from a woman you love, if you happen to be in the wrong. From a woman you love especially. Yes especially. However much you may be in the wrong! For a woman, my dear fellow, is the devil only knows what sort of a creature. I am an expert on them, at any rate! But try to tell a woman that you're in the wrong – I'm sorry, it's my fault, forgive me please – and she'll shower you with reproaches! She'll never forgive you frankly and openly, but will humiliate you to the last degree, bring up things that never happened, remember every little thing, forget nothing, add something of her own, and only then will she forgive you. And that's how the best of them, the best of them, will behave! . . . A man must be magnanimous, and that won't stain his reputation! It won't even stain the reputation of a hero, not even of a Caesar! But don't ever ask her forgiveness for anything all the same. (Dostoyevsky 1958, 697)

This passage could well be said to represent everything that is worrying to feminists about discussions of forgiveness. Not only are pejorative generalizations made about women as a group (they are manipulative, emasculating, emotional, and deceitful), but also a relationship of inequality and subterfuge between men and

women is advocated explicitly (men may forgive one another, but they must deny their faults to women at all costs). Forgiveness enters the picture as one strategy for maintaining – or undermining – the appropriately unequal relationship (Dmitry does not have similar reservations about women asking men for forgiveness; in these cases a man may be magnanimous and gracious, in response). In the hands of women, forgiveness is an unscrupulous and unjust power; to ask forgiveness is to surrender power that ought not to be surrendered. Forgiveness is something tricky and somewhat dishonest, this passage suggests – *just like women*.[8]

In other words, forgiveness is presented as a gendered trait. Female forgiveness is problematized as deceitful and manipulative, but at the same time, women are described as forgiving while men are *magnanimous*. The former has very different connotations than the latter. In Aristotle, the virtue of magnanimity is also translated as pride, and concerns itself with 'great honors' (1999, 1124a5). The magnanimous person is gracious and lenient with others because he can afford to be; his generosity emerges from an abundance of power, not the vulnerability of victimization. Unlike forgiveness, which is premised on the idea that we are able to harm and be harmed by one another, magnanimity is rooted in strength and imperviousness. Stoics such as Cicero and Seneca praised magnanimity for this very quality, along with the virtue of mercy (Roick 2008, Seneca 1995). In fact, the truly magnanimous person may be incapable of forgiveness, precisely because of his imperviousness; like Nietzsche's forgetful noble, he is not capable even of recalling the wrongs of others (Griswold 2007, 8).

The forgiving woman is at the same time deeply resentful, and literally re-lives ('remember[s] every little thing', 'forget[s] nothing') and re-interprets the original wrong ('bring[s] up things that never happened', 'add[s] something of her own') as she re-tells it. Not only is her forgiveness conditional – conditions she appears intent on *extracting* from her unfortunate lover – but, Dmitry implies, conditions appear as if from nowhere and are added as she goes along. On the other hand, male magnanimity is a trait of the strong, even the heroic: abundant, unconditional and honest. The magnanimous man knows the truth, rises above the fray, and is '[frank] and [open]' about it from the beginning. In other words, he is merciful.

There are several obvious responses to this passage; the easiest is perhaps to debunk the gendered generalization it makes: that the character of women as a group inclines them to be more resentful and less magnanimous than men.[9] If my analysis of gendered forgiveness is correct, the opposite is likely to be true: women may have more trouble expressing anger, and less trouble expressing empathy or care. Of course, the (fictional) women in Dostoyevsky's passage are not particularly patient, caring or empathetic; they display obsessive resentment, whose object is their wrongdoer's groveling humiliation. The ability to empathize and the tendency to resent are not incompatible; we might even understand resentment as a natural response to excessive expectations of care.

Resentment as Dmitry describes it is certainly not the noble sentiment described by Rawls and Murphy. Instead, the reiteration of wrongs narrated by resentful, forgiving-yet-unforgiving women resembles resentment (or *ressentiment*) as Nietzsche saw it: deceptive, malicious, emotionally poisonous, and an invaluable

creative resource for those who are weak, vulnerable, and lacking power (1967, 37–39).[10] These women re-narrate the wrong, in all its shamefulness, even as they claim to forgive it. Moreover, this interpretive narration is part of the *point* of their forgiveness. Rather than releasing the forgiven wrongdoer from the deeds of his past (Arendt 1958, 237), their forgiveness is designed – in part – to remind him of them. Whatever we may think of Dmitry's gender politics, the self-righteous, guilt-inspiring forgiveness he describes is not unfamiliar.

11.5 Ambivalent Forgiveness

Evidently, Dostoyevsky's passage does not describe an ideal case of forgiveness. What exactly is wrong with the picture Dmitry paints, according to philosophical ideals of forgiving? In the first place, the forgiveness expressed is not a pure change of heart; it is intermingled with and even constituted by unresolved resentment. Of course, if resentment were necessarily a moral, self-respecting response to wrongs, then to resent wrongs done is not necessarily a moral failing – following Murphy and others, it would be a moral requirement – but then, as I argued above, resentment also turns out to be more complicated and less upright than Murphy allows. We cannot always rely on its moral credibility. Dmitry's women may also fail to express the self-*respecting* resentment Murphy endorses. We lack textual evidence to determine this absolutely – this is not Gruschenka's narrative, after all, but Dmitri's – but given the pleading and apparently duplicitous tone attributed to them, it is at least plausible that their resentment is grounded in fear and insecurity, rather than a robust and measured sense of their own value. Furthermore, in this passage, forgiveness is a vehicle for resentment and not an antidote. As any analytic philosopher of forgiveness will tell you, genuine or virtuous forgiveness is meant to overcome or eradicate resentment, not to disguise and express it. Insofar as the forgiveness in this passage finally *does* mark an end to resentful demands for an apology, it is untimely – delayed. The contrite wrongdoer is (at least in his own eyes) asked to do too *much*. The forgiveness he finally receives is a hard-won respite, and not a gift at all.

From the point of view of philosophical ideals, at least, the scene Dmitry paints is thus an apparent failure of forgiveness. Being forgiven in this way would feel a whole lot like being blamed. It is even what we might call, following J.L. Austin's framework, an abuse or misfiring of the performative utterance 'I forgive you'. The supposed forgiver fails to accomplish the moral transformation – whether conceived as release or reconciliation – that utterances of these words are meant to enact. The result is unsatisfying for the recipient, and unlikely to achieve the almost miraculous benefits of forgiveness mentioned at the beginning of this paper. Furthermore, at least according to Dmitry's interpretation, this failure is a failure of character, attributable to the women themselves. They are 'devil only knows what sort of a creature', after all, and lack the appropriate virtue to perform acts of magnanimity, rather than repressed resentment. Women may utter words of forgiveness, but they cannot forgive *well*.

Performatives can fail for many reasons, however. Here forgiveness has apparently failed (if it has failed) because the supposed forgivers are excessively and inappropriately resentful. After all, Dmitry has accepted the need for apology – he does not even dispute that forgiveness is required: his warning to Aloysha is not to ask forgiveness of a woman, even *if he is in the wrong*. But Dmitry does display an unspoken assumption, even a sense of entitlement, that he himself is the best judge of what kinds of contrition are required of him. What frustrates him is his unwilling participation in an ongoing process or dialogue. While Dmitry would like to utter an apology and be done with it, his partner in this dialogue wants something more extensive: accountability as well as reconciliation. The mixture of forgiveness and resentment that emerges is her strategy for negotiating both.

Women in 19th century Russia lived under gender ideals not unlike those described by Virginia Woolf. Under the influence of the Orthodox Church, 'the image of piety, modesty and self-denying service to the family and the unfortunate' represented the culmination of feminine virtue (Bisha 2002). Perhaps even more than in the contemporary west, women were socialized to express soft, yielding, feminine traits while rejecting so-called 'negative' emotions of protest and demand. It seems plausible that they would be encouraged to engage in forgiving behavior, perhaps more than their male counterparts. But notice, in Dmitry's narrative: being forgiven by women is an excruciating ordeal because their angry emotions are surprisingly overwhelming – because they *become* overwhelming once forgiveness is requested. If the question of forgiveness is avoided altogether, it appears, female anger remains under control. The question of forgiveness enables, even prompts it.

We can thus read Dmitry's women as grabbing the only opportunity available to them. Resentful, ambivalent forgiveness is not a failure, but a subversive strategy for balancing seemingly incompatible moral demands. The outlawed expressions of protest – the need to tell one's *own* version of the story and have it be heard, to have one's hurt affirmed and acknowledged, and to have expressions of anger be acknowledged as warranted and legitimate – have been incorporated, even *smuggled*, into the socially and morally acceptable process of forgiveness. At the same time, Dmitry allows, these women *do* forgive: 'and only then will she forgive you'. The value of forgiveness as a reparative strategy is not sacrificed absolutely to protest. The women in Dostoyevsky's passage are, quite simply, refusing to choose between maintaining relatedness and protesting injustice. The ambivalent forgiveness that emerges is an adaptive strategy for negotiating an impossible choice.

Note too, that Dmitry focuses on forgiveness between intimates: 'from a woman you love especially.' Close, interpersonal relationships of love are often those least likely to be governed by norms of justice and rights-claims. The women described have consciously or unconsciously adopted emotional strategies for negotiating injustice without exiting the relationship altogether – perhaps because they lack that option, or perhaps because they are balancing its value alongside their emotional protest. They demonstrate an important insight that philosophical paradigms overlook; sometimes, forgiveness can exist alongside lingering resentment.

Linda Ross Meyer describes at least one situation in which the words, 'I forgive you, but I'm still angry' are not a contradiction: the case of parents dealing with

children (2000, 1520). We can at least imagine fully adult examples of this kind of case, in which the forgiver might say 'I do forgive you, but bear with me – it's going to take me some time to get past this. I hope you'll be patient,' or cases when a less prescient forgiver forgives, then inadvertently expresses resentment at a later date. If she sincerely intends to forgive, and has made a genuine effort to distance herself rather than endorse her original angry stance, it seems almost churlish to claim that she has *failed* to forgive. Indeed, I expect this particular experience – occasional, surprising moments of recalcitrant resentment – is more common than we might like to admit. Add to this a deeper layer of entrenched, deep-seated causes for anger, such as ongoing social injustice and oppression, and it becomes almost impossible to read or predict the moral 'compass' of individual angry occasions. For those individuals who constantly receive messages that they deserve *less* from society, gnawing, undermining resentment may be constantly present – and may either numb or inflame the emotional protest of specific, individual injuries. Admitting that forgiving is sometimes compatible with at least some minimal degree of continuing anger and resentment means that members of social groups who have good reasons to feel angry, may still have occasion genuinely to forgive.[11] Forgiveness can be ambivalent and still be real.[12]

In my interpretation of Dostoyevsky's passage, however, I have gone one step further. Not only are forgiveness and (some degree of) resentment compatible; in some cases, one may actually enable the other. Campbell notes that in the absence of social uptake and acknowledgment, expressions of anger and resentment may be unrecognizable as such, even to their bearer (1994, 54). Ironically, it may only be through accepted practices of 'forgiveness' that members of subordinated groups are even *able* to become angry (with all the power and legitimacy conveyed by that word) – let alone in the right way, at the right time, and toward the right objects, as in the case of virtuous anger. At the same time, articulating and expressing anger may free a victim to forgive, should she so desire. Does forgiveness necessitate an (eventual) end to angry feelings? Not necessarily, anymore than we have to feel angry before we can forgive. In forgiving, we commit ourselves to 'move past' the wrong, and to repair whatever damage we can. But neither commitment precludes residual distrust or the emergence of a new and possibly distant relationship.

In other words, acts of forgiveness are not always linear progressions away from resentment and towards total reconciliation – but it is not always clear that they *should* be so. Instead, we sometimes find forgiveness mixed in with resentment. Gheaus describes this mixture as an 'emotional dialectics' of resentment and forgiveness, perfectly capturing the back-and-forth phenomenology of the convoluted emotional trajectory many of us experience, in forgiving (2009). Instead of contrasting unconditional, instantaneous forgiveness with conditional forgiveness, premised on a pre-ordained set of conditions that have already been achieved, we can understand these as limit cases, marking the outer limits of a much wider range of possible 'forgivenesses'.

Forgiveness is not always the right strategy for demanding acknowledgment, of course; sometimes the refusal to forgive is far more powerful, especially when forgiveness is expected or even assumed, is more effective.[13] But in either case, the

practice of granting, receiving and withholding forgiveness functions as a sphere in which wrongdoing is articulated and for which someone is made accountable: it makes no sense to say, 'I forgive you, and I think you did nothing wrong', after all. In some, if not all cases, this sphere is a promising avenue for negotiating responsibility alongside reconciliation. Furthermore, the 'softer' and less retributive discourse of forgiveness may make it available to a wider range of individuals, including women and members of subordinated groups who are socialized to avoid more aggressive forms of protest. Far from closing off avenues of accountability, a discourse of forgiveness may even enable them.

11.6 Conclusions

This paper makes a preliminary case for treating forgiveness first as a (potentially) valuable set of moral practices, rather than as a moral ideal – or set of ideals. Acts of forgiveness may express virtues of compassion, trust, generosity and wisdom. Equally, they may be problematically unassuming, failing to protest wrongdoing sufficiently or prioritizing the maintenance of morally dubious relationships over self-respect. The particular range of cases to which I have drawn attention, in this paper, are those acts of forgiveness that appear to be both valuable *and* problematic; their problematic nature does not dilute the former, anymore than their value overcomes the latter. Negotiating how to assess or advocate acts of forgiveness requires that we look to the particularities of the context in which it occurs, rather than imposing a pre-ordained set of ideals or conditions. Moreover, the context of forgiveness includes the broader political context of the wrong including, for example, the role of gender politics. The gendered history of forgiveness as a moral concept may give women particular reasons to be wary of exhortations to forgive. Finally, we should be careful not to assume that unproblematic or 'easy' cases of forgiveness have more value than messy or 'imperfect' forgiveness – that is, value to the individual participants, as well as value to the philosophers who study them. 'Messy' forgiveness – that is, ambivalent, uncertain and sometimes inconsistent strategies of repair – may promote the good when paradigmatic forgiveness is impossible. Furthermore, as the passage from Dostoyevsky demonstrates, morally complicated forgiveness may reveal insights not captured by paradigmatic cases. Even supposed 'failures' of forgiveness may reveal themselves to be subtle and sophisticated methods for balancing competing values of respect, accountability and reconciliation.

Notes

1. In this paper, I discuss forgiveness from the perspective of gender oppression, but my analysis is potentially applicable to questions of forgiveness in relation to other forms of injustice. For discussions of forgiveness in race relations, please see Howard McGary, 'Forgiveness and Slavery' (McGary and Lawson 1992). See also *Atonement and Forgiveness: A New Model for Black Reparations* by Roy Brooks (2004). A classic discussion of forgiveness in the context of group atrocity remains Simon Wiesenthal's *The Sunflower* (1997).

2. While I am largely critical of Murphy's approach to forgiveness, the caution that he and Brudholm employ – and their defense of 'unforgiveness' and resentment – is an important and timely response to the forgiveness mania that swept academia, following the South African Truth and Reconciliation Commission (Murphy 2003, Brudholm 2008). Murphy and those who agree with him see themselves as attacking not the possibility of forgiveness but the *assumption* or the expectation of forgiveness.
3. For further critical discussion of care and other 'feminine' virtues, see Sarah Hoagland's *Lesbian Ethics: Toward New Values* (1988) and also Friedman and Card's critical discussions in *Justice and Care* (Held 1995).
4. Interestingly, Exline observes that when men are encouraged to engage empathetically with the wrongdoer (by remembering similar offenses of their own), the gender gap disappears: the gendered difference in forgiving emerges from differing levels of empathy. Women, who were more likely to express empathy from the beginning, did not experience an increase in forgiving behavior when prompted to think of their own past offences; if anything, they were likely to be harsher – hence the disappearance of the gender gap.
5. For a discussion of women and anger, please see Bell, 'Anger, Virtue and Oppression' in this volume.
6. I would be remiss in making this claim if I did not acknowledge that while I describe the majority of mainstream philosophical writings on forgiveness, there are notable – often feminist –exceptions to this trend, including Jean Hampton, Claudia Card and Margaret Walker.
7. Dmitry is caught in a tortuous and complicated love-triangle with Grushenka and his one-time fiancée, Katerina. He is also on trial for murdering his father. I am not a specialist in Dostoyevsky or Russian literature, and I do not pretend to offer an authoritative interpretation of this particular passage in its literary context. What interested me when I first read this passage, however, was how instantly infuriating *and also plausible*, it was. The picture presented of how women and men forgive one another – or relate to each other more generally – is not inconsistent with the narratives reflected in Euro-American popular psychology, self-help books and women's magazines, and even in the examples and thought-experiments found in analytic philosophy on forgiveness.
8. That forgiveness may require deception is not always held as a strike against it. Jean Bethke Elshtain describes forgiveness as (virtuous) 'willed forgetting' and Julia Driver includes forgiveness among a class of virtues she calls 'virtues of ignorance' (Driver 2001, Elshtain 2001). Since I cannot actually be ignorant of what it is I am forgiving, if I am to forgive it, the ignorance involved is intentional.
9. The irony of choosing this passage does not escape me: having advocated for women's voices in philosophical argument, I turn now to a male author, whose fictional male character lectures another male on gender politics, through a series of sweeping and misogynistic generalizations. In one way, I see myself as uncovering the (silenced) female voices in Dostoyevsky – but this could also be a *reductio ad absurdum* of the trend I describe in the mainstream philosophical literature on forgiveness.
10. Nietzsche describes the ascetic ideal (the system of values created by *ressentiment*) in women as 'one *more* seductive charm, a touch of *morbidezza* in fair flesh, the angelic look of a plump pretty animal' (1967, 97). At various points in his writings, Nietzsche cites women as likely to espouse (and benefit from) a culture of *ressentiment*.
11. It is interesting to note that the definition of forgiveness as 'overcoming resentment', first made famous by Murphy and dominant in the philosophical literature for some time, is actually based on a textual misreading. Murphy claims that he 'follows Bishop Butler' in his definition (1988, 9); in fact, Joseph Butler's sermon's on resentment and forgiveness allow that forgiveness is compatible with a moderate level of resentment. Forgiving means curbing excessive resentment, and limiting one's angry perceptions to what any good person, disinterested in the case, might feel about the wrong (Butler 1949, 143). This definition is obviously amenable to a virtue-ethical analysis. From a feminist or critical perspective, however, the question remains: who is the standard for the 'good' 'disinterested' individual? Defin-

ing anger in terms of a 'disinterested' individual suggests that the individual interests of the resenter cannot themselves function as a warrant for her emotions. If the wrong or injustice is not yet recognized by her moral community (even the otherwise good and disinterested members of it) however, then her anger is not only illegitimate; it is illegible. I see this as a kind of 'moral failure' described by Cheshire Calhoun (1999, 89)

12. Anca Gheaus also discussed the value of ambivalent forgiveness (Gheaus 2009).
13. At the risk of falling into the trap of relying on typical examples of wives forgiving husbands, I was reminded of this point following former New York Governor Eliot Spitzer's prostitution scandal, apology and eventual resignation. At the time, there was a great deal of media attention on the 'ever-forgiving' political spouse – or more accurately, political wife. When I reflect on the situation facing suddenly famous political wives like Silda Wall Spitzer or Clinton or Dina McGreevey (whose husband, former New Jersey Governor James McGreevey resigned after confessing to an affair with a male co-worker), it seems to me that there exists such an expectation of at least *public* forgiveness, any spouse who refused to forgive would make a powerful, even shocking, statement.

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Chapter 12
Feminist Political Solidarity

Sally J. Scholz

Abstract This article examines some of the conceptual history of collective political action within feminist movements beginning with sisterhood and moving to feminist political solidarity. I argue that feminist political solidarity is built on a commitment by individuals to form a unity in opposition to injustice or oppression. Three moral relations emerge from this understanding of feminist political solidarity: the relation to the cause, the relation among members of the solidary group, and the relation between the solidary group and the larger society. These relations evoke certain obligations and responsibilities which I present and defend. Feminist political solidarity is informed by the particularities of the cause and thus any theoretical account of the moral obligations is necessarily limited, but by looking at these three relations together with a sociological account of transnational feminist political solidarity drawn from Clare Weber's sociological description of the Women's Empowerment Project, a clearer picture of some of the moral requirements of a commitment to feminist political solidarity emerges.

Keywords Political solidarity · Mutuality · Activism · Social criticism · Coalitions

One of the primary interests of feminists is developing strategies for collective action to bring about social change. In this article I briefly examine some of the history of the call to solidarity within feminist movements with the aim of highlighting three primary moral relations that emerge from feminist political solidarity. Political solidarity is built on a mutually undertaken collective commitment to a cause in opposition to perceived injustice. As such, three moral relations suggest themselves: the relation to the cause, the relation among members of the solidary group, and the relation between the solidary group and the larger society. In my book, *Political Solidarity*, I offer an extensive discussion of these relations and their incumbent duties as I develop a theory of political solidarity. Here, I explore feminist political solidarity as an instance or application of that framework. Any given instance of

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feminist political solidarity would be informed by the particularities of the cause pursued. Thus even this account of the moral relations and obligations is necessarily limited. Examining the three relations, however, together with a sociological account of transnational feminist political solidarity in action, suggests a clearer picture of some of the moral requirements of a commitment to feminist political solidarity.

12.1 Sisterhood

Prior to appealing to solidarity, activists of the 1960s and 1970s asserted strong connections among all women with their use of the term 'sisterhood.' Sisterhood encouraged women to join consciousness raising groups where they often discussed their sufferings under sexist domination. The focus tended to be on the sharing of experiences of victimization, feelings of weaknesses, or expressions of powerlessness. These were important groups insofar as they helped many women realize that they were not alone in their situations. The consciousness raising groups provided a forum for women to come together to discuss those things that were previously thought 'unspeakable.' Women shared their experiences of wife battery; marital, date, acquaintance, and stranger rape; poor working conditions and low wages for women; general feelings of exclusion in home, work-place, politics, and society at large; feelings of being constrained by prescriptions of beauty, intellect, and power; and numerous health related issues. This approach helped to bring many previously taboo topics to public discussion. But consciousness raising groups primarily attracted or served white, middle-class, educated women concerned about their experiences of sexism. The groups encouraged women to bond over common experiences of oppression and victimization. When sisterhood is conceived in this way, it lacks the political power to compel a movement for social change. It also excludes all those women whose experiences of oppression differ from dominant ones presented within the group.

The sisterhood approach assumes a common experience of oppression for all women thereby obfuscating the many differences among women. Sisterhood belied the range of divisions between women and the diversity of oppressive experiences often interconnected with racial and class oppression. It also obscured the ways in which women oppress other women or are otherwise complicit in sexist oppression. In her well known essay, 'Sisterhood: Political Solidarity between Women,' bell hooks challenged the notion of sisterhood that is grounded on similar experience of oppression or shared consciousness. Hooks explains that male supremacist ideology encourages women to bond only with men; sisterhood was meant to challenge that by showing that women could bond on the basis of shared oppression. But, as hooks argues, 'The idea of "common oppression" was a false and corrupt platform disguising and mystifying the true nature of women's varied and complex social reality. Women are divided by sexist attitudes, racism, class privilege, and a host of other prejudices' (1984, 44).

Sara Ruddick discusses sisterhood and its attendant problems noting that once feminists moved beyond the expectation that all women share similar experiences of

oppression, they developed an ideal based on 'identifying with women's struggles'. Solidarity among and between women became the ideal to strive for even while vast class and race divisions forced women to acknowledge their own role in upholding systems of oppression. Ruddick characterizes the ideal of solidarity as capable of uniting women in struggle across national and state boundaries because it favors 'a closer look at what women actually suffer and how they act' (1989, 240). Feminist solidarity, she argues, seeks to 'identify with women's culturally specific struggles to work, care, and enjoy, to think and speak freely, and to resist abuse' (1989, 240–241).

