

# Retributive Hatred as a Reactive Moral Attitude

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**Abstract**

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Philosophers' attention to negative attitudes has grown in recent decades. However, whereas philosophers have offered a number of descriptions of, and justifications for, attitudes like resentment and contempt, hatred is usually met with antipathy even when we might be inclined to be sympathetic to the hater. In this dissertation I offer a sustained examination of hatred I and make a rather startling claim: There are cases of hatred that are morally justifiable. The kind of hatred I defend is what some philosophers have called retributive hatred. This is hatred adopted in response to wrongdoing and in which hostility is driven by a retributive notion of moral desert. To make my case I argue that retributive hatred is distinguishable from such attitudes as prejudicial hatred, malice, and spite—attitudes with which it is often confused—and that it is not liable to the kinds of criticisms that can be levied against these types of hatred. I then show that retributive hatred should be classified among the reactive attitudes. Thus there are conditions governing when retributive haters can be understood as properly representing their targets as hateful and I argue that these conditions can be met. I then argue that non-instrumental hostility in retributive hatred can be justified because it uniquely captures desert claims in some situations.



For Mom and Dad



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## Introduction

### HATRED AND WRONGDOING

Hatred is understood by many philosophers, psychologists, and other thoughtful people as an evil standing in the way of dialogue and peace between diverse people, or as a non-critical “gut reaction” to deep hurt that distorts what others are really like and that must be overcome. Accordingly, hatred has no legitimate place in our moral lives. Thus Jean Hampton tells us that victims whose faces are “twisted with rage as they clamor for harsh punishment... display all the ugliness of malicious hatred.”<sup>1</sup> Referring to the victims of an exceptionally brutal and unapologetic serial rapist who did in fact demand that their victimizer receive the greatest allowable punishment she tells us that “however much we may sympathize with them, we still find them repulsive.”<sup>2</sup> They are repulsive, of course, on account of the moral repulsiveness of hatred even in their circumstances. On the contrary I will defend what philosophers have called retributive hatred as a rational and morally legitimate response to some wrongdoers.<sup>3</sup>

The term *hatred* conjures for many people images of prejudice, dehumanization, a salivating wish to see a person suffer or be utterly destroyed, or indiscriminate destruction. For this reason the term is unfortunate. On the other hand there are haters like the women I just

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<sup>1</sup> Hampton, “The Retributive Idea,” 145.

<sup>2</sup> *Ibid.*

<sup>3</sup> These terms are from Murphy, “Hatred a Qualified Defense” and Brudholm, “Hatred as an Attitude.”

mentioned whose hatred is not obviously prejudicial, dehumanizing, or salivating. Hatred like that is understandable and, given the popularity of revenge stories, seems to be approved by many people. After all, Alexander Dumas' *The Count of Monte Cristo* has been in print since 1844 and many popular movies, especially westerns, run along similar themes. Still, *hatred* is an apt term even when applied to cases for which we might have sympathy. After all, *hatred* can generally be described as a form of aversion directed toward people or things regarded as profoundly unpleasant, hurtful, or repugnant. Ultimately, it is an affective attitude, a way of regarding something that fixates on the target's enduring features, features in virtue of which the hated thing is seen as depreciated in value, and that permeate one's thoughts and feelings about the hated thing. This is manifest in non-instrumental hostility, that is, a desire that the target suffer or come to harm that is not aimed at such further ends as escaping danger, deterring people from a particular activity, and the like. Moreover, non-instrumental hostility can be highly qualified and circumscribed. Thus a person might be unwilling or unable to personally do harm to a hated foe, but might still engage in ritual acts of hostility like burning pictures of him, entertaining fantasies of revenge, or wishing that some ill befall him in a moment of poetic justice. It does seem that this is the sort of attitude the women mentioned above experienced.

Philosophers often reject hatred, at least when it is directed at people, because they claim that it involves dehumanizing modes of disvalue. Psychologists often reject it because it involves maladaptive distortions of reality. The description of hatred I have sketches certainly accommodates instances of hatred that are like this. However, it does not define hatred in terms of dehumanization and distorting the facts. The possibility that haters sometimes get things right about the target—that he is hateful—is open. But can a hater really get things right about a person he hates? Can hatred really be representationally apt or even morally appropriate? In what

follows I argue for affirmative answers to these questions. Not all varieties of hatred involve dehumanizing modes of disvalue. Not all forms of hatred are maladaptive distortions of reality in any obvious way, either. After all, the victims of the unapologetic and brutal serial rapist at least have strong *prima facie* grounds for judging that he is morally repugnant and the idea that their hostility is morally inappropriate cannot simply be taken for granted. One might say the same on behalf of Edmond Dantès in Dumas' story. The idea I want to open here is that there are a number of varieties of hatred and some of them are not incorrigible.

Ultimately, I distinguish between four general types of hatred: simple hatred, prejudicial hatred, malice/spite, and retributive hatred. My chief intention here is to contrast retributive hatred with attitudes with which it may be confused, not to provide an exhaustive taxonomy of hatred. Simple hatred is the least interesting and involves hating something just for its unpleasantness. This is the sort of hatred someone who genuinely hates mosquitoes experiences. Prejudicial hatred is what we see in cases of racism and genocide and involves devaluing people for characteristics that are not relevant to a person's moral assessment. I discuss malice and spite together and follow Jean Hampton by describing them as competitive responses in which the subject tries to elevate herself by bringing others low. Malice and spite are thus ways people have of defending their sense of personal merit by hurting others. Retributive haters focus on attributes a person has that are relevant to his moral assessment. It is thus an aversion response directed at attributes associated with failing moral merit.

The kind of disvalue and source of hostility in retributive hatred, or so I shall argue, is different from what we find in morally objectionable kinds of hatred like prejudice, malice, and spite. For example, prejudicial haters disvalue others in moral or quasi-moral terms by focusing on features of people irrelevant to moral assessment. Because they disvalue people in moral

terms in virtue of attributes that are irrelevant to moral assessment or to the possession of morally objectionable characteristics, prejudicial haters are bound to go wrong. On the other hand, I argue that retributive haters focus on wrongdoing and the character traits from which wrongdoing arises. I further argue that in contrast to malice and spite, hostility in retributive hatred is driven by defiance and moral desert rather than by competition. Thus, the retributive hater would have it that the wrongdoer suffer for retributive reasons, that is, the retributive hater thinks that it would be a non-contingently good thing if the wrongdoer suffered in virtue of the wrongs he has done and the person he has become.<sup>4</sup> Thus retributive hatred has as its object a person's hard treatment as constitutive of justice. Jeffrie Murphy, who has defended retributive hatred in the past, suggests that this amounts to a desire that a wrongdoer be hurt *simpliciter*.<sup>5</sup> Because hostility is not accidental to the retributive hater's desire for justice Murphy's term is appropriate. However, it also suggests a drooling desire for another's harm that Murphy does not intend and that I would like to avoid. Though the retributive hater's hostility is non-instrumental to his idea of justice, we do not need to imagine him as taking excessive pleasure in harm or in the anticipation of harm.

Though it retributive hatred may not involve dehumanizing disvalue, it does involve disvalue. Though it may not involve simple malevolence, it does involve non-instrumental and retributive hostility. Showing whether such an attitude can ever be justified requires two steps. First one must show that retributive hatred can involve an accurate representation of the target and set out the conditions that make an accurate representation possible. I follow Michelle Mason by calling these proper focus conditions.<sup>6</sup> An attitude is properly focused when it meets the conditions necessary for the subject to properly represent the target as having the

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<sup>4</sup> Bennett, "The Varieties of Retributive Experience," 147.

<sup>5</sup> Murphy, "Hatred: a Qualified Defense," 88.

<sup>6</sup> Mason, "Contempt as a Moral Attitude," 242.

characteristics that make the attitude representationally appropriate.<sup>7</sup> However, granting that a case of retributive hatred is a properly focused attitudinal response to a wrongdoer does not settle the question of justification.<sup>8</sup> An attitude might involve an accurate evaluative presentation of its target while still being morally inappropriate to feel. For example, a person could be properly represented as having features that make him hateful but non-instrumental hostility could fail to be justified. Retributive hatred would thus be a morally inappropriate response. Alternatively, one might fail to have the moral standing to indulge properly focused retributive hatred. Thus a second phase of argument is needed. One must provide a positive argument in favor of the adoption of non-instrumentally hostile attitudes in some circumstances. I will thus work to set out the conditions that must be met for a given case of retributive hatred to count as morally justified.

To make the case that retributive hatred can be properly focused I show that we should classify it among what P.F. Strawson called the reactive attitudes, those attitudes associated with what it means to hold others responsible and that arise in response to the quality of a person's will.<sup>9</sup> I ultimately show that retributive hatred is a reactive moral attitude. It is reactive insofar as it responds to legitimate moral demands and expectations surrounding the quality of will people bear toward each other and is moral in the sense of having moral content. Thus I argue that retributive hatred is not always just a gut reaction or uncritical attitude that distorts the facts. Sometimes, retributive haters accurately represent the targets of their attitudes as having committed serious moral transgressions for which they can correctly be held responsible and that

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<sup>7</sup> Whether the attitude is also morally appropriate is another matter.

<sup>8</sup> D'Arms and Jacobson, "The Moralistic Fallacy: On the 'Appropriateness' of Emotions." D'Arms and Jacobsen point out that inferring that an attitude is unfitting because of our moral suspicions about it is to commit what they call the "moralistic fallacy." A similar problem arises if we infer that an attitude is morally justified just because it is properly focused.

<sup>9</sup> Strawson, "Freedom and Resentment," 192.

arise from serious vices of character for which they are correctly held accountable. In short, I argue that there are cases of moral hatred that involve an accurate representation of the target as seriously morally bad.

