Journal of
APPLIED PHILOSOPHY

Journal of Applied Philosophy
doi: 10.1111/japp.12510

Online Shaming and the Ethics of Public Disapproval

JAMES FRITZ

ABSTRACT *This article illuminates an underappreciated tension between two desiderata for moral disapproval. First, moral disapproval should aspire to* openness. *This means, among other things, that it should aspire not to require silence from wronged parties. Second, moral disapproval should aspire to* decency. *This means, among other things, that it should not predictably cause psychological harm in a way that alienates or isolates people from their moral community. I illustrate the tension between these desiderata within the context of online shaming and then show how that conflict generalizes. The shape of the conflict is this: in many cases, justice requires us to allow for highly public disapproval about an offender, but the publicity of that disapproval predictably fosters psychological harm, alienation, and isolation. To explain why many cases share this character, I appeal to psychological and philosophical research on the connections between shame, humiliation, aggression, isolation, and depression.*

Moral disapproval is important. In fact, it's tempting to think that moral disapproval is an essential component of shared moral life. Disapproval can communicate our attitudes. It can invite apology or reparation. It can indicate that a person or group has been wronged. Patterns of disapproval allow communities to coordinate on shared standards for behavior.

Moral disapproval is also, in some contexts, troubling. A community that expresses disapproval in the wrong way can turn into a mob. What's more, some kinds of moral disapproval are overwhelming; they can drive a person away from her moral community and into isolation, depression, or resentment.

This article shows that the promise and the pitfalls of moral disapproval are intimately tied together. Any practice of moral disapproval, I argue, must make a sacrifice with respect to one of two important moral goals. Some fall short with respect to a goal that I call *openness*. Others fall short with respect to a goal that I call *decency*. Many, plausibly, fall short with respect to both.

If this is right, then moral disapproval is not just troubling under special conditions. To the contrary, *any* shared practice of moral disapproval is, in some respect, morally troubling. When we see how certain important moral risks are inextricably connected to disapproval, we gain important insights into the social practice of morality.

Seeing the tension between openness and decency also affords us important insights about a distinctively contemporary issue in applied ethics: the ethics of online shaming. In what follows, I illustrate the tension between openness and decency primarily by showing how it arises when people express disapproval online. Toward the end of the article, I explain why online shaming has special significance for this dialectic, and

why we should nevertheless expect the tension between openness and decency to afflict moral disapproval quite generally.

To clarify my aims a bit: in what follows, I do not directly address practical questions like, for instance, whether any particular practice of moral disapproval (including online shaming) is on-balance morally acceptable. Nor do I make suggestions about how, if at all, public policy should manage our moral disapproval. Indeed, I suspect that there may not be any general and informative answer to questions like these. I direct my attention, instead, to the relationships between two moral goods that are at stake in any shared practice of moral disapproval. My discussion reveals that, when we pursue one of these moral goods, we tend to undercut pursuit of the other in a remarkably stable way.

Section 1: Two Desiderata for Moral Disapproval

In this section, I argue for two desiderata for any shared practice of moral disapproval. To set up the discussion to follow, I illustrate the plausibility of these desiderata within the context of online shaming.

Two clarifications about terminology are in order. First: the term 'moral disapproval' is sometimes used to pick out a mental state. Sometimes, on the other hand, the term is used to pick out acts or statements that *express* (or purport to express) that mental state. I adopt the latter usage; when I ask what we should aim for when we disapprove of one another, I am asking how we should communicate with one another, not how each of us should manage her individual attitudes.

Second, a word about the term 'online shaming'. For the purposes of the discussion that follows, I use 'online shaming' to refer to any shared practice of moral disapproval that occurs primarily online. By casting a wide net with this term, I make my argumentative task harder, not easier. The claim that there is always something morally unfortunate about certain particularly nasty ways of expressing disapproval online is a boring and obvious truth. My stronger claim, that there is always something morally unfortunate about *any* shared practice of online moral disapproval, is more noteworthy.

So, what *should* we aim for in a practice of moral disapproval? Some might reject this question as misguided, arguing that the best sort of moral community would eliminate moral disapproval altogether. But this radical response faces two serious challenges. On the one hand, it is awfully tempting to think that we could not retain anything recognizable as a shared moral community without continuing to communicate negative moral attitudes in some way or other.[1] On the other hand, it is also plausible that communication of moral disapproval is *as a matter of psychological fact* an ineliminable part of our moral lives.[2] This latter, weaker point is sufficient to motivate the key question I am asking: given that we are stuck disapproving of one another, what should we aim for in doing so?

Here are two attractive answers. First, a shared practice of disapproval should not impose silence on people who have been wronged; victims should be able to speak out regarding their experiences. Second, the practice should avoid cruelty toward those who face disapproval. These two initially attractive thoughts point the way toward two

desiderata that I describe and defend in more depth below. I call the first desideratum *openness* and the second *decency*.

We can illustrate the importance of openness in disapproval by looking at a case: the online shaming of former movie producer Harvey Weinstein. In late 2017, many of Weinstein's victims spoke out—especially by sharing their experiences through social media and online news outlets. The ensuing tidal wave of online disapproval made Weinstein's history of sexual abuse a matter of public knowledge and public condemnation.[3]

Weinstein's case helps to showcase the attractiveness of *openness* in a shared practice of moral disapproval. Whatever the other benefits of the widespread and emphatic moral disapproval of Weinstein, at least one benefit is clear: by sharing their stories in a highly public way, Weinstein's victims formed a community in solidarity with one another and with victims of similar crimes worldwide. What's more, this community's voice reached Weinstein in a powerful way. These were both valuable features of the case. It would have been horrible if Weinstein's victims had remained, for one reason or other, unable to communicate with one another, alone in their experiences of having been wronged. It also would have been horrible if, although these victims had been able to communicate with one another, they had been prevented from making Weinstein aware of their disapproval.