In a similar vein, Lori Jo Marso implicitly appeals to a distinction between a unity of women based on common experience and feminist political solidarity when she describes a 'genealogical community of women.' While sharing or understanding the experience of feminist thinkers and other women who have preceded us puts us in that genealogical community of women, Marso says, 'We must take the step of making political connections to other women to achieve feminist solidarity' (Marso 2006, 23). Nevertheless, Marso clings to an ordering that requires a change in consciousness brought about by our shared experience before uniting for collective change or political action. She explains, 'I support the claim that it is essential to investigate literal and metaphorical maternal genealogies to begin to effect the change in consciousness required for women to think of each other as political allies, friends, and lovers' (Marso 2006, 153). She concludes her book by trying to strike a balance between solidarity and sisterhood or shared commonality. 'The focus on solidarity beyond sisterhood calls on us to acknowledge that in spite of distinct conditions of oppression, we cannot turn our backs on the reality that women share much in common. We simply cannot abandon the universal call for solidarity despite the many differences in situation women experience' (Marso 2006, 185). Marso contends that it is the 'consciousness of the role femininity plays in women's lives,' which comes through recognizing the conditions of the lives of 'our mothers and feminist mothers,' that 'could lead to political alliances among all kinds of women across identity categories' (2006, 189).

No doubt in part because of its historical roots in other liberation struggles, solidarity is one of the central organizing concepts of post-colonial feminist theory. Chandra Talpade Mohanty, for instance, explicitly rejects feminist arguments that assume 'universal sisterhood on the basis of women's shared opposition to androcentrism' (Mohanty 2003, 112; see also 99). Although she also appeals to 'commonalities of experiences, histories, and identity as the basis for solidarity and in organizing Third World women workers transnationally' (2003, 167), her conception of solidarity tends toward emphasizing political coalitions for social change. She defines solidarity 'in terms of mutuality, accountability, and the recognition of common interests as the basis for relationships among diverse communities. Rather than assuming an enforced commonality of oppression, the practice of solidarity foregrounds communities of people who have chosen to work and fight together' (Mohanty 2003, 7). Notice that this working understanding of solidarity highlights the element of choice for participants in solidarity. She further asserts that diversity and difference ought to be recognized and respected in the building of alliances. Her defense of the use of the terms 'women of color' and 'Third World women'

further stresses the importance of political unity rather than seeking unity based on a descriptive identity. Mohanty explains that Third World women 'designates a political constituency, not a biological or even sociological one. . . . it is Third World women's oppositional political relations to sexist, racist, and imperialist structures that constitutes our potential commonality. Thus it is the *common context of struggles against specific exploitative structures and systems* that determines our potential political alliances' (Mohanty 2003, 49).

The shift from sisterhood to solidarity within feminist activism was significant for a number of reasons. The shift allowed for a greater diversity of voices, experiences, and strategies within feminist activism. It also stimulated feminist activists to connect some of their other political commitments to feminist political causes. Nevertheless, feminists continue to struggle with issues of unity, especially how or whether all women are unified, whether women may be thought of as an inclusive group (see, for example, Zack 2005), or whether there is something otherwise that unites all women. I contend that feminist political solidarity is not based on any sort of already existenting unity, shared consciousness, or common experience, but is rather grounded on mutually undertaken commitments to a cause.

12.2 Political Solidarity

Solidarity is a moral relation forming a unity that mediates between the community and the individual and entails positive duties. Solidarity differs from camaraderie, community, association and other group relations in part because of the emphasis on positive duties. Political solidarity is a moral relation formed when individuals or groups unite around some mutually recognized political need or goal in order to bring about social change. Political solidarity is what is meant when hooks and Mohanty call for a political movement, a unity in struggle, and a coalition politics.

Political solidarity is distinct from other forms of solidarity. Kurt Bayertz (1999) describes four different types of solidarity in his important article on the topic. The most general is human solidarity which describes the unity of all humanity. Other forms of solidarity pertain to the cohesion of a community and the obligations of the welfare state (what may be called social and civic solidarity respectively). Bayertz's also discusses a form of solidarity wherein individuals unite based on common interests or goals and in opposition to some other group. Klaus Peter Rippe similarly describes a project-related solidarity whereby individuals join together to accomplish an end (Rippe 1998, 356). Jodi Dean offers an account of 'reflective solidarity' that connects people through our struggle against those who threaten, denigrate, and silence us' (Dean 1996, 31). These goal-oriented theoretical approaches to solidarity—political solidarity—emphasize the cause which brings diverse peoples together. They also oppose some other group or system, usually a dominant group which may be responsible for or, minimally, privileged by the structures of oppression which are opposed.

By way of example, consider the different manifestations of solidarity that may be found by looking at the work of a domestic violence shelter. One might argue

that the victims of domestic abuse who reside in the shelter or who attend its support groups share a social solidarity insofar as they form a community that is more or less cohesive. That solidarity, however, is not the same as the solidarity of a social activist movement aimed at ending domestic violence or changing a culture of abuse. This second sort of solidarity indicates political activism aimed at social change or, in other words, it is an instance of political solidarity. It is feminist political solidarity insofar as it explicitly embraces a feminist methodology and goal. Finally, in the case of domestic violence, civic solidarity is manifest when or if the state acts on obligations of civil society to protect citizens against vulnerabilities perhaps by providing funding for shelters and legal assistance, encouraging police and prosecutors to take domestic violence cases seriously, and offering assistance with housing, welfare, healthcare, and job training.

As the case of domestic violence illustrates, many of the specific requirements of a feminist political solidarity will be determined by the particular cause advocated or social change to be enacted. Arguably, all feminist causes are part of a broad feminist political solidarity with the goal to end sexist oppression. This would not mean that more specific feminist causes would not at times contradict each other or that there would not be serious differences among feminists about how best to end sexist oppression. On the contrary, disagreement and dissension can be useful tools in identifying and refining the goals of feminist politics but claiming participation in solidarity does mean that deep divisions that exclude would be inconsistent and unwelcome. Dean makes a similar point when she says that 'reflective solidarity refers to the exclusion of exclusion' (1996, 31).

The range of political solidarity is quite varied depending on the specifics of the cause embraced. The shelter example above illustrates a local feminist political solidarity insofar as it is possible for all participants in the movement to gather for collective action and perhaps even to know one another. The group is small enough and the cause specific enough—ending domestic violence in one's community—that the group could discuss strategies, share stories of successes and failures, exercise democratic decision making, and offer practical assistance to one another if needed. But feminist political solidarity can also be quite fluid and widespread. Goals may change or transform depending on the social conditions, and participants might even be spread across nations or around the globe. In a similar way, individual participants may be more or less active depending on their own life circumstances. They may be motivated by such things as employment situation, experience of oppression, feelings of indignation, affective ties, or rational choice. Their level of involvement will depend on these personal motivations as well as their other needs and abilities.

Consider the case of one academic feminist, Clare Weber, who worked with Witness for Peace in Nicaragua. Weber describes feminist political solidarity as one of many solidarity struggles in her book *Visions of Solidarity.* She became involved initially because of her interest and employment as a peace worker in the 1980s. Her story chronicles the transformation of a Nicaraguan Anti-war activist movement to women's activism and ultimately to anti-globalization activism. One of the women's activist projects that Weber discusses is the Women's Empowerment Project. This project had the explicit goal of ending violence against women. It brought together

feminist activists in Nicaragua and the United States. Participants shared commitment to a cause for social change creating a transnational unity. As part of their commitment to political solidarity, participants 'engaged in a grassroots strategy of participatory and democratic decision making, with efforts at learning from the situated and lived realities of Nicaraguan activist women. They were clear,' she says, 'that they wanted an exchange of information and as equal a relationship as possible' (Weber 2006, 86).

Weber's sociological account of a transnational feminist political solidarity implicitly appeals to a number of moral relations. A political cause united the activists. Initially, the project grew out of another instance of political solidarity: a peace movement opposing the United States' government policies in Central America. But, demonstrating the fluidity of political solidarities when goals are achieved or change, that movement was supplanted by other movements. The new cause—ending violence against women—involved new participants in solidarity and was a wholly new moral relationship. The relationship to the cause itself is the most obvious change, but so too did the relation among participants and the relations to the larger society, in this case including both the Nicaraguan and the United States governments.

12.3 The Cause or Goal of Feminist Political Solidarity

Sandra Bartky comments, 'the moral worth of collective action is a function of its specific ends and of the means employed to realize these ends' (2002, 75). To extend her comments, the goal, cause, or specific end espoused by individuals who participate in feminist political solidarity functions not only to justify the oppositional movement. It also helps to mediate the relations between members and the activist means employed in pursuing the cause or goal. The cause or goal, rather than a pre-existing bond or group, creates the social movement and compels others to participate in political solidarity. Although same have expressed skepticism regarding the ability of a commitment to a cause to motivate and sustain solidarity, Michael Walzer argues that obligations to ideals can and do oblige us to others. He argues that although we may renounce those ideals, we must continue to consider the effects of our actions on those who remain committed to them (Walzer 1970, 6–7). Although not every commitment to a cause is itself an ideal, Walzer's point is still salient for political solidarity. When an individual makes a commitment to a particular cause in opposition to injustice as in political solidarity, he or she is simultaneously committing to an ideal. For feminist political solidarity, that ideal may be stated as liberation from sexist oppression or gender justice. The particular causes embraced, like the cause to end violence against women, puts us on a path to that ideal and unites us with others committed to it. That being said, it is always possible to be misguided or mistaken in our pursuit of certain causes or opposition to certain practices. The various efforts to identify appropriate causes, recognize social injustice, or name the oppression to be opposed, is social criticism.

Sonia Kruks explains, social change, 'involves more than recognizing and valorizing the *experiences* of oppression, otherness, marginalization... It involves a work of critical reflection on that experience and on the *social practices* out of which it is born' (Kruks 2001, 112). And Walzer notes that one of the key tasks of the social critic is to name injustice or oppression and to show how oppressive practices continue in society (Walzer 1998, 52). In *Political Solidarity*, I describe social criticism as twofold: it both motivates the movement and is used to analyze the means used within the movement (Scholz 2008, Chapter 3). Feminist political solidarity has a rich history of social criticism which includes such things as academic theorizing, artistic expression and performance, satire, mimicry, and public confrontation. By highlighting various forms of injustice, exclusion, domination, or oppression found within a sexist system, social criticism seeks accountability or responsibility and begins the process of amelioration. In this sense, then, even the consciousness raising groups that were characteristic of sisterhood named a problem and thus might be seen as social criticism insofar as they scrutinized the social structures that create, support, or sustain that problem. Even those of us who silently benefit from a system of sexist injustice or oppression are held accountable for our privilege while others suffer.

Social criticism that motivates the movement also helps to maintain the centrality of the goals within the praxis and other moral relations of political solidarity. For example, in a feminist political solidarity that opposes violence against women, that opposition ought to inform and perhaps limit the methods and strategies used to attain a society free of violence against women. Careful, critical, reflective social criticism would point out the inconsistency in using abusive practices or other methods that disempower women within the movement combating violence against women. Political solidarity uses social criticism to try to avoid reinscribing different forms of oppression while it seeks social change; and feminist political solidarity can use social criticism to scrutinize liberatory methods to avoid validating or legitimating the ideology or practices of a sexist system. Consider, for example, the early white women's rights movement in the United States which advocated women entering the public sphere. Frequently, this liberation strategy ignored women who already worked, overlooked the work women do in the home, and failed to notice the women who were employed as domestic workers by upper- and middle-class women who exercised their rights in the non-domestic workforce. The locus of the oppression shifted but the structure remained untouched. Some women were still denied the right to a decent wage or the right to self-determination.

Walzer also argues that social criticism studies the values and interests among the participants and in the movement itself. This task of the social critic helps to identify similarities and conflicts within the movement (Walzer 1988, 227). In feminist political solidarity, hooks demonstrates how social criticism allows us to see the way in which sexism teaches women women-hating and how racism among women serves as a barrier to group cohesion. This sort of social criticism opens the possibility for participants in solidarity to reject pernicious values and seek solidaristic values that support the relationships forming among participants.

Although liberatory activity undertaken in solidarity need not be motivated by exactly the same worldview or ideological position (Hartsock 1998, 240–241), social criticism can help to illustrate when ideological divides might prove damaging to the unity itself. For instance, in her essay, 'Feminism, Women's Human Rights, and Cultural Difference,' Susan Moller Okin describes the rift between academic feminism/feminists and activists for women's human rights. As she presents it, just when women's activists all over the world were recognizing commonalities in experience (especially experience of violence and other human rights violations), academic feminists were criticizing each other for employing essentialist claims about women or assuming commonality in women's experience of oppression. This ideological divide threatened to pit activists against academics. Okin herself sees an important role for the recognition of similar experiences and problems 'across cultural, class, and ethnic lines' (Okin 2000, 37). She concludes, saying that one of the needs of women struggling for women's human rights is 'the kind of intellectual and political support from Western feminists, and from the international community, that does not assault other cultures, but takes care to acknowledge their many valuable or neutral aspects while it criticizes those aspects that are harmful to women and girls' (Okin 2000, 42).

Finally, social criticism within feminist political solidarity does not stop once the particular cause or goal has been achieved. Social criticism contributed to the transformation of a peace movement that opposed U.S. policies in Nicaragua into a movement to address violence against women. The individuals who became united by their initial commitment to a cause became themselves transformed by the relationships that formed and sought new ways to live out their commitment to the ideals in which their peace movement was rooted. Weber succinctly describes her experience working in political solidarity with witness for Peace and later the Women's Empowerment Project saying, 'I was traumatized by what I saw and lived through and I was also thoroughly convinced that changing society and political structures to be more just was possible' (2006, 24). Part of what is striking about her experience—and what characterizes the experience of so many people who have participated in political solidarity—is that she emerged from the experience changed but buoyed by the hope that social change is possible. Political solidarity calls for a transformation of society but individual participants are also transformed.

12.4 The Relation Between Participants in Feminist Political Solidarity

Weber's discussion of the Women's Empowerment Project emphasizes the desire to foster equality among solidaristic actors across borders. They wanted an exchange of information that would transform activists in the United States and Nicaragua (Weber 2006, 86–89). Participants recognized that they were joined together for a purpose and, in order to realize the potential of the solidaristic bond between participants, they needed to act with mutuality, understanding, and cooperation.

Although the project's focus was initially on stemming violence against women in Nicaragua, the Nicaraguan activists also contributed organizational models for and social critique of U.S. shelter and anti-violence movements. For instance, the delegate exchanges provided an opportunity for activists in Nicaragua to learn about and eventually establish the first women's shelter in Nicaragua and activists in the United States to 'learn from the women's movement in Nicaragua and place women's issues in the context of a global economy' (Weber 2006, 92). The Women's Empowerment Project tried to value equally the diverse contributions and needs of participant members in solidarity.

One of the ways that participants in feminist political solidarity are transformed is though the commitments they undertake. Another is that the lens through which they view others and the world is altered. The relationship with others formed through political solidarity asks one not only to understand the needs of another but also to act in a way that allows that other to understand one's own needs. In other words, mutuality, rather than charity, is the hallmark of the relation between participants in political solidarity. Bayertz describes mutuality as a reciprocity and equality between participants. As he explains: 'a fundamental equality exists between those involved, giving them the *mutual* right to expect help as it may be required' (Bayertz 1999, 19). But mutuality also ought not to be limited to expectations of assistance; it can also extend to regard for one another and even to other affective dimensions of the relationship. Acting on and through mutuality is also personally empowering. It values diverse viewpoints equally and asks each participant to focus on all others rather than privilege one's own perspective. Bartky discusses the demand for 'a knowing that transforms the self who knows, a knowing that brings into being new sympathies, new affects as well as new cognitions and new forms of intersubjectivity' (2002, 71–72). Bartky's account is noteworthy in part because it eschews empathy for a more politically motivated form of emotive connection between solidaristic actors. It reflects the work of mutuality that has been enacted among participants in solidarity. Weber's case is illustrative here as well. Although the power differences between the U.S. feminist activists and the Nicaraguan feminist activists proved to be a constant challenge (Weber 2006, 137), the 'feminist praxis of dialogue and exchange' (Weber 2006, 87) did, according to the accounts she cites, transform participants and result in concrete social change for both activist groups.

In order to accommodate the diversity of views within feminist activism and yet give adequate weight to the actual experience of oppression, political solidarity needs an epistemology that acknowledges multiple, overlapping, and at times contradicting knowledge claims. These will need to be negotiated in a way that affirms the perspectives as well as the works and experiences at their base. Feminist political solidarity also requires that individuals who commit to action in solidarity do so in a nondomineering way so as to avoid re-inscribing any privileged social status they may enjoy in society as a whole within the solidary group itself.

Many feminist epistemologists have explored the prospects for knowledge sharing across different social situations. The epistemological processes they propose counter many of the problems of simply assigning epistemological privilege to the oppressed thereby disrupting the mutuality and empowerment of all participants in

feminist political solidarity. Valuing diverse viewpoints in a epistemological mutuality requires persistent attentiveness. The initial commitment to join in solidarity must entail a commitment to be attentive to the views of others. The work entailed in such efforts enhances relationships between unique individual members united for a cause.

Weber's story shows how important it was for all participants to learn the cultural codes of their fellow solidaristic actors and, for the U.S. participants, to challenge one's own social position perhaps at the cost of putting one at odds with one's own government. Weber also highlights the irony of the U.S. participants recognizing that the very structure that gave them their social privilege was both what they targeted and what they could effectively use to protect and work with their Nicaraguan counterparts. Her experience echoes Mohanty's description of a solidarity perspective in pedagogy that requires one to understand 'the historical and experiential specificities and differences of women's lives as well as the historical and experiential connections between women from different national, racial, and cultural communities' (Mohanty 2003, 242). Often it is assumed that only the historical and experiential specificities of the oppressed are at issue within political solidarity but Weber's case shows that the cultural, social, historical, and experiential specificities of socially privileged activists in the United States must also enter into the mutual understandings of solidaristic participants. At times that socially privileged position will be a detriment to mutuality in solidarity but at other times it may be used as a tool for social change. The difficult part is knowing when social privilege ought to be renounced and when it might be usefully employed within the oppositional struggle.

María Lugones offers the metaphor of 'world'-traveling for feminist epistemology (Lugones 1987; Lugones and Spelman 1983) that goes some distance in addressing that issue. According to Lugones, when we recognize that subjects are plural, that is that any particular woman occupies a number of different 'worlds' which inform her identity, then we come closer to lovingly understanding each other. We have to 'travel', to step out of our comfortable place through which we see the world and assume everyone else shares our vision, in order to practice the sort of attentiveness needed for mutuality. 'World'-traveling requires a commitment on the part of the world traveler to be open, to attempt to understand the world through the eyes of another. Friendship is the model—when one is with a friend, one does not try to dominate or define reality for that friend but instead endeavors to join in the process of sharing views, experiences, understandings. Ruddick uses a similar notion of attentiveness in maternal thinking (1989, 119–123). Lugones describes 'world'-traveling by invoking the notion of 'outsiders,' i.e., those outside the mainstream of dominant culture. An outsider acquires 'flexibility in shifting from the mainstream construction of life where she is constructed as an outsider to other constructions of life where she is more or less "at home." This flexibility is necessary for the outsider. It is required by the logic of oppression. But it can also be exercised resistantly by the outsider or by those who are at ease in the mainstream' (Lugones 1987, 3). The key in 'world'-traveling is to see the other and oneself through different eyes, through the eyes of the other rather than through one's own eyes; that

is the epistemic side of mutuality. Outsiders may occupy several worlds and knowing them, knowing their experiences, would entail knowing these other 'worlds' as well (Lugones 2003, 97). Given the complexity of 'worlds' a person may inhabit, we must be careful not to reduce the needs and sufferings of oppressed peoples to singular, easily translated, meanings (Lugones 2003, 141), nor should we reduce or dismiss the 'worlds' of the socially privileged participant in solidarity though we do have to make sure they are occupied in a non-dominant, non-oppressive fashion.

One of the challenges activists in Weber's study faced was the economic disparity between activists in Nicaragua and the United States. While they worked at fostering a relationship of mutual exchange and equality, they could not overlook this difference. Nevertheless, their system of delegate exchanges and the very active efforts to learn from each other helped to mitigate at least some of the disparity rooted in their different social positions. Weber comments that the delegate exchanges were crucial; activists from the United States realized that they could learn from Nicaraguan activists and, according to Weber, 'subverted the hegemonic notion that Euro-American, middle class women could supply the answers to working class women in Nicaragua' (2006, 89). Moreover, the activists in the U.S. were asked by the activists in Nicaragua to use their social privilege to support the Women's Empowerment Project and to challenge the U.S. government's social and economic policies in Latin America (Weber 2006, 91). In other words, Weber's case might be seen as both an example of 'world-traveling' (in Lugones' sense of the term as well as in the everyday understanding of the term) and an example of using privileged social status to challenge the very conditions that create and maintain that status.

In addition to the sort of epistemological mutuality among participants in feminist political solidarity, working with others to meet a goal requires some form of cooperation or joint activity. Political solidarity is a cooperative activity that is both individual and collective action simultaneously. Individuals act according to their ability and commitment but do so consciously aware that their action is done in concert with others, either simultaneously, as part of an overarching effort, or with others in a more or less organized fashion. That is, an individual participant should ask how her or his actions will affect the solidaristic effort and what impact any given action might have on others in the movement or on the relationships with others (Scholz 2007). Feminist political solidarity, like most manifestations of political solidarity, rarely entails specific accounting of individual actions but it does require that each individual consider her or his actions as contributing to a larger movement. Individuals who commit to feminist political solidarity might negatively impact the efforts to achieve a goal by doing or saying something against the solidaristic cause publicly. In a similar way, violating relationships with other participants might damage the solidarity. For instance, an advocate against domestic violence who psychologically abuses women in the shelter by berating them for bad relationship choices or who undermines her good choices is not acting in solidarity with feminist efforts to end violence against women (Scholz 1998). Individual actions must be seen as 'in concert' with group actions and interests. Elsewhere, I have argued that the decision making, agenda setting, and action of political solidarity does not necessarily call for a democratic procedure but that a minimal standard for selecting methods

or means of activism that *could* be democratically endorsed and that upholds the unity of political solidarity itself, that is, that preserves the mutuality of the relations among participants, is required (Scholz 2007, 42; and 2008, Chapter 4).

12.5 Beyond the Feminist Political Solidarity Group

Most accounts of solidarity focus on the moral relation within the solidary group. I have added the importance of focusing on the relation to the goal which unites those participants in solidarity to begin with. In addition, political solidarity is oppositional—it opposes the practices and policies espoused by another group or inherent in a system—and thus an account of its moral relations includes the relation to those outside the group. For feminist political solidarity, the relation to those outside the group includes not only all those who oppose changes to the status quo but also those women and men not involved in activism and other organizing to struggle against injustice and oppression whether or not they are aware of the sexist oppression. It includes those women and men who are sympathetic to the cause but who are not politically involved or personally committed for whatever reason. The transnational feminist political solidarity described by Weber also included the governments of Nicaragua and the United States; participants had to understand that their commitment to solidarity to end violence against women put them in direct opposition to many government policies in both nations. They had to see that their actions carried some personal risk. Although Weber does not discuss any specific outcomes of this governmental opposition, she does note some of the various instances when activists either found themselves confronting U.S. policies or halted in their efforts by a hostile mayor (Weber 2006, 87–88). As a set of moral relations, feminist political solidarity ought to reflect on its relation as a movement (collectively and individually) with the larger society and all those individuals not joined in solidarity.

In *Political Solidarity*, I argue that activism is one of the clearest obligations of these moral relations. Activism makes public the message of the solidary group and provides a forum for resistance, discussion, debate, and challenge. But activism can take many different forms. The Women's Empowerment Project used delegate exchanges, public information sharing and popular education, fundraising, grassroots political organizing, and lobbying as collective forms of activism (Weber 2006, 86–92). Weber's own activism included 'organizing visits to congressional representatives, staging acts of non-violent civil disobedience, media work, working in coalition with church organizations, and numerous Central American solidarity groups' (2006, 23). Individuals, however, also engaged in activism outside of the collective efforts. One could even argue that writing and publishing a book is a form of activism because, in Weber's case, it tells the story of the activists and continues their transformative work.