To make the case that properly focused retributive hatred is sometimes morally justified I show that non-instrumental retributive hostility is morally justified. My argument involves two parts. I first argue that desert claims in general involve the idea that a person's getting this good or that ill is a non-contingently good thing given his state of merit. Thus the desire that a person suffer in virtue of his or her wrongdoing is a non-instrumental desire. However, this only tells us what desert claims in general, and retributive desert claims in particular, mean. It does not tell us what attitudes are appropriate to those claims or whether the content of those claims, that a person's suffering in virtue of some evil for which he is responsible is non-contingently a good thing, is morally justified. I thus argue that retributive hatred uniquely captures certain desert claims and that the hostile content of those claims is morally appropriate when certain conditions are met. My strategy is to show that we can make sense of retributive suffering by examining what is required of wrongdoers in the wake of their wrongdoing. Wrongdoing imposes burdens on those wronged that they should not have to bear. These are harms or "costs" of wrongdoing that cannot be adequately addressed through compensatory means and that require moral redress. They should at least be addressed by the wrongdoer expressing guilt, shame, apologizing, and, in serious cases, by taking on hardships on the victim's behalf. Not only are guilt and shame painful in themselves, but the adequacy of the hardships a wrongdoer take on are assessed in terms of their burdensomeness to him given the nature of the wrong. This much can be demanded of wrongdoers and I connect the associated practices of making amends, like penance, to the retributive idea. When wrongdoers refuse to adopt these burdens themselves, the demand that

they be burdened, that they suffer for retributive reasons, persists and we may defiantly demand, or at least hope for, the imposition of suffering. Because retributive hatred is focused on responsibility and desert, it is not an “anything goes” kind of response. My defense of retributive hatred is thus not a defense of punitive harshness, honor killing, or feud. Nor is it to advocate vigilantism or the Wild West. My aim is only to show that a certain kind of attitude is justified when adopted toward a certain kind of wrongdoer.

My defense of retributive hatred should be distinguished both from Jeffrie Murphy’s defense of retributive hatred, and from reciprocity views of punishment. Murphy offers two kinds of defense for retributive hatred and other vindictive attitudes. The first is to argue that they have value to the victim insofar as they defend her self-esteem from the wrongdoer’s attack. The second is to piggyback the moral permissibility of retributive hatred on the correctness of a retributive theory of punishment. Murphy argues that some vindictive passions, like resentment and retributive hatred, are tied to self-defense and self-respect on the one hand, and defend the moral order on the other.<sup>10</sup> We are each due a certain degree of moral concern from our fellows, that is, we each have value. Wrongs against us communicate the message that we lack that value—that others can use us for their purposes.<sup>11</sup> Commitment to our own value is not simply an emotional matter. It is felt, that is, to really regard ourselves and others as valuable we must be motivated by that fact. Vindictive attitudes are thus ways we have of standing up for ourselves. To fail to have them is a sign of servility.<sup>12</sup> Servility is a moral defect.<sup>13</sup> The point that

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<sup>10</sup> Murphy, *Getting Even*, 18-19.

<sup>11</sup> Murphy, “Forgiveness and Resentment,” 25. Murphy tells us that by their wrongdoing, wrongdoers communicate such messages as: “I count but you do not.” “I can use you for my purposes.” And so on. This general point is shared by Jean Hampton in “Forgiveness, Resentment and Hatred” and Pamela Hieronymi in “Articulating an Uncompromising Forgiveness.” The idea has roots in Immanuel Kant’s second formulation of the categorical imperative that enjoins us to treat others always as ends in themselves, never as mere means in *Grounding for the Metaphysics of Morals*, 429.

<sup>12</sup> In a similar vein, Aristotle tells us that the person who is not angered by significant slights is “thought unlikely to defend himself; and to endure being insulted and to put up with insult to one’s friends is slavish.” (NE 1126a5-8)

at least some vindictive attitudes defend the moral order is to a great extent implicit in defending a proper conception of one's own and others' moral value. Moreover, both Adam Smith and Joseph Butler claimed that some vindictive attitudes served the purpose of motivating us to uphold justice. They make us conscious of injury and ill desert and steel us to mete out deserved punishments. This is good both from the perspective of those wronged and serves to maintain the bonds of moral community in general.<sup>14</sup>

However, retributive hatred is not just about protest and self-assertion. It includes the idea that it would be a good thing if the target were hurt for non-instrumental reasons. Murphy's strategy of defending retributive hatred at this point is to describe it as a strategy for ensuring that wrongdoers, and ensuring that victims see that wrongdoers, get their just deserts. To justify non-instrumental retributive suffering, he offers the following:

If it is morally permissible intentionally to do X (under a certain description), then it is surely permissible to desire to do X (under the same description). If there is any truth at all in retributive theories of punishment, then it is sometimes permissible that persons be hurt (punishment hurts) in response to their wrongdoing. It is thus sometimes permissible to desire to hurt people for retributive reasons.<sup>15</sup>

The "X" here is legal punishment as it is carried out in institutional contexts which is, after all, what a retributive theory of punishment aims at justifying. However, there is a gap between what might be justified in impersonal institutional contexts and what attitudes we are justified to hold. Some philosophers, Charles Griswold for example, drive a wedge between the questions of resentment and retributive hatred on the one hand, and the requirements of legal justice in a

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<sup>13</sup> As Thomas Hill puts it in "Autonomy and Self-Respect," servility is a "failure to understand and acknowledge one's own moral rights." (9) Macalester Bell also points out in "A Woman's Scorn: Toward a Feminist Defense of Contempt as a Moral Emotion" that when our recourse to ordinary responses to wrongdoing, anger and the like, are not taken seriously by others or are reframed as "crazy," a person's self-respect is likely to be undermined. When such treatment is systematic, it can be a sign of oppression. (82, 88)

<sup>14</sup> Butler, "Sermon VIII: On Resentment and the Forgiveness of Injuries," and Smith, *Theory of Moral Sentiments*, 100-110.

<sup>15</sup> *Ibid.*, 94-95.

retributive scheme on the other. This position is built on the idea that a person can forgive, that is, forswear retributive hatred and similar attitudes, and still desire a person's retributive punishment.<sup>16</sup> Along these lines Hampton approvingly describes a group of colonial New Englanders who, if a criminal repented of his crimes, would hold a reconciliation feast for him. Still, the next day he would be marched to the gallows.<sup>17</sup> Moreover, by resting the justifiability of retributive hatred on a retributive theory of punishment, those sympathetic to retributive hatred will have difficulty showing how it is justified in non-criminal contexts of serious wrongdoing. Thus Murphy's argument does not give us the justification of hostile attitudes it purports to, and it will have difficulty dealing with retributive hatred in response to non-criminal but serious wrongs.

I agree with Murphy that attitudes like resentment and retributive hatred can be defended as having value to the victim and her advocates so long as those attitudes do not come to overwhelm and dominate the lives of those who maintain them. I am also inclined to the idea that retributive hatred is connected to ideas of desert and moral justice and derives its justification from that connection. However, I do not rest my defense of retributive hatred on a theory of retributive legal justice and the institutional contexts in which such an argument must be given. Instead, I appeal to the idea of moral desert directly and employ retributive hatred's status as a reactive moral attitude to argue that it uniquely captures moral desert claims in some contexts. In this way I show that hostile attitudes are morally appropriate in some circumstances. Furthermore, by offering an argument that does not depend on a theory of legal punishment, I am able to accommodate retributive hatred in non-criminal contexts of serious wrongdoing—the context of betrayal for example.

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<sup>16</sup> Griswold, *Forgiveness: A Philosophical Exploration*, 39.

<sup>17</sup> Hampton, *The Retributive Idea*, 158.

The defense I will give of the retributive idea has already been described in terms of “costs” and “burdens” associated with wrongdoing and the “debts” to others or to society that these incur. This may tempt some readers to see my defense as akin to reciprocity views of punishment such as those promoted in the past by Herbert Morris, Jeffrie Murphy, and George Sher. However, the view I will offer is not a reciprocity view of punishment. The justification I give for retributive hatred is not a theory of punishment at all. Retributive hatred might be justified as an attitude while good reasons exist not to adopt retributive institutions. There are further differences worth pointing out. According to reciprocity views, just rules of conduct provide us with a cooperative system of shared burdens and benefits. Wrongdoers flout the burdens of obeying moral rules and laws by their wrongful acts while reaping the benefits of those systems whose rules they violate. Retributive punishment removes these ill-gotten benefits by imposing the burdens of compliance (the costs of wrongdoing) on the wrongdoer retroactively.<sup>18</sup> Punishment is thus analogous to a fee paid for a certain type of behavior after-the-fact rather than in advance. On this view what is deserved is determined by whatever is required to offset the unfair advantages gained by wrongdoing.<sup>19</sup> Reciprocity views thus attempt to capture our retributive talk of “payback,” “getting even,” of moral debt and of being owed.

However, thinking of retribution in terms of offsetting the advantages of betraying, raping, or murdering, or rather in terms of the burdens of *not* doing those things, is unsettling. Whether renouncing the burden of, say, cultivating virtue counts as securing an advantage depends on what the fundamental character of the human person is, and, as Margaret M. Falls

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<sup>18</sup> Morris, “Persons and Punishment,” 477; Murphy, “Marxism and Retribution,” 228.

<sup>19</sup> Sher’s account differs in important respects. He argues that the benefits reaped by wrongdoing are not the benefits of the wrong itself. Instead the benefit is the freedom gained by transgressing. The stronger the prohibition, the more freedom gained and the more freedom must be retroactively taken away. See George Sher, *Desert*, 81-82.

has noted, “on the purposes of human living.”<sup>20</sup> At the least the reciprocity view overly focuses on the role of desire satisfaction in human happiness and purposes. Though it is true that the satisfaction of wicked desires may appear as a good (an advantage) to the one who indulges them, describing wickedness meriting a hostile response because of the advantages it secures loosens our contact with the idea that wicked desires have no moral value or have negative moral value.<sup>21</sup> My view avoids these problems because I do not pin the justification of retributive attitudes on wrongdoers having secured unfair advantages.<sup>22</sup>

Thinking of retributive hatred as morally justified has several important implications. First, retributive haters’ attitudes should be taken seriously as moral phenomena and this affects how we should respond to victims of wrongdoing who experience these feelings. On the view I will offer, retributive hatred is not a distortion of reality to be dispelled by getting victims to reflect on a wrongdoer’s good characteristics or on biographical factors in his life that lend some sense to the wrong. The retributive hater’s perception of the situation is potentially accurate and should be treated as such. Moreover, retributive hatred is not just an artifact of human psychology that, though it might play a role in the healing process, is something that one should eventually just “get over.” It is an attitude with moral content that may be morally justified in a particular case. Thus we should not demand forgiveness from victims. This has implications for how we support

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<sup>20</sup> Falls, “Retribution, Reciprocity, and Respect for Persons,” 30.

<sup>21</sup> See Smart and Williams, *Utilitarianism for and Against*, 25. Smart argues that a world populated by only a sadist satisfied by the imagined suffering of millions is better than a world populated by only a virtuous philanthropist distraught over the imagined suffering of millions because at least in the former case desires are being satisfied. I do not share this intuition.