Importantly, these are not far-fetched counterfactuals; many *actual* victims of sexual assault (and of other crimes) face barriers to justice in the form of institutions and social practices that conspire to keep them silent. The online shaming of Harvey Weinstein was striking in part because it gave victims of sexual assault a powerful voice. The desideratum that I have called 'openness' is simply a very weak precondition for any acceptable revision to a *status quo* that tends to keep victims silent and alone. At the very least, victims should be able to speak out to their broader communities about the ways in which they have been wronged.[4]

A different example case will help to illustrate the importance of our second desideratum: the desideratum of decency. In 2012, a woman named Lindsey Stone posted a photo online in which she appeared to be shouting and holding up her middle finger right next to a sign in Arlington National Cemetery that called for 'Silence and Respect'. Stone's photo went viral, precisely because an enormous amount of people shared the photo while expressing disapproval of Stone. The results were striking. Stone was immediately fired from her job. She 'fell into a depression, became an insomniac, and barely left home for a year' (Ronson 2015, 210).[5] She also found it difficult—until a hugely expensive reputation-management company changed the search-engine results for her name—to get another job.[6]

Many of the contributors to Stone's online shaming—for instance, those who threatened to kill her—were egregiously cruel. Any defensible practice of moral disapproval would have to be more decent to its targets than our current practice was to Stone. It is easy to see, then, that decency is a desideratum for any shared practice of moral disapproval.

What sort of behavior falls short of the desideratum of decency? Some cases are simpler to sort than others. It was obviously indecent for people to send death threats to Lindsey Stone. But just how unpleasant or abusive would a person's disapproval have to be in order to count as indecent? In what follows, I will not attempt to analyze our folk notion of decency; nor will I draw a precise boundary around a stipulated

notion of decency. My argument will instead rely on the following, remarkably weak, commitment: when a practice tends to create avoidable psychological harm, and to do so in a way that predictably tends to isolate or alienate people from their moral communities, it falls short of a desideratum for moral disapproval. In other words, it falls short, along at least one dimension, of what we should hope to find in an ideally functioning moral community.

I have now sketched a case for two desiderata for shared practices of moral disapproval—desiderata that the remainder of this article will show to be in tension. But some will worry that, in characterizing these two goals, I have painted with too broad a brush. Is there really a moral cost *every time* that a group of victims is constrained not to communicate with one another and with their offender? (What about when the victims have only been wronged very slightly, and none of them have suffered as a result of the offense in question? Is there really any value to solidarity in such cases?) Is there really a moral cost *every time* that a community does psychological harm to an offender in a way that alienates or isolates her? (What about cases—including Harvey Weinstein's—in which the offender's crimes are so heinous that alienation seems like the best-case scenario?)[7]

Now, I want to emphasize that even these universal claims may be correct, precisely because they are quite logically weak: they concern whether the relevant features of disapproval always involve *some moral cost*. This is not the question of whether, when disapproval has these features, it is *on-balance acceptable*. For this reason, I think there is considerable appeal in my two desiderata even in their exceptionless form. Suppose, for instance, that there are decisive reasons in favor of alienating or crushing the spirit of heinous criminals like Harvey Weinstein. Even so, the fact that an alternative approach would instead do no harm to them, and would not hinder their reintegration into the moral community, might always count as a (decisively overridden) reason in favor of adopting that approach.

Not everyone, however, will be attracted to these desiderata in their exceptionless form. Fortunately, my argument does not rely on the claim that there is *always* a reason to pursue each of my two desiderata. It is sufficient for my purposes that there is a wide range of cases in which both desiderata have some pull: cases in which there is *some reason* to allow for open communication about the offense, and there is also *some reason* to avoid a harmful, alienating approach toward the offender.[8] This much is extremely plausible. There may be some cases in which we should limit communication between victims, but the burden of proof is surely on the advocate for those limits. Likewise, there may be some criminals whose offenses are so heinous that there is nothing to be said in favor of protecting them from psychological harm or to be said against alienating them from the moral community. But again, the burden of proof here seems squarely on the advocate for that approach. Imagine that the only difference between two methods of disapproval is that the latter will be psychologically devastating to the offender. What's more, the particular sort of psychological harm involved will likely alienate her from her community and from some of the social ties that sustain her as a moral agent. This seems to be a reason in favor of opting for the former. Surely, in a wide range of cases, this consideration retains its reason-giving force.

In a wide range of cases, then, we should expect that there is something to be said for pursuing *both* openness and decency. The next two sections show how these two desiderata come into conflict.

Section 2: What Is Indecent About Public Shaming?

In order to see how indecency and openness are connected, let's take a closer look at our core example of a shared practice of moral disapproval: online shaming. There are several respects in which our actual practice of online shaming could be made more decent. In this section, I discuss respects in which we could make our practice more decent without any serious cost. Section 3 sets up the core tension of the article by arguing that there is at least one source of indecency in public shaming that cannot be totally resolved without presenting a problem for openness.

Perhaps the most obviously indecent aspect of online shaming has to do with violent, abusive, bigoted, or otherwise cruel language. Any decent attempt to go in for moral disapproval online would do away with blatant demonstrations of cruelty, malice, and disrespect. But other aspects of online shaming are morally troubling, too.