Individual participants in political solidarity reflect on actions differently. Their commitment to a political cause is often lived out in the day-to-day decisions they make. That is, day-to-day decisions can themselves be part of the activism

of political solidarity. Activists in the United States might ask how their life-style choices support U.S. policy in Central America, for instance. Participating in a feminist political solidarity that targets violence against women might mean that an individual participant change her language patterns in a self-conscious effort to bring awareness to the way violence against women is encoded in language. For instance, challenging someone's use of the expression 'rule of thumb,' which refers to an English Common Law that allowed a man to beat his wife with a switch no greater than the width of his thumb, might be a form of activism.

Making a commitment to political solidarity means scrutinizing choices in order to determine the extent of one's involvement in oppression, coordinating one's actions with the politically motivated actions of others, and determining all the possible means of resistance and activism. hooks makes a similar point in her critique of the phrase 'I am a feminist.' As she explains, such a phrase employs either/or dichotomous thinking that marks a personal lifestyle choice but does not indicate a political commitment for social change. Instead, she proposes we replace the 'I am' construction with 'I advocate'; this shift indicates a personal commitment to a political movement for social change (1984, 25–31).

Forms and styles of participation will of course vary depending on the differences in motivations and particular life situations of participants. Feminist political solidarity has seen some people dedicate their life's work to diligently and systematically oppose what they believe is a system of sexist oppression or gender injustice. Weber spent the better part of three decades working in political solidarity with others to bring about social change in the United States and Nicaragua. Others might be consistently dedicated but work within their everyday situation to contribute to feminist political solidarity, as many of the delegates who participated in informational exchanges for the Women's Empowerment Project. Still others will find themselves suddenly engaged in activism with friends and strangers united by a passion for a cause or incensed by a current injustice. For instance, a timely rally to address violence against women perhaps sparked by a particular event might inspire new forms of involvement and new participants to the cause. Activist events alone do not constitute political solidarity but they are one way it may be expressed and one way to draw others into the solidarity relation.

Resistance, which directly confronts unjust practices, is another side of activism and includes such things as throwing off the oppressed identity, refusing to accept unjust treatment, and revealing the hypocrisy of oppression through personal relationships. Lugones argues that resistance is much more than reaction; it demonstrates the agent or actor rejecting the logic of oppression and working to bring about further personal and social change (2003, 29). She implicitly recognizes not only the need to respond to injustice but also the importance of engaging in social criticism in that response. By confronting the violence of an oppressive or unjust system, resistance also provides strategies for coping and working for social change (Lugones 2003, 186). Lugones (2003) and Adrienne Rich (1986) both use examples of women refusing to do some element of housework as a form of resistance to patriarchy. Lugones describes resistance as operating under a different logic than subservience. The resistor cannot and does not have the servile intentions that are

present in the logic of oppression (2003, 13). Lugones also argues that resistance is not merely reaction; it is 'response—thoughtful, often complex, devious, insightful response, insightful into the very intricacies of the structure of what is being resisted' (Lugones 2003, 29). Notice that Lugones's resistor plays the double role of transforming herself and society; her resistance puts her into moral relation with others similarly resisting but her actions also entail other moral relations—a relations to a cause and a relation to those outside the cause of the solidary group.

Political solidarity uses resistance and activism to disrupt the status quo to bring about social change. The hope is that our collective actions will create the possibilities for a nonoppressed society. With this in mind, activists in solidarity must also acknowledge that current oppressors may be future allies. The logic of solidarity emphasizes even this potential unity. In other words, resistance and activism should avoid using means that create unbridgeable divisions within society.

12.6 Conclusion

Weber's case illustrates another element of transnational feminist political solidarity. Activists in the U.S. had to widen their interests in an effort to raise more funds for their political allies in Nicaragua. They broadened their appeals from focusing almost solely on violence against women to focusing also on labor practices thereby attracting the support of anti-sweatshop activists. This had the additional effect of bringing those activists into the anti-violence struggles (Weber 2006, 91–92). Weber's example highlights a feature of political solidarity: individual participants join in political solidarity to oppose a particular cause but they share their other commitments with other solidaristic actors thereby building connections between political movements. As hooks says, 'Women must learn to accept responsibility for fighting oppressions that may not directly affect us as individuals. Feminist movement, like other radical movements in our society, suffers when individual concerns and priorities are the only reason for participation. When we show our concern for the collective, we strengthen our solidarity' (1984, 62). A political commitment gave birth to the unity but the relationships that form transform both the participating individuals and the collective whole.

Feminist political solidarity is only one among many possible responses to sexist oppression or gender injustice in its many forms. Participants in solidarity employ many different methods to effect social change spanning the range from self-consciously political consumerism, to theory building that advocates, to overt political activism, lobbying, and policy making. Each of these alone is also a liberatory response to injustice. They become part of feminist political solidarity when self-consciously undertaken as part of a network of relationships, the commitments to which include obligations that can at times be quite demanding.

There are two additional relations that it might be argued ought to be central to a feminist political solidarity: the relation to future generations of women and feminists, and the relation to non-human animals and the earth. These pose some challenges to feminist political solidarity insofar as the voices of future generations

and the non-human natural world are necessarily excluded from the mutuality of solidarity. Nonetheless, when considered as parts of the relations to all those others outside the solidary group per se, the relations to future generations and the non-human natural world would enter into the awareness and commitments of participants in feminist political solidarity.

Political solidarity is often cast as a movement of the oppressed in response to their situation. In this article, I have suggested that feminist political solidarity ought to be thought of as a unity formed when individuals mutually undertake a commitment to a cause in opposition to perceived injustice. I have used Clare Weber's description of the Women's Empowerment Project, a transnational feminist political solidarity project uniting Nicaraguan feminist activists with feminist activists in the United States, to illustrate some of the salient relationships and obligations of a feminist political solidarity. The theory of feminist political solidarity I sketched here rejects shared consciousness and shared experience in favor of politically motivated commitment to social change. Feminist political solidarity aims to acknowledge the diversity of experiences among women and men united in struggle while it encourages greater participation in solidarity locally, transnationally, and globally.

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Part IV
Contextualizing in Actualities

Chapter 13
Resisting Organizational Power

Peggy DesAutels

Abstract Normative ethical theory should provide us with guidance for how to live moral lives in a world filled with inequity and abuse of power. In this essay, I address ways that features of resisting organizational power do and do not overlap with features of resisting oppression more generally. I examine the potential for moral damage to individuals who resist organizational power, and argue that the traits necessary for successful whistleblowing are similar to what Lisa Tessman refers to as 'burdened virtues'—they are necessary to successfully resisting organizational power, but 'costly to the selves who bear them.' I conclude by offering a preliminary sketch of the traits of a virtuous resister.

Keywords Whistleblowing · Virtue ethics · Moral psychology · Oppression · Feminist ethics

Normative ethical theory should provide us with guidance for how to live moral lives in a world filled with inequity and abuse of power. In this chapter, I address ways that features of resisting organizational power do and do not overlap with features of resisting oppression more generally. I examine the potential for moral damage to individuals who resist organizational power, and argue that the traits necessary for successful whistleblowing are similar to what Lisa Tessman refers to as 'burdened virtues'—they are necessary to successfully resisting organizational power, but 'costly to the selves who bear them' (Tessman 2005, 107). I conclude by offering psychologically realistic guidance for moral agents considering whether and how best to respond to organizational malfeasance.

Many of us work in paid employment within hierarchically organized institutions. For those of us who do, the social hierarchy we face at work is of serious significance to our everyday lives. Assuming we are not ourselves at the top of the

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hierarchy, we are subject to the power wielded by those who are 'higher up.' Our bosses are the ones who can promote us, fire us, and make our lives miserable. So even when we are well-aware of the fact that we work for organizations that engage in sexist, racist, or other harmful practices, we can be left at a loss. Social institutions of all sorts systematically disadvantage women, the impoverished, and racial minorities. However, powerful organizations do not simply 'disadvantage' those who whistleblow or resist organizational power. They retaliate. When our bosses are the ones orchestrating the retaliation, the power we face is devastating, direct, and fully fleshed out.[1]

As C. Fred Alford, author of a recent book on whistleblowing, puts it, 'In theory, anyone who speaks out in the name of the public good within the organization is a whistleblower. In practice, the whistleblower is defined by the retaliation he or she receives' (Alford 2001, 18). The retaliation for whistleblowing can and often does result in loss of career, savings, health, and family. What happens when whistleblowers are also members of an oppressed group? In what ways do discussions of successfully resisting oppression parallel discussions of successful whistleblowing? Is it possible to resist organizational power without incurring moral damage? In attempting to answer these questions, I draw on recent work on the psychology of whistleblowing, recent findings in social psychology, and feminist approaches to ethics.

Much of my own work has focused on moral psychology and in particular on what it takes to be a moral agent in our actual lives. I have focused past work on moral perception and on how to ensure that we notice and attend to situations that call for a moral response. Here, however, I start with the following assumptions: The agent is strongly defined morally; the agent is competent at moral perception; and the agent wishes to respond morally to perceived malfeasance. In what follows, I primarily discuss cases of whistleblowing, but I also discuss other forms of individuals resisting organizational power—for example women who resist sexual harassment or sexism.

I will begin by addressing the importance of non-idealized approaches to theorizing ethics and power. Next I offer several case studies of individuals resisting organizational power and summarize some of the salient features of these cases. I then address ways that these features do and do not overlap with features of resisting oppression more generally. Finally, I examine the potential for moral damage to individuals who resist organizational power, and I offer a preliminary sketch of the traits of a virtuous resister.

13.1 Non-idealized Approaches to Ethics and Power

If ethical theory is too idealized, it doesn't help and may even hinder our ability to live morally. To avoid perpetuating harm and to provide guidance for people's actual lives, it is important to theorize both the ideal and the non-ideal. Many ideal ethical theories assume equality between abstract individuals. In reality, however, most of us are embedded within hierarchical social structures that include elements

of domination, exploitation, coercion, and oppression. I agree with Margaret Urban Walker, who writes that feminist ethics should be about our moral responsibilities in the light of who has power over us and whom we have power over and should take into account our actual social practices. She refers to this as a 'feminist naturalizing' of ethics (Walker 2001, 3–10).

Because many of us are employed by hierarchically-structured organizations, moral theory should provide guidance for how best to meet our moral responsibilities as employees with institutional power over others and subject to the institutional power of those over us. For example, in my own case, like others in academic pursuits, I am employed in a very hierarchically-organized university. But just as idealized ethical theories often ignore the realities of actual power-based social practices, members of the administration at my university often ignore the realities of university hierarchies when theorizing their visions for and mission of our institution. The assumption, instead, is that we are a community of learners—all with equal status and importance.

In this chapter, I theorize norms for moral agents confronted with rigid social hierarchies at work. *Ideally*, a moral agent perceives a moral wrong and responds by attempting to address that wrong. *Realistically*, when the moral wrong is being perpetrated by those with direct power over the agent, this isn't possible without serious psychological and moral damage.

13.2 Resisting Organizational Power

There are a number of forms of resistance to organizational power. It could come in the form of whistleblowing or in the form of resisting discrimination or harassment. I focus primarily on whistleblowing in this chapter. But regardless of its form, it usually involves a single individual doing the resisting. Resisters tend to be ordinary people who find themselves in an organization that is doing something seriously wrong. In the case of whistleblowing, such wrongs usually involve the public good. For example, the organization could be exposing the unsuspecting public to serious toxins; or it could be lying about its financial dealings; or it could be marketing unsafe products. In classic whistleblowing cases, the whistleblower's boss is either one of the perpetrators or complicitous with those who are. There is no need to whistleblow if the wrong is being done by one's subordinates, since the potential whistleblower has the power to address the wrong. Paradigmatically, then, whistleblowing involves going over one's boss's head (internal whistleblowing) or going to either an outside regulatory agency or the media (external whistleblowing). Many cases start out as internal cases, but switch to being external cases once the whistleblower realizes that even the boss's boss is complicitous.

Whistleblowers often initially decide to speak up for simple consequential reasons. People are getting hurt or are at serious risk of getting hurt. Because the harms or potential harms are so serious, many whistleblowers start out being quite naïve and assume that once the wrong-doing is exposed, it will be fixed, and they will be rewarded for having brought the situation to light. This naiveté is understandable

when the whistleblower's organizational policies espouse the importance of ethics and even advocate using clearly-defined internal channels within the company to expose and address illegal activity or wrong-doing. Instead, the naïve and optimistic whistleblower fails to right the wrong and faces serious retaliation.

Peter James Atherton's case is well-documented in the whistleblowing literature and quite instructive. Alford reconstructs it as follows:

> A nuclear engineer and inspector for the Nuclear Regulatory Commission, Atherton became convinced that the electrical cables that would be needed to shut down the Maine Yankee nuclear plant in an emergency were not properly separated. If one failed because of fire, all would fail because they were routed through the same cable tray, as it is called. The plant should be shut down until this and other deficiencies were corrected.
>
> Atherton's concerns were not based on fantasy. Just three years earlier, in 1975, some workers used a candle flame to check for air leaks in the containment building that housed the reactor at the Brown's Ferry nuclear plant. The flame touched some insulation, igniting a fire that burned more than two thousand cables and disabled electrical controls at the plant. It took more than three days to shut down the plant's two operating reactors, one of which came close to boiling off its cooling water. Had that happened, a meltdown would have occurred.
>
> In the keep'em glowing climate of the 1970s, plants were rarely shut down for repairs. Atherton's supervisors were aware of his conclusions, and while he was preparing his report they began preparing a response. Their position was that Atherton was emotionally ill, his report an exaggeration. The NRC would not type up his report, and Atherton began showing a handwritten copy to his colleagues. They refused to read it, and so did his supervisors, or so they said.
>
> On the day the NRC met with Maine Yankee officials, Atherton got in his car, drove to downtown Washington, D.C., and carried his report straight to NRC commissioner Victor Gilinsky. When Gilinsky would not shut down Maine Yankee immediately, Atherton went to the top nuclear engineer in the country, President Jimmy Carter. After showing his NRC credentials to the Secret Service agent at the gate, he was admitted to the White House grounds, handcuffed, and sent to St. Elizabeth's Hospital for three days of involuntary psychiatric confinement. He was released and fired.
>
> Atherton is in many ways the consummate outsider. Twenty years later he lives in a third-floor room in an aging apartment building in Washington, his room as Spartan as a monk's. He sleeps on a mattress on box springs, pulling out a folding metal chair for his guest. Instead of paying rent, he does odd jobs for the owner. (Alford 2001, 22–23)

This case contains many features common to whistleblowing cases more generally. However, notice that this is a case with an especially hierarchical chain of command and vast amounts of money at stake. Notice, too, that this is strictly a case of internal whistleblowing. Atherton never went outside the chain of command.

Why are organizations so ruthless with whistleblowers? Certainly, one of their main goals is to strongly discourage others within the organization from following suit. They can do this by making an example of the whistleblower—by ruthlessly and openly punishing the whistleblower's 'disobedience' and 'insubordination.' Another of their goals is to prevent the whistleblower from being effective, and they can do this by stripping the whistleblower of *all* power. To do this, they must turn the whistleblower from being someone who once had respect and authority as an 'insider' within their organization into being someone with no respect and authority who is an 'outsider' to their organization.

The movie *The Outsider*, based on the true story of Jeffrey Wigand's whistleblowing against a large tobacco company, is aptly named. Wigand was a highly placed 'insider' who blew the whistle on the tobacco industry. As a result, he lost his job, savings, family, and reputation. He even experienced death threats. This case involved going to the media (60 Minutes on CBS) as opposed to simply following an internal chain of command. But like Atherton, he resisted an organization with tremendous power and financial resources and faced devastating retaliatory effects.

One obvious way to turn employees into immediate 'outsiders' is to fire them. But in most cases of whistleblowing, simply firing whistleblowers or forcing them out using more indirect methods isn't enough. To ensure that no-one listens to them once they are out on the streets, they must be totally marginalized both within their own industry and within society more largely. And one obvious way to marginalize people is to label them as insane. Why should anyone listen to or hire someone who is insane? The federal government accomplishes this quite literally by sending whistleblowers to government psychologists who declare them psychologically unfit. Although this practice has recently come under public scrutiny, there still remain many more subtle ways to accomplish this same objective (Alford 2001, 105). This type of marginalization strategy is often referred to within the whistleblowing literature as the 'nuts and sluts' strategy.

Much of the marginalization of whistleblowers is perpetrated by those who were originally family and friends. Whistleblowers find themselves completely isolated and alone because friends and family turn their backs or leave. When whistleblowers seek redress from the legal system, they may obsess for years on end about their cases and often lose their entire savings on legal fees only to find that in the end the legal system is of no help. Spouses or partners of whistleblowers leave as a result of the emotional and financial toll. Although there are more and more legal protections for whistleblowers on the books, the fact is that wealthy corporations can invest large sums in defending themselves and at the very least dragging out the proceedings for years and years. And when all is said and done, the legal system prefers to let the inner workings of corporations alone—what's private is private—even when such 'inner workings' result in great public harm.

In his book, *Whistleblowers: Broken Lives and Organizational Power*, C. Fred Alford summarizes his interviews with a number of whistleblowers and analyzes their responses using political theory, ethical theory, psychological theory, and narrative analysis. The psychological repercussions to whistleblowing, even years later, often include obsession with one's case, depression, alcoholism, paranoia, and loss of emotional support systems. But he claims the most devastating impact of all is the realization that nothing originally believed to be true about how the world works is actually true (Alford 2001, 49). He writes that the whistleblower must give up the following dearly-held beliefs:

> That the individual matters.
> That law and justice can be relied upon.
> That the purpose of law is to remove the caprice of powerful individuals.
> That the individual will not be sacrificed for the sake of the group.
> That the organization is not fundamentally immoral.

> That someone, somewhere, who is in charge knows, cares and will do the right thing.
> That friends, spouses, and children will not abandon you in your hour of need.
> (Alford 2001, 49)

So, for Alford, giving up the views that we live in a fundamentally moral world and that we can make a difference in this world is the most devastating effect of all from whistleblowing.

13.3 Women as Whistleblowers and Resisters of Organizational Power

Although Alford discusses the 'nuts and sluts' strategy used by organizations to 'discipline' whistleblowers, and although he interviewed a number of women whistleblowers, he never analyzes their narratives using a feminist lens. In fact, quite the opposite. He often interchanges male with female names when providing pseudonyms for anonymous accounts because according to him 'there was little difference between male and female whistleblowers other than sex' (Alford 2001, 141). Also, many women whistleblowers themselves do not see gender as salient in their cases. As one woman whistleblower puts it, 'I know they didn't fire me because I was a woman. Lots of women did fine [in the organization]. They fired me because I spoke out on a practice [of overbilling] that was near and dear to their hearts' (Alford 2001, 113). This reaction of women whistleblowers is unsurprising in many ways. Most of these women had successfully navigated a male-defined corporate world to achieve their positions within their organizations. And in their eyes, male whistleblowers receive retaliation just as devastating to their lives as women whistleblowers do. Few have a background in feminist theory as a way to make sense of their cases.

Do the experiences of female whistleblowers differ in significant ways from male whistleblowers? Certainly, the experiences of women vary greatly, and many women experience multiple forms of oppression such as racism. Nonetheless, I begin to answer this question by considering a recent case involving Jesselyn Radack, a white woman government lawyer who whistleblew against the Justice Department's ethics unit in 2002. She was suspected by this unit of leaking to the media incriminating details of the FBI's interrogation of John Walker Lindh often referred to as the 'American Taliban.' The leaked details arguably helped to prevent Lindh's confession from holding up in court and were an embarrassment to the Bush administration.

Radack experienced and continues to experience many of the classic retaliation measures whistleblowers of either gender experience. She was forced out of her job at the Department of Justice (DOJ), and after subsequently joining a law firm was also forced out of that job because of an ongoing governmental criminal investigation of her. She claimed protection under the Whistleblower Protection Act, and eventually managed to get the criminal charges dropped, but as of 2004 she continued to fight the fact that she had been reported by the DOJ to the Maryland and D.C.

attorney regulatory authorities for violating confidentiality rules. Although whistleblowers are ostensibly exempt from confidentiality rules, she nonetheless found herself unemployed and arguably unemployable within her field, and was stuck with $30,000 in unpaid legal bills. Her husband's salary, from his job at the World Bank, became her source of financial support, and her own job became that of involuntary stay-at-home mom (Abraham 2004).

A lengthy account and analysis of Radack's ordeal and back story, authored by journalist Laurie Abraham, was published in *Mother Jones* magazine in 2004 under the title 'Anatomy of a Whistleblower.' Here we find many gender-specific details of relevance to her experiences of resisting organizational power. In many ways, prior to becoming a whistleblower, Radack had played quite successfully by patriarchal and organizational rules. She excelled at Brown as a triple major, then at Yale Law School, and finally for seven years at the Justice Department as part of their Honor's Program. She published law-review articles and even dressed impeccably. As Abraham puts it, 'Talking with Radack in her neat, placid home, she seems anything but weird, in the clichéd, whistleblower-as-misfit sense. Her fingernails and toenails match (deep mauve); her kinky hair (though she often dries it straight) is cinched in a ponytail, her eyebrows lightly plucked. She is described by a friend as being "very, very put together, all the time"' (Abraham 2004, 5).

But in many other ways, Radack had been resisting patriarchal oppression and organizational power for much of her life. She had feminist and insubordinate streaks. Abraham reports, for example, that

> In college in the early 1990's, Radack kept speaking up. She was a leading defender of Brown's wildly controversial 'rape list.' Early in her junior year, female students had scrawled the names of men who'd allegedly sexually violated them on bathroom walls. Radack hadn't done so herself, but she and three other women had been working with the administration to develop a sexual-misconduct disciplinary policy, and when the rape list hit, the so-called Committee of Four were thrust into a public role. Radack was quoted in the *New York Times* and *Newsweek*, and even appeared, with huge hair, a red cowl neck, and turquoise eye shadow, on Phil Donahue. Interestingly, opponents of the list heaped their most vicious invective on Radack because she wasn't the stereotypical feminist. . .—she didn't hide her femininity and obviously 'liked' boys. (Abraham 2004, 5)

Part of what motivated Radack's resistance to Brown's administration was the fact that during her sophomore year, she had been sexually assaulted by three football players on her way home from a semiformal dance and had reported the assault to campus police. 'When all three admitted what they'd done but said they were just joking, the university cops turned the complaint over to the dean of students, who left it to the football coach to deliver a punishment that Radack thought wholly inadequate: extra laps at practice' (Abraham 2004, 6). Radack also deviated from 'good girl' norms while in college by posing topless for *Playboy*'s 'Women of the Ivy League' issue. She used the $600 she received as a way to help her mother pay off a legal bill. In her own eyes, posing was perfectly consistent with her advocating for free-speech in publishing the rape list. But in the eyes of her detractors, this was perfect fodder for the 'sluts' half of the 'nuts and sluts' strategy used against whistleblowers.

Notice that there are a number of implications of gender in this case. Radack's appearance is scrutinized and discussed. She appears to have experienced harsher repercussions for 'insubordination' because her appearance was stereotypically feminine and because she usually conformed to patriarchal expectations and rules. (She was a 'good girl.') By posing for *Playboy*, she was especially vulnerable to the 'slut' strategy of marginalization. She was reduced to 'stay-at-home-mother' status. And she was subjected to, as Sandra Bartky terms it, 'double ontological shock'—the inability to separate what's really happening from what isn't really happening and the inability to know what role gender is actually playing in one's experiences (Bartky 1990, 18). For example, Radack reflects on why she has been unable to secure another job, and notes, 'It's hard to tease out how much is being seven months pregnant, how much it's the cloud of what's happened, and how much it's the bad economy' (Abraham 2004, 7). Note, too, that Radack experiences a number of contradictory marginalization strategies. She is both a slut and a faithful wife; a disobedient employee and an obedient mother; a radical feminist and a feminine conformist. The phenomenology of oppression more generally involves the experiencing of just such types of contradictions (Bartky 1990, 11–21).