<sup>22</sup> That we should understand wrongdoing as conferring net advantages is further questionable because it is plausibly claimed that taking on the burdens of cultivating virtue—or proper moral and spiritual formation—are themselves goods that make those who undertake them better off than those who do not regardless of the satisfaction of immoral desires and “freedom” gained by their immoral counterparts. Virtue has long been understood as a necessary component of the human good. From this point of view, understanding retributive desert claims in terms of equalizing the distribution of burdens and benefits makes no sense because the wrongdoer has not secured an overall advantage. If he has secured a material advantage this must be paid back through compensation, but the demand for compensation does not cover the full scope of the costs of the wrong on which the retributive debt is based.

the victims of serious crime as well as how we treat the victims of serious wrongs in political contexts. For example, we should be sensitive to the fact that victims' legitimate moral demands may be undermined by truth and reconciliation commissions that require that perpetrators of great evils only admit what they did with thin apologies. We should take care that victims are not coerced or pressured into embracing those who tortured them, raped them, or murdered their friends.

Second, my view has important implications for how we understand forgiveness. Though philosophers generally agree that forgiveness means forswearing attitudes like resentment and retributive hatred, there is some disagreement about what this means. Some argue that forgiveness means giving up protest directed at the wrong, some argue that it means viewing the wrong as a product of the wrongdoer's peculiar biography thereby undermining resentment, and so on. My view implies that forgiveness means giving up morally justified retributive attitudes. Insofar as holding these attitudes means demanding that the wrongdoer "pay up," forswearing those attitudes lets go of that demand. Thus my view draws a closer connection between forgiveness and mercy than alternative views (recall Griswold and Hampton).

Though I do not offer a theory of punishment, the defense of retributive hatred I draw up has implications for what can be legitimately punished by law and the way sentencing should proceed. Given the connection I draw between the wrongdoer's psychological states, desert, and retribution, those criminally punished under strict liability statutes, statutes that do not require the prosecution to show *mens rea*, may have a moral complaint against the state thus putting moral responsibility and legal responsibility as it is expressed in current legal practice in tension. Moreover, there are times when retributive hostility is no longer justified but when the expectation that the wrongdoer go through the practices of making amends persists. For some

criminal wrongdoers this may mean that incarceration as a hostile retributive act is morally inappropriate whereas their penance to the victim or community is. Thus there may be reasons to broaden the use of restorative justice in sentencing for broadly retributive reasons.

My argument for retributive hatred's justification proceeds as follows. In chapter one I argue that the accounts of hatred found in psychology literature are limited by its typically understanding hatred as a distortion of the facts, a failure of wisdom, and by the therapeutic context in which hatred is typically studied. Providing examples that challenge this understanding, I argue that a way of describing hatred that does not define it as a form of distortion is needed. In chapter two I offer a description of hatred that accommodates forms of hatred that clearly involve distortions of the facts and those that do not. The description I offer distinguishes hatred from other forms of aversion, like fear and disgust, with which it is often confused. In chapter three I zero in on retributive hatred by distinguishing it from simple hatred, prejudicial hatred, malice, and spite. I then show its affinities with the reactive attitudes. Describing retributive hatred as a reactive moral attitude, I set out its proper focus conditions. Because retributive hatred permeates one's thoughts toward the target I argue that its properly focused forms are best directed at a person's character traits. People's quality of character is notoriously difficult to discern and most people have various redeeming qualities which raises a challenge to the possibility of retributive hatred's proper focus. Thus in chapter four I examine three ways in which retributive hatred's epistemic warrant might be undermined. One might argue that we often lack access to the "whole story" in which case we do not have enough information to hate. One might also complain that no one is "all bad." One might finally object that the difficulty of discerning people's moral motives should make us skeptical of the retributive hater's strong judgments. I argue that these worries do not defeat the possibility of

properly focused retributive hatred. Having established the possibility of properly focused retributive hatred, in chapter five I argue that retributive hostility is sometimes justified. However, a person might yet complain that the fact that we are all wrongdoers undermines the moral standing anyone has to adopt retributive hatred, or that the contingencies of moral luck does so, even if one's retributive hatred is properly focused. One might also object that retributive hatred gets things wrong because our moral worth renders inappropriate any form of non-instrumental hostility. I address these worries in chapter five as well, arguing that retributive hatred is not a response that denies the basic worth of persons.

## Chapter 1

### LIMITATIONS OF CURRENT PSYCHOLOGICAL UNDERSTANDINGS OF HATRED

A significant amount of my work has been accomplished in coffee shops. The titles of the books on my table have never failed to draw attention and have drawn some passersby to ask me about what I am doing. These interactions have had two results. I have been privy to a number of personal tales of anger, hatred, revenge, and forgiveness. Almost everyone has also asked me about psychological research into hatred. “My aims are prescriptive rather than descriptive,” I would say. However, there comes a time when the frequency with which a question is asked should provoke further reflection. That ethics presumes to tell us what a good life amounts to gives ethics its point, so a moral psychology should be sensitive to the nature of the beings it takes as its subject if it is to articulate what constitutes *a good life* for those beings. This ultimately involves a philosophical anthropology and psychology that critically interprets empirical findings and critically examines therapeutic goals and associated understandings of mental phenomena. Though empirical and therapeutic psychology cannot itself settle the normative issues with which I am concerned, it is not a bad place to begin the task of describing what hatred is and how it connects to the ethical dimensions of our lives.

Theoretical and clinical research on the psychological dynamics of hatred is generally drawn from therapeutic experience and case studies. Much of this literature focuses on

prejudicial inter-group hatred, or on varieties of hatred that must be dealt with in the clinical setting. My main concerns are to look at how psychological accounts of haters understand the way they represent the objects of their hatred as bad and the role it plays in their lives. Psychoanalytic ways of looking at hatred and aggression are not especially antagonistic to it on the whole. Feeling hatred can be self-affirming and part of the healing process according to some psychoanalytic accounts. However, pointing out hatred's possible therapeutic effects in dealing with trauma do not necessarily address the question of hatred's role in our moral lives. It also does not give a definite answer to the question of whether hatred ever "fits" a person properly represented as bad. Some researchers whose ideas are not necessarily derivative of a psychoanalytic approach claim that hatred always involves a misrepresentation. Generalizing from cases of hatred found in the clinical setting and prejudicial hatred encountered in the world, all varieties of hatred are understood as resulting from defective cognitive processes.

I argue that current psychological accounts are too limited in the way they describe hatred. They involve conclusions regarding hatred's structure and fittingness drawn from cases that are already morally or psychologically problematic. Thus hatred comes to be seen as a negative emotional framing of people and events that is skewed, irrational, or that otherwise fails to represent the target properly. I suggest on the contrary that hatred is sometimes rational and accurate. This has serious implications for how we should treat the victims of serious wrongdoing. Rather than seeing them as afflicted by psychological obstacles to be overcome or as manifesting understandable but morally bad attitudes, we should see them as expressing attitudes by which they morally address us and their victimizers and that require moral engagement. They are not disordered or weak people to be treated but people whose negative and often jarring or frightening attitudes should be taken morally seriously.

To illustrate the limitations of several psychological approaches I examine a small sample of relevant literature. Though I am critical of this work, there are useful insights to be drawn from it. Before discussing hatred as understood by psychologists, it will be useful to present some examples of hatred to anchor discussion. This is accomplished in the next section. In sections three and four I describe and examine several ways of making sense of hatred culled from psychological literature.

## **§ 2 Hatred: Some Examples**

Hatred generally involves powerful feelings of aversion toward something the subject regards as profoundly unpleasant, hurtful, or repugnant. Hatred can thus be seen as an affective attitude, a way of regarding, an object or person as having certain hate-making properties that carry implications about how the subject should, or would like to, respond to the target. This is, of course, a very general description. I provide a firmer definition in the next chapter. For now, some examples that speak to the different things we mean when we say that we hate something will be sufficient.

Sometimes people speak of hating such things as rats and mosquitoes. These things are unpleasant or hurtful to the speaker and her declaration of hate often expresses strong feelings of antipathy, dislike, or loathing along with the wish that the offending thing be got rid of, abolished, or eliminated. Though mosquito-hatred involves a negative evaluation of mosquitoes for the kinds of things they are, mosquito-hatred does not typically involve a moral judgment. Sometimes people seem to hate other people this way as when they claim to hate a person who thinks he knows much more than he does, who is boorish, or who is otherwise annoying. Such people are very unpleasant and their company vexing. Most of us have heard someone say things

like “I wish Ethan would go away” or “I hope Mackenzie is never invited again” in reference to such people if we have not said such things ourselves.<sup>23</sup>

Antipathy toward hurtful things accompanied by the wish that they, in no uncertain terms, be got rid of is an attitude that can be directed at anything, person or not. However, because he drew a close relationship between hatred and contempt, David Hume described the cause of hatred as a person or “thinking being.”<sup>24</sup> According to Hume, contempt is connected to the painfulness of those qualities by which another is disesteemed in our eyes. Hatred is thus connected to the same. Though Hume’s description of hatred may leave out many cases of we might be inclined to call cases of hatred, it does point us to a host of common uses of the term, including some that are very troubling.

In this country what typically comes to mind when we think of hatred are the attitudes of white supremacists toward African Americans and other non-whites. This follows a familiar pattern paradigmatically expressed by Adolf Hitler toward Jews. He saw himself as defending “the aristocratic principle of nature” against the “Jewish doctrine of Marxism.” He understood the latter to not only deny the life and personality of humankind, but to eat away at the value-structure of the universe, that is, to usher in chaos. Against this imagined destroyer of Nature, Hitler understood himself to be defending ordered human life and God against the “big lie.”<sup>25</sup> Elsewhere Hitler’s ethnic targets are cast as seeking power over the world, defiling women and girls of “racially pure people,” and other such all-too-familiar nonsense.<sup>26</sup> The attitude of Hutu’s who participated in the 1993 Rwandan genocide follow these patterns. As in Nazi propaganda against Jews, Tutsi’s were disqualified as potential members of the national community, made

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<sup>23</sup> There is a question about whether such expressions of hatred directed toward other people really fail to involve moral judgments. I explore this issue in the next chapter in my discussion of “simple hatred.”

<sup>24</sup> Hume, *A Treatise of Human Nature*, SB 331, 337.

<sup>25</sup> Hitler, *Mein Kampf*, 60, 134.