A second reason for concern about online shaming involves the lack of *proportionality* between a transgression and the shaming for that transgression. Both the vehemence of our online disapproval and the effects of our disapproval are often much more intense than is appropriate.[9]

This sort of disproportionality is perhaps most visible in the consequences that shaming has for a person's future social and professional life. The more that our lives are mediated by the Internet, the more our reputations are correlated with the online search results for our names. When a person is the target of a robust campaign of online shaming, her reputation is often altered permanently—from then on, whenever others think about her in a way that is mediated by the Internet, they will first and foremost think of her in terms of her transgression. Many of the most disheartening stories of public shaming, including Lindsey Stone's, involve people whose reputations are so dramatically altered that, even if they sincerely regret their transgressions, they cannot find work or a social community of the sort they would like. To have one's reputation destroyed in this way is alienating and crushing, not corrective. It is precisely the sort of consequence that, in at least a wide range of cases, a decent practice would avoid.[10]

We have now considered two sources of indecency in online shaming: abusive language and disproportionate severity. Note that each of these issues seems, at least in principle, resolvable.[11] We can imagine a well-meaning group of Internet users who successfully eliminate vitriol from their online disapproval and who also carefully engineer the intensity and consequences of their shamings so that the public shaming itself, and its downstream effects, are perfectly proportional to the shamed individual's offense.[12]

Would a practice of this sort still be indecent in any respect? Here, it may be helpful to consider an analogy. In many respects, online shaming resembles the public-square shamings that have been used by many communities throughout history as a form of punishment. Suppose that a community coordinates in order to display an offender before a public crowd and to voice their disdain for her together. (Think, for instance,

of what happens to Hester Prynne at the beginning of *The Scarlet Letter*.) Such a practice will strike many as indecent. But why?

It may be that we consider public-square shamings indecent because of the issues that I have already flagged in this section. We might, for instance, be worried that any such practice is liable to lapse into abusive or violent activity. Or we might, on the other hand, be worried that a public-square shaming is particularly likely to be disproportionate to the shamed party's offense. These are serious and well-grounded reasons to worry about the decency of public-square shamings, but they are not the only ones. To see this point, imagine that a community reacts to transgressions by putting people on display before a public crowd that sternly (but not abusively) voices its disapproval. The offender is not permitted to leave the public's gaze for a certain amount of time; this time varies with the seriousness of her transgression. Moreover, the community carefully manages the downstream effects of their ritual; perhaps, for instance, they ensure that people who have been put on public display are not routinely fired, abused, or prevented from reintegrating into their communities.

I suspect that many will feel uneasy about even this revised practice. Forcing a person to stand exposed before a disapproving crowd—even in this carefully managed way—seems like a troubling way of communicating our disapproval to her. But can our sense of unease about this sort of practice be justified? Or is it just irrational squeamishness? In the next section, I will suggest one way to explain why putting a person on public display, even for a short time, tends to be indecent. The problem I point out, importantly, afflicts online shaming as well as the imagined in-person shamings I have been describing.

Section 3: The Shame in Online Shaming

Our last section ended with the insight that something seems morally worrisome about *any* practice—even the most carefully managed one—of putting a person on display to disapprove of her. But just what, if anything, is really morally unattractive about such a practice? One promising way to answer this question concerns what it is *like* to be displayed before a disapproving crowd. This sort of context is the paradigmatic context for a recognizable and troubling emotional experience. Many call this emotional experience *shame*.

An Orthodox Picture of Shame

What is shame? On an orthodox view of shame, the contours of shame can be illuminated through several points of contrast with guilt.[13] For one, shame and guilt are often said to arise in response to different situations—or, more weakly, to different construals of one's situation. The paradigmatic grounds for shame are experiences in which one is (or sees oneself as) exposed before, and judged to be deficient in the eyes of, a group of others. The paradigmatic grounds for guilt, by contrast, are experiences in which one has (or sees oneself as having) violated norms or acted against one's values.[14] In short, shame, unlike guilt, paradigmatically arises in response to a real or imagined audience. This notion enjoys impressive support both from philosophical theorizing[15] and from empirical research.[16]

Second, many claim that shame characteristically inclines a person to hide or to avoid social contact, whereas guilt characteristically motivates reparation and interaction with one's community. Empirical research, again, provides support for this orthodox idea about shame's functional role. Research subjects who report feeling shame are extremely likely, and significantly more likely than those who report feeling guilt, to report a desire to hide.[17]

Third, it's often claimed that shame, unlike guilt, is significantly correlated with depression, anger, and aggression. Some prominent examples of shame have inspired extended philosophical discussion precisely because they emphasize these connections. Bernard Williams, for instance, influentially discusses the example of Sophocles's Ajax, who commits suicide after being made to look foolish by the gods.[18] And Krista Thomason brings up Perry from Truman Capote's *In Cold Blood*, whose shame about being engaged in petty theft drives him to murder. Thomason argues that any adequate theory of shame must explain why shame is the sort of mental state that inspires not merely hiding and alienation but also these more extreme reactions.[19] Empirical research, again, supports this armchair reflection on the contours of shame; June Tangney provides a survey of psychological studies confirming that both shame-proneness and bouts of shame are significantly correlated with anger, aggression, and depression—and, indeed, much more so than are guilt-proneness or bouts of guilt.[20]

On the orthodox picture I've sketched, shame has morally unfortunate features that guilt lacks. Guilt, although unpleasant, is a step toward reconciliation; shame, by contrast, is both unpleasant and alienating. This picture, then, makes clear why the desideratum of decency is in tension with practices that promote shame; to make someone feel shame is not merely to censure them, but to censure them in a way that is apt to drive them into isolation, alienation from their moral community, depression, anger, or aggression.

To see this orthodox picture of shame at work in a concrete context, consider an example discussed by Martha Nussbaum. Nussbaum considers, as an example of a punishment intended to cause shame, required use of a 'DUI' license plate. How would this punishment have affected Nussbaum's mother, an 'alcoholic' who 'often drove while somewhat intoxicated'?[21] Nussbaum writes,

> [. . .] such a penalty would indeed have broken her spirit. It would be a cruel state, with deficient respect for human dignity, that would string someone up for public viewing in that way rather than offering treatment for the underlying problem, together with protection for privacy and dignity.[22]

Nussbaum's conjecture here seems to be informed by the orthodox picture of shame that I have sketched. The primary problem Nussbaum specifies with the DUI penalty is its tendency to put a person on display before a disapproving crowd, and Nussbaum suggests that sort of punishment is problematic *precisely because* highly public disapproval tends to subject a person to a painful, alienating emotional experience—because it tends, more poetically, to 'break one's spirit'. Now, I do not claim that this is the only reason to worry about the DUI penalty. Nor do I endorse Nussbaum's claim that such penalties are always cruel or inappropriate on balance. I am interested in a subtler point: across a wide range of relevantly similar cases, the tendency to give rise to

shame is *one consideration* that counts against expressing disapproval in a highly public way.