When women whistleblowers have additional socially-significant characteristics such as being of color or being poor, teasing out what is actually happening becomes even more difficult.[2] Although Anita Hill was not exactly a whistleblower, she certainly resisted power and has recently reflected on the implications of both race and gender to her case. Hill, an African American, is the former law professor who testified in 1991 at the Senate confirmation hearings for Supreme Court Justice Clarence Thomas, also an African American. In Hill's televised testimony at these hearings, she alleged that when she worked for Thomas, he sexually harassed her. The officials presiding over the hearings consisted of a panel of fifteen white male senators. Thomas was confirmed, but after testifying, Hill was investigated by the FBI and rejected by many in the African American community.

Much has been written on the intersections of race and gender in this case, including a very insightful set of essays edited by Toni Morrison soon after the hearings took place (Morrison 1992). More recently, in a televised interview summarized in the *Stanford Report*, Hill reflects on the implications of race and gender to what happened. Hill points out that from Thomas's perspective the hearings were 'a high-tech lynching for uppity blacks' (Palmer 2002, 2). But from Hill's own perspective, the hearings were primarily about Thomas's race and her gender. She states, 'It was as if I had no race or that my race wasn't significant in the assessments that people made about the truthfulness of my statements. . ..but how do you think certain people would have reacted if I had come forward and been white, blond-haired and blue-eyed?' (Palmer 2002, 2). She maintains that Strom Thurmond, a conservative Republican against 'mixing of races,' would not have embraced Clarence Thomas so readily if his accuser had been a white female. She summarizes:

> Thomas became this sort of race person and we ignored his gender, and I became this gender person and they ignored my race. The real problem is that the way power is given out in our society pits us against each other. Race, gender and class are all used to keep power away

> from people. What we really need to be understanding is that all of these things matter and they all stem from the fact that certain people live with power and authority and they want to maintain it. (Palmer 2002, 2)

Those with power use the race, class, and gender of resisters in a variety of ways, depending on the circumstances, as marginalizing strategies. In some cases, gender becomes more salient, in others race, and in others class. And of course, all three overlap in complex ways. Although I focus primarily on the implications of gender in this chapter, I recognize that in many cases, race and class contribute just as much to the types of retaliatory measures used against and experienced by resisters. If a whistleblower has socially-marginalized traits, these traits are sure to elicit trait-specific retaliatory measures as a way to emphasize just how much the whistleblower always has been and always will be marginalized in our society—as a way to emphasize that the whistleblower was never *really* an insider after all.

Before moving on to a more general discussion of the potential for whistleblowers to experience psychological and moral damage, it is worth looking at a slightly different sort of case. In 1995, Carol Jones[3] (not her actual name) was a Ph.D. student in a School of Engineering (SOE) who received a grade lower than she deserved to 'teach her respect' (Jones 2006). SOE administrators denied her grade appeal, and warned her that pursuing the appeal would 'ruin her life' (Jones 2006). She claims that she then experienced extreme emotional distress and escalating reprisals that included twice being fired from research assistantships, severing of her funding, refusal to assign her an advisor, several unnecessary changes to her advisory committee, three more 'B's', and more recently a criminal trespass warning. Nonetheless, she received her PhD in Engineering in 1999, and obtained a job at a university that was a two-hours' drive away as a visiting professor. For the past ten years she has driven two hours each way to stand outside the main entrance of the university that wronged her. Dressed in her cap and gown, she stands for hours at a time holding up hand-written signs protesting the university's 'harassment and hazing.' Her request of the university is that they restore her 4.0, that they correct all transcripts that have been sent on her behalf, that she be given copies of letters of recommendation written for her by her professors, and that they rescind the criminal trespass warning (Jones 2006).

I find this case especially interesting because most of us have received grades we thought were unfair. But most of us don't devote all of our spare hours resisting and protesting. We move on. So why does Carol Jones persist? She writes,

> In spite of the escalating reprisals, I persisted in my attempt to resolve the grade appeal issue and was very vocal in expressing my disapproval of their reprehensible and hypocritical comportment. On numerous occasions, I stated that their behavior was a gross abuse of power that has no place in an institution of higher learning and especially so at one that is church-based. Not only do I no longer respect them, I question the very integrity of the institution and the personal integrity of the professors that I once held in such high esteem. Their academic authenticity is a sham. (Jones 2006)

As she stands on the corner with her signs, she is subjected to all sorts of indignities. On several occasions, male students have stood next to her with signs of their own. The messages on these signs have included: 'GET A LIFE,' 'STOP THE

ACADEMIC BROAD,' 'I SEE DEAD PEOPLE,' 'I'M WITH STUPID,' and 'I'M HER PIMP.' Most who pass by do not know her story, and assume that she is mentally ill in some way. After all, what sane person would stand year after year for hours at a time dressed in a cap and gown waving signs?

Like many women whistleblowers, Jones does not consider her gender to be salient to her case. She maintains that male students who need to be 'taught respect' would experience similar mistreatment. But note that engineering schools are overwhelmingly male (both faculty and students), that top university administrators are mostly male, and that the students who 'protest' next to her have been exclusively male. Students and others in the university community have used both the 'nuts' and the 'sluts' strategy to ridicule her. I find it difficult to believe that a similarly situated male student would need to be 'taught respect' under the same conditions or in this same way. Certainly, the 'sluts' aspect of the indignities to which she is subjected is gender-related. But more is going on here. Men in positions of power have begun to let women into their male 'clubs' (e.g. engineering schools) but expect these women to behave and defer in ways well beyond their expectations of similarly situated men. Many naïve women engineers presume that in such 'objective' fields as engineering, they will be treated fairly. If they answer test questions correctly or produce high-quality designs for products, gender should be irrelevant. But it's not. Highly intelligent and competent women like Carol Jones assume that once those in power see that they have met or exceeded the objective demands of their professions, the under-valuations they are experiencing will be fixed and addressed. Instead they are 'taught respect' and subjected to further retaliatory measures.

Women who whistleblow or who resist types of organizational malfeasance other than sexual harassment have very similar experiences to women who resist sexual harassment. Both types of experiences involve resisting particular and actual powerful individuals (often bosses). Both types of endeavor are very lonely. Both types of retaliatory strategies involve 'nuts and sluts.' Both result in loss of job, blacklisting, expensive legal defenses, and long-lasting emotional distress. Seldom is either approach effective at fixing the moral problem. And both result in a loss of moral innocence.

13.4 Moral Agency and Resisting Organizational Power

Margaret Urban Walker describes 'strong moral self-definition' as 'the ability of morally developed persons to install and observe precedents for themselves which are both distinctive of them and binding upon them morally' (Walker 2003, 5). Ordinarily, those with strong moral self-definitions are considered to be virtuous persons. They take their moral identities seriously and their actions are grounded in and help to preserve this identity. But as Alford so succinctly puts it, 'Organizations are the enemy of individual morality' (Alford 2001, 35). And as a whistleblower notes, 'It's a hell of a commentary on our contemporary society when you must be ready to become an insolvent pariah if you want to live up to your own ethical standards' (Alford 2001, 98).

Whistleblowers tend to have strong moral self-definitions. They identify themselves in terms of their moral commitments, and they view these commitments as saying something about who they are. Comments from whistleblowers include, 'I couldn't live with myself if I hadn't done anything' and 'I had no choice.' Carol Jones writes, 'I hope to put a stop to such harassment and abuse because it is degrading, illegal, immoral, unethical and destroys people's lives. If nothing else in this life, I will be real' (Jones 2006). And Alford summarizes, 'What I heard were stories in which whistleblowers were loyal not to principles but to ideal selves who embody these principles' (Alford 2001, 84). But what are the specific character traits of those with such strong moral self-definition that they resist organizational pressure even at their own expense?

Some studies suggested that prior to whistleblowing, whistleblowers show signs of being less sensitive than most to social cues. They are seldom cynics or radicals, because if they lean too strongly in these directions, they aren't employed in positions of responsibility within large organizations. They tend to believe in the system and to believe that going through the designated channels within the organization will right the wrong—will prevent future harm from being perpetrated. Alford argues that they whistleblow because they 'dread living with a corrupted self more than they dread isolation from others' (Alford 2001, 91). He labels this trait as 'narcissism moralized.' It is 'the willingness to risk all but their lives so as not to be made less whole, pure, and good by corruption in the organizations they work for' (Alford 2001, 92). Although he doesn't term it as moral damage, he writes that 'the narcissistic rage of the whistleblower is in some ways his least attractive aspect. It is, in a sense, utterly selfish' (Alford 2001, 78).

As I mentioned above, the psychological repercussions that follow whistleblowing are devastating and can last for years. After whistleblowing, whistleblowers experience severe depression, obsession with their cases, paranoia, and a severing of emotional ties. They often rehearse what happened to them in a narrative form over and over and over. They are unable to bring the narrative to a conclusion—unable to move on or to give up the fight. They become what Alford terms 'space walkers' with no remaining connections to the world. A woman who blew the whistle on her company's accounting practices states afterwards, 'I've never felt so forsaken in all my life as when I blew the whistle' (Alford 2001, 95).

Such psychological devastation easily translates into moral damage. Isolation, depression, and obsession are morally immobilizing. And accusations of mental illness marginalize whistleblowers even more, since the 'incoherent rantings' of the mentally ill should be ignored. There is no moral uptake from others. Alford writes, 'Of all the things that make a whistleblower crazy, the most maddening is the unwillingness of the organization to listen to them. To listen would be to recognize the whistleblower as an individual with a political or ethical claim on the organization' (Alford 2001, 105). Conversely, to marginalize just is to ignore and discredit the moral claims being made on those with power. Notice too, that the more isolated, depressed, and obsessed whistleblowers become, the more they act in 'abnormal' ways—thus there is a sense in which the accusations of mental illness eventually become true to some degree.

It is now starting to look as if the strong moral self-definitions of many whistleblowers are their moral downfall. Traits that originally contributed to whistleblowers resisting group think and organizational power and that contributed to attempting to prevent serious harm to others, lead to the development of extreme and persistent psychological and moral damage. When the traits necessary for resisting oppression more generally result in psychological damage, Lisa Tessman terms such traits 'burdened virtues.' According to Tessman, burdened virtues are 'traits that while practically necessitated for surviving oppression or morally necessitated for opposing it, are also costly to the selves who bear them' (Tessman 2005, 107). In the case of whistleblowers, the traits necessary for whistleblowing are certainly 'costly to the selves who bear them.'

Tessman addresses the ethics of liberatory struggles using an updated Aristotelian approach. For Tessman, the damage done is *moral* damage because the virtuous traits leading to virtuous resisting activities are character traits that are 'either unable to contribute to the resister's flourishing or are themselves vulnerable to damage' (Tessman 2005, 108). Clearly, neither resisters of oppression more generally nor resisters of organizational power experience the type of flourishing promoted by Aristotle. For instance, the trait of being willing to accept risk of personal sacrifice shows up in resisters of both types. But there are also some notable differences in the ways that flourishing is diminished in the two types of cases. Tessman points out that resisters of oppression often need to maintain a certain degree of rage or anger over long periods of time. Whistleblowers, on the other hand, are initially quite happily embedded in the organizations for which they work and need instead a strong moral self-definition combined with tendencies towards insensitivity to the views of others. More importantly, resisters engaged in liberatory struggles are usually politically aligned with and loyal to other resisters. Tessman points out that the character traits needed for this intense type of loyalty to other resisters can include being hypercritical of others in the group who are failing to meet liberatory ideals combined with an openness to criticism from others in the struggle. But note that group-based resistance still allows for full recognition of moral agency by others in the group. True, hyper-critical and overly intense interactions can diminish flourishing, but at least communal virtuous activity and thus flourishing is at some level taking place. For whistleblowers, the greatest harm of all that they experience is the complete isolation from others—and the resulting complete lack of moral uptake that they receive from others. Whistleblowers withdraw into themselves, obsess on the past, and find themselves unable to engage with others as flourishing members of a moral community.

When one's moral agency is entirely at stake, is it ever truly virtuous to be a whistleblower—to resist organizational power? Surely, it can't be virtuous to voluntarily give up one's ability to be virtuous. When you add in that seldom are whistleblowers effective at preventing the malfeasance they set out to prevent, it doesn't appear that the self-sacrifice is morally compensated for. Still, those with a strong moral self-definition report that they have no choice. They can't live with themselves if they don't whistleblow. And occasionally, given just the right circumstances and using just the right strategies, whistleblowing can and does work to prevent serious

organizational malfeasance. As Aristotle might put it, whistleblowers are virtuous when they whistleblow for the right reasons, about the right harms, at the right place, at the right time, and in the right way. In her book, *Whistleblowing: When It Works—And Why*, Roberta Ann Johnson, points out that in one rare case in which a whistleblower did, in fact, significantly impact the public good, 'the issue, the timing, public sentiment, and political context were aligned' (Johnson 2003, 89). I maintain that a virtuous potential whistleblower is able to wisely assess if such an alignment exists.

On my view, a moral agent must be attuned to and correctly assess her situation. Much like John Doris, the author of *Lack of Character: Personality and Moral Behavior*, I maintain that the situations within which agents find themselves affect and often determine our moral responses. We should view ourselves as moral agents, and hold ourselves to be morally responsible for what we do, but we should also avoid, as Doris puts it a 'preoccupation with character' (Doris 2002, 164), and instead should attend to our more local responses to particular contexts.

So with this in mind, what are the moral psychologies of whistleblowers? Moral resisters of organizational power should indeed maintain moral self-definition, but the strength of this self-definition should be tied to the degree that such a definition is psychologically realistic and context sensitive. Moral agents may even choose in particular circumstances to act from a Kantian sense of duty knowing that there will be negative consequences to themselves and others. But instead of 'installing and observing precedents for themselves which are both distinctive of them and *binding* upon them morally' (Walker 2003, 5), they should take special care to safeguard their future moral agency by observing these precedents only when the specific context calls for them. This involves:

- Being fully aware of the organizational power structures they face
- Being sensitive to social cues but resistant to social pressure
- Being realistic about organizational resistance to challenging power
- Conducting thorough cost/benefit analyses of various options
- Using creative solutions that avoid the need to self-sacrifice whenever possible
- Being fully aware of and prepared for retaliation methods
- Moving on to better moral environments whenever possible

This final recommendation is similar to one offered by John Doris. Once the power that particular situations wield on our psychologies is recognized, often the best solution is to remove ourselves entirely from certain situations rather than vainly attempt to change what cannot be changed or maintain a self-identified virtuous character trait that destroys our moral agency. I recognize that often we are unable to leave our places of employment because we have no other realistic options. If this is the case, how we go about addressing organizational malfeasance so as to preserve ourselves and our moral agency involves insight and creativity and, unfortunately, may even involve doing nothing. Non-idealized moral theory is, indeed, non-ideal.

Notes

1. I assume throughout this essay that those attempting to resist organizational power are documented employees. I recognize, however, that many employees are undocumented. The types of retaliation experienced by undocumented resisters are different and even more devastating than those discussed here.
2. For a book-length autobiographical account where class and gender are both salient, see Diane Wilson's *An Unreasonable Woman: A True Story of Shrimpers, Politicos, Polluters and the Fight for Seadrift, Texas*. This is not a whistleblowing case. Nonetheless, Wilson successfully resisted powerful corporations, corrupt politicians, and corporate lawyers as a fourth-generation fisherwoman on Texas's Gulf Coast. Although she had little formal education and five small children, she successfully organized efforts to save Lavaca Bay and her town from environmental disaster. Like whistleblowers, she did so at great cost to herself. She lost her livelihood; her marriage failed; she experienced retaliation including death threats to her and her family; and she attempted suicide. She was much more financially vulnerable and socially disadvantaged than the other women resisters mentioned in this chapter.
3. Like many other authors who discuss particular whistleblowing cases, I am withholding the name of this whistleblower. I hope to prevent any further retaliation against her and to avoid misrepresenting the actual facts of the case. I claim only to be presenting her version of what occurred. She has carefully documented her version of this case in a series of e-mails that she distributed to interested parties and that she asked be forwarded to any additional interested parties.

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Chapter 14
Women and Violence: A Theory of Judgment

María Pía Lara

Abstract This chapter deals with one particular problem about women and violence: rape. My thesis is that our moral notions of violence have changed dramatically in history and that this is apparent if we look back at the ways in which many stories from literature have presented the question of rape. I also argue that feminism has contributed to the moral transformation of the actions of rape, and I point out the ways in which different feminist techniques have allowed the question of violence in rape to be disclosed and understood as a moral harm. In the third part of the article I argue that although feminism has contributed a great deal in the change of our perceptions, the cultural revolution brought by certain feminist groups ended up addressing certain practices that are oppressive to women as acceptable because of so called cultural differences. In order to move out of the dilemma, I propose to use my theory of reflective judgment to provide the grounds for understanding rape as a crime through different and particular practices analyzed through the examples of stories (mainly provided with movies).

Keywords Rape · Historical understanding · Feminism · Representation · Cultural turn · Reflective judgments · Moral disclosure · Moral harm

I read the Spanish newspaper, *El País*, on a daily basis. In addition to its coverage of international and national politics and culture, there is always news about women being subjected to violence at the hands of husbands, ex-boyfriends or partners. I've always wondered whether Spain is a society where violence against women is common, or whether we should interpret that kind of information as something else—namely, a public concern that violence against women is now an important problem that needs to be solved institutionally. Indeed, Spain considers violence against women to be a crime. This is why they pay close attention to cases in which

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This chapter is dedicated to Joan B. Landes

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women are killed, burned, stabbed or murdered by their male partners. I have arrived at the conclusion that the real difference between Spain and other countries lies in the fact that the Spanish have made it a priority to foster awareness of this problem because violence against women is still a daily occurrence. I can only conclude that Spain owes a great deal to feminists who have forced its citizens to acknowledge these kinds of crimes. Such processes of awareness are important steps toward global feminism.

The subject of women and violence is complicated because our conceptions of what constitutes violence have historically evolved. Violence against women is one of those problems that has changed our perceptions about the meaning of violence in general, and in particular, against women throughout the past centuries. In my most recent book (Lara 2007), I claimed that our notions of evil are all historically constructed. They are the product of specific stories that have allowed us to analyze what we mean when we say that something needs to be considered an act of evil. I also argued that problems related to evil actions are not entirely defined by justice, albeit justice plays an important role when typifying them as crimes. Nothing exemplifies our efforts to understand violence against women better than an analysis of the stories that depict the physical abuse of women. In the first part of this chapter, I will focus on our moral view of violence against women in history. I will take the cases of rape as exemplified in ancient literature and in recent stories and narratives. In the second part, I will argue that feminism became an important force in an effort to address the problem of violence and women. I will also show that this category of representation provided an important way to analyze the problem. In the third part, I will propose my theory of judgment and the categories that I have developed elsewhere (Lara 2007) to address the problem of conceptualizing rape. The conclusion will show that our moral filter needs the permanent attention of spectators in order to understand the question of violence against women. All cultures were built up exerting different kinds of violence against women. This shared feature from all cultures has been widely discussed in many of the multicultural debates of recent years,[1] and it has been thematized again and again when the discussions have focused on religions and on cases that defend human rights. The second wave of feminism—the one that is known to be influenced by the cultural turn—seems to have complicated the issue of violence against women because many of the multicultural perspectives of feminists who wanted to defend the symbolic meanings cultures give to relationships between men and women are built within their different cultures. Recently, however, we have become more aware about certain kind of crimes that can be related to women in spite of their differences of social, racial, and economical status in countries like Afghanistan, India, or Mexico. I claim that these ways of thematizing the problem of violence against women have been clearer—less obscured by theoretical and ideological positions—precisely because they have been explored through concrete stories in movies and in the concrete stories about rapes and ethnic cleansing that happened in a systematic scale in the former Yugoslavia, as well as in Darfur and Rwanda, which were later publicized by many international newspapers. These stories have made us reconsider what we once saw as consequences of the more general frame of violence that is so typical of wars and of ethnic conflicts.

14.1 Reassessing the Historicity of Our Conceptions of Violence against Women

Consider the Greek tragedy *Trojan Women* written by Euripides. The action begins with a conversation between the Trojan women commenting on their fate as the Acheans prepare to enslave and rape them. The Trojan women know that they are considered a part of the plunder because they are on the side of the defeated. This historical perspective of the undifferentiated violence of war has changed very little until recently. Martha Nussbaum, for example, in analyzing Hecuba's speech to the Acheans, highlights the sorrows of this Trojan woman and even mentions her ordeals after citing an entire paragraph from Euripides's play. It says nothing, however, about the moral damage infringed on her as she is forced to be a sexual slave. Indeed, Nussbaum argues, 'it seems peculiar to select this speech as an example of deliberation and choice [*sic*], since Hecuba appears to have no room for choice. What can she do? She is a slave, she has lost this last hope for the restoration of her city and her family' (Nussbaum 1986, 313–314). How can Nussbaum have missed such an important clue about the kind of crime involved in her becoming a *sexual* slave? Obviously, one important element is that Hecuba herself thought it was *her* natural fate—her destiny.

Even though the mentioning of rape has always been associated with warfare, as can be traced to Herodotus's *The Histories*[2] or other Greek stories such as the rape of Europa by the Greeks, who also abducted and raped Medea (recall also the rape of Helen by Paris, the son of Priam[3]), they did not get the full moral attention from spectators (readers) because rape was considered a *natural* consequence of war. While it is true that in medieval Britain rape was considered a capital crime in the military codes promulgated by Richard II (1385), and Henry V (1419)[4], only few philosophers like Hugo Grotius condemned rape as a specific crime (Grotius 2005). Americans were the single exception because they considered rape a capital crime in their Lieber Code of 1863 to regulate the conduct of the soldiers during the Civil War.

Changes came slowly until the second half of the Twentieth Century, where we again encounter stories of the rape of women civilians during the liberation from the German invasion by the allies in many cities in Europe. These facts have only begun to be clarified by the accounts of the victims themselves. Such is the case with the book *A Woman in Berlin* (Anonymous 2005), in which the writer/victim narrates the way she and many other women civilians were raped in Berlin by the Russian soldiers. The author remained anonymous—most likely because she was filled with shame, given that the rest of German society did not want to face the uncomfortable truth. Enzensberger, who wrote the introduction to the book, states that

> [T]he argument of rape has more to do with violence than sex, [it] is *a victim's definition of the crime*, not a full explanation of male motive. Certainly, the rapes committed in 1945—against old women, young women, even barely pubescent girls—were acts of violence, an expression of revenge and hatred. But not all of the soldier's anger came in response to atrocities committed by the Wehrmacht and the SS in the Soviet Union. Many soldiers had

> been so humiliated by their own officers and commissars during the four years of war that they felt driven to expiate their bitterness, *and German women presented the easiest target.* (Anonymous 2005, xix; italics are mine)

Enzensberger also claims that 'women were forbidden to mention the subject of rape as if it somehow dishonored their men, who were supposed to have defended them' (Anonymous 2005, xxi). We can see then that there were few differences from the Greek cases cited above, although many centuries had gone by.