<sup>26</sup> *Ibid.*, 293-296.

into the enemies of goodness and of God, and cast as “alien.”<sup>27</sup> What I have just described might be called “group hatred” or “prejudicial hatred.” It is important to note that such hatred is thick with evaluative content. It evaluates others in broad moral terms for *what they are*, as members of this or that genus. In prejudicial hatred membership in the genus by which a person is assessed, a race or ethnic group for example, is not something a person can held accountable for and is itself irrelevant to a person’s moral assessment.

Not all forms of person-directed hatred appear to be prejudicial. Literary examples include Iago’s hatred of Cassio in Shakespeare’s play *Othello*. Iago comes to hate Cassio for being promoted over him. He sees, or comes to see, Cassio as an undeserving recipient of promotion. Cassio is a bookish “spinster” whose theoretical knowledge of soldiery Othello has mistaken for merit as a warrior and leader. Such armchair soldiery is a pale substitute for Iago’s success as a leader in the crucible of actual battle.<sup>28</sup> Thus Iago attributes Cassio’s promotion to classist favoritism or cronyism rather than merit.<sup>29</sup> If Iago is right, then Cassio’s promotion over him is an insult and injustice. In fact, Iago hates both Othello for having promoted Cassio, and Cassio for gaining the position Iago covets. His hatred of Cassio, though directed at him specifically, is not about what Cassio has done. Rather, it is a personal, competitive, and rivalrous malice. Because it is in virtue of Cassio’s special position and relationship to Iago that Iago hates him, Iago’s malice involves attention to attributes particular to Cassio as an individual. For this reason the kind of hatred Iago bears toward Cassio does not, on the face of it, appear to be the same sort of thing as prejudicial racial hatred.

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<sup>27</sup> Sternberg and Sternberg, *The Nature of Hate*, 94.

<sup>28</sup> Shakespeare, “Othello,” 1.1.

<sup>29</sup> *Ibid.*, 1.1. Later, Iago comes to the spurious suspicion that Cassio too is sleeping with his wife.

Jean Hampton offers us related cases. In the first we are told of a once beautiful woman with a scarred face sincerely desiring that everyone else be scarred.<sup>30</sup> In the second, Hampton tells us of a Dear Abby letter she read from a man who met a woman at a party. Having hit it off they went back to his apartment and had sex. The next morning the man awoke to find the woman gone but, written in lipstick on his bathroom mirror, was the message, “Welcome to the Wonderful World of AIDS.” Within a year the man was diagnosed with HIV. The man wanted to know why the woman did such a thing when he had done nothing to hurt her.<sup>31</sup> Virulent spitefulness, a form of hatred, can be attributed to the women in these two examples because in each case another person must be brought low so that the hater’s own relative position can be improved. After all, the stigmas of ugliness and diseased “uncleanness” lose their sting if everyone is like the damaged person. Thus, like Iago’s hatred of Cassio, these forms of hatred seem competitive, though they are, like prejudicial hatred, concerned with *what* a person is (beautiful, “clean”) rather than with *who* that person is (the person who got the promotion one deserves).

Other forms of hatred are more straightforwardly retaliatory. Returning to Shakespeare’s play, Othello has raised Cassio to lieutenant over Iago. Iago thinks himself the more meritorious choice. Three of the city’s leading citizens have petitioned Othello to promote Iago. In addition to this public accolade, Iago feels he is “worth no worse a place” than to be lieutenant.<sup>32</sup> Thus Iago charges that Othello has overlooked his merit, and possibly the good of their polity as a consequence, for the flimsy reasons of “his own pride and purposes.”<sup>33</sup> Iago further maintains a dim and jealous suspicion that his wife and Othello are having an affair. On this head Iago

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<sup>30</sup> Hampton, “Forgiveness, Resentment and Hatred,” 78.

<sup>31</sup> *Ibid.*, 76-77.

<sup>32</sup> Shakespeare, “Othello,” 1.1.

<sup>33</sup> *Ibid.*

admits that his reasons for thinking Othello in an affair are flimsy at best, but because of his hatred, accepts his suspicions “as if for surety.”<sup>34</sup> Moreover, these suspicions eat away at Iago “like a poisonous mineral” that will not be relieved until Iago is “even’d with him, wife for wife.”<sup>35</sup> What Iago appears to have in mind is retribution or revenge.

Retributive forms of hatred need not be confined to the likes of Iago. Jeffrie Murphy describes how the victims of the vicious and utterly unrepentant Camelback Rapist testified at his sentencing that they wanted him to receive the maximum sentence allowed by law. These women openly proclaimed their anger and hatred for the one who trashed their lives.<sup>36</sup> Richard Cress’ story begins in 1983 when his 13 year-old son Patrick was murdered and left in a ditch in the Seattle area. The news of this still unsolved murder was devastating and Cress continues to live with fear and post-traumatic stress disorder. Another of his children also suffers from post-traumatic stress disorder as a result of Patrick’s murder. Cress’ attitude toward Patrick’s murderers is a hard one. He writes, “Society often tells us that revenge is unhealthy and that our only way for peace is through forgiveness. However, we victims feel this is another of society’s guilt trips... Forgive if you must, but do not allow these insensitive people to shame it from you.”<sup>37</sup> He describes the survivors of homicide victims as frequently contemplating killing a murderer and these vindictive feelings and fantasies of vengeance as the only satisfaction they may ever get.<sup>38</sup> Speaking of Patrick’s murderers Cress tells us, “I would give [the lethal injection] to them myself... I would like nothing better.”<sup>39</sup> Similar sentiments are imaginable with respect to the victims of massive state-sponsored repression, violence, and torture—the

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<sup>34</sup> Ibid., 1.3.

<sup>35</sup> Ibid., 2.1.

<sup>36</sup> Murphy, “Hatred: A Qualified Defense,” 92.

<sup>37</sup> Cress, “Victims and Survivors,” created 1994, last modified July 6, 2014, [www.dove-wa.org/Victim%20Information.html](http://www.dove-wa.org/Victim%20Information.html). 1994

<sup>38</sup> Ibid.

<sup>39</sup> Cose, *Bone to Pick*, 41.

kinds of victims whose stories are told before truth and reconciliation commissions who may yet harbor a desire for hard justice.

Betrayal is fertile ground for more commonly experienced hatreds of a similar retributive type.<sup>40</sup> Imagine that Lewis and Frank are friends at work. When an opportunity for advancement in the company comes up for which Frank and Lewis are the front-runners but for which Lewis is the more qualified, things change. Frank begins working from the shadows to undermine Lewis's work projects and speaks ill of Lewis behind his back to paint a picture of a man of declining enthusiasm and competence. Meanwhile, Frank continues to benefit from Lewis's assistance at work and maintains outwardly friendly relations. Finally, Frank gets the job Lewis had expected. Lewis even finds his reputation in the company diminished by Frank's calumny. When Lewis confronts Frank, speaking primarily of the importance of success, Frank exclaims something like the familiar, "if you want an omelet, sometimes you have to break some eggs." Lewis comes to hate Frank, desiring his misery and downfall. Lewis may even contribute to these as far as he can.

Though Iago as apt to imagine greater evils in Othello than there really are and so projects evils into him only to be "discovered" later as a result of his hatred, this does not seem to be so in the other retaliatory cases. A commonsense judgment of the Camelback rapist and Frank is that they really are bad people who have done real harm in others' lives. These hatreds are not obviously distortions of the facts as Iago imagining Othello in adultery with his wife is, of the flights of fantasy that pervaded Hitler's attitude toward Europe's Jews or the once prevalent Hutu attitudes toward Tutsis. Nor are these hatreds obviously just like Iago's hatred of Cassio or the spitefulness of the woman who purposefully infected an unsuspecting man with

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<sup>40</sup> While working in coffee shops, a number of people who approached me described themselves as hating a betraying ex-friend or ex-spouse.

HIV. Cress' case is more complicated by the fact that Patrick's killers were never caught. This deprives us of important details of the story such as whether the killing was malicious or accidental. However, if Patrick's killers had been apprehended and mal-intent discovered, Cress' attitude would certainly align with the judgment that the murderers are morally bad people. Moreover, I have suggested that person-directed hatred may be primarily concerned with some or other genus in which the hated person falls, or may be primarily concerned with the hated person as an individual to whom one bears some special relation. Retaliatory hatreds, unlike prejudicial hatreds, are of the latter sort. We are left with a question, how has psychology dealt with the phenomenon of hatred?

### **§ 3 Psychological Investigations of Hatred**

My chief interest in treatments of hatred in psychology has to do with the extent to which psychologists think that haters properly represent the objects of their hatred as bad and how they look at it as a part of our moral lives. Psychoanalytic approaches to hatred do not necessarily rule it out as viciously destructive even if it does involve hostile destructiveness. It may even be self-affirmative and act as part of the healing process. Not all psychological theories of hatred are as accommodating. In fact, there is a tendency to look at hatred as a distortion of the facts. On these views hatred is disparaged in familiar ways. It might be seen as an irrational emotional framing that promotes ignorance of relevant facts. It might be operationalized as a form of prejudice with high conceptual salience to the hater. And it might be understood as a form of displaced aggression and scapegoating that is often tied to prejudice. These three ways of understanding hatred understand it as the adoption of a distorted view of reality that projects negative qualities into the target. A fourth and highly sophisticated "duplex" view understands hatred as being structured by the negation of intimacy, anger, and a commitment to act on the one hand, and the

hate-narratives that drive these on the other. Though hatred is not obviously a distortion of reality on this view, it is still claimed that hatred is incompatible with wisdom.

Psychoanalysts offer a variety of explanations of what hatred is and how it is structured. Offering a very general description, Harold Blum tells us that hatred is “a complex, affective state alloyed with aggression that is not easy to define.”<sup>41</sup> It may be rationally or irrationally directed as a “universal response to threats or injuries to oneself or love objects.”<sup>42</sup> This insight is shared among researchers. For example, Otto Kernberg tells us that the aggressive rage-aspect of hatred can be understood as an effort to eliminate a source of pain or irritation.<sup>43</sup> This is self-defensive and self-affirmative.<sup>44</sup> Hatred becomes pathology when it overwhelms one’s unconscious perception of the world by dividing it between idealized and persecutory object-relations where the latter dominate.<sup>45</sup> Thus pathological hatred settles in as a general mood or approach to obstacles in the world characterized by paranoid tendencies, sadism, and revengefulness.<sup>46</sup>

Hatred is complicated by the way in which aggression as a drive is related to affect. Thus, it is not clear what hatred as a “complex affective state alloyed with aggression” means. For example, hatred might be understood as affect driven by an instinctual or psychologically inevitable drive or not.<sup>47</sup> Whether drive and affect are distinct or part of the same psychological force in human beings further affects how hatred is understood.<sup>48</sup> The ways these issues affect the problem of understanding hatred should not be underestimated. For example, if hatred is

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<sup>41</sup> Blum, “Sanctified Aggression, Hate, and the Alteration of Standards and Values,” 20.