The orthodox picture of shame that I've just outlined provides an explanation for some of the unease we feel about practices of in-person public shaming. Distinctly public modes of disapproval tend, not infallibly but reliably, to give rise to an emotional experience that is painful, alienating, and attended by worrisome downstream effects. This helps to explain why, even when carefully managed and nonabusive, our imagined practice of in-person public shaming seemed to fall short of the desideratum of decency.

Challenges for the Orthodox View

The argument that I've just made leans on two claims about shame's functional profile: first, that exposure before a disapproving crowd characteristically tends to cause shame, and second, that shame is causally associated with a variety of morally unfortunate dispositions. Both of these claims might be resisted. In what follows, I'll consider three ways of objecting to the common picture of shame that I've outlined.

First, one might reject the notion that exposure before a disapproving audience characteristically causes shame. This might seem like an especially promising place to voice an objection, because there is ample controversy regarding the precise connection between shame and exposure before an audience. While some theories claim that shame *always* involves 'an idea of the gaze of another',[23] some theories wholly deny that there is any special connection between shame and an audience. On many of these theories, shame involves seeing oneself as falling short of important standards—an experience that need not come along with any concern for one's appearance before any audience.[24]

There is, then, plenty of controversy about shame's relationship to an audience. But note where the controversy is located: most contemporary debate focuses on the question of whether shame *always* involves (at least the sense of) an audience. Importantly, this question is not directly relevant to my argument about the decency of shaming. I do not claim that *every* instance of shame involves an audience, or even a sense of being observed; rather, I claim that exposure before an audience, especially a large and disapproving one, is one kind of event that reliably tends to cause shame. And this weaker claim is extremely plausible. Cases that involve exposure before an audience may not be the *only* cases of shame, but they are certainly the central, paradigmatic ones. This idea finds support not only in common sense[25] but also in empirical work on shame.[26]

Let's move on, now, to a second way of resisting the orthodox picture of shame that I've sketched. On that orthodox picture, shame is associated with dispositions to hiding, isolation, alienation, depression, and anger. These associations can be, and have been, challenged. But it's no simple task to make such a challenge stick. Any challenger must explain why, although these unsavory dispositions are not correlated with shame *per se*, conventional wisdom and empirical research are easily confused into seeing such correlations.

The most prominent, thorough attempt to meet this explanatory burden is offered by Julien A. Deonna, Raffaelle Rodogno, and Fabrice Teroni.[27] Deonna et al. attempt to debunk the correlations between shame, depression, anger, aggression, and isolation

through a piecemeal approach. The putative connection between depression and shame, they argue, is actually a connection between depression and shame-*proneness*.[28] And the data that putatively connect shame to anger and aggression, they argue, is actually better understood as data connecting aggression and violence to another, closely related emotion: *humiliation*.[29]

Even if this debunking story were successful, however, my argument would remain intact. My primary conclusion is not a conclusion about the extension of shame; my conclusion, rather, is that highly public disapproval tends to be indecent. And that conclusion is *also* well supported by the optimistic picture of shame that we've just considered. In order to plausibly account for the research on shame while denying that it is robustly connected to anger, aggression, and violence, Deonna et al. must insist that there is some *other* painful emotional experience that plays roughly the role I've sketched for shame. And this is precisely what they do insist: *humiliation*, Deonna et al. claim, is both paradigmatically caused by painful public exposure and connected to morally worrisome downstream effects. The upshot is precisely the one that interests me: Deonna et al. claim that, even if there is no significant correlation between anger, aggression, and shame *per se,* 'there *is* a significant correlation between the antisocial tendencies of anger and aggression, on the one hand, and sham*ing* [that is, highly public disapproval] on the other'.[30]

Even on the most prominent and promising way of rejecting shame's connections to morally worrisome dispositions, then, it's clear that highly public disapproval gives rise to an emotional syndrome that bears those connections. And this should be no surprise. As we've seen, a significant body of research confirms that there is an emotion with a particular functional profile: it is paradigmatically caused by public exposure, and it carries with it dispositions toward hiding, alienation, depression, anger, and aggression. It may be that Deonna et al. can, through their piecemeal debunking approach, safely reject the conclusion that this functional profile belongs to shame *per se*. But no one can safely denying that *some* emotion has this functional profile.[31] And that is all the proof we need for the conclusion that highly public disapproval tends to be indecent, in the sense articulated in Section 1.

In what follows, I'll write as if the orthodox picture of shame is on the right track, assuming that it's *shame* that is importantly connected to depression, anger, and aggression. But those who prefer an optimistic picture of shame, like the one defended by Deonna et al., should feel free to replace references to shame with ones to humiliation. On either picture, my conclusion follows: highly public disapproval falls short of full decency precisely because of the emotions it inspires in the parties that face disapproval.

I'll now consider a third and final way of pushing back on the orthodox picture of shame sketched above. This final strategy grants the key *descriptive* claims about shame that I've canvassed: it grants that shame is paradigmatically caused by public exposure, and that shame tends to cause alienation, isolation, depression, anger, and aggression. But the strategy resists the orthodox *normative* claim that, in virtue of these traits, shame is, in some way or other, morally problematic.