When did we shift our perception from rape as a weapon of war to rape as a violent crime? We now have several examples at hand, and just by saying that they were recorded we are given a sense about the kind of moral transformation that we have undergone as a result of what happened in the former Yugoslavia, especially, with the cases of Muslim women. Consider, for example, the narrative of a well-known human rights activist, Aryeh Neier, who claims that 'the war in Bosnia became virtually synonymous with rape' (Neier 1998, 172) The interesting thing about Neier's narrative is that he has discovered the systematic way in which rape was used against women, and in particular, against Muslim women. Neier then proceeds to revise the public information about rape first issued by the Bosnian Government by acknowledging that more than 50,000 Muslim women had been raped. This news only became an international concern once *The New York Times* published an article by John Burns citing the statistic that showed that at least 20,000 women had been raped. The question became important for international law when several feminists, among them the lawyer and professor Catherine MacKinnon, who spoke about it on a panel sponsored by Neier himself at the Association of the Bar in the city of New York. MacKinnon cited the data of 30,000 women who had been raped and got impregnated as a consequence of those actions. The full disclosure of the ways in which symbolic violence and cruelty were ensured by the perpetrators' boasting to their victims that these raped women were carrying 'little Chetniks' were captured in the narratives collected by Neier and others human rights activists. Indeed, Neier clarifies, 'prior to Bosnia, there was never an issue involving women in other countries that preoccupied American women. Overnight, however, it seemed that the plight of Bosnian women had become a domestic political issue to American feminists' (Neier 1998, 178). Thus, the recognition that rape needed to be considered by itself as a *specific* crime was an important step because it did not appear as such in the Geneva Conventions or in the Nuremberg and Tokyo trials. It was formulated as a specific crime in 1996 when the first indictments—solely for rape—against fourteen Muslim women and girls were held at Camp Foca and made this problem apparent. Raising public opinion, involving the victims in the endless task of recording their stories, and indicting criminals have all been major issues in the successful morally constructed understanding of rape as a crime against humanity. Feminists also played a major role in raising public awareness about rape and they forced us to acknowledge that these crimes must be considered evil actions.

Meanwhile, stories narrated in films about these women in the former Yugoslavia have entered the public realm by giving us an even deeper texture in our understanding about the consequences of such crimes and the meaning of moral harms inflicted to them as a permanent part of their lives, the lives of their children, and

the lives of their families. This is the case explored in the movie called *Grbavica*[5] about a Muslim woman, who suffers the legacy of having been raped, and confronts the challenge of telling the true story of such an action to her daughter years after the war ended. Her daughter is a teenager and ignores the real identity of her father. The mother is forced to reveal to her daughter that she is the product of her mother's rape by a Serbian soldier and not the daughter of a fallen hero as she had always believed because she needs now to provide this kind of information about her father for a scholarship. This terrible truth is what I have called in my last book as the concept that portrays or discloses the kind of moral harm that I attributed as the consequence of evil actions. It is defined by the fact that an evil action ties the perpetrator to the victim forever, and it can be grasped by the kind of moral harm inflicted upon the victim's identity and self-esteem.

In my theory of evil, I insist that stories allow us to circumscribe to the concrete cases—to the particulars—which I have called the 'products of our reflective judgments' because they focus on stories as examples. They produce a concept not based on deductions or general laws—as determinant judgments do—but on particulars through the analysis of specific features that constitute the crime, which I call the product of reflective judgments. It is through the process of understanding these kinds of exercises of collective self-perception and in configuring the definition of them as crimes that we have become aware of the problem of violence implied in an action such as rape. Therefore, my theory claims that we need the paradigm of evil to help us construct a moral filter to understand the kind of harm inflicted upon the victims. Once we can grasp the moral consequences of certain actions, then it is through the paradigm of law that we construct the definition of a crime. It is my claim that both steps require the kind of exercise involved in my theory of reflective judgments.[6]

14.2 Feminist Contributions to the Transformations of Our Moral Perceptions

My thesis, originally developed in *Narrating Evil* (2007), and extended now to this chapter, has been that the historical reconstruction of how we have learned to conceive the problem of violence against women must have the moral filter that a paradigm of evil provides. Part of this process is to acknowledge first that certain kind of actions between humans have the goal of destroying the other person(s) morally and sometimes physically as well. The connection between perpetrator and victim is conceptualized in the action itself and in the fact that we understand that those actions cannot be fully understood unless we have a specific moral filter (the paradigm of evil), which allows us to understand that this kind of cruelty cannot be grasped fully by using the notion of an injustice. Thus, the second step needs to articulate a connection between the moral category of responsibility to the legal one of accountability. With this interconnection, we establish a link between the moral filter provided by our moral construction of what is involved in an action such as rape, with the categories such as responsibility and what it

entails to conceptualize the action of a perpetrator by analyzing the consequences of moral harms, along with its translation to the paradigm of justice by conceiving or defining such an action as a crime, and thus claiming the accountability of the perpetrator. This is the reason why I have called the stage of this interconnection 'the materialization of justice.' The historical process of understanding that our perceptions have changed and that we can begin to understand the structural interconnection between violence and women through specific examples has not been an easy one. This is partly, as we shall see, because feminist theories have also evolved, albeit not in a linear manner but in a highly complicated and at times contradictory processes.

Though we have come to define the evolution of feminist perspectives through historical stages, the importance of the second wave[7]—as it is now widely known—has been clearly conceptualized by Nancy Fraser as being divided into three phases:

> [I]t originated as part of a broad effort to transform an economist political imaginary that had narrowed political attention to problems of class distribution. In this first (new social movements) phase, feminists sought to burst open that imaginary. Exposing a broad range of forms of male dominance, they propounded an expanded view of the political as encompassing 'the personal.' Later, however, as the utopian energies of the New Left declined, feminism's anti-economistic insights were resignified and selectively incorporated into an emerging new political imaginary, feminism reinvented itself as politics of recognition. In its second phase, accordingly, feminism became preoccupied with culture and was drawn into the orbit of identity politics. (Fraser 2005, 296)

It is in this second stage that feminists used the concept of representation as key to disclose symbolic and cultural meanings attached to the different roles of women in their cultures and societies. The ways in which cultures have represented women, their roles in societies, and the ways in which their societies have attributed specific features and tasks to them and for them have all been connected to contexts and historical features. Indeed, feminists understood the importance of the concept of representation[8] because of its connection with the social imaginary.[9] The social imaginary involves not only common practices but also explores the way certain spaces of normative contents are open to aspirations and goals that lead to important transformations of societies. Thus, the goal for feminists was not only to disclose *hidden meanings* as *symbolic and material practices of oppression* (Butler 1997a), but also to focus on how those practices and meanings could first be grasped through the way relationships are established and institutionalized, and then, to figure out the kind of help they provide us in transforming our previous perceptions and the social imaginary. These critical debates about changing social perceptions and the way they specifically were carried out through various techniques that involved hermeneutical interpretations, therapeutic recoveries, reconstructive theories that relied on narratives[10] or argumentations, as well as non-linguistic ways in which deep-seated intuitions and expectations could be rearticulated or reformulated,[11] have all pushed the limits of the analysis about the importance of the concept of representation to the front and, as a result, these theories have become involved in defining the kind of agency[12] needed for the tasks of critique and transformations.[13] Needless to say, as the cultural turn radicalized

our perceptions of differences, feminists agreed less and less about the kind of techniques necessary to the understanding of oppressive practices against women. Indeed, many feminists accused one another of using, in their critiques, essentialist views and conceptions of women as a single overarching category.[14] Other more radical feminist views argued that such a concept was a fantasy,[15] and yet others argued that those analyses were mostly theorized by concrete groups who ascribed themselves as embodying the universal.[16] As a result of this highly cultural debate many of the problems regarding women in relation to violence did not focus on understanding their economic and social status, but on cultural perspectives and categories that rejected essentialism, universalism, and ethnocentrism. Some multicultural feminists, however, justified particular practices of non-Western cultures, such as ablations,[17] and sometimes even the unequal distribution of labor and the legitimating of the passive role of women in certain cultures. Along with allowing us to understand cultural codes and the radical strategies of understanding cultures and its symbolic representations, some of those theories, in the end, formulated a series of paradoxical conclusions.

14.3 Recovering Stories to Find Disclosive Examples of Violence Against Women

I do not wish to reproduce the complexities of previous debates; neither can I focus on many of their valuable contributions to much of our understanding about gender, sex, agency, and the conceptual problem that arises in its absence. Instead, my aim is to focus on ways to think about the problem of violence against women by rearticulating the moral dimensions lost in many of the discussions brought by the radicalization of feminism within the 'cultural turn.' I propose that my theory of evil presents an opportunity to shift the problem into a different perspective. I wish to connect the problem of violence against women to the moral dimension by bringing the examples of them as a series of narratives that *disclose* clear concrete cases of evil actions. This shift requires that I do not attempt to define all kinds of violence against women as abstract formulae,[18] but that I defend the idea that stories portraying certain kind of actions can better show the *expressive and moral filters of the descriptions of particular crimes* if we use the tools of my paradigm of evil. In my book *Narrating Evil* (2007), I propose that only certain actions of cruelty that have consequences of harming victims partially or totally can be defined as evil actions. Before defining a story however, it must enter into a public discussion. It can be displayed as the victims' own narrative or as one that is recovered by someone else, but it is essential that through the *expressive powers of the* story itself we learn to construct our moral judgment and understand that it discloses our views to realize how they become a moral harm. The second step, as I have indicated above, would be to attribute responsibility to perpetrators through the legal concept of accountability. This is involved in the process that I have earlier called materializing justice and it means to find a connection—a process of translation—between the paradigm of evil and the paradigm of justice.

Before explaining how this process is possible, allow me to focus on the kind of categories that I want to use and that I wish to connect to the feminist perspective of analyzing violence against women. First, if it is true that feminism of the second wave focused on representation and the social imaginary, I want to make it possible to shift these earlier strategies by focusing on the way *certain representations allow us* to build up our *moral* judgments about what happens through stories—narratives as concrete examples—and to connect them to a theory of the spectatorship.

First, we must revisit Kant to emphasize the reason why he developed a theory of reflective judgment to think about the products of artistic value from the point of view of the spectators.[19] Art, he believed, has the subjective quality related to the sensibility of emotions and feelings, but in spite of it, he also realized that if he could try to explain why we, the spectators, could agree about the quality or validity of a work of art, it would be because there are also intersubjective reasons for doing so.[20] This condition is connected to the way we learn to debate and to develop our judgments in the community where we live. In trying to figure out how to account for this kind of validity (that differs from cognitive ways of validating knowledge and from practical ways of legitimating actions), Kant saw that his aesthetic perspective needed to concentrate on the role of spectatorship and on the way we communicate with each other. By doing so, he could find out why our judgments about works of art can be conceived as concrete universals in the sense that they do not need to appeal to general laws or deduct their principles from previous rules (the way determinant judgments do). The kind of conceptual understanding of the particularity of a work of art would be grasped because of its own rules, created specifically with the features of its particularity. Thus, he proposed several categories that were key to his aesthetic dimension of validity: understanding and imagination, an enlarged mentality and the *sensus communis*, and publicity and communicability. The intersubjective dimension is brought to the forefront because we have the capacity to focus on a work of art in an impartial manner, Kant argued, and we can elaborate our judgments when we can offer reasons to others of why such a work of art requires our validation. This much was Kant's own doing, but it was Hannah Arendt who better understood that this perspective could be useful for her own conception of politics and social critique. Citing Arendt's views on the subject, for example, Alessandro Ferrara concludes that 'A judgment that unites a focus on particulars and yet has a universal scope in its claim to validity is possible insofar as it appeals to *exemplary validity.*'[21]

If we focus on the historicity of the story, on its capacity to open itself to moral disclosure, we find then that stories can allow us to avoid the problem of making universal statements about violence in general or deducing them from concrete cases in order to provide general rules. Each story provides its new ways of conceptualizing violence. With my conception of reflective judgment, we can create concepts out of their own particularities and we can take stories as examples of certain kinds of violence—for example, rape. This is why a theory of spectatorship is needed now. We need to focus on the expressive ways with which stories are built up, in the way moral filters are constructed through expressive means—linguistic or with visual images which are disclosive of hidden dimensions (as symbolic language[22]) and how they are captured and understood by spectators.

Recall that both Kant and Arendt saw spectators as having the capacity to become impartial. In the case of Kant, the question of art allowed him to focus on the idea that it was in our interest to grasp the full message of the work of art and that our attention represents 'a form of awareness that is constitutive of the human form of life' (Seel 2001, 20). The disinterestedness of the quality of our perceptions lies in its very condition of being drawn to its particularity, since what matters is 'the specific self-presentation of the given' (Seel 2001, 32). Our perception immediately becomes interpretive. This cue from Kant is taken by Arendt to develop her notion of understanding in which we acquire the possibility of critical thinking when it implies the need to communicate our assessments to others and to train our imagination to consider others' viewpoints. It is then that the space of impartiality becomes possible, but not as a result of some higher point of view that could settle itself above all the others' opinions, but as an enlargement of our collective thoughts—as an enlarged mentality (Arendt 1982, 42). Thus, enlarged mentality and *sensus communis* open up the field for our judgments of those actions that are captured in narrative fashion and we begin to understand the kind of moral wrongs portrayed when we grasp the exemplary significance of certain action through a specific narrative.

If we then go back to the concept of rape, we can now understand why it has been possible to conceive the transition from concrete cases to a general concept that illustrates the case of violence against women. Rape can now be conceptualized as a crime, but only after its historical reconstruction of cases that have allowed us to locate the moral wrongs committed and captured by many stories about women. The connection of such cases or stories with others that are similar to them involves the transition from the paradigm of evil to the paradigm of justice.

The narrator who offers the story to the public can be a historian, a victim disclosing her story, a theorist or filmmaker who recovers a story to illustrate a point. It is within the public, in the debating of the example among spectators, by contrasting it with others, etc., that it becomes possible to consider the example a disclosive filter to our understanding the kind of moral harms inflicted by perpetrators to their victims. Then we can enter into institutional debates in which the judges can also construct their cases by *defining them as* crimes based on the same kind of particularity.[23] Descriptions of actions entail definitions of them. Imagination is a vital source for the disclosure of our moral awareness. Once this is done, we can speak of how a case can be connected to others because of their similarities. The process involving this kind of reflective judgment works similarly to Wittgenstein's notion of family resemblances.[24] The meaning of rape and the connection to the moral filter of grasping the kind of violence involved is the product of what constitutes a reflective judgment. It allows us to disclose the moral dimension when we use an expression or a description (a narrative) to define where and how can we locate the kind of moral harms produced by such actions. When we can establish connections between the paradigm of evil (our moral filter, our moral gaze) with the paradigm of justice then we are capable of articulating the material connection between the moral category of responsibility with the legal one of accountability. Law and the legal experts proceed then to configure the kind of conceptual, reflective judgment involved in the definition of the crime as constituting a concrete universal, not a general law or a deductive conclusion.

It is not accidental that rape has now entered as a term that functions as a moral filter to analyze the kind of violent actions that occur between spouses, partners, and lovers. We can now conceptualize non-consensual sex between a woman and a man as rape, regardless of existing institutional ties such as marriage or partnerships. Again, Spain has produced a great film about the subject with the movie *Take My Eyes* (2003) directed by a woman filmmaker named Iciar Bollain. The woman portrayed in that film is married to a man who is permanently violent to her and his violence is triggered when he realizes that his wife has ambitions to lead a normal life and to earn her means of becoming independent with a job. The day she has a work interview in Madrid she dresses up for the occasion. Jealousy makes the husband approach her questioning the reasons for her being so dressed up and he proceeds to undress her in a violent fashion (as when a rapist tears the clothes off from his victim) and pushes her to the terrace where he locks her out and exposes her nakedness. The action can be called rape regardless of the fact that he does not have sexual intercourse with her but because he violates her intimacy and exposes her naked without her consent. After he leaves her, she goes to the police station to denounce the action and the police ask her about her physical wounds, to which she replies that although she has no physical evidence of being raped, he has destroyed her inside.

One further step was taken when we started to revise our capacity to see that rape also happens in relationships where the spouse is a child and her fate is not decided by her but by her elders (their own families or religious authorities, as has been documented in the cases of many children's fate during the Taliban regime). Indeed, movies like *Osama*[25] (2003) and *Baran*[26] (2001) disclosed terrible stories about the kind of life that children and pubescent girls suffered because of the structural roles of women in those societies. In *Osama*, a widow and her mother (also a widow) are forced to use her only daughter, disguised as a boy, so she can leave their house and find work. Once she finds a job in a store, the girl who is then called *Osama* is spotted by the Taliban police and taken to a Maddrassa to learn the Koran with the other boys. In the school she is permanently harassed by the other children because of her effeminate features and is forced to show courage by playing in the way boys do. In one of those games—climbing to the top of a tree—she gets caught because she is afraid of falling. When the girl is paralyzed on the top of a tree, one of the Mullahs arrives at the place where the children are playing and punishes her by hanging her by the wrists inside a well. It is there that she experiences her first menstrual period and gets caught for disguising herself as a boy. She is taken to the infamous stadium where the Taliban exercised the Shariah, their religious trials. Another Mullah who taught at the Madrassa sees the girl and recognizes her and requests her pardon so that she can marry him. The movie ends up when the girl enters the Mullah's harem and learns about her *sexual* fate. *Baran* is a similar story of a young girl being forced to impersonate a boy so that she can earn an income. These stories about Afghanistan's culture were filmed by people who lived there and knew about these problems as insiders.

We can find a similar example about violence against women when a story portrays the crime of rape customary of the traditional Indian culture of marrying young

pubescent girls to old men. This is the case of the movie *Water* (2005) directed by woman film director, Deepa Mehta.[27] The movie begins with the trip of the young girl—already a widow—who is going to her new destiny, the place where all widows are hidden and marginalized by society. The child ignores her new situation and the movie shows the way her parents manage to distract her with sugar canes so she will agree to travel without hesitation to her new address. Once in the place of her seclusion, she will learn that she will be confined there forever. As the story evolves, we see other women suffering different kinds of violence. In the key scene, one of the widows asks a religious man the reasons why they, the widows, have to suffer such fate and he honestly answers that he thinks it is only for economic reasons. He clarifies that the Indian society excuses the lack of social concern about the fate of these women because once married they cannot be reintroduced into society. Families preferred not to take the child back with them because of their economic inability to raise the girl, but the child cannot opt for a different future because society considers widows to be impure. There is no social role or place for them. Another younger widow's fate, for example, illustrates that she is forced into prostitution because she is young and beautiful and can earn money through sex to sustain the widow's place. Again, she cannot reverse her fate even though she meets a young secular man who falls in love with her and wants to take her out of such an institution. Once he learns that she has been the lover of many men from the village including his father, her possibilities of transforming her fate fade away.

Rape is also illustrated in another story when a man takes advantage of a social situation and forces sex as a payment for something else. This particular way of committing rape is explored by the Rumanian film director—Cristian Mungiu—with his movie *Four months, Three Weeks, Two Days* (2007), which won the Palm d'Or in Cannes last year. The historical context of the movie is situated during the terrible regime of Nicolaus Ceaucescu and his policy of banning abortion. The story focuses on the example of one young student who faces the challenge to find a way out of her pregnancy and has to deal with the perils of the illegal practices of abortion (which were the common solution for women in those times). Though the theme relates to the ways in which women were trapped by the lack of institutional support for legal abortions, the story is not really about abortion but about rape.[28] The moral filter is opened when the story discloses the complexities involved in the context of the communist regime in Rumania, where the social practices and the institutions make illegal abortions a crime. A young female student (Gabita) and her friend (Otilia) contact an illegal abortionist—a man—who will perform the illegal abortion in terrible conditions in a room at a sordid hotel. Needless to say that the complexities that I referred to above are key to interpret the context: the pill was banned in Rumania since 1966, and if the illegal abortion was practiced, and the woman needed the care of a doctor at a hospital, the staff was compelled not to do anything to save the woman's life before calling a legal prosecutor in order to issue an indictment against her. This is why the story is so disturbing. The two young friends have to undergo a series of obstacles in order to meet with the illegal abortionist. Once at the hotel room they find out that he is willing to perform the abortion but that he is not interested in the money but in sex. The price that both have to pay

is rape because they have no real choice: either they agree to perform the sexual acts the man demands or he leaves the hotel room without performing the operation. The movie illustrates the many cases that took place in those years in Rumania where young women were desperate. The moral filter captures with this single story the dangers and risks and the violence involved. More than 50,000 women had to suffer the same fate during the Ceaucescu regime (1965–1989) as their stories have become known now because of the impact that the movie had in Rumanian society. It is not a coincidence that this information and the women's interviews have been published in the Spanish newspaper *El País* (which I mentioned at the beginning of the essay).[29] It is for this reason that the title of the film—*Four Months, Three Weeks, Two Days*—becomes a powerful mechanism of disclosure: It involves the kind of threat—the symbolic role played by time—that the abortionist argues to them about the dangers and risks involved in performing an abortion once the first three months have gone by. The scene that portrays the full disclosure of the deal is that in which Gabita discloses the real time that she had been pregnant. It is then that she realizes that the more time that has passed the higher the price that the man will demand from them. Her friend Otilia is caught in the bargain as she realizes that Gabita had also been lying to her as well. The rest of the story is about the fact that their friendship survives in spite of the horrible secret that they are forced to bear.

This historical transformation of our moral perceptions about rape as seen in these different examples of women's stories have clearly opened to us the multiple dimensions in which relationships can use the woman's body as the primary weapon—target—of violence. Acts of violence that destroy the identity and self-esteem of the victim can be considered evil precisely because of its consequences of moral harms. Public attention is thus a sign of moral awareness. Stories (fictional like those presented here in the examples of the movies, and those disclosed in trials as the ones that have been mentioned here by feminists lawyers and human rights activists) are the best *examples by which societies have learned to draw the conceptual configuration of rape as a crime against humanity*. Spectators have played a major role in discussing and making their societies aware of the complexities involved in this kind of specific violence. Hannah Arendt's words seem to provide a logical conclusion to the subject of this paper because she argues that 'violence does not promote causes, neither history nor revolution, neither progress nor reaction; but *it can help to dramatize grievances and bring them to public attention*' (Arendt 1970, 79; italics are mine).

Notes

1. A key book exploring this problem is *Is Multiculturalism Bad for Women?* (Moller Okin 1999).
2. Herodotus discusses the abduction and rape of Io, daughter of Inachus, and other women by the Phoenicians.
3. This is the beginning of Homer's narrative *The Iliad*.

4. See the play written by William Shakespeare—*Henry V*—and the work of a legal professor, Theodor Meron, who has specialized in comparing the crimes during these historical times and ours (Meron 1993, and Meron 1998).
5. Directed by Jasmila Zbavic, who won the Golden Bear prize for the best movie presented at the Berlin Film Festival the year of 2006.
6. To look at the whole description of the definition of reflective judgments see my book (Lara 2007).
7. See: Nicholson (1989); Butler (1990); Benhabib et al. (1994); and Butler (1993).
8. See, for example: Yeatman (1994); Lauretis (1984); Lauretis (2007).
9. For a very interesting account of representation as image and the ties to the social imaginary see: Landes (2001).
10. Women's narratives and the public sphere have been the main subject of one of my books (Lara 1998). See, also: Cavarero (1997); and Butler (2005).
11. See: Silverman (1998).
12. See: Butler (1997b).
13. See the discussion about the concepts of representation, critique and transformation in: Cooke (2006).
14. This is the case of many of the arguments developed by Teresa de Lauretis in her book *Alice Doesn't* (1984).
15. As an example of this critical path, I can cite a narrative view of it written by Sherry B. Ortner explaining these kind of conflictive views: 'Even though men are universally "dominant" vis-à-vis women, we should stop paying so much attention to this point; that empirical work upon the lives and experiences of women should not be the primary focus of feminist research; that even though the opposition between "domestic" and "public" domains (which Rosaldo herself had established as central to the analysis of gender [1974] seems to be heuristically useful, it is actually of negative value, since it leads to an emphasis on "difference" between women and men rather than on "relations"; and that ultimately gender cannot be adequately understood except in relation to other structures of social asymmetry' (Ortner 1996, 116).
16. Fraser argues that 'whether the question was violence against women or gender disparities in political representation, feminists increasingly resorted to the grammar of recognition to press their claims. Unable to make headway against injustices of political economy, they preferred to target harms resulting from androcentric patterns of cultural values or status hierarchies. The result was a major shift in feminist imaginary: whereas the previous generation pursued an expanded ideal of social equality, this one invested the bulk of its energies in cultural changes' (Fraser 2005, 299).
17. Bonnie Honig, for example, in discussing against Susan Moller Okin argues that 'clitoridectomy has its female defenders as web, a phenomenon explored in Nuruddin Farah's novel *Sardines*' (Honig 1999, 40).
18. Butler (1997b) argues that this is the perspective taken by Catharine MacKinnon in her book called *Only Words* (1993).
19. See: Kant (1987).
20. This line of argument is well explored in: Ferrara (2008).
21. For a wide development of reflective judgment and aesthetic validity see: Ferrara (2008, 47).
22. As Jan Mukarovsky argues, 'because the sign is the poetic space of the word while the sign of the cinematographic space is the shot' (Mukarovsky 1975, 75).
23. Ferrara, for example, cites the work of Ronald Dworkin as an exercise of reflective judgment. He argues that: 'Recall that the alternative suggested by Dworkin, who believes in the existence of *one right answer* to hard cases, relies on reflective judgment and amounts to a view of adjudication as guided by *integrity*. In legal matters the best sentence when conflicting interpretation of the law exist is the one, according to Dworkin, that *makes the most* of the existing tradition, understood not only as a collection of statutes but also as a tradition of academic jurisprudence, as a series of relevant court decisions, all interpreted against the background of the history of the community of which the legal tradition is an expression' (Ferrara 2008, 55).
24. This point is very well illustrated by Claudia Card's book *The Atrocity Paradigm* (2002).