<sup>42</sup> *Ibid.*

<sup>43</sup> Kernberg, “Hatred as Core Affect of Aggression,” 63.

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*, 69.

<sup>46</sup> *Ibid.*

<sup>47</sup> The supposed male Oedipal complex and female Electra complex might be understood as the latter. They might not be instinctual in the pure biological sense, but they could still be seen as psychologically inevitable manifestations of the libidinous drive.

<sup>48</sup> Parens, “Notes on Perversions of the Superego by Hate,” 42-43.

primarily drive-driven, it would be easy to describe it as largely a projection of the subject's needs and mental life into the target. Hatred would thus give us a lot of information, but it would not count as properly representing the target. As Salman Akhtar points out, the theory of aggression, affect, and drive we prefer means the difference between understanding hatred as an existential imperative, evolutionary legacy, a tragic artifact, or as a building-block of the psyche.<sup>49</sup>

Affirming the role of hatred as part of maintaining a healthy psyche, Jane G. Goldberg claims that “what we as individuals need is not more love but more constructive hate. Love alone is not enough.”<sup>50</sup> We are often hurt or betrayed. Given such challenges hate-fantasies of vengeance can serve a healing function by directing destructive tendencies away from the self.<sup>51</sup> Goldberg claims this even in the case of fantasizing about vengeance against a love-interest after being rejected, though she does not advocate the destructive act of actually taking vengeance. The theme of being saved or healed by hate should not surprise us. We find a literary example of this phenomenon in Alexandre Dumas' novel *The Count of Monte Cristo*. Edmond Dantès, falsely imprisoned for 14 years, comes to feel suicidal despair. The desire to avenge himself on the wicked men who put him there comes to give his life and his suffering purpose and meaning even after his escape. At any rate, though there is space in these views for rational and non-pathological hatred, it is not entirely clear what that means or that it involves accurately representing the target as a bad person.

Many psychologists argue explicitly against the idea that hatred involves representing others rightly. Aaron Beck and James Pretzer argue that hatred involves irrational emotional framings that give rise to ignorance of facts that would diffuse hatred if they were truly

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<sup>49</sup> Akhtar, “Some Reflections on the Nature of Hatred and Its Emergence in the Treatment Process,” 87.

<sup>50</sup> Goldberg, *The Dark Side of Love*, 217.

<sup>51</sup> *Ibid.*, 228

appreciated. This idea is grounded on clinical observations showing that people tend to take “automatic thoughts” unreflectively and at face value.<sup>52</sup> Automatic thoughts are described as those immediate thoughts that overgeneralize, set up false dichotomies, selectively focus on only negative parts of a complex situation, and that cast a bad situation as worse than it really is. Since hatred is understood to arise from automatic thoughts, the sort provoked and encouraged by established negative patterns of perceiving the world, the therapeutic goal is simple: to replace the truth-dysfunctional thoughts with more realistic assessments. Thus Beck and Pretzer offer the example of helping a woman who hates her neighbor’s children move from the thought that “they’re bad, they must be punished,” to “they’re just behaving like normal kids.”<sup>53</sup> Her aggression, because it overlooks this fact, is grounded on a misrepresentation of the facts.<sup>54</sup>

Because the way we emotionally frame events may have a lot to do with our developmental background, Beck and Pretzer’s view has affinity to the operationalization of hatred as a form of prejudice “marked by intense emotional arousal and high meaningfulness, or conceptual salience, to the person” as put forward by Richard Lerner, Aida Balsano, Rumeli Banik, and Sophie Naudeau.<sup>55</sup> These researchers offer us a view of hatred firmly grounded on the developmental systems approach to psychology. Analyzing hatred as the product of integrated developmental processes, these researchers seek to uncover the individual-context relations (mutually influential relations between individual and distinct persons and the historical, cultural, familial, and other contexts in which they find themselves) that tend to give

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<sup>52</sup> Beck and Pretzer, “A Cognitive Perspective on Hate and Violence,” 68-69. Put another but familiar way, hatred results from ignorance.

<sup>53</sup> *Ibid.*, 78-79. Whether the children are truly behaving like normal kids could be irrelevant to the therapeutic goal.

<sup>54</sup> In Beck, “Prisoners of Hate,” Beck presents a slightly different view with respect to intergroup hatred. Here collective self-image is enhanced by the denigration of the enemy. However, the progression from opponent to antagonist to enemy is still characterized by overgeneralization, dichotomous thinking, and tunnel vision as sources of cognitive distortion.

<sup>55</sup> Lerner, Balsano, Banik, and Naudeau, “The Diminution of Hate Through the Promulgation of Positive Individual-Context Relations,” 103-104.

rise to hatred.<sup>56</sup> We are told that hatred and its expressions arise “when developmental regulations are supportive of negative, unhealthy development.”<sup>57</sup> Ostensibly, these are the conditions that give rise to the vulnerability and prejudice that give rise to hate. If the individual-context relations in which hatred develops can be changed to individual-context relations that support positive development, then hatred will be diminished.<sup>58</sup> On this view, the key to diminishing hatred is a social system in which liberty, family, and community building allow for the development of thriving selves by building “competence, character, confidence, social connections, and compassion.”<sup>59</sup>

Leonard Berkowitz, when analyzing a pair of hate-killings grounded on intergroup prejudice, adds to the theme of *hatred as prejudice* by describing the scapegoating and consequent displaced aggression prejudice not uncommonly involves. He observes that the prejudice of the murderers in these hate-killings involved fearing people like the victim as threats to their self-conception. The murderers’ prejudice also involved a sense of injustice correlated with the feeling of economic frustration.<sup>60</sup> It became a way for the subjects to assert themselves in a world in which they felt they had little or no control. As Jack Levin and Gordana Rabrenovic explain it, hatred results from scapegoating, attacking a weak and available target as a stand-in for a powerful or hard to identify source of frustration.<sup>61</sup> On the view that hatred is a function of scapegoating and displaced aggression, hatred again fails to appreciate all of the relevant facts and invents the hatefulness of the target, a hatefulness that is then later “perceived” *in him, in her, in them*.

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<sup>56</sup> Ibid., 111. See also Richard M. Lerner, “Diversity in Individual-Context Relations as the Basis of Positive Development Across the Life Span: A Developmental Systems Perspective for Theory, Research, and Application.”

<sup>57</sup> Ibid., 112.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid., 113, 115.

<sup>60</sup> Berkowitz, “On Hate and Its Determinants: Some Affective and Cognitive Influences,” 159, 165-167.

<sup>61</sup> Levin and Rabrenovic, *Why We Hate*, 25-26.

Ideas of undermined self-conception and perceived injustice invite looking at some kinds of hatred as having pronounced moral dimensions that are not straightforwardly the stuff of uncritical automatic thoughts and maladaptive emotional framings, prejudice, or scapegoating. Yet even when hatred is mentioned in connection to retribution in these accounts, the discussion centers around what might be called “group revenge.” Consider workplace violence in which the subject targets members of a hated group as an example. In this scenario the hater is upset after being passed over for promotion. The hater imagines racially or ethnically different peers as incompetent “diversity hires,” bosses may be cast in pejorative class or political terms, and so on.<sup>62</sup> Thus when the hater strikes out, she is not striking out against an individual, but against that individual as the representative of a group.<sup>63</sup>

This is not to say that maladaptive framing, prejudice, and scapegoating models of hatred could not account for hatreds involving individual and specific desires for retribution or for “justice to be done.” They could. Maladaptive frames could easily be imagined to latch onto particular features of another person as these negatively affect or otherwise offend someone. Scapegoats do not have to comprise whole classes of people, either. For example, a particular individual could be scapegoated for the realization of inferiority his aptitude causes in the subject. Rather than attributing that person’s superiority to his own effort and the unequal distribution of talents, the hater might see his own inferiority as produced by that person. Finally, the developmental systems approach to prejudice does not rule out the idea that individual-context relations can give rise to affective states bearing between individuals as individuals. It is not a reductive account.

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<sup>62</sup> Ibid., 53, 72. This is clearly a widespread psychological phenomenon. After all, that 78% of white supremacists hail from deprived and impoverished backgrounds as Levin and Rabrenovic cite is suggestive.

<sup>63</sup> Ibid.

What the maladaptive frames and scapegoating views rule out when generalized to all cases of hatred is the possibility of hatreds that properly respond to the relationship between wrongdoer and victim that arises through an act of grievous wrongdoing and desert understood in a direct and straightforward sense as moral demerit. However, it does not seem essential to the developmental systems approach to rule out such cases of hatred. One could argue that social schemes in which many people are excluded give tremendous opportunity to wickedness and acts of wrongdoing that justifiably provoke certain forms of hatred and other negative emotions. After all, Lerner, Balsano, Banik, and Naudeau are right to point out that hatred is something that happens when things are not going well. For example, hatred expressed by the Camelback rapist's victims is evidence of things going terribly wrong, and the researchers in question are right that we should strive to minimize the conditions in which hatred can (intelligibly) arise. The problem is that these researchers operationalize hatred as negative prejudice immediately with no argument for doing so. They very nearly see the problem when they tell us:

...although negative prejudice seems closely related to hate, both in its genesis and in its common manifestations, it is unclear to what extent positive prejudice is related to love... For instance, it may be that in adolescence love might entail an idealized image of the target person, thus indicating a close connection with positive prejudice at this particular developmental stage. However, more mature love may be more nuanced and may entail a less idealized image of the target person. Therefore, at this more advanced developmental level, such love may be distant psychologically from positive prejudice.<sup>64</sup>

According to this passage there is an asymmetry between the role of positive prejudice and love on the one hand, and negative prejudice and hatred on the other. Love may be free of positive prejudice in mature individuals, whereas hatred cannot be free of negative prejudice in anyone. Lerner, Balsano, Banik, and Naudeau fail to see that the asymmetry arises because of the way they have operationalized hatred prior to any meaningful discussion of what hatred is or what

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<sup>64</sup> Lerner, Balsano, Banik, and Naudeau, "The Diminution of Hate Through the Promotion of Positive Individual-Context Relations," 110.

legitimate role it might play in a mature person's moral life and development in a world fraught with willed evil and suffering. Instead, they take the theses that hatred is a form of prejudice as an article of faith.