Existing variants of this strategy tend to focus on defending the claim that a person, or a state, can be morally *justified* or morally *required* to cause shame. Richard Arneson, for instance, touts shame's potential benefits as a method of 'social control';[32] Thom Brooks notes that shame can bring about reflection, repentance, and reform.[33]

These arguments may succeed in proving their point: that one can be on-balance morally justified, or even on-balance morally required, to cause shame in others. But questions about when a person can be on-balance morally justified or on-balance morally required to cause shame are not directly relevant to my argument. I am concerned with the weaker claim that, in virtue of their tendency to cause shame, systems of highly public disapproval fall short of *one desideratum* for shared moral life. This is not a claim about the *overall* moral status of causing shame; it is a claim about the *pro tanto* moral status of causing shame.

To reject this weaker *pro tanto* claim, the defender of shame would have to argue that, in general, there is no significant moral goal that is frustrated when we predictably cause a person avoidable psychological harm and dispose her to isolation, alienation, depression, anger, and aggression. This is difficult to believe. If you reveal to a virtuous agent that a practice predictably causes psychological harm, alienation, depression, and antisocial aggression, she might respond by explaining why those costs are outweighed by other benefits of the practice, but she will not respond by asking you to explain why those outcomes count against the practice at all.[34] It's extremely plausible, then, that in a wide range of cases, the characteristic effects of shame are *pro tanto* worth avoiding. Possibly for this reason, the defenders of causing shame noted in the previous paragraph acknowledge that there are serious moral costs to highly public disapproval. Deonna et al., for instance, claim that 'the negative action tendencies associated with feeling humiliated [...] must give anyone reason to hesitate before defending shaming penalties'.[35] And Brooks, who argues that only certain ways of causing shame are permissible, approvingly cites John Braithwaite's work on restorative justice conferences.[36] Notably, these conferences avoid displaying the offender before the general public.

This subsection considered three ways of resisting the orthodox picture of shame. Though many features of that picture are hotly contested, the features that matter for my argument are not. A large body of philosophical and psychological research confirms that there is at least one painful emotional experience (whether it be shame or humiliation) that is both characteristically caused by highly public disapproval and connected to morally worrisome dispositions to isolation, alienation, depression, anger, and aggression. This helps to explain why highly public disapproval seems indecent.

Tension between Openness and Decency

We are now ready to draw some conclusions about online shaming. Plausibly, the tendency to cause shame is one of the features that makes our current practice of online shaming less than fully decent.[37] Our look into the texture of shame suggests a plausible explanation, for instance, for Lindsey Stone's depression and self-imposed exile; she felt shame, and shame characteristically motivates both depression and hiding. In order to meet the desideratum of decency, our practice of online shaming would have to proceed in a manner less likely to give rise to these morally unfortunate downstream effects.

The problem is this: the feature of online shaming that makes it apt to create shame is its degree of publicity. The instances of online shaming that are most likely to induce shame are the ones in which disapproval is visible to the public at large. (Elison

and Harter confirm that the intensity of both shame and humiliation increases as the size of a perceived audience increases.)[38] Any attempt to limit the shame-inducing tendencies of our online discourse, then, would have to do something to mitigate the publicity of online disapproval. But when we limit publicity of disapproval, we create problems for openness. In order to effectively limit shame, in other words, a community would have to place limits on victims' abilities to connect with one another or with a supportive public.

This dilemma does not afflict every individual case of moral disapproval; in some cases, for instance, it might be obvious that an offender is not prone to feeling alienated or psychologically hurt by public disapproval. But it does afflict any general approach to moral disapproval in a community. To see why, use a heuristic: imagine that a community concerned only with the moral good sets out to draft policies for online disapproval. This community will have to make decisions about how to approach cases of a certain sort: cases in which fairness to victims requires a certain degree of public communication about an offender, and in which that degree of public communication would be psychologically devastating and alienating for the offender. (Two sorts of high-stakes cases are particularly likely to have this character: cases in which it's particularly urgent that victims have the opportunity for highly public condemnation and cases in which the offender is particularly prone to serious psychological harm from public exposure.) Research on shame predicts that, and explains why, difficult cases of this sort will reliably tend to arise. And our imagined community's verdict (or verdicts) about how to treat such cases must either privilege openness, at the cost of decency to the offender, or privilege decency to the offender, at the cost of openness.

I'll use two examples to illuminate this point. First: suppose that our well-meaning community decides that the public will only be allowed to express disapproval to an anonymous coordinator. The coordinator will then decide how to proceed with offenders—perhaps, for instance, by referring information to legal authorities or by setting up private, mediated conversations between offenders and their accusers. This sort of approach avoids publicity, but in doing so, it prevents the broader community from engaging with, and supporting, victims. In this case, pursuit of decency in online shaming comes at a serious cost for openness.

Second: suppose that our well-meaning community decides to leave lines of online communication wide open. Imagine, further, that the community acknowledges that the publicity of their disapproval increases the risk of shame and, therefore, takes steps to mitigate some of the other features that are reliably correlated with shame. Community members might, for instance, insist that online disapproval stay narrowly focused on the particular transgressions of offenders, rather than on their character more broadly.[39] Or they might insist that online disapproval be addressed directly *to* the offender as a 'second-personal' demand for reform, rather than as a 'third-personal' expression of disgust or contempt.[40] (On certain theories, these modes of address are closely associated with guilt and resentment, but not with shame.)

Although this careful approach to framing online disapproval may go some distance toward mitigating its tendency to cause shame, it is not a total solution to online disapproval's shame problem. To think otherwise is to adopt an overly simplistic view of shame and its functional role. On any plausible view, there are a variety of distinct factors that are imperfectly but reliably correlated with shame. Perhaps one way to

increase the chances that a person feels shame is to treat her with clear contempt; perhaps another way to increase those chances is to portray her as defective in a global way. But disapproval that occurs in a highly public forum is a reliable source for shame even if these other conditions are not met.