25. A film directed by Sidiqq Barmak.
26. A film directed by Majid Majidi.
27. Mehta has been exiled and persecuted because of this movie.
28. Mungiu has claimed that his movie is interested in capturing the complexities of the Communist society. See: Altares (2008a, 2–3).
29. See: Altares (2008b, 6–7).

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Chapter 15
Narrative Structures, Narratives of Abuse, and Human Rights

Diana Tietjens Meyers

Abstract A number of late 20th- early 21st century political and intellectual movements put a spotlight on the value of listening to silenced voices. Picking up on these trends, philosophers have addressed a number of pertinent themes, including respect, empathy, and credibility. Less thoroughly explored is the relation between victims' stories and normativity. This paper examines two theories of narrative – one by Hayden White and the other by Anthony Amsterdam and Jerome Bruner – and argues that neither adequately accounts for the capacity of victims' stories of abuse to advance understanding of and increase respect for human rights. To better appreciate the contribution of victims' stories to human rights advocacy, I propose an account of the relation between normativity and a type of fractured story that traumatized victims often tell.

Keywords Human rights · Narrative · Victims · Moral closure · Systematic injustice

A number of late 20th- early 21st century political and intellectual movements put a spotlight on the value of listening to silenced voices. In consciousness raising sessions, second wave feminists exchanged stories of their everyday lives and used these stories to construct theories of gender and to formulate political agendas.[1] Soon women of color and lesbians in western as well as developing nations objected that middleclass white feminists had silenced them and consequently misrepresented womanhood and the needs of women as a group.[2] In law schools, critical race theorists made the case that white supremacy could not be eradicated unless personal stories of racial oppression were injected into U.S. legal proceedings.[3] Recent truth commissions in South Africa and Peru and war crimes tribunals in the Hague and Rwanda have reaffirmed the right to a voice of one's own.

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Picking up on these trends, philosophers have addressed three principal topics:

1. Respect – demonstrating respect for victims and helping them restore their sense of self and agency by establishing fora in which they can safely tell their stories.[4]
2. Empathy – the capacity of victims' stories to elicit concern for different others and to mobilize compassionate responses to their plights.[5]
3. Credibility – the epistemic grounds for believing or doubting victims' stories.[6]

Less thoroughly explored is the relation between victims' stories and normativity. As a contribution to understanding how the stories of those who have been abused or oppressed can advance moral understanding, catalyze moral innovation, and guide social change, this paper focuses on narrative as a variegated form of representation and asks whether personal narratives of victimization play any distinctive role in human rights discourse.

In view of the fact that a number of prominent students of narrative build normativity into their accounts, it might seem obvious that there is a connection between victims' stories and moral insight.[7] However, the category of victims' stories spans an enormous variety of texts – private diaries, memoirs written for publication, interviews with journalists or social scientists, depositions prepared by human rights workers, stories shared with like-minded activists or with support groups, stories told to medical professionals, and testimony in courts, truth commissions and asylum hearings, to mention just some of the possibilities.[8] The different contexts of elicitation and the different rules governing expression in these sites should make us wary of ready generalizations about the nature of victims' narratives.

Moreover, I doubt that existing explications of the way in which norms figure in narratives yield satisfactory theories of the contribution victims' stories can make to discovering and defending just policies and practices. I consider two of the most prominent accounts of the relation between narrative and normativity. For different reasons, the account Anthony Amsterdam and Jerome Bruner present in their work on narrative and law (2000) and the account Hayden White presents in his work on narrative and history (1987) fail to appreciate the capacity of victims' stories of abuse to advance understanding of and increase respect for human rights. In defense of the value of victims' stories, I propose an account of the relation between normativity and a salient type of victim's narrative that seems especially resistant to integration into human rights discourse.

15.1 The Amsterdam/Bruner Account of Narrative

Anthony Amsterdam and Jerome Bruner adopt a conception of narrative that is deeply indebted to Aristotle's *Poetics*; A narrative

> needs a *cast of human-like characters*, beings capable of *willing their own actions, forming intentions, holding beliefs, having feelings*. It also needs a *plot* with a beginning, a middle,

> and an end in which particular characters are involved in particular events. The unfolding of the plot requires (implicitly or explicitly):
>
> 1) an initial *steady state* grounded in the legitimate ordinariness of things
> 2) that gets disrupted by a *Trouble* consisting of circumstances attributable to human agency or susceptible to change by human intervention,
> 3) in turn evoking *efforts* at redress or transformation, which succeed or fail,
> 4) so that the old steady state is *restored* or a new (*transformed*) steady state is created,
> 5) and the story concludes by drawing the then-and there of the tale that has been told into the here-and now of the telling through some *coda*. (2000, 113–114)

Despite Amsterdam and Bruner's talk of redress and transformation, their account is structurally conservative because they conceive of norms as culture-dependent conventions, and narratives that conform to their account are riddled with localized norms. As a result, I argue, their view is inhospitable to many victims' stories.

Each of Amsterdam and Bruner's key conceptions – the steady state, trouble, and emplotment – is normatively tinctured, in my view, perniciously so. The steady state that constitutes the beginning of a narrative is whatever people at that place and time regard as 'legitimate ordinariness' or as 'normatively valued states of affairs' (2000, 121; also see Bruner 2002, 6). But if a narrative can't get started without positing a condition of acceptable normality, many victims have no social history from which to speak. The very conditions that others regard as legitimate and ordinary are the cause of their misery. Consider U.S. slaves in 1700. No description of legitimate ordinariness in their ancestral homelands would have struck a chord with a sizable audience of powerful listeners (Mills 1998, Chapter 6). Women's subordination is even less amenable to being cast in the Amsterdam/Bruner framework. There never has been a society in which gender equality was institutionalized and deemed to be legitimate. To assume, then, that people live in a world of legitimate ordinariness until 'Trouble' crops up wrenches the tool of narrative out of the hands of many victims of human rights violations.

Equally worrisome is the pressure that the orthodoxy of the Amsterdam/Bruner model exerts on activists and sympathetic scholars to envisage an original state of legitimate ordinariness. Some Afrocentrist thought presents an unduly rosy picture of pre-colonial African tribal life that the slave trade and other colonial violence wrongly despoiled. Some feminist thought makes poorly supported claims about the existence of an ancient, forgotten matriarchy that was balefully supplanted by patriarchy. To plug African-Americans' story of racial injustice or women's story of gendered injustice into the Amsterdam/Bruner model, it is necessary to posit prior, legitimate steady states, whether or not they can be documented. Later, I'll argue that the strategy of invoking a legitimate past state of affairs is liable to have unintended, unjust consequences. For now, I conclude only that meeting the demands of the Amsterdam/Bruner model can override truth by prompting narrators to manufacture beginnings for their stories that are too good to be true.

Within the confines of this model, the only alternative is to appeal to an imaginary state of peace and justice – say, the international community's conception of legitimate ordinariness – and to project it onto the pre-Trouble circumstances of the victims. But I doubt that such a maneuver is necessary, and I suspect that it might

prove counterproductive. Consider the genocide that commenced in Darfur in 2003. Virtually any conditions of life would be better than the attacks and deprivations the victims are now enduring. Indeed, the predominant rhetoric of moral outrage over this ongoing tragedy does not point to a pre-genocidal state of affairs that the victims took to be legitimate. Journalists and activists simply tell the story of what's going on – the unrelenting campaign of murder, rape, and arson against a defenseless people that is still underway in 2009. Later I'll argue for the moral power of non-classical forms of story-telling. For now, I merely suggest that incorporating human rights issues into a story does not necessitate conformity to Amsterdam and Bruner's account.[9]

Amsterdam and Bruner's conception of trouble is also prejudicial. That they capitalize *trouble* throughout their text is more than a typographical flourish. In their usage, 'Trouble' is the name of the set of sanctioned wrongs in a particular society or in a determinate international community. As they put it, 'trouble takes off from what is canonical or moral or taken as the accepted and orderly set of things. And it is precisely this canonicity... that gives Trouble its orderliness and systematicity' (2002, 131; also see 121). But if a society's canonical state of affairs includes systematic injustice to some people, the victims will be barred from articulating their troubles. Their plans haven't 'gone off the track,' nor have their expectations 'gone awry' (2002, 31, 135). They understand perfectly well how things work. They expect abuse and suffering, and they get it. Their troubles haven't made it into the lexicon. From a historicized human rights point of view, conceiving rights violations as 'Troubles' is at best naive, for this conception of narrative complication denies abuses that do not yet have official designations.

Once set in motion, the plot unfolds according to a 'stock script,' sometimes called a 'charter narrative' (2000, 121, 127). Stock scripts supply models of normality, wrongful disruptions, and fitting remedies, and they identify the kinds of obstacles that thwart different human purposes (2000, 121, 127). All of this is encoded in a culture's repertoire of genres – its '*mental models representing possible ways in which events in the human world can go*' (2000, 133). Well-known genres include tragedy, comedy, and romance. Amsterdam and Bruner regard the conceptions of actionable causes that are inscribed in common law writs as 'legal genres' (2000, 133; also see Bruner 2002, 20, 58). As 'tools of narrative problem solving,' genres dictate how the story should proceed and how it should end – that is, what the protagonist should do in response to the trouble and whether the protagonist's complaints should be credited or dismissed (2000, 133).

Presupposing, as it does, authoritative precepts about who can be injured, this conception of emplotment instates a traditional paradigm of who has standing to protest wrongdoing by making legitimate claims – who is entitled to speak. Presupposing, as well, authoritative precepts that define how people can be harmed, it endorses a set of resolutions that may overlook the needs and life trajectories of unrecognized victims – those whose speech is preempted. Offering little solace to voiceless victims of human rights abuses, Amsterdam and Bruner's view of narrative plot diagnoses a problem for human rights advocates rather than proffering a solution.

15.2 Narrative Regimentation, Exclusion, and Denial

I have isolated the principal barriers to bringing victims' stories into human rights discourse that are erected by Amsterdam and Bruner's account of narrative. The picture is bleak, but not quite as bleak as one might surmise from my comments so far. Canny human rights activists help victims to craft their stories in conformity with this model because people who are in a position to help are comfortable with this type of story.

In stories collected to solicit donations from westerners, former male child soldiers in Sierra Leone tell a three part tale of youthful innocence, abduction and forced killing, and hoped-for rehabilitation (Shepler 2006). The boys invoke a legitimately ordinary childhood cut short by the horrific trouble of kidnapping and coerced participation in atrocities. No longer under the control of their captors, they now express a single-minded desire to return to their families. Moved by the dissemination of these stories, affluent western audiences have poured funds into aid agencies to educate and provide medical care for these boys.

As much as this narrative strategy has alleviated the suffering of these children and helped them resume nonviolent lives, it also incurs substantial costs. One is an invidious gender disparity. Former female child soldiers are not telling this story, and they have no other story to tell. Because the abducted girls were raped as well as forced to commit atrocities, they are not candidates for rehabilitation in their communities unless they conform to cultural norms that above all mandate female marriage by adopting a strategy of secrecy (Shepler 2002, 11). Consequently, their stories are suppressed, and the model of reintegration that structures humanitarian publicity and aid projects is grounded in the needs and possibilities of boys (Shepler 2002, 7, 9).[10] The stories the boys tell, aided and abetted by human rights workers, together with the funds these stories attract perpetuate the girls' silence. Thus, Shepler calls on international aid organizations to reflect critically on the meaning of 'successful reintegration' into societies that are so unjust to women and girls (Shepler 2002, 16).

It is troubling as well that the boys' stories omit a great deal, and what they omit is not unimportant. The premise of childhood innocence from which these stories proceed invites audience distortion. For ignorant westerners, this story conjures up an image of a carefree childhood protected from harsh reality. But these boys never experienced anything like this idyllic youth. Not coincidentally, the boys' stories leave out the unjust conditions that shape their own lives and that also give rise to Africa's devastating wars.[11] Their stories mask grave, endemic injustice for the sake of scoring short-term benefits. More shocking to their western benefactors, no doubt, is the omission of the children's complicity in murderous warfare. Some boys report, for example, that they 'enjoyed' firing their weapons (Shepler 2006). Accuracy in testimonial records and audience comprehension of Africa's problems are casualties of the bowdlerized texts that westerners are receptive to hearing and that local cultures find tolerable.

I am skeptical that the Amsterdam/Bruner model can be adapted to avoid these losses. Yet this model is all but irresistible in emergency human rights campaigns

and in legal proceedings following grievous human rights violations. In these situations, producing a compelling case for aid or indisputable evidence of wrongdoing dictates tailoring victims' stories to fit into standardized formats and scripts that capitalize on moneyed or official listeners' preconceptions and do not jar their sensibilities. It appears, then, that the principal mechanisms of relief for victims do grave damage to truth and justice. Truth commissions give victims leeway to make more complete statements, to frame them in their own terms, and to utter them in their own style. However, truth commissions do not mete out traditional forms of justice – they neither compensate victims nor punish perpetrators of abuse.[12]

Because many victims of the worst abuses are not able or not willing to cast their experience in the narrative template Amsterdam and Bruner present, I take up an alternative approach to narrative. In what follows, I sketch Hayden White's theory of narrative, and then I consider whether White's account provides a satisfactory discursive home for mold-breaking victims' stories.

15.3 Hayden White's Account of Narrative and Closure

In 'The Value of Narrativity in the Representation of Reality,' Hayden White distinguishes three types of historical representation – annals, chronicles, and proper histories (1987, 4–5). An annalist furnishes nothing more than a list of dated events arranged in the order in which they occurred (1987, 5). No reason for the selection of events is given, nor are the listed events causally related to one another. Chronological sequencing is the sole organizing principle of the annals form. Chronicles, as the name implies, share this rudimentary organizing principle. But unlike an annalist, a chronicler focuses on a central subject, such as a personage, a town, or an institution, and includes only those events that bear on this subject (1987, 16). In addition to chronology, a discernible principle of selection organizes a chronicle. Moreover, chronicles furnish a greater quantity of information than annals (1987, 16). Like an annalist, however, a chronicler draws no conclusion about the meaning of the series of depicted events (1987, 16). In White's words, a chronicle 'aspires to narrativity' but falls short because of its 'failure to achieve narrative closure' – the selected series of events stops without ending (1987, 5). In contrast, 'history proper' attains 'full narrativity' in virtue of revealing events 'as possessing a structure, an order of meaning, that they do not possess as mere sequence' (1987, 5). The central question of White's essay is what kind of meaning a full-fledged narrative confers on events – that is, how narrative closure is accomplished.

Missing from the world of the chronicler but present in that of the historian is law or morality. According to White, every historical narrative aims to 'moralize the events of which it treats' and stems from a 'desire to moralize reality, that is, to identify it with the social system that is the source of any morality we can imagine' (1987, 14). Citing Hegel, White suggests that the reality that 'lends itself to narrative representation is the conflict between desire and the law' (1987, 12–13). The subject of a full-fledged narrative is a struggle pitting a dissident agent against moral/legal authority. It ends with a 'passage from one moral order to another' (1987, 23).

Only the determination that the last event in the chronological sequence is just or unjust can convert a termination into an ending and thereby secure closure.

One of my doubts about White's account concerns the claim that moral judgment is necessary for narrative closure. Assuming that closure is a necessary feature of full-fledged narrative, which is debatable, it nevertheless seems possible to produce a full-fledged narrative of a set of natural events and processes.[13] Consider a story of the Precambrian ice age. It could invoke geological and climatic forces to explain what precipitated the prolonged plunge in temperature and why warmer conditions eventually developed. It could conclude by describing an altered but stable balance of natural forces. The advent of a new environmental equilibrium could provide closure for this narrative of a geochronological period.

My point holds for stories about human affairs as well as for stories about non-human nature. Consider, for example, relatives of a victim of state terrorism whose only demand is that the body of the victim be located and returned to family members for burial. They seek emotional closure, and the story of the rupture of their familial bonds, their search for the remains, and their grave-side mourning makes sense as a full-fledged narrative. Through the funeral ritual, they restore their ties to the victim and come to terms with their loss. Sometimes the relatives of a victim of state terrorism demand only to know what happened to the victim – e.g., that she was flown out over the ocean and thrown from the helicopter in shackles. They seek epistemic closure, and the story of the mysterious disappearance of a family member, the survivors' quest for information, and the revelation of the truth makes sense as a full-fledged narrative. Neither of these stories breaks off at some arbitrary point. By recuperating and completing an emotional relationship or by gaining crucial knowledge, they attain closure.

Moral closure is not the only kind of narrative closure.[14] Still, White is onto something important, for moralization seems to be an ever-present temptation in story-telling. Many people succumb to an impulse to moralize natural phenomena by importing divine purpose and agency into their world views or by anthropomorphizing and sentimentalizing nature. The temptation to moralize stories is redoubled in stories of emotional or epistemic closure, for they commonly depict events that have morally significant dimensions. It is natural, for instance, to say that the family of a terror victim whose persistence finally sparks an investigation and disclosure of the victim's fate has won a moral victory over official obfuscation or indifference.[15] Nevertheless, it would be misleading to conflate every form of human resolution with moral resolution. There are emotional, epistemic, and pragmatic forms of closure that are not equivalent to moral closure.

15.4 White's Model and Victims' Stories

If moral closure is not a necessary feature of full-fledged narratives, we must ask whether normative content is implicated in victims' stories at all. My discussion of White points to two problematic possibilities. On the one hand, a victim's story of suffering and surcease might reach pragmatic, emotional, or epistemic closure.

From the standpoint of these values, a victim's story can be complete without moral resolution. Because the story achieves at least one of these kinds of closure, the audience may find nothing missing and experience it as a complete whole. As a result, it may not be registered as making any moral demand on its audience apart from the respect due to any speaker. On the other hand, the temptation to moralize emotional, epistemic, and pragmatic closure explains why telling victims' stories can be so useful and also so risky. Audiences can read the need to punish abusers or to augment legal protections into the story, but they can also read negligence or fault on the part of the victim into the story and assign blame to that individual. If ensuring that victims are empowered to tell their own stories in their own voices is to function as an effective human rights tool, story tellers must avoid these pitfalls.

White's demarcation of three levels of narrativity provides another viewpoint from which to grasp both the dangers and the benefits of storytelling as a strategy for advancing human rights. That many victims' stories fail to satisfy White's criteria for annals, chronicles, or full-fledged narratives clarifies what is at stake in the relationship between victims' stories and moral closure.

Nora Strejilevich sketches a familiar picture of the stories many victims of human rights violations tell: They contain 'discontinuities, blanks, silences, and ambiguities' (2006, 704).[16] Such stories resemble annals both in their form and in their genesis. Annals enumerate events but leave whatever connections there may be among them unspecified. The hostile conditions that give rise to annals bring acute neediness and imminent death to the forefront of their authors' consciousness and deprive them of cognitive space for theorizing the course of the events they report (1987, 10–11). The horrific, not to say unspeakable, suffering that gives rise to annals-style victims' stories coincides with White's analysis of the source of the annals form.

But the victims' stories Strejilevich describes also resemble chronicles, for although they are by no means comprehensive, they are unified by a central subject – a suffering person.[17] Although varying peripheral details – e.g., the color of a room where violence occurred – may be mentioned in different tellings of the story, the invariable core events are major harms the narrator has endured at the hands of others (Herlihy et al., 2002). Even victims' stories that are marked by sporadic recall and disjointed presentation exhibit this determinate principle of selection.

In my view, this common type of victim's narrative is a hybrid form. Because these stories are organized around a topic, they report a less random selection of incidents than annals. Yet they do not supply sufficiently detailed and copious information to qualify as chronicles.

Neither annals nor chronicles reach moral closure. Presumably, they do not reach pragmatic, emotional, or epistemic closure either. Yet, those victims' stories that fit Strejilevich's profile *strive* for emotional closure. They are a means of 'working through traumatic loss' – putting the suffering in the past and regaining a present that is not overwhelmed by the past (2006, 701, 706–707, 708; also see Brison 2002, 103). When successful in this endeavor, these stories, like full-fledged narratives, achieve emotional closure.

Strejilevich adds that these stories are a means for 'social and cultural resistance' and thus for the 'ethical recovery of a community' (2006, 707). This has the ring of moral closure. But what Strejilevich describes is not the closure of acknowledgment, restitution, or protection from future wrongs. Rather, she holds that 'the truth told in testimony, even if it cannot stop the reiteration of such crimes, is one of the reservoirs of dignity left for humanity' (2006 706). Rather than achieving moral closure, these stories contribute to a practice of maintaining awareness of the meaning of atrocity and the need for vigilance if renewed brutality is ever to be thwarted. They signify an existential repudiation of bad faith, which keeps a thorn in the side of complacency.

It seems that Strejilevich has given up hope of moral closure. Borrowing from Shoshana Felman, she calls victims who tell their stories 'post-narrators' (2006, 713). Yet, their post-narratives share features of annals, chronicles, and full-fledged narratives (if you agree with me that emotional closure suffices for narrative closure). In my judgment, there is much to be gained by thinking of these stories as hybrid narratives and exploring whether some form of moral closure is possible and desirable.

15.5 Varieties of Moral Closure

Empirically, Strejilevich's wariness of moral closure and her circumspection about the power of victims' stories to advance human rights stems from post-Holocaust, post-Nuremberg history. International treaties and human rights documents have promulgated reforms, but this new moral order is honored as much in the breach as in observance. Genocide, mass rape, torture, and 'disappearances' continue all but unabated and seldom punished. All of this despite the steady stream of victims' stories in the media and in national and international tribunals.

If moral closure for victims' stories means putting human rights abuses in the past by putting an end to them, no victim's story has ever achieved moral closure. But this conception of moral closure idealizes and mystifies moral closure by giving it a utopian, absolutist twist.[18] If the concept of moral closure is to be of any use in interpreting human affairs and setting human goals, it cannot require achieving perfect subjective, interpersonal, juridical, or social harmony. Moments of moral closure are just that – moments in a life, moments in a relationship, moments in a legal system or social history.[19] Any instance of moral closure is an incomplete, non-definitive rapport that arises from a particular history and reflects the needs of a particular present.[20] Whatever their merits, the understandings and arrangements that constitute moral closure eventually crack open revealing flaws in perception, understanding, or moral imagination. Think of moral closure, therefore, as a respite that temporarily allows a person or a society to attend to other matters.