On the account as it is drawn up, retributive hatred involving a sense of desert of the sort Richard Cress and the Camelback rapist's victims hold is based on an idealization of evil in the target. Thus the target might be viewed as a chaotically or cosmically evil force with no positive qualities and with no features that might weigh against demonization and destruction. Such hatred would track the idealizations of adolescent love in all its lack of nuance. On this view Cress' and the rapist's victims' hatred is not morally intelligible because it is psychologically faulty by being based on an illusion of another person. The possibility of mature and nuanced hatred is simply ruled out from the start. However, in light of Richard Cress and the Camelback rapist's victims, it seems like there should be something more to say.

Sociologists Robert and Karin Sternberg advance a sophisticated "duplex theory of hate." The duplex theory is an attempt to set out the structure of hatred on the one hand, and to explain the force of its driving narratives on the other. Hatred is thus seen as having an affective and a social component. With respect to structure, hatred is said to be "triangular," that is, involving combinations of one or more of the following three affective types: the negation of intimacy (repulsion and disgust), passion (anger or fear), and "decision-commitment" characterized by devaluing or diminishing the target through contempt.<sup>65</sup> Thus Sternberg and Sternberg describe seven kinds of hate based on whether one, two, or all three of the elements are present. These are:

- 1) Cool hate: Disgust (the disgust of negation of intimacy alone)

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<sup>65</sup> Sternberg and Sternberg, *The Nature of Hate*, 60, 63, 65. Sternberg and Sternberg argue that love has a parallel structure in which the direction of the elements in hatred's triangle are reversed. Thus, there is intimacy (attraction), passion (longing for), and a decision or commitment shown through valuation.

- 2) Hot hate: Anger or Fear (the anger or fear of passion alone)
- 3) Cold hate: Diminution (the devaluation of commitment alone)
- 4) Boiling hate: Revulsion (the disgust of negation of intimacy combined with the anger or fear of passion)
- 5) Simmering hate: Loathing (the disgust of negation of intimacy combined with devaluation of commitment)
- 6) Seething hate: Revilement (the anger or fear of passion combined with the devaluation of commitment)
- 7) Burning hate: The need for annihilation (all three parts of the triangle combined).<sup>66</sup>

Because hatred can arise from any one, or combination of more than one, of the points on the triangle, hatred arises out of repulsion, disgust, fear, anger, diminishment, or devaluation.

On the narrative side, hatred is developed through stories that function to push different corners of the triangle such as by selectively framing events, promulgating false beliefs, or by overriding critical thinking skills.<sup>67</sup> Here we again encounter the production of automatic thoughts whose force derives from such goods as bolstering self-esteem, gaining a sense of power and control, and validating one's or one's group's identity. Hate narratives therefore function to reveal another as anathema. Sternberg and Sternberg point out a number of stories that could fit the bill. I have included with these stories the corners of the triangle Sternberg and Sternberg take them to evoke—N: negation of intimacy, P: passion, and C: commitment.

- 1) Strangers versus the in-group. (N, C)
- 2) Impure others versus a pure in-group. (N)
- 3) Controllers versus those controlled. (C)
- 4) Faceless foes versus an individuated in-group. (C)
- 5) The enemies of God versus God's servants. (P, C)
- 6) The morally bankrupt versus the morally sound. (N, C)
- 7) Those representing death versus those representing life. (N, C)
- 8) Barbarians versus the civilized. (N, P, C)
- 9) A greedy enemy versus a financially responsible in-group. (N, C)
- 10) A criminal versus an innocent party. (C)
- 11) A torturer versus victims. (N, P, C)
- 12) A murderer versus victims. (N, P, C)
- 13) A seducer or rapist versus victims. (N, P, C)
- 14) Animal pests versus humans. (N, P)

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<sup>66</sup> Ibid., 73.

<sup>67</sup> Sternberg, "Understanding and Combating Hate," 41-42.

- 15) Power-mongers versus the mentally balanced. (C)
- 16) Subtle infiltrators versus the infiltrated. (C)
- 17) Comic characters versus a sensible in-group. (C)
- 18) Thwarters and destroyers of destiny versus the seekers of destiny. (C)<sup>68</sup>

The narrative types on this list should be familiar and we should not understand Sternberg and Sternberg as saying that this list is exhaustive. What is important is that the assumptions driving the narratives are accepted as real, thereby mapping onto the triangular structure of hate in the minds of haters.<sup>69</sup> How this works is evident in propaganda. Nazi propaganda, and later Hutu propaganda, cast their targets as enemies of national identity, a natural aristocratic hierarchical order, goodness, or God. The way such propaganda functions is important. It does not set a proposition before people for fair consideration. Instead, it sets a slogan as a *gut-truth* against an alleged enemy.<sup>70</sup> The image of the hated person thus establishes an image to which his attitudes and actions are made to conform by the hater. In other words, the hater invents the hatefulness of the target as an outgrowth of fear, frustration, repulsion, or devaluation.

Though Richard Cress' hatred of his son's murderer(s) is neither an instance of group hatred nor a product of propaganda, it does fit the murderer vs. victim narrative of (12) above. Cress' hatred could be understood as an outgrowth of his frustration that the life he valued for his son, and the life he imagined with him, have been destroyed. Sternberg and Sternberg recognize that someone in Cress' shoes can feel legitimate moral resentment. Though they acknowledge that such resentment can lead to the desire for retribution, and this to lasting hate, no moral connection between offense and the desire for retribution is acknowledged, or expressly denied for that matter. Instead, forgiveness is cast on the one hand as a therapeutic anodyne for

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<sup>68</sup> Sternberg and Sternberg, *The Nature of Hate*, 84. On Stories that antecedently explain others' social deprivation (they are lazy, stupid), or one's own (we are good people held back by evil oppressors) see Ervin Staub, "The Origins and Evolution of Hate with Notes on Prevention," 52-53.

<sup>69</sup> Sternberg and Sternberg, *The Nature of Hate*, 96-97.

<sup>70</sup> *Ibid.*, 130-131.

frustrated retributive desires, and on the other as a proper response to a worthwhileness and worthiness of love possessed by anyone.<sup>71</sup>

From here Sternberg and Sternberg argue that hatred is impossible for a wise person based on a “balance theory” of wisdom: the application of one’s intelligence, creativity, and knowledge to the common welfare by balancing one’s interests with others’ interests and institutional interests through mediating values.<sup>72</sup> Because it is in no one’s interests to be hated, and because the wise person cares about the hated person’s wellbeing, the wise person will not hate. The implicit message is that someone like Cress or a victim of the Camelback rapist, insofar as they retributively hate those that trashed their lives, is guilty of a selective and foolish framing of the situation that fails to see that the murderer or the rapist somehow *deserves* a form of positive concern from their victims that excludes retributive antagonism.<sup>73</sup>

In the next section I look more carefully at the way the therapeutic context of current psychological research and theorizing obscures the phenomenon of hatred while pointing out valuable insights that can be taken from this research. I argue that even understanding hatred as focusing our attention on certain negative features of a person does not imply that hatred is irrational. I further show that the operationalization of hatred as aggression further fails to distinguish between instrumental and non-instrumental forms of hostility, a distinction that is morally significant. The upshot is that many cases of hatred do not fit the prejudicial model of hatred as cognitive distortion linked to displaced aggression and scapegoating in any

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<sup>71</sup> Ibid., 202-203.

<sup>72</sup> Ibid., 209. See also Sternberg, “A Balance Theory of Wisdom.” Sternberg further describes wisdom on the balance theory as tacit knowledge used for balancing interests (351-352) where different interests are defined as differing points of view, motivations, affects, and cognitions (355), and derives from practical intelligence (361). Though Sternberg describes philosophical and other theoretical approaches to wisdom, no argument is given as to why his balance view should be preferred is provided other than the general claim that the idea of balance is found in many approaches to defining wisdom.

<sup>73</sup> With the emphasis of wise practical action relying so heavily on balancing diverse interests, it is not clear to what extent that what someone like the Camelback rapist’s victims see as qualities of negative desert are really in the rapist.

straightforward way. This suggests that when it goes wrong, what is wrong with hatred is not always just a matter of bad perception springing from fear or from disgust. Hatred is resistant to a monistic interpretation as an outgrowth of the feeling of being thwarted, fear, or frustration directed against a convenient target whose hatefulness is invented by the subject.

#### **§ 4 Where Current Psychological Theories of Hatred Go Wrong... And Right**

According to the maladaptive frames model, the model of hatred as a form of prejudice, and hatred as displaced aggression, hatred is grounded on false beliefs and bad inferences. Ultimately, the problem with hatred on these accounts is that the hater does not represent the world aright when she hates. Instead, she distorts the world through a faulty cognitive process. This point is put variously by the different research conclusions I have presented. Beck and Pretzer describe hatred as springing from automatic thoughts that selectively focus the subject's attention on negative and antagonistic features of a person or situation. These automatic thoughts inaccurately represent reality in virtue of this selective focus and in virtue of their psychological force, which is strong enough to derail normal critical thinking habits and skills. Lerner, Balsano, Banik and Naudeau described hatred as arising from prejudice marked by intense emotional arousal and high meaningfulness or conceptual salience to the hater. Levin and Rabrenovic point to the phenomenon of displaced aggression arising from the sense of injustice or unfairness, and scapegoating. Thus their views also look on hatred as grounded on distorted views of reality. A scapegoat is, after all, someone onto whom bad qualities have been projected. He is not people who actually possess those qualities.

These conclusions are problematic because they are drawn from therapeutic contexts in which the hatreds experienced by the research subjects were in fact grounded on bad framings, prejudice, or scapegoating. To conclude that all cases of hatred must be like these is a hasty

generalization. To conclude that such disparate phenomena as racial hatred, Iago's hatred of Cassio, Cress' hatred of his son's murderers, and Lewis' hatred of Frank must all go wrong because prejudicial hatred goes wrong, or all go wrong for the reason of cognitive distortion does not seem sensitive to the particularities of each type of hatred. We should be suspicious of general accounts of hatred that are grounded on pathological instances that obviously distort the facts when it is by no means clear that all instances of hatred are like that.