To see this, contrast two different ways of communicating disapproval. First, imagine that I disapprove of you in a one-on-one setting. Suppose that I treat you as a member of the moral community and that I avoid slipping into global character assessment or contempt. (Feel free to add any further details that would ensure that I take up a decent, respectful stance toward you.) Second, imagine that I disapprove of you in just the same way, but I videotape my expression of disapproval and play the video on loop on an enormous screen in Times Square, where thousands of people see it. Surely, it would be entirely sensible for you to feel very different about the latter event than about the former. But if that's right, then the emotional impact of disapproval is not settled simply by the *focus* of the disapproval or by the *stance* that it embodies. The *audience* for the disapproval—that is, its degree of publicity—also shapes the experiences of the offender.[41]

There are many ways in which we can improve our practice of online shaming without any serious moral costs. We can make it less violent and abusive; we can take concrete steps to prevent shaming from engulfing a person's online reputation. But, I have argued, we cannot entirely fix online shaming's decency problem without creating barriers to openness.

In closing, I'll explain why we should expect this tension to exist beyond the specific case of online shaming. The desiderata I have noted are plausible desiderata for any practice of moral disapproval, online or not. And research on shame helps to show why those desiderata will be in tension wherever we choose to express our disapproval. Roughly: the more a given system tends to give a person the sense that she is exposed before a disapproving crowd, the more it will give rise to shame. But openness in disapproval requires communicating, in a public and widely available way, about people who deserve moral disapproval. This means that any mechanism for moral disapproval, online or not, will have to make a trade-off of one sort or another between decency and openness.

Although this is a general tension, there is a good reason to discuss it specifically in the context of online shaming: before the advent of the internet, it would have been very difficult to recognize. Before the Internet, the fact that most people were unable to communicate disapproval to their entire community at low cost was unlikely to strike anyone as a barrier to an important moral goal. Now, with the benefit of hindsight, we can see the ethical significance of providing a platform that gives everyone this ability. Whatever its defects, this sort of public platform has the potential to address serious problems with openness. So the Internet makes salient the ethical importance of being able to communicate our disapproval widely. But it simultaneously makes salient the moral risks we take up when we communicate disapproval in this public, wide-reaching way—one of which is the risk of causing shame.

This article has not made a case for abandoning online shaming, any more than it has made a case for abandoning moral disapproval more generally. But it has given reasons to think that any practice of online shaming, and indeed, any practice of moral disapproval, will have to make sacrifices with respect to at least one important moral goal.

Section 4: Objections and Replies

The fact that highly public disapproval tends to cause shame is not, in itself, cause for alarm: a practice that reliably causes shame can be fully decent, as long as no one intends *to cause shame*.

This thought should be resisted. The distinction between a foreseen bad consequence and an intended bad consequence might be important for some ethical questions, but it does not plausibly make a difference to the question of whether some practice is fully decent. If A's sole ethical concern is to be fully decent to B, A will not only be concerned with ensuring that no one *intentionally* causes B misery; she will also be concerned with *foreseeable* misery for B.

Don't all *'desiderata' for moral life come into tension in some range of cases? Consider the desideratum* that one keep one's promises *and the desideratum* that one give help to those in need. *A community setting out to draft policies about promise keeping will have to address cases in which keeping one's promise means failing to give sorely needed help. And any such decision will either privilege promise keeping, at the cost of beneficence, or beneficence, at the cost of promise keeping. Have I done any more than reveal an instance of this general tension between the diverse goods we pursue when trying to live morally?*[42]

I'll say two things about this worry. First, the tension between decency and openness is deeper than the generic tension that arises between any two moral desiderata. The former tension is striking, in part, because it is grounded simply in facts about *what it is* to disapprove. Disapproval in large groups, by its very nature, threatens to humiliate; limits on that disapproval, by their very nature, tend to place troubling constraints on victims' abilities to communicate. So the tension between openness and decency is inextricably tied to one of the core components of human moral life: the expression of disapproval.

Compare this to the tension between beneficence and promise keeping. Promising does not, as an enterprise, bring with it serious worries about limits to our beneficence. Those worries only arise against the backdrop of certain choice situations: namely, situations in which it turns out that we've made promises that require us to give up a chance to help others. In a slogan, expression of disapproval is a morally tricky practice simply in virtue of the sort of practice that it is. Promising, by contrast, is only morally tricky when the world refuses to cooperate.

Second, my aim in this article has not solely been to argue for the truth of the generic conclusion that *there is a tension of some sort with respect to our practice of moral disapproval*. The more noteworthy goal of my article is to illuminate in detail one such tension. Even if we are already committed to the more generic conclusion's truth, there is still value in seeing precisely how our moral goals relate to one another. And my article has aimed to help draw one such relation—one with particular relevance to our current practice of moral disapproval—into clearer focus.

Conclusion

This article calls attention to an underappreciated tension between two important moral goals. Across a wide range of cases, we have reason both to treat one another decently and also to allow for open communication of disapproval. But it is often

impossible to pursue either of these goals without some cost to the other. Given some remarkably stable features of the psychology of shame, we cannot allow for entirely open communication of disapproval without thereby giving rise to shame, along with depression, isolation, alienation, and aggression. This tension places noteworthy constraints on even the most well-intentioned practice of moral disapproval. Any such practice must involve a choice between desiderata for shared moral life.

James Fritz, Virginia Commonwealth University, 915 West Franklin Street Room 209 Richmond, Richmond, VA, 23284-2512, USA. jamie.c.fritz@gmail.com

Acknowledgments

For discussion and comments that improved this article, I'm grateful to Allison Massof, John McHugh, Tristram McPherson, Benjamin Rossi, Grant Rozeboom, several anonymous referees, and audiences at the 2019 meeting of the Central Division of the American Philosophical Association and the 2019 meeting of the Ohio Philosophical Association.