Hayden White is responsible for another misconception.[21] As a legalistic moral conventionalist, White is suspicious of the moral closure of full-fledged narrative. In his view, moralizing reality is necessary to achieve moral closure, and to moralize reality is to indulge in a kind of fabulism that is in thrall to hegemonic

norms. Full-fledged narratives suffuse reality with norms that are generated and sustained under the aegis of political power and that determine how outcomes are evaluated. In one respect, White's distrust of moral closure is warranted. If presumed to follow from indubitable norms, moral closure underwrites moral stagnation and quashes destabilizing voices.[22] But this assumption is baseless, and it's doubtful that White endorses it, for he maintains that a passage from one moral order to another is the only intelligible form that narrative closure can take (1987, 23).[23] If so, the state cannot be the only source of moral norms, and moral closure cannot be permanent.

Amsterdam and Bruner propose an explicitly elastic conception of moral closure. They note that there are ambiguous scripting situations – situations where it isn't obvious which script applies – and that these situations prompt reflection about how to finesse the constraints of well-trodden plot paths and arrive at suitable endings (2000, 112). These situations implicitly call the *status quo ante* into question and oblige decision-makers to entertain the possibility that nothing less than creating a 'new (*transformed*) steady state' will suffice. If such a story does not constitute an altogether new 'legal genre,' it at least constitutes a significant reinterpretation of an existing genre – that is, an enlarged class of wrongs and potential victims and an enlarged basis for litigation.[24] There is moral closure, but there is no finality.[25]

Building on this line of thought, Bruner argues that narrative genres are not only 'tools of narrative problem solving' but also tools of 'problem finding' (2002, 20). Thus, he countenances two types of moral closure. A problem solving narrative concludes with a coda that delivers a lesson. It mandates a norm or practice. In contrast, a problem finding narrative concludes with a coda that enunciates a plight. Its reveals a here-to-fore hidden type of moral perplexity. For Bruner, then, one form of moral closure is achieved through the representation of a moral problem.

This brings us closer to grasping the relation between victims' stories and moral closure. But there is another source of confusion that needs to be addressed. It is important to keep personal, legal, and social closure separate from narrative closure. But it is easy to conflate them because narratives can recount a process through which psychological, legal, or social closure has been reached and because telling stories often functions as a means to reaching psychological, legal, or social closure. People tell themselves stories in order to satisfy themselves that they did no wrong, and they also tell stories about how they developed the narrative that enabled them to accomplish this aim. But unless you subscribe to an ontology in which discourse is the only reality, the psychological sense of moral resolution is not identical to the story you tell yourself, and the moral resolution is not identical to the story of producing that story.

There are several ways in which victims of human rights violations can attain personal moral closure.[26] First, they can obtain moral vindication by getting a fair judgment from a court or by negotiating a fair disposition of their claims. Here moral closure is expressed by 'I'm satisfied with the compensation I've received, and I'm ready for a fresh start.' Second, they can seek moral rapprochement.

This form of moral closure is expressed by 'I've purged myself of anger and hatred, and I forgive my tormenters.' Third, they can discharge moral obligations they believe they have incurred as a result of their ordeal – such as, helping to bring wrongdoers to justice or bearing witness to what has happened and speaking for those who perished. 'I've done what I can, and I've done enough' expresses this form of moral closure.

Telling a story of reaching personal moral closure is a direct route to narrative moral closure. Such a story may fit comfortably into the Amsterdam/Bruner template, and I don't think Strejilevich would deny this possibility. More elusive is the potential for moral closure in victims' narratives that don't have satisfying moral endings – where no compensation can be adequate, where forgiveness is impossible, or where the responsibility to the dead is so enormous that it can never be fulfilled. At this point, it's tempting to appropriate Bruner's literary conception of moral closure as the articulation of a plight. And doing so would be justified to some extent, for the hybrid, fragmented victims' stories that Strejilevich characterizes have indeed revealed the immensity of human savagery and the depths of human depravity, and they have also conveyed the agony of Post-Traumatic Stress Disorder. However, Bruner's view seems to sidestep the issue, for it is an odd sort of narrative closure that leaves its audience in suspense.

15.6 Moral Closure without Moral Resolution

Here it is useful to revisit White's account of the annalist and the central subject of a chronicle as they apply to hybrid, fragmented victims' stories. The annalist, recall, is a person in the grip of consuming fear and abject wretchedness. The central subject of a hybrid, fragmented victim's story is also a suffering person. However, unlike annalists who are so overwhelmed by suffering that their lives lack agency and meaning, the narrators of victims' stories do not encounter or represent a normatively neutral world. Just as third-person chroniclers choose to include events based on their relevance and importance to their topics, so too a first-person narrator of victimization selects events that caused the author/speaker to suffer and represents them as normatively significant.

People who suffer unwillingly and avoidably at the hands of malefactors experience suffering as bad – typically as terrifying and debasing, as well as tormenting.[27] In their stories, though, they may refrain from overtly moralizing – pointing fingers at villains or denouncing others' misdeeds. Because such explicit pronouncements can flatten and oversimplify the moral significance of the abuse they have undergone, they may instead rely on various rhetorical devices to convey the normative inflection of their experience. I think this is what Strejilevich has in mind when she affirms both the 'poetic voice' and the narrative structure of hybrid victims' stories (2006, 704, 708). In delineating character, in the pacing and punctuation of episodes, in silences and gaps, in figurative language, and in tone, victims convey the normative significance of the events they portray. Narrative time – the cadence of the story – may slow to linger on particularly painful or important incidents.

Scattered shards of detail may signal insupportable pain – suffering so excruciating that it defeats unbroken awareness. Recourse to figures of speech may signal brutality so vile that it defies ordinary descriptive categories.[28] The performative dimension of oral story-telling – including the emotional tenor of a speaker's demeanor, whether phrasing is smooth or spasmodic, and how the timbre of voice is pitched – extends the capacity of victims' stories to dramatize normative significance.[29]

To achieve closure, a story must reach a recognizable state of completion. Narrative closure – regardless of whether the narrative is a conventional Amsterdam/Bruner-style narrative or a hybrid Strejilevich-style narrative and regardless of whether the closure is pragmatic, emotional, epistemic, or moral – is never solely a function of the text. It presupposes extensive background information and shared cultural norms that together give rise to expectations. In turn, these expectations generate a sense that the story is complete or has loose ends (Bennett 1997). Since every form of narrative closure depends on systems of beliefs and values that audience members must bring to the text if anyone is to comprehend it, the question of how moral closure is possible for hybrid, fragmented victims' narratives poses a pair of problems. First, what kind of moral completion is appropriate to their subject matter and their structure? Second, what frameworks render such exposition cogent and underwrite judgments about completeness?

These stories recount inflicted harm so horrendous that their narrators have not been, arguably cannot be, adequately compensated, nor can their perpetrators be proportionately punished. Since any individualized remedy would be too paltry in comparison with the monstrosity of the crime, none could secure personal moral closure. Likewise, no description of such a remedy could secure narrative moral closure. If moral closure is possible for hybrid, fragmented narratives, it must be a different species of closure from mundane legal provisions for conflict resolution. I propose that a victim's story that successfully represents a moral void together with an implicit moral imperative that has been systematically abrogated achieves this alternative kind of moral closure. Such a victim's narrative fully expresses a moral demand.[30]

This appeal to conscience consists in nothing more than a compelling articulation of what the narrator has endured.[31] Now, it might seem that the moral demand is a consequence of a formal defect in the victim's story – namely, the absence of a morally gratifying ending. On this view, narrative moral closure depends on real-world moral closure to supply an ending and complete the story. To adopt this approach, however, is just to insist that White's full-fledged narratives and Amsterdam and Bruner's problem-solving narratives exhaust the category of morally complete narratives. But confining the concept of moral closure to these formats does an injustice to many story-tellers and arbitrarily excludes some orthodox narrative forms. Consider parables and allegories – narratives that are complete in themselves and that express moral meaning without explicitly stating it. That these literary forms require interpretation to discern their normative significance is no reason to deny that they can achieve moral closure, and, in my view, the same goes for hybrid, fragmented victims' stories.

Further justification for admitting the form of moral closure I'm ascribing to hybrid, fragmented narratives comes from the fact that we can specify the background frameworks that make it possible to interpret them in a morally attuned way and that thus make moral closure possible for them. Chief among them are everyday interpersonal psychology, basic literary competence, and human rights discourse. Knowledge of human psychology is necessary to grasp the horror of the experiences that victims depict – that is, to comprehend the psychocorporeal torture and terror the victim suffered. Literary competence is necessary to appreciate individualized as opposed to formulaic expression and to decode the lyric, allusive, metaphoric language in which the victim may couch a normative claim. Familiarity with human rights is necessary to provide a vocabulary in which a moral practice that answers to the story-teller's suffering can be envisaged and advocated. These frameworks supply criteria that enable listeners/readers as well as the narrators themselves to judge whether hybrid, fragmented victims' stories are morally complete or not. When people – whether audience members or narrators – fail to discern moral closure in hybrid, fragmented victims' stories, it is an open question whether the problem stems from flaws in the narrator's text or deficient human rights literacy.[32]

What I am suggesting is that a full account of moral closure for the hybrid, fragmented stories that victims of dehumanizing abuse often tell depends on developing an aesthetics of morally valuable representations of extreme moral disvalue. Although there is nothing arcane about the frameworks that render the moral import of these stories intelligible, it is by no means obvious how to theorize the capacity of these stories to contribute to debates over the meaning of human rights. Nor is it obvious how a case can be made for regarding them as legitimate forms of legal discourse. Important as these issues are, I must leave them for another occasion.

Here, I conclude only that moral closure is both possible and desirable for hybrid, fragmented victims' stories. Aristotle claims that a well constructed story 'must represent, one action, a complete whole' and that moral considerations are intrinsic to representations of human action (1947, *Poetics*, 1151a 30, 1450b 5–10). My view parallels Aristotle's, for I am suggesting that one way in which a victims' story can be morally complete is to represent a complete experience and that a sequence of assaultive incidents stripped of any moral dimension is inconceivable. Whether because she models moral closure on the theories of Amsterdam and Bruner or White, or for some other reason, Strejilevich underestimates the potential of victims' stories to advance human rights discourse. Telling these stories is not merely a matter of gaining emotional closure, confronting grisly truths, or eschewing bad faith. It is the fulfillment of a vital task in critical moral reflection – namely, issuing a clarion moral appeal.

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Notes

1. See, for example, MacKinnon (1989).
2. See, for example, hooks (1997); King (1997); Narayan (1997).
3. See, for example, Delgado (1989).
4. See, for example, Walker (2003, 2006).
5. See, for example, Matsuda (1993) and Meyers (1994).
6. See, for example, Code (1991) and Govier (1993a, b, 2005).
7. See Amsterdam and Bruner (2000); Bruner (1990, 2003); Cover (1983); White (1987). Nelson (now Lindemann) (2001) and Danto (1985) are exceptions to this trend. In characterizing narratives, neither cites normative features.
8. Another complication is that some victims' stories tell of witnessing rather than undergoing alleged human rights violations. Although I appreciate the value and power such narratives can have, in the interest of parsimony I limit the discussion that follows to narratives of alleged human rights violations that purport to recount harms inflicted on the narrator her-/himself.
9. I'm not sure whether Amsterdam and Bruner would contest my point. They claim that their definition is 'austere' and that it specifies 'what is necessary to make a story,' which suggests that they do not regard their account as stipulative or as explicating one of many narrative structures (2000 113). If this is their position, I think it's too restrictive.
10. Susan Slyomovics also documents the inhibition of women's testimony about rape in post-Apartheid South Africa and after the death of King Hassan II in Morocco (Slyomovics 2005, 81, 85, 87).
11. For discussion of the need for this kind of contextualization in subversive narratives, see Ewick and Silbey (1995, 218–220). In a situation with interesting parallels to and differences from Shepler's case, Schaffer and Smith analyze how the stories of women who were abducted by the Japanese and turned into 'comfort women' during WWII lost relevant contextual information (2004, 134–146).
12. For valuable discussion of controversies concerning traditional justice and transitional justice, see 'Reparations, Truth, and Reconciliation' (in Soyinka 1999).
13. For doubts about the necessity of closure, see Rimmon-Kenan (2006).
14. In White's defense, it might be argued that he is concerned exclusively with historical narratives and that my counter-examples cite scientific and personal narratives. However, this rejoinder doesn't withstand scrutiny. A historical narrative could achieve closure by explaining how causal forces brought about an altered distribution of power and/or the institution of novel social, political, or, economic structures. Moreover, White's text strongly suggests that his views do not apply solely to historical narratives. In his discussion of the moralization of reality and the state's role as the source of norms, he observes, 'And this raises the suspicion that narrative in general, from the folktale to the novel, from the annals to the fully realized "history," has to do with the topics of law, legality, legitimacy, or more generally, authority' (1987, 13). Later, he maintains, 'Where, in any account of reality, narrativity is present, we can be sure that morality or a moralizing impulse is present too' (1987, 24).
15. For groundbreaking work on the relations between epistemic, emotional, and moral closure, see Walker (2006).
16. The 'discontinuities' can be dramatic and heartrending. Shoshana Felman describes K-Zetnick's collapse on the witness stand at the 1961 Eichmann trial in Jerusalem (Felman

2002, 135–137). Susan Slyomovics describes the 'unbearable' screams of Nomonde Calata, who broke down while giving testimony on the second day of the South African Truth and Reconciliation Commission in 1996, and the 'wrenching' screams of Maria Charaf upon hearing a recording of her dead husband's voice at the first public commemoration of his death in Casablanca in 1999 (Slyomovics 2005, 73–76).

17. On the issue of comprehensiveness, Strejilevich observes that such narratives are 'incapable of exhibiting all the horror,' and she rejects demands for 'total exposure' (2006, 207). Thus, some victims' stories do not measure up to one of the presumed advantages of chronicles over annals.
18. In arguing that closure is an artifact of narrative and doesn't exist in the real world, White assumes that closure consists of a final ending (White 1987, 23–24). Pointing out that events don't come to an end, he urges that closure can only be moral and that morality is a function of the imagination, not a feature of the world.
19. In this respect, there is no difference between moral closure and pragmatic, epistemic, and emotional closure. All are temporary, at least in my experience.
20. I adopt the term 'rapport' here following Montesquieu, who, according to Hannah Arendt, defines laws as *rapports* (Arendt 1998, 190).
21. Strejilevich cites White's work in connection with issues of objectivity and truth, but she does not take up his taxonomy of narratives or his views about moral closure.
22. Put another way, definitive moral closure amounts to repudiating what Ronald Dworkin calls the 'interpretive attitude' (1986, 47–52). Adopting the interpretive attitude towards social and legal norms authorizes individuals and public officials to reconsider norms in light of the purpose they are supposed to serve.
23. In my view, White exaggerates the finality of narrative closure when he is arguing that moral closure is the only possible form of narrative closure, but he concedes that no closure is definitive when he is arguing that the annals and chronicle forms more accurately represent reality.
24. As Amsterdam and Bruner remark, 'Perhaps it is because they have the power to expand the boundaries of possibility that the invention of new literary or political or legal genres is so important' (2000, 133).
25. To explain normative change, Amsterdam and Bruner advert to what they call the 'dialectic of culture' (2000, 231; also see Bruner 2002, 13–14). This is the familiar idea that because cultures are not homogeneous, the norms they espouse are the results of ongoing contestation and negotiation among members of the group and within the group's institutions. It is surely true that intra-cultural disagreement sparks negotiation and change in a culture's canonical conceptions of legitimate ordinariness, wrongdoing, and fair solutions. However, I do not have space here to analyze exchanges between changes in the larger cultural context and specifically legal changes.
26. For relevant discussion, see Walker (2006).
27. By setting up the conflict that paradigmatically inspires narrative as a conflict between desire and law, White trivializes victims' suffering and neglects its importance for narrative theory. His insistence that the state is the only conceivable purveyor of moral norms compounds this inadequacy.
28. For rhetorical analysis of some women's testimony in the first few days of the South African TRC, see Ross (2001, 260–266).
29. At one point, the transcript of Nomonde Calata's1996 testimony at the TRC reports an interval of sobbing in brackets and the announcement of a recess. What happened is that she 'broke down, wailing in anguish,' and radio listeners found her screams so piercing that they turned off their radios to flee (Slyomovics 2005, 73). Although the transcript is a technically accurate record, it fails to communicate the normative significance of this part of her testimony. Worse, it gives the misleading impression that her testimony stopped at this point and continued later – as if her sobs were extraneous to her story.
30. I see my proposal as supplying a practical interpretation of White's rather obscure claim that narrative mediates between the real and the imaginary and Cover's similar claim that narrative mediates between the actual and the possible or utopian (White 1987, 4; Cover 1983, 9–10).

31. I caution that a hybrid, fragmented victim's story that achieves narrative moral closure in the sense I present here may, but need not facilitate psychological closure for the victim.
32. I leave aside the less common possibilities of psychological obtuseness and literary ignorance.

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Chapter 16
Women, Corporate Globalization, and Global Justice

Ann Ferguson

Abstract Women are active agents opposing the effects of neo-liberal capitalist globalization. They are involved in many grassroots movements of resistance. Some are autonomous women's and feminist movements, and some movements with both women and men around such issues as land reform, protection of the environment and welfare needs. They are a part of a broader anti-corporate globalization movement which is expanding and challenging existing paradigms of justice. I will examine three paradigms of justice found in their demands: libertarian or neo-liberal justice, welfare state/social democratic justice, and justice as solidarity. The solidarity paradigm is the most transformative, and is being made possible by the alternative economic, political, and cultural spaces created by autonomous social movements with women in leadership roles. These include the landless farmworkers in Brazil, workers' cooperatives in Argentina and Venezuela, community environmental justice movements in the U.S. and the world, and community organizing for reproductive rights and health and against violence against women in many places.

Keywords Globalization · Justice · Solidarity · Neo-liberalism · Feminism

My aim in this chapter is to investigate some of the various global social movements involving women against corporate globalization, sometimes called 'globalization from below,' to see what concepts and visions of social justice they presuppose and advocate. I am including in my purview women's self-help and empowerment projects which in some way challenge capitalism and male domination. Is there a way that we can frame these movements to see a historical trajectory that can create a unified vision and be capable of achieving it? That is, to develop an alternative vision that is not merely utopian but one that can be achieved in spite of the hegemonic forces arrayed against us?

Here I am going to concentrate on the ideological questions involved in an alternate vision of global justice. Radical social movements have to gather strength from moral arguments against the existing order, pointing out injustices even according to

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the existing conceptions of Justice that are based on capitalist morality: for example, government corruption, collusion of private corporate interests with politicians in representative democracies who claim to stand for their constituents' interests, and monopolies, such as Wal-Mart is coming to be, which make the so-called choices of the free market not available to consumers and workers who must deal with them.

I shall compare and contrast three different paradigms of Social Justice that are presently being used by women activists against aspects of corporate capitalist globalization.[1] These are the Neo-Liberal and Libertarian Conception of Justice, the Welfare Liberal or Social Democratic Conception, and the Solidarity Conception of Justice. Although appealing to all three paradigms can be morally effective and mobilize people against existing injustices, only the last paradigm can mount a successful radical critique of the existing order which presents a vision of a systematic alternative social and political economy and alternative form of globalization.

The two main camps defending the justice of capitalist democracy as a political economy, Neo-Liberals and Social Democrats, disagree on whether to prioritize individual Freedom or Equality when there is a conflict between them in the operation of a capitalist democracy, with the former camp emphasizing freedom and the latter equality. Radicals maintain that no form of capitalism is able to deliver its own values, either freedom or equality, to the majority, and hence that capitalist democracy does not meet its own internal criterion for social justice.

16.1 Justice as Freedom: Libertarian/Neo-Liberal Capitalist Democracy

The main principle of justice of capitalist democracies can be stated as the right to equal freedom or liberties in a political and economic system based on individual freedom of contract, whether this be in the economy, the family or the social contract of government. John Rawls (1971) frames this as his first principle of Justice as Fairness. According to this paradigm individual political and civil liberties and the right to private property should be prioritized over any government control of the political and economic spheres that might jeopardize these liberties. The social contract of government should be a representative democracy. Critics have argued that the massive inequalities and class differences that occur in the process of capitalist accumulation allow only the wealthy few in capitalist democracies to truly have the freedom to exercise civil and political liberties and to amass private property.

16.2 Justice as Equality: Social and Welfare State Democracy

The advocates of social democracy in the twentieth century have come both from the left and from the center of those defending capitalist democracy. A capitalist welfare state which provides a safety net of economic rights and entitlements such

as unemployment and welfare benefits, health care and public education has been defended ideologically as a way to balance the values of Freedom and Equality more equitably among the owning and producing classes in society. Sometimes it is defended on the grounds that the system needs to promote not just *negative freedom* from inference but should provide everyone, even the poorest, the *positive freedom* to have the opportunity to meet their basic material needs and the tools they need (health, employment, education, and housing) to freely choose to pursue their life goals (cf. Berlin 1969). Social democrats promote world development projects with the aim of guaranteeing even the poorest sector in poor nations a right against poverty (Pogge 2003), and in this way promote capitalist globalization which respects John Rawls' second principle of justice, the *principle of difference* (Rawls 1971, 1985). This principle demands that institutional arrangements must benefit the worst off classes or groups. Social democrats using this principle aim to reduce vast inequalities in wealth and by so doing, promote a sense of fraternity or solidarity among citizens.

Radical critics of social democrats and welfare state liberals argue that welfare entitlements are only given to the popular classes when the capitalist economy needs shoring up against recessions, depressions and popular resistance to such impoverishment (Durand, 2005). The demand side Keynesian government deficit-spending that hitherto supported such welfare states has now gone out of favor. This type of capitalist social policy relies on a graduated income tax that taxes big corporations and the wealthy. But the process of corporate globalization allows transnational corporations to increase their profits by leaving high tax countries in favor of lower tax ones, by outsourcing their production and reducing their labor costs. International competition for cheap labor and the need to cut corporate taxes to reduce capital flight abroad has meant that most capitalist nations have cut their welfare state spending to avoid amassing huge deficits. Most have turned to neo-liberal economic policies: cutting corporate taxes and privatizing national resources in the hope that the creation of this new private capital will create incentives for the expansion of national corporations which will provide more jobs at home. But due to corporate globalization, the real wages of the popular classes have fallen even in the rich countries. Families have only been able to keep up with the rising cost of living by having more and more mothers working full time in the wage labor force in addition to their unpaid housework. Even in the richest countries like the U.S., the average real wages for the majority of families has fallen in the last thirty years, and the situation has created a phenomenon of the increasing feminization of poverty for single mothers (Sklar and Skerry 2005). Some welfare liberal critics of the effects of neoliberal globalization in terms of the skewing of wealth and the inequitable use of material resources have called for a Global Resources Dividend fund to guarantee the world's poor some access to a minimal share of these resources (Pogge 2003).

Feminist critiques of the welfare state like Young (1990) also argue that the top-down dispensation of welfare based on the perceived merit of the recipients creates a bureaucracy with professionals who make recipients powerless and demean them, thus undermining their self-esteem. Women on welfare are made to seem the undeserving dependents who are living off the work of others, and distinctions are

made between the deserving and undeserving (Fraser and Gordon 1997). The state presents itself as the powerful father giving handouts to the feminized and powerless citizenry.

16.3 The Appearance/Reality Critique of Capitalist Justice

16.3.1 Appearance of Civil Equality/Reality of Inequality

Those in the Marxist Critical Theory tradition have mounted 'immanent critiques' of capitalism that also apply to corporate capitalist globalization. An immanent critique points out a contradiction between the appearance or claim that a particular principle of justice is in operation and the reality that in fact the practice has subverted the principle. The recent Enron scandal where employees who were shareholders were defrauded of their pensions are examples of how the massive power of large corporations and their CEOs can undermine a democratic politics and business practices which represents the interests of the majority of people, rather than the wealthy elite.