The psychoanalytic treatments of hatred are more modest in their conclusions. Some forms of hatred are rational and some are not. This raises the possibility of hatred that does properly represent its object. However, if drives are seen as a force distinct from affect, it is not clear that hatred is not simply a projection of unconscious destructive drives and psychological processes into the target. Negative transference is projective in this way and so involves the hater distorting who the therapist is. At the end of the day, hatred's therapeutic benefits are not constrained by considerations of its moral justification as a way of responding to others. It is not entirely clear what the role of hatred in our moral lives might be, should be, or whether hatred ever involves seeing others in the right way even if it does have the therapeutic benefit of turning destructive drives away from the self. There is nothing in this way of seeing hatred that shows that turning destructive hostility outward, even if only in flights of fantasy, is morally justified or rooted in accurate representations of how things are. Given a particular therapeutic goal, these moral questions may not matter. However, of moral interest is the possibility that part of what is healing to people like the victims of the Camelback rapist is seeing justice done.<sup>74</sup> Those feelings may be more than useful or protective. They may be morally justified. Unfortunately, showing that hatred is psychologically useful is not enough to answer the question of moral justification.

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<sup>74</sup> After all, Cress wrote that revenge fantasies might be the only satisfaction victims of crime ever get. Worried as he is about charges being reduced in plea-bargaining agreements and mishandled cases, he can be plausibly read as talking about moral satisfaction derived from seeing justice done.

After all, hating a love interest simply for the break-up she instigates is not justified even though it is painful and even if one only fantasizes about revenge.<sup>75</sup>

Sternberg's and Sternberg's discussion of wisdom as a creative balance of one's own and others' interests that rules out hatred by definition goes further by trying to explain in nearly moral terms why hatred fails as an appropriate response in every case. However, speaking of wisdom in balancing terms that effectively eliminate what it means to deserve something when justice is taken seriously as a *sui generis* feature of our moral experience, washes out much of what is important in the moral character of wrongdoing and responses to it, even positive responses like forgiveness. This in turn fails to make sense of the experience of victims as an experience with genuine moral content. Thus victimization and moral offence are psychological obstacles to be got over. Hatred is a condition to be treated and cured, not confronted in moral terms. This is fairly clear when we see that, as an aid to balancing wisdom, narratives of victimization and retribution and the attitudes they arouse are to be displaced by stories that represent wrongdoers as the victims of their circumstances and similar stories.<sup>76</sup> The tools of cognitive therapy Sternberg and Sternberg emphasize: applying rules of evidence, considering alternative explanations, identifying those features of situations that contribute to the meanings we attach to them, examining beliefs and modifying them when appropriate, and critically examining the rules of behavior to which we hold others amount to sound advice for modulating our responses to others.<sup>77</sup> However, Sternberg and Sternberg appear to believe that hatred and

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<sup>75</sup> I am assuming that there is no unjustified disdainful or contemptuous treatment involved.

<sup>76</sup> *Ibid.*, 208, 210-211.

<sup>77</sup> *Ibid.*, 212-213. Sternberg and Sternberg often speak in terms of the subjective quality of our interpretation of the meaning of events. In these contexts, subjectivity is used as a kind of mild pejorative. We should not use the term that way. All access to meaning is subjective in its essential nature, as are all experiences whatsoever. The meaning of actions, their intentional content, is not the less real or evaluable for this fact.

anger should always give way to considering matters from the offender's perspective, which may very well be an immoral one, or when we see him or her as the product of a particular biography.

There are two problems with this approach. When we steadily emphasize biography over the moral, we run the risk of losing contact with wrongdoing as moral wrong, and fail to take moral responsibility and moral fault very seriously. At best we conflate two descriptions of the person: the description of the person as a product of external causal factors at the expense of agency, and the description of the person as an agent by which we gain the categories of agency, responsibility, and morality. Such overemphasis threatens to produce its own well-intentioned fictions. If we understand wisdom as judging correctly and acting on good judgment and sound understanding, then it is possible that a wise person could maintain an emotional frame that represents another human being negatively as someone who merits hostility on moral grounds. Whether the wise person sees fit to act out that hostility as retribution is another matter and it is not clear to what extent the balance of interests either in strictly interpersonal contexts, or in those of the common weal should play a role in the wise person's deliberations alongside the requirements of justice, spiritual considerations pertaining to transcendental values, and the like. At any rate, it is hardly obvious that whenever one hates someone *qua* murderer as Cress hates those who murdered his son, that he is guilty of producing false beliefs in himself and of undermining his own critical thinking processes just in virtue of representing the facts in the way he does.

Even if hatred is a way of selectively framing people and situations it does not follow that hatred is irrational or based on inaccurate representations of events. Looking at hatred as an emotional phenomenon that frames our experience in particular ways, it could, as some philosophers have suggested of the emotions in general, be seen as a pattern of attention. As a

pattern of attention hatred's rationality could be assessed with respect to its non-accidental tendency to focus the subject's attention on those considerations that she should care about.<sup>78</sup>

Hatred can focus our attention, direct inquiry, shape interpretation, and structure our inferences.<sup>79</sup> At first this would seem to play into the hands of those who think hatred is a cognitive distortion. This is not necessarily so. Any emotional frame will highlight some features of a person or situation and different frames will highlight different features. For example, Lewis' hatred of Frank will focus his attention on Frank's betrayal, his vicious expediency, his callousness, and so on. Insofar as Frank is in fact a betrayer and expediently and callously used Lewis, and that these features of Frank's behavior and character ought to matter to Lewis, a hostile stance toward Frank as a wicked person would not necessarily amount to a distortion of the facts as they ought to matter to Lewis, or the invention of wickedness in Frank. This frame would be different from one that drew attention to Frank's having been raised by ambitious and hard-hearted parents who prized material success above all else and who openly spoke of his friends in terms of competition and rivalry. Each frame is selective and will carry different emotional connotations. It is not clear that Lewis would, or should, abandon hatred when considering both points of view, all-the-more-so when we reflect on people like the Camelback rapist's victims.<sup>80</sup> In summary, being selective is partial as all forms of attention are but being partial is not necessarily distorting.

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<sup>78</sup> Jones, "Emotional Rationality as Practical Rationality," 341. D'Arms and Jacobsen also describe emotions as evaluative presentations of the world that "purport to be perceptions of such properties as the funny, the shameful, the fearsome, the pitiable," and so on in "The Moralistic Fallacy: On the Appropriateness of Emotions," 66.

<sup>79</sup> Jones, "Emotional Rationality as Practical Rationality," 336.

<sup>80</sup> Several important issues are raised by this kind of case. These include the extent to which biographical considerations do, or should, affect negative attitudes founded on undeniably true judgments about another's wickedness, the role compassionate understanding and pity should play in the formation of our negative attitudes, and the extent to which global negative judgments about others can be justified at all. I tackle these issues in subsequent chapters. For now my point is modest, that selective attention is not necessarily irrational or distorting.

Though my remarks raise the possibility that haters sometimes accurately represent wrongdoers, this is not to say that hatred is sometimes morally justified. Making that leap would confuse those conditions that must be met for the target of an attitude to be properly represented through that attitude with the moral propriety of that attitude. These are different questions.<sup>81</sup> It may be the case that there are forms of hatred in which the targets are non-accidentally accurately represented with respect to the way that sort of hatred must be described to make it intelligible. For example, it could be the case that Iago's meets evidentiary conditions with respect to Cassio such that Cassio is accurately represented as an incompetent book-worm who, through his privilege, has managed to secure a position of merit the holding of which stands as an affront to Iago's professional excellence. This can all be true even if we judge that Iago's hatred is malicious.

Though I reject the approaches many researchers in psychology have taken toward hatred, their accounts do offer us a number of valuable insights. First the defensive character of hatred is very important. As a form of self-defense, hatred appears to protect a person's self-esteem and other important values when they are threatened. Of most interest to us here is hatred understood as a defense against wrongs that have already happened and the connection this bears to feelings of having been badly treated, diminished, or rendered powerless and how these connect to feelings of injustice and righteous defiance against wrongdoers. That hatred is tightly connected to hostility and that this hostility need not be manifest in overtly hostile action for the subject to be a hater is also important. Hostile desires may run the range from desires to dominate and control the target through desires to make the target suffer or even to destroy it entirely. These might themselves be circumscribed in a multitude of ways based on social and moral norms that inhibit overt aggression. Understanding hatred as an emotional frame is also

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<sup>81</sup> D'Arms and Jacobsen, "The Moralistic Fallacy," 68, 75-76.

important and invites questions of hatred's rationality and whether hatred involves proper representations of hated targets. That hatred is responsive to taking different features of a situation into account (as when a patient reflects that the neighbor children are acting like normal kids and that is not a bad thing) also shows us that hatred need not be thought of as blind or as inevitably dominating one's mental life.

Sternberg and Sternberg provide a number of useful insights into hatred that emphasize its connection to the narrative shape of our lives. The narratives they provide and how these are used and distorted to manipulate and delude people into hatred is a useful tool. Perhaps of most value from their account are the ways they describe hatred has of getting the facts wrong. After all, there is often more of a story to tell with respect to a particular wrong than meets the eye and almost no one is "all bad." These insights raise important epistemic challenges to hatred to which I devote detailed examination later on.

In this section I have argued that many psychological accounts of hatred should not overlook or write off the moral content that often accompanies it, and that understanding all cases of hatred in terms of distorted perception jumps the gun. We must steadily confront cases like those of Richard Cress, the Camelback rapist's victims, and Lewis, and the forms of hatred present in these examples do not fit comfortably within the conceptual frameworks the accounts I discussed provide. I have further argued that attempting to force cases like these into the models of maladaptive and distorted framing, prejudice, and lack of wisdom fails to capture much of what is compelling about hatred that arises in response to serious wrongdoing. On the other hand, pointing out hatred's defensiveness, hostility, defiance, and way of regarding others as painful or bad is very important.

## § 5 Conclusion

In this chapter I have argued that therapeutic and social-policy oriented theories of hatred as they are found in psychology and sociology literature, insofar as they understand all forms of hatred as grounded in ignorance, prejudice, and cognitive distortion, provide inadequate descriptions of the phenomenon. Not only are there forms of hatred that do not fit these models, but modeling all forms of hatred on obviously pathological or morally bad types is deeply problematic. Empirical discussions of hatred as selectively framing people and situations and the remedies this implies in therapeutic contexts cannot get us to the conclusion that hatred is irrational or that it involves cognitive-perceptual distortion. As hatred appears to offer an evaluative presentation, further philosophical arguments about value and the conditions of accurate representation are needed. I have not argued that hatred is representationally or morally sound. It may still be incorrigible in both senses. Nor have I offered a definite description of what hatred is. I have only shown the pitfalls of one sort of approach to defining hatred because of the inferences it has employed and assumptions it has involved.

As the duplex view somewhat illustrates, there is a tendency to talk about hatred in terms of fear and disgust. There are subtle problems that surround this as a philosophical approach to defining hatred. Consider the responses that are appropriate to fear and to disgust, that is escaping danger and expulsion. Adopting an attitude of non-instrumental hostility towards things one really has only to escape or turn away from, and whatever instrumental hostility this might require given a person's circumstances, adds to what is required in fear or disgust. To support his or her more virulent attitude, the hater will come to "discover" more and more marks of hatefulness in the target. After all, there is no straightforward sense in which someone who is afraid of bears or who is disgusted by maggots must also hate them. On this sort of view, hatred

goes awry as an extravagant or irrational aversion response. However, it is not necessary to look at hatred as an outgrowth of fear and disgust, or to define it in those terms. There are cases of hatred that are not obviously representationally faulty and there are reasons not to define it in terms of fear and disgust. Looking at hatred as a distinct form of aversion has a significant impact on how it should be understood and treated. It is thus clear that a more definite description of hatred is needed, and one that can accommodate the possibility of representationally sound cases. I turn to this task in the next two chapters.

## Chapter 2

### HATRED: A GENERAL DESCRIPTION

So far I have argued that the discussions of hatred found in psychology literature are limited by psychology's therapeutic aims and its focus on prejudicial hatred and pathological cases. Still, this literature does point out an important aspect of hatred: it involves ways of framing others' attitudes and actions. It is thus a way of regarding things or people in terms of their objectionable features. Thus mosquitoes can be hated for their hurtfulness; people can be hated for their annoying personalities, goods their possession of which we find hurtful, their moral repugnance, and so on. I have also suggested that hatred may be focused on those features of a person or thing that are irrelevant to his or her moral assessment as in racial hatred, or on characteristics that are relevant to moral assessment such as when hatred is focused on who someone has become as a moral agent.

However, we are still left without a defining description of what hatred is. Indeed, defining hatred is difficult as the diversity of hatreds I have already described suggests. Racist hatred, Iago's hatred of Cassio, and the attitudes of the Camelback rapist's victims are affective states that have different causes and content, and that provoke wildly different degrees of sympathy. In this chapter I describe hatred as a defensive and permeative attitude fixated on attributes of the target regarded as evils by the subject. This attitude is further characterized both

by devaluing the target and a related and non-instrumental hostility. Thus hatred is distinct from attitudes of which it is sometimes identified as an outgrowth such as fear and disgust, and should not be identified simply with defensiveness or disvalue.

These points are very important. If hatred is just an outgrowth of fear or disgust, or should be identified with particular features of which I am claiming it is a synthesis, then there are good reasons to think that hatred, as a patently hostile response to others, goes further than fear, disgust, defensiveness, or disvalue would allow in their own right. One might go so far as to say that hatred begins with a threatening object and the hater concocts its hatefulness only when hatred is adopted. Though this is undoubtedly true of some forms of hatred, like racist hatred, it is certainly not clear of the feelings a parent might have for his child's murderers. Thus providing a description of hatred not only helps us avoid confusion, but showing that it is not simply an outgrowth of fear or disgust opens it to defenses that might otherwise be unavailable.

In the next section I offer a description of hatred I will then develop throughout this chapter. In sections three, four, and five I explain the similarities and differences between hatred and attitudes which it is often identified as an outgrowth and with which it is sometimes confused in popular discussion, that is, fear and disgust. I describe hatred as a synthesis of defensive, devaluational, and hostile aspects and further comment on the connection between disvalue and hostility in hatred. The account of hatred I offer may not jibe with some intuitions about the role of disvalue in hatred. After all, some people appear to be hated without devaluation, such as when a person hates a goody-goody or hates a person for his virtue. In section six I address this worry. Others might worry that, by drawing a conceptual connection between hatred and hostility, I have identified hatred with overt hostility. David Hume denied

any such identification on the basis of experience. I address this worry in section six as well. I conclude with a summary description of hatred in general.

## § 2 A General Description of Hatred

Hatred is an aversion response to something or someone regarded as profoundly unpleasant, hurtful, or repugnant. This much is either implicitly or explicitly a part of many psychological accounts as we have already seen. Moreover, understanding hatred this way is a fixture of many philosophical accounts. For example, Thomas Aquinas defined hatred along these lines.<sup>82</sup> Most importantly, this general statement of what hatred is tracks what most people I have talked to understand hatred to be. Differences arise primarily over whether anyone or anything is ever properly represented as worthy of hatred and over whether hatred ever makes moral sense. However, much more needs to be said about hatred to begin answering questions like these. I develop this description of hatred by describing it as an affective attitude, as directed at enduring features of the target with which it is identified, as broad in scope, and as permeative. These features of what it is like to hate are connected to hatred's defensive character, the negative evaluations it involves, and to hostility.

Because hatred is a way of regarding others associated with affect, I refer to it as an affective attitude rather than as an emotion, passion, or sentiment. In contemporary philosophical discussions "emotion" often connotes occurrent forms of affect and may or may not refer to affective states that take an object such as another person. "Passion" and "sentiment" carry their own histories and problems of use I would like to avoid. Describing hatred as an affective attitude captures its status as a form of regard and its evaluative aspects without reducing it to mere evaluation or judgment.

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<sup>82</sup> Aquinas, *Summa Theologica*, II-I, Q. 29, A. 1.

Hatred is directed at a person or thing in virtue of some enduring feature of the hated target's identity. For example, hatred can be directed at people for what they are as members of a particular genus. Forms of hatred related to *what* a person or thing is may involve understanding the target as vermin, base, barbarous, or as irredeemably and constitutionally bad. Thus, part of what it means to be the kind of thing in question is to have the qualities that form the basis of hate. Moreover, a profoundly annoying person may be hated for his boorishness and lack of tact, Cassio may be hated for the position he holds and the goods he enjoys, and those who murdered one's child may be hated for the wickedness of their actions and character. Thus hatred, particularly as it is directed at persons, differs from attitudes like resentment. Resentment is directed at a person for a particular thing he has done out of a lack of proper regard for those his action affects. It does not require attributing the wrong to something as general as a character trait. Though someone like Cress may find his hatred begin as the result of a particular action, the immorality of the act, supposing his son was maliciously murdered, are such as to suggest more pervasive wickedness than we might associate with someone who, on finding a friend in bed with his or her spouse, kills that friend in a rage.

Hatred is broader in scope than negative responses like resentment and anger that respond to interpersonal wrongdoing, injury, and obstacle. Hating mosquitoes for the harmful kinds of creatures they are may be unappealing to most of us and may even be morally unjustifiable, but it is intelligible as hatred given the way mosquitoes are understood. Moreover, when moral offenses are the cause of hatred, it is not necessary that those offenses be personal. We might hate others for their awful moral habits and immoral predilections, and their encouraging others to act as they do and be as they are. Adam Smith says of this sort of hatred that we are roused by the "intrinsic hatefulfulness and detestableness" of practices "violating the most sacred rules of

morality” rather than any fear we have that they will spread and destroy the social welfare, though morally abhorrent practices often do have that effect.<sup>83</sup> Such offenses need not involve injury to anyone, the violation of rights, or be dangerous.

Because hatred is directed at a person or thing for who or what she is, hatred permeates how the hater interacts with the target. When we are resentful or angry, it is possible to keep the basis of our anger and the way the target on the whole is viewed separate. Suppose I resent a cousin because he said that my position at a public university is a waste of taxpayer dollars. I might still be willing to send him a Christmas card. I might be indignant about a coworker for trying to bilk a friend out of some money, but may have little trouble working on a project with her because of her organizational skill. The reasons a person might resent this cousin or that colleague does not wholly describe what it is to be in a relationship with that person. This is so even in the case of fear. Though I might be afraid of a grizzly bear in the wild, the same fearsome features that make it the object of dread there can make it an object of fascination when at the zoo where I know it cannot get at me. Hatred is different. Michelle Mason says of contempt that the description under which a person is regarded with contempt “becomes her most salient description for purposes of my interaction with and assessment of her.”<sup>84</sup> The same is true of hatred. The permeative aspect of hatred is a consequence of its focus on whom or what the target is. As far as Cress is concerned, Patrick’s murderers are not to be tolerated. They have exhibited a degree of pervasive wickedness and have taken on a significance in his life that cannot be born. The Camelback rapist comes to occupy the same place in the lives of his victims.

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<sup>83</sup> Smith, *Theory of Moral Sentiments*, 107-108.

<sup>84</sup> Mason, “Contempt as a Moral Attitude,” 249.

He is the one who has trashed their lives because of his monstrous perversity, and it is that trait that largely defines him as a person having affected their lives.<sup>85</sup>

All of this leaves us with the question of just what sort of attitude is directed at and permeates the hater's interactions with the target. As an attitude, hatred is a form of regard involving a negative evaluation of the target and hostility, and it is defensive. The defensiveness of hatred is clear in the case of mosquito-hatred. It acts to remove painful targets. The defensiveness of hatred is also apparent in prejudicial hate narrative like defending the natural order, protecting group interests, and warding off "animal pests." Moreover, Jeffrie Murphy speaks of certain "values of the self" that attitudes like resentment and hatred protect. Chief among these is self-respect.<sup>86</sup> The way people treat us reflects what they take our value to be so acts of wrongdoing carry messages such as "I count but you do not" that can insult and degrade us.<sup>87</sup> As Pamela Hieronymi points out, wrongs against us can stand in our past as present threats to self-esteem.<sup>88</sup> Failing to address the wrongfulness of the wrong, what makes it a moral harm rather than yet another hurt, is a failure to acknowledge one's value or undermines one's sense of allegiance to the objects of her care. For these reasons, hating those who murdered one's child, a rapist, or betrayer can be understood as defensive and self-affirming responses. Those of us who might join with the victims of serious wrongdoing by sharing their attitudes can be understood as affirming and defending a conception of their worth, justice, and like. As Adam Smith's example shows, hatred can also be marshalled against people with wicked and pernicious ways of being in

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<sup>85</sup> There may