NOTES

1 For a point much like this one, see Pamela Hieronymi, 'Sher's defense of blame', *Philosophical Studies*, 137,1 (2008): 19–30.
2 See George Sher, *In Praise of Blame* (New York: Oxford University Press, 2005), pp. 135–8.
3 For a thorough overview of Weinstein's public shaming, see 'Harvey Weinstein timeline: How the scandal unfolded,' *BBC News*, accessed on 16 February 2021 at http://www.bbc.com/news/entertainment-arts-41594672.
4 *Objection:* only a moderate degree of openness is morally important. While victims deserve to express their disapproval to those who have wronged them, and perhaps to small support groups, there's nothing to be said for allowing victims to communicate with their broader communities. *Response:* even this sort of restriction comes with serious costs. Perhaps most notably, it prevents wronged parties from *discovering*, in the course of free and open discussion, new ways of thinking about patterns in wrongdoing. These limits on victims' voices, in other words, contribute to what Miranda Fricker calls 'hermeneutical injustice'. See Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing*. (Oxford: Oxford University Press, 2007), ch. 8.
5 Jon Ronson, *So You've Been Publicly Shamed* (New York: Penguin, 2015), p. 210.
6 For further detail, see Ronson op. cit., ch. 11.
7 Thanks to Aly Massof for discussion.
8 On some views, there is an enormous plenitude of reasons, including moral reasons, which are so weak that it would usually seem absurd to note them. Mark Schroeder, for instance, argues that you have a reason to eat your car; see his *Slaves of the Passions* (Oxford: Oxford University Press, 2007), p. 96. Those who are tempted by a picture of this sort should interpret references to 'moral reasons' in the main text as references to moral reasons that are strong enough to be worth noting in ordinary contexts.
9 For one attempt to explain why online disapproval tends toward disproportionate vehemence, see Justin Tosi and Brandon Warmke, 'Moral grandstanding', *Philosophy and Public Affairs*, 44,3 (2016): 197–217.
10 A related problem has to do with the proportionality of online shaming to *available evidence*: people often express disapproval online on the basis of insufficient information. This defect seems, in principle, eliminable; we can imagine a community that carefully and thoughtfully weighs plenty of information before expressing any opinions online.

11 This is not to say that resolving these issues will be easy, or even possible, for a community like our own; for worries about the difficulty of eliminating disproportionality, see Jennifer Jaquet, *Is Shame Necessary? New Uses for an Old Tool* (New York: Penguin, 2015), 127–9.
12 Some may argue that putting someone on display in any way, and for any length of time, is (at least in most cases) a disproportionate reaction to a given offense. But this is just another way of packaging my primary conclusion in Section 2: that, in a wide range of cases, there is something indecent about *any* way of setting a person up to feel exposed before a disapproving audience.
13 I set aside, for ease of exposition, one of the most frequently mentioned points of contrast between shame and guilt: that, while guilt involves a focus on *actions* or *transgressions*, shame involves a focus on one's *self*. For discussion of this contrast, see Helen Block Lewis, *Shame and Guilt in Neurosis* (New York, International Universities Press, 1971), p. 30; Martha Nussbaum, *Hiding From Humanity: Disgust, Shame, and the Law* (Princeton: Princeton University Press, 2006), p. 184; I. J. Roseman, 'Cognitive determinants of emotions: A structural theory', *Review of Personality and Social Psychology,* 5 (1984): pp. 11–36; Bernard Williams, *Shame and Necessity* (Berkeley, University of California Press, 1993), pp. 92–3. I return to this notion when considering an objection in Subsection 3.3.
14 See Janice Lindsay-Hartz, 'Contrasting experiences of shame and guilt', *American Behavioral Scientist,* 27,6 (1984): 689–704; Heidi Maibom, 'The Descent of Shame', *Philosohpy and Phenomenological Research,* 80,3 (2010): pp. 566–94 at 576–7; Richard H. Smith., J. Matthew Webster, W. Gerrod Parrott, and Heidi L. Eyre, The role of public exposure in moral and nonmoral shame and guilt'. *Journal of Personality and Social Psychology*, 83,1 (2002): 138–59; Williams op. cit.
15 See, e.g. Stephen Bero, 'The audience in shame', *Philosophical Studies,* 177 (2020): 1283–1302; Cheshire Calhoun, 'An apology for moral shame,' *The Journal of Political Philosophy,* 12,2 (2004): 127–46; John Deigh, *The Sources of Moral Agency* (Cambridge, Cambridge University Press, 1996): pp. 226–247; Maibom op. cit.; Williams op. cit.
16 See, e.g. Smith et al. op. cit.; June P. Tangney, Rowland S. Miller, Laura Flicker, and Deborah Hill Barlow, 'Are shame, guilt and embarrassment distinct emotions?', *Journal of Personality and Social Psychology,* 70 (1996), pp. 1265–1269; H. G. Wallbott, and K. R. Scherer, 'Cultural determinants in experiencing shame and guilt', in June P. Tangney and Kurt Fischer (eds.), *Self Conscious Emotions: Shame: Guilt, Embarrassment, and Pride* (New York: The Guilford Press, 1995), pp. 465–487.
17 See Lewis op. cit.; Lindsay-Hartz op. cit.; June P. Tangney, 'Self-relevant emotions', in Mark R. Leary and June P. Tangney (eds.) *Handbook of Self and Identity* (New York, The Guilford Press, 2007): 384–400; 2007; Tangney et al. op. cit.; Wallbott and Scherer op. cit.
18 Williams op. cit.
19 Krista K. Thomason, 'Shame, violence, and morality', *Philosophy and Phenomenological Research,* 91, 1 (2015): 1–24 at pp. 5–6.
20 Tangney op. cit.
21 Nussbaum op. cit., p. 231.
22 Nussbaum op. cit., p. 231.
23 Williams op. cit., p. 82; see also Calhoun op. cit., p. 131 and Deigh op. cit., p. 240.
24 See, e.g. Julien Donna, Raffaelle Rodogno, and Fabrice Teroni., *In Defense of Shame: The Faces of an Emotion* (Oxford: Oxford University Press, 2012), ch. 5; John Kekes, 'Shame and moral progress', *Midwest Studies in Philosophy* 13 (1988): 282–296 at p. 284; Michelle Mason, 'On shamelessness', *Philosophical Papers* 39 (2010): 401–425 at p. 423; Anthony O'Hear, 'Guilt and shame as moral concepts', *Proceedings of the Aristotelian Society,* 77 (1976–1977): 73–86 at p. 77.
25 As Bero (op. cit., p. 1288) writes, 'If we were trying to teach an English learner the meaning of 'shame', [. . .] it would be simply confusing to offer [a case of private shame] as an example; a case of unwelcome exposure, in which an audience is prominent, would be much more likely to put the learner on the right track'.
26 See Smith et al. op. cit.; Tangney et al. op. cit.; and Wallbott and Scherer op. cit. Even where this work questions the orthodoxy that public exposure is more likely to cause shame than guilt, it confirms that public exposure is the central cause of shame; see Tangney et al. op. cit.
27 Deonna et al. op. cit., ch. 5.
28 Deonna et al. op. cit., pp. 164–9.
29 Deonna et al. op. cit., pp. 156–63.
30 Deonna et al. op. cit., p. 159, emphasis mine.

31 Deonna et al. draw on Jeff Elison and Susan Harter, 'Humiliation: Causes, correlates and consequences' in J. L. Tracy, R. W. Robins, and J. P. Tangney (eds.), *The Self-Conscious Emotions* (New York: The Guilford Press, 2007), pp. 310–329. Elison and Harter suggest that humiliation is paradigmatically caused by experiences in which one feels powerless and exposed before an audience that is *treating one unfairly*. This suggests an objection: perhaps a shared practice of highly public shaming could avoid causing humiliation as long as it avoids treating anyone unfairly. There are two things to say here. One is that this solution requires a person not only to *actually* be treated fairly but to also *feel* treated fairly. And when a target of totally fair public shaming does not agree with those who disapprove of him, it is very likely that the sense of being ill-treated will remain. The second is that it is very unlikely that humiliation comes apart in a clean way from shame, such that the morally unfortunate dispositions noted in the main text are avoided whenever the person ashamed before a crowd does not feel unjustly treated. (For more on the overlap between shame, humiliation, and anger, see especially Maartie Elshout, Rob M. A. Nelissen, and Ilja van Beest, 'Conceptualising Humiliation', *Cognition and Emotion,* 31, 8 (2017): pp. 1581–94.

32 Richard Arneson, 'Shame, stigma, and disgust in the decent society', *The Journal of Ethics*, 11 (2007): 31–63 at p. 49.

33 Thom Brooks, 'Shame on you, shame on Me? Nussbaum on shame punishment', *Journal of Applied Philosophy* 25, 4 (2008): 322–333 at 330. See also Deonna et al. op. cit., p. 173–4.

34 *Objection*: Some *retributivists* will say that the moral status of an action depends only on *desert*, and not directly on the action's *effects*. *Response*: even if this is true when it comes to individual actions, the best versions of retributivism grant that the effects of a *shared practice* have *pro tanto* weight in justifying that practice. To take an example from Alec Walen: retributivists should recognize that when a candidate practice would plunge the entire community into abject poverty, that practice 'cannot be justified simply by the importance of [treating] wrongdoers as they deserve to be [treated]'. Alec Walen, 'Retributive justice' In E. Zalta (ed.), *The Stanford Encyclopedia of Philosophy* (Winter 2016 Edition), accessed on 16 February 2021 at https://plato.stanford.edu/entries/justice-retributive, sec. 4.5. So, on the best versions of retributivism, the downstream effects of a social system of censure do have moral significance. See also Michael T. Cahill, 'Punishment pluralism', in Mark White (ed.) *Retributivism: Essays on Theory and Policy* (Oxford: Oxford University Press, 2011), pp. 25–48; Douglas Husak. 'Holistic Retributivism', *California Law Review*, 88 (2000), 991–1000; Michael S. Moore, *Placing Blame: A Theory of Criminal Law* (Oxford: Oxford University Press, 1997), pp. 151–4. 1997.

35 Deonna et al. op. cit., p. 198.

36 Brooks op. cit., p. 330. For Braithwaite's work, see John Braithwaite, *Crime, Shame, and Reintegration*, (Cambridge: Cambridge University Press, 1989).

37 Jon Ronson and Briahna Gray both emphasize this point in work that portrays our current practice of online shaming as morally defective. See Briahna Gray, 'The politics of shame', *Current Affairs*, February 20, 2018, accessed on 16 February 2021 at https://www.currentaffairs.org/2018/02/the-politics-of-shame; Ronson op. cit.

38 Elison and Harter op. cit.

39 Cf. footnote 13. Thanks to Tristram McPherson for helpful discussion here.

40 Thanks to Grant Rozeboom for this line of thought, which is inspired by Stephen Darwall, *The Second-Person Standpoint: Morality, Respect, and Accountability,* (Cambridge: Harvard University Press, 2006). Darwall builds on P.F. Strawson's distinction between 'objective attitudes', which are associated with, e.g. guilt and resentment, and 'participant attitudes', which are associated with, e.g. contempt and shame. See P.F. Strawson, 'Freedom and resentment', *Proceedings of the British Academy* 48 (1962), 1–25.

41 One could argue that it's impossible to disapprove of a person in a highly public way without taking up a troubling stance toward her or without implicitly focusing on more than an isolated transgression. I do not find these claims plausible, but insofar as they are correct, they support my thesis: public disapproval tends to be indecent, at least in part, because of a reliable tendency to cause shame.

42 Thanks to an anonymous referee for this objection.