Women activists have used immanent critiques of corporate capitalist globalization to highlight other examples of an appearance/reality conflict within systems of capitalist democracy. First, they have organized against the impunity of perpetrators of murders and violence against women. The male domination that has accompanied all existing capitalist systems has made it especially difficult for women to have their basic human rights defended. This is the situation of the nearly one thousand young women, mostly maquila workers who have been murdered with impunity in Ciudad Juarez, Mexico. As the Mothers for Justice for our Daughters group there have shown, the Mexican political and legal authorities are not investigating these cases seriously, and are simply trying to create a cover-up of this systematic violence against women and violation of the basic right to life.

A similar situation is occurring in Guatemala City, where a new lesbian feminist group, Lesbiradas, has been created to challenge cultural homophobia, and to work in coalition with other mostly women's groups to connect and challenge gender and sexual violence against gays and lesbians with violence against women. When she talked recently at the University of Massachusetts at Amherst, the co-founder of this group, Claudia Acevedo, pointed out that nearly 20% of the women murdered over the last four years have been women suspected of being lesbians: hence the connection between misogyny and homophobia in gender violence. This sort of impunity to perpetrators of violence against women is an example of an appearance/reality disjuncture in contemporary capitalist patriarchal criminal justice practices.

Second, there are contradictions between the ideology and reality of freedom for women, e.g. in reproductive rights. The right to control over one's body in the making of reproductive decisions, whether in sexuality, birth control or planned parenthood through the right to abortion, are severely restricted for women in nation states which ban or restrict access to abortion or means of contraception. Political liberalism, since it presumes toleration for conflicting visions of the good

including religions, has not been able to guarantee reproductive justice for women in the face of fundamentalist religious pressures on governments to keep abortion illegal, restricted or economically unavailable. Although in liberal theory the economic sphere of the capitalist free market is separate from the political sphere of the government which claims to defend civil and political rights, in reality, capitalist corporations and governments sacrifice such rights to authoritarian governments and organized patriarchal religions so long as they are guaranteed their bottom line profits. Organizing in resistance to this, there are many women's projects for reproductive health rights that are operating as NGOs, both in the U.S. and globally.[2]

A third contradiction between the idea of political democracy and the reality of the power of the wealthy to control social policy in capitalist nations is the ubiquitous class bias that occurs in social environmental policy that leads to many cases of environmental injustice. Class bias in environmental policy has particularly engaged resistance from women, who find it in their 'practical gender interests' (Molyneux 2001) to protect the well-being of their families to fight the locating of toxic dumps in poor communities. In the U.S., since a disproportionate number of poor communities are composed of people of color, this process has been called 'environmental racism' (Bullard 1993). Another example is the neo-liberal policy of privatization of scarce resources such as water, and the rise in their cost so that the popular classes cannot afford them. Such a policy and resistance to it led to the recent uprising in Bolivia which toppled several governments. We don't have to look to Mexico or Latin America for examples of this same sort of class and gender bias in public policy. The Katrina disaster in New Orleans occurred in spite of clear knowledge that levees, barrier islands and other infrastructure repairs were required to avoid it, yet repairs did not occur because the majority of those who were endangered by this negligence are African-American or Latino and poor, single mother-headed families.

16.3.2 Internal Contradictions of Capitalist Globalization: Growing Economic Inequalities and Injustice for Labor and the Poor

The second kind of internal critique of capitalist values is based on the internal economic contradictions of the capitalist system that make it impossible to deliver its values to the non-wealthy classes. A key internal contradiction of the capitalist political economic process in a world of nation states is that the so-called 'free' trade treaties, which multinational corporations press national political leaders to sign, allow for the free flight of capital across national boundaries but permit restriction of the flow of labor in the form of immigration restrictions. Labor then becomes 'unfree' in the sense that it is restricted in its freedom to follow the best markets and wages, so the promise of bourgeois justice of freedom for workers is undermined. National working classes become pitted against each other as multinationals are free to amass profits and capital from the labor of one national group and use that to outsource future work to those outside the country of origin where

laborers can work for less. Hence we see the resistance to the granting of amnesty for undocumented immigrants in the U.S. by many sectors of the working class who fear that they are used to undermine trade unions. We can also note the rapid cross-border organization of immigrant rights organizations and networks in response to the current debate in the U.S. Congress over whether to criminalize illegal immigrants and to tighten border security, and the huge outpouring of solidarity in favor of immigrant rights in U.S. national demonstrations in the spring of 2006 and in the so-called Great American Boycott for Immigrant Rights on May 1, 2006.

Examples of working class organization to resist and challenge some of the internal contradictions of capitalism abound, not only with labor union organizing efforts within nations, but also in the attempts to create international solidarity between trade unions to support each others' campaigns for social and economic justice. In the name of citizen equality, such campaigns for fair wages and a minimum income have also often pushed nation states to expand their welfare and unemployment safety nets, thus invoking the broader notion of justice connected to social democracy (Sklar and Sherry 2005).

An impressive Mexican labor union, the Frente Auténtico del Trabajo (FAT), has made international coalition with the United Steelworkers of America and the United Electrical Workers (UE) to combat the 'foreigner' blaming that otherwise goes on with national working classes who find their jobs outsourced to a poorer country. As they travel to each others' countries and communities, representatives of each union see more of the similarities in their exploited conditions as workers so as to not concentrate so much on the differences. At the 2005 Women and Globalization conference (at the Center for Global Justice, San Miguel de Allende, Mexico), Angeles López, a local organizer at a shoe factory in Guanajuato, Mexico, emphasized the creative community and labor education work around gender, race and other forms of oppression that FAT does. She is a lawyer who teaches popular education courses on workers' labor rights to women, but also has helped organize a Gender Justice network in the community between various community organizations which does popular education around gender issues such as domestic violence, and environmental and reproductive health rights issues. In indigenous areas they also discuss institutional racism. It is an example in practice of a feminist 'intersectional' analysis of domination systems and their connection to the sort of politics of difference social justice analysis given by Iris Young (1990), rather than simply the classic left economic class-reductionist analysis. FAT has critiqued the neo-liberal model of capitalist development currently held by the Mexican government and has demanded the return of welfare subsidies for the poor that the NAFTA treaty led the government to drop.

16.4 Internal vs. External Critique: Justice as Solidarity

A feminist historical materialist method can help us to understand the development of an alternative conception of Social Justice based on socialist-anarcho-feminist visions. Workable and sustainable alternative visions and values which challenge

the values of an existing society in a way which undermines justifications for the existing economic order can only be based on the actual development of alternative social relations of production, that is to say, alternative economies, which give people a realistic and not just utopian understanding of what is fair and just. Marx critiqued the social democratic Gotha Program for its utopian attempt to promote the principle, to each according to their needs, for he argued that a capitalist system which rewards capital not labor can ultimately only promote principles of justice that are based on rendering unequals to unequals, e.g. based on one's property or capital, including human capital, or work/'merit'. But while Marx concluded that only internal critiques of justice can be offered of capitalist justice, new spaces of political economy due to multiple forms of resistance to neo-liberal corporate globalization at local, state and transnational levels have opened the possibility of an external critique of capitalist paradigms of justice. Such a critique elaborates more egalitarian norms of social relations in these collective spaces outside of the capitalist logic (Bowman and Stone 2004). It also creates a more collectivist vision of the good while still promoting individual human rights, and in this way challenges the individualist self-interest approach promoted by both Libertarian and Welfare State paradigms of Justice.

The forces of capitalist globalization are at the base of the failures of state socialist societies in the so-called Second World (the USSR, China and Eastern Europe) to survive. As the authors of the Midnight Notes Collective (2004) point out, the social contract of social welfare guarantees and a reduced rate of wage exploitation in state socialist societies could not compete with what they call the 'new enclosures' by corporate capitalism of the world's formerly commonly owned resources, whether this be indigenous communally owned land in Nigeria or Mexico or Columbia, or the elimination of workers' collective ability to defend free housing in China or public health care in Mexico. Authoritarian corrupt governments in state socialist countries, the lure of globalized consumer culture and Western hegemony in military have also played their part in diminishing the strength of the state socialist vision as an alternative to capitalism.

From the point of view of values, it might be argued that collectivist values in Stalinist regimes were over-emphasized at the cost of individual rights while in Western capitalist democracies, particularly the U.S., there has been an over-emphasis on individualism at the cost of collective solidarity. The crises over both sorts of value imbalance have fueled decentralized autonomist alternative visions that are neither classically capitalist nor socialist but that aim to promote both collective solidarity and individual rights through participatory democracy that recognizes the need for a politics of difference (cf. Young 1990).

An increasing number of the anti-corporate globalization social movements are no longer satisfied with *either* the welfare state capitalist model *or* the state socialist model as alternative visions for social justice. They are developing another paradigm for social justice we can call the Solidarity Model of Justice, which is based on a decentralized vision that either bypasses or supplements reliance on the state or the capitalist economy to deliver the conditions for justice. Those with this vision promote alternative cooperative economies, communal ownership of land and natural

resources or leaving them as 'commons'—owned by none—and alternative visions of political democracy as more participatory and local, based in semi-autonomous municipalities and communities and social movements loosely linked together by solidarity through fair trade and political coalitions against neo-liberal globalization. The visions of those in these alternative political, social and economic spaces are either frankly anarchist, wanting to eliminate the state and its political power altogether, or they are autonomist visions in which the hitherto centralized power of nation states is bypassed or supplemented in favor of local and transnational decision-making based on solidarity networks from below: like small farmers, labor unions, workers' cooperatives, and representative town and community institutions.

A third paradigm is emerging in the political practice of what Hugo Chavez, president of Venezuela, calls 'Bolivarian socialism', that is, a nation state pursuing a mixed economy with capitalist firms, nationally owned industry, e.g. the oil sector, land reform, and worker cooperatives given financial and technical help by the state. Chavez has been diverting profits from the national oil sector to social programs to benefit the poor, creating a new sector which the government calls 'the social economy' (Hahnel 2007). The Chavez government has created a massive program to create worker-owned cooperatives, which established a Vuelvan Caras cooperative job-training program in 2004 and gives graduates of the program who want to start up their own cooperatives zero-interest loans for start-up costs. As a result 8,000 cooperatives have been formed by the graduates of this program and 181,000 cooperatives are now officially registered in the country, up from only 800 officially listed coops when Chavez took office in 1998 (Fox 2007). Many of these cooperatives are owned by poor women, a number of whom took part in a government free literacy program started by Chavez and were then recruited into the Vuelvan Caras program. This has allowed poor women, many of whom are single mothers like Estrella Ramirez, to open baking, sewing and other production cooperatives funded and given on-going technical support by the government. Ramirez, a disabled woman who lost an arm, was not able to get a waged job before this program because of job discrimination, and now is able to support her family because of the government training and the textile cooperative, Manos Amigas, in which she is one of the hardest workers (Fox 2007). Venezuela is also developing an alternative popular tier of local political decision-making centered in the creation of communal councils and social missions that are involved in participatory budget-making with the elected political officials such as mayors and city councils. The aim is to bypass often corrupt local party officials and encourage participatory democracy through separate money funneled to the neighborhood communal councils which must establish local spending priorities based on a participatory democratic process (Hahnel 2007).

Other Latin American leftist governments such as Bolivia, Ecuador and the returned-to-power Sandinista government in Nicaragua are struggling to implement aspects of a new type of mixed-economy socialism similar to that in Venezuela which does not center all decision-making power in a central state, but attempts to channel some of the profits gained by national or corporate capitalist firms toward decentralized alternative social and economic projects aiming to foster a new type of

participatory democracy (Fuentes 2007). These leftist governments are aided by the Venezuelan Latin American inter-state solidarity initiative called MercoSur, which creates national trade agreements geared toward meeting popular class needs rather than simply building GNP, such as the trade of oil to Cuba at cheap prices by Venezuela in exchange for Cuban doctors to staff free health clinics for the poor in Venezuela, and the Venezuelan-Nicaraguan trade of beef for oil to stimulate jobs in the rural sector in Nicaragua.

The anti-corporate globalization social movements have created alternative economies that challenge the unequal justice based on property rights that the hegemonic capitalist political economy promotes. These alternative spaces include worker-owned cooperatives and banks or loan funds, on which many empowerment projects for women are based.[3] Many of these spaces are operating under the principle of Justice as solidarity; that is, from each according to their ability, to each according to their needs, where all are understood to be working for the good of the collective whole. These are not isolated examples of coops or individual projects, but whole networks of people that are forging what Bowman and Stone (2004, 2006) call a solidarity economics, and what Alperovitz (2006) calls a commonwealth tier alongside of the capitalist economy and centralized nation state.

Examples of such networks with a solidarity political economy include worker-cooperative takeovers of abandoned privately owned factories, put out of business by neo-liberal globalization, in Mexico and Argentina. They involve demands for re-distribution of lands to small landless farmers and agricultural workers, and the idea of collective or communal property or 'commons,' as demanded by the indigenous Zapatista movement in Chiapas, Mexico. Indigenous and worker's movements there and in Brazil, Ecuador, Uruguay, Bolivia and Argentina have created 'gift' economies and collective rather than privatized domestic work of reproduction, as in collective community soup kitchens, childcare, and workers' cooperative schools such as the one now operating in La Matanza barrio of Buenos Aires, Argentina by the MTD, or unemployed workers' movement. The Zapatistas and others are demanding protection of the environment through the creation and protection of bio-preserves that should be seen as an environmental commons rather than to be privatized and degraded by multinational corporations.

Many of the large alternative material bases of cooperative economics and localized participatory democratic politics—think of the large semi-autonomous region in Chiapas governed by the participatory democracy of the Zapatistas, or the thousands of squatter community land take-overs governed in a similar process by the 1.2 million member MST, or Movement of Landless Workers, in Brazil—have evolved quite a different understanding of the concept of economic democracy, workers' self-management, than is possible in developed capitalist economies. In the U.S. such cooperative businesses are constantly in competition against large multinational corporations and hence must often submit to the logic of profit and competition to create inegalitarian hierarchies between management and capital, and between worker-owners and temporary workers, that run against cooperative values (cf. Bowman and Stone, 2004 for a discussion of problems faced by the Mondragón cooperative complex in Spain and others).

In this sense we can see how the poor countries on the margin of the global capitalist system, those who still have some connection to traditions of communal economics in agriculture and to production for use, have developed social movements that are leading the way in the critique of global corporate capitalism through the concept of fraternity and solidarity based on these alternative economic and community bases. Nonetheless, there are also creative labor union solidarity movements across borders between developed and developing capitalist economies that support worker cooperatives and worker takeovers of non-producing factories, such as the alliance of the Mexican Frente Auténtico de Trabajo (or FAT), discussed earlier, and its allies the United Steelworkers and the Union of Electrical Workers (UE) in the U.S. and Canada. The fact that there are more than 11,000 worker-owned cooperatives in the U.S., including such large companies as United Airlines as well as the growth of the consumer cooperative movement again in the U.S., shows that the contradictions of capitalist globalization, even in the world's richest country, are allowing alternative economies to grow here that are beginning to sustain alternative conceptions of social justice.

Gar Alperovitz (2006) argues that the U.S. has developed what he calls the 'commonwealth tier' of alternative economies based on promoting the public good, which includes not only cooperatives, but community development projects, municipal corporations and a large non-profit sector of enterprises. Indeed, partly as an effect of transnational connections made by the World Social Forum meetings which started in Brazil in the 1990s, there is an increase and radicalization of the U.S. cooperative sector, where a new U.S. Solidarity Economy Network to join those working in the anti-capitalist alternative economy was launched at the recent U.S. Social Forum in Atlanta in June 2007. According to their website connected to the University of Massachusetts Amherst-based Center for Popular Economics (www.popularеconomics.org) they aim to connect to the following alternative economic projects: cooperatives (worker, producer, consumer, housing, financial), local exchange systems and complementary currencies, fair trade and solidarity finance, social enterprises such as non-profits, the 'reclaim the commons' movement, social investment funds, worker controlled pension funds and credit unions, land trusts, co-housing and eco-villages, consumer supported agriculture (CSA), green technology and ecological production, open source movement (e.g. Linux, Wikipedia, YouTube), unpaid care labor and volunteer labor, participatory budgeting, collective kitchens like those in Latin America and collective health programs like those in Africa, community based services in France and social cooperatives in Italy.

16.5 The Social Justice of Marginalized Others: The Example of Gender

An aspect of the alternative political economies created by global social movements that also connects to alternative conceptions of social justice is attention to gender, race/ethnic, class, sexual and disability justice that have been developed by such

movements and their academic allies. Feminists and people of color have been at the forefront of developing the academic theories of a social justice politics of difference all over the world, although my references are to U.S.-based authors (cf. Iris Young 1990, Judith Butler 2004, bell hooks 1984, Jacqui Alexander and Chandra Talpade Mohanty 1997, Mohanty 2003, Charles Mills 1997, and Fraser 1997). They have argued that all forms of marginalization and subordination of individuals by socially constructed categories such as gender, race, sexuality, and 'normal' ability should be challenged, as well as material segregation based on such categories, and the denial of political voice to such groups. Global feminist movements have coalesced around the claim that women's rights be seen as human rights, and thus that sexual and domestic violence, plus women's reproductive and sexual rights be included in the human rights world agenda as well as rights for parity in political representation and that issues of poverty, education and health as they impact disproportionately on women be addressed (cf. MacKinnon 2006, Kerr 1993).

The power of such transnational feminist movements can be seen in their impact in the new socialist state experiments such as in Venezuela under the leadership of President Hugo Chavez. The majority of participants in the communal councils and social missions are women. The women activists' presence among the Chavista social movement coalesced into the Constitutional Front of Women of the Fifth Republic Movement (FCMMVR) to draft demands for the new Constitution and elect feminists to the Constitutional Assembly. The subsequent new constitution adopted in 1999 is as a result one of the most progressive in the world in regard to women's rights, even recognizing housework as work entitled to social security benefits, and guaranteeing reproductive health and family planning rights (Wagner 2005).

Many social movements who are building this Solidarity Autonomist Paradigm of Social Justice have begun to lay a material base for alternative political economies to promote such goals and protections for hitherto marginalized groups. The Zapatistas have demanded rights of self-determination over their land which has historically been restricted to property for use not for sale. In the case of women's rights, some key principles have been to challenge the sexual division of labor that has denied women equal political representation. The Women's Revolutionary Law of the Zapatistas insists on reproductive choice, the right to choice in marriage and rights against domestic violence (Hernandez Castillo 2002).

Other social movements have also set up collective rules and policing of their communities to eliminate or attack domestic and sexual violence. For example, the MST (Movement of Landless Workers) in Brazil has organized gender commissions within the movement, which have pressed the understanding that they are a movement based on families and not individual workers. Hence both men and women should be seen as co-actors in the movement and not just the male workers. They have instituted a strict code against domestic violence that requires a male worker to leave a squatter community if he has engaged in domestic violence against his wife. The MTD (Movement of Unemployed Workers) in La Matanza, Argentina, consists of unemployed workers who support workers' cooperative factory takeovers and do street actions critiquing the policies of neo-liberal globalization. It has a parents'

cooperative 'free' school to teach their children critical thinking, including a critique of gender stereotyping.

Some of the fastest proliferating types of so-called 'empowerment' projects for women in the developing world are worker-owned economic cooperatives and cooperative revolving loan funds for small business owners. Although these might be critiqued as mere stop gap measures that do not deal with the ongoing structural causes of the feminization of poverty due to corporate globalization, they can, in the right circumstances and in conjunction with other social movements for justice, provide an alternative material base for values of solidarity and alternative visions of social justice Ferguson (2004). For example, in the region of Guanajuato, Mexico around San Miguel de Allende there is a network of women's cooperatives called Mujeres Productoras. Their organizer is Yolanda Millán, one of the members of the coordinating committee of the Center for Global Justice there.[4] Also represented at the Women and Globalization conference at the Center in the summer of 2005 were two cooperative group movements that stem originally from the organization of radical Christian base communities in the liberation theology movement in the 1960s. One of these representatives, Elisa Curiel from Campeche, talked about how the women's economic cooperatives had allowed them to become more independent of their men, and to have more of a political voice in the defense of indigenous rights in the environmental battles they have with foreign developers and the Mexican government. Another set of women, those representing CEDESA, a network of small farmers, has done popular education around demands for water and land and adequate education since the late 1960s, and has helped spearhead alternative production of honey and a barter fair for their products among the members, which has made them more independent of the forces of globalization.

16.6 Conclusion

My aim in this chapter has been to highlight how women activists are at the forefront of struggles for global justice. Their struggles involve both *internal* critiques of injustices that violate women's human rights as citizens, as workers, and as the biological reproducers, and *external* critiques of capitalist justice. The external critiques are creating a new vision of Justice based on a politics of Solidarity. This new value of Solidarity as the base for justice is developing from alternative political economies which have either resisted corporate capitalism from a traditional economy based on use, or have formed alternative economies of resistance such as gift economies or workers' and community cooperatives. The social movements using such alternative economies also have alternative political models based on radical participatory democracy.

An example of this process is modeled on the Zapatista idea of 'mandar obediciendo', to lead by obeying from below, or in a non-hierarchical fashion (EZLN 2005). Another example is the consciousness-raising of identity politics, begun in the U.S. civil rights and feminist movements and furthered by a complex intersectional theory of semi-autonomous domination systems of race, gender,

class, sexuality and nationality. This has influenced many contemporary left social movements to create coalitions and organizations around class-based demands for economic justice that are non-reductive, and that also include demands for racial, gender and national justice against Eurocentric, patriarchal and neo-colonial global economic and political structures.[5]

In all of this, the influence of global transnational feminist ideas and organizing, from the UN world conferences on women and the Latin American Feminist conferences, or encuentros, to NGOs doing popular education around women's human rights, have been extremely important. Women-focused projects, including gender commissions within mixed left social movements, have been influenced by, and influenced these feminist theories. Even when they are pitched simply at the practical level of meeting women's material and human needs, with no explicit radical or revolutionary vision in mind by those who are engaged in them, they represent the possibility of an alternative economy, an alternative politics and oppositional community networks that can flower into full-fledged movements against corporate globalization and a more robust moral vision of a better world Ferguson (2007). Hence the slogan of many of these projects and social movements: Another World is Possible! And some are even saying: Another World is Necessary!

Notes

1. Although I focus on women organizing for global justice against corporate globalization in this chapter, the Justice paradigms I present and the solidarity economy I discuss are obviously used and developed by both women and men. The point of singling out women's organizing here is to highlight how many women's empowerment projects and human rights demands counter mainstream frameworks of justice based on capitalist values. Therefore they go beyond liberal feminist frameworks and must be seen as embedded in wider left-based social movements for global justice.
2. In the U.S. there are single-issue liberal feminist groups such as NARAL (the National Abortion Rights League) as well as those with an intersectional gender-race-class-sexuality analysis such as the National Network for Reproductive Rights and the Women of Color Reproductive Rights Network. In Latin America there are many national feminist networks such as those in Nicaragua organized around women's health rights and rights against male violence. These latter networks have been severely challenged recently by a very repressive anti-abortion law passed with the help of both the leftist Sandinistas and right wing parties allied with the Catholic church that have outlawed *all* abortions, even those necessary to save the life of the mother.
3. Of course, since many funders of such projects are mainstream proponents of capitalist development, such as the World Bank, many may still be promoting individualism and inequality through the guise of promoting the common good of the group (cf. Sato, mss. 2008).
4. The plight of Mexican women left behind with small children as their husbands, sons and daughters join the stream of undocumented immigrants to the U.S. as a result of rural impoverishment due to NAFTA, and the beginning of alternative economic networks of women-owned cooperatives, particularly the Mujeres Productoras network, is documented in a video *Letters from the Other Side* (produced by Heather Courtney 2006). For more information on the Center for Global Justice in San Miguel de Allende, visit their website at www.globaljusticecenter.org.
5. An example in the U.S. of such a national left organization is Solidarity, a group that formed after a division in the International Socialist party in 1986 yielded three separate groups:

Solidarity, the Workers' World group and the International Socialist Organization. It is a mixed left membership organization that calls itself socialist-feminist. See their website: www.solidarity.org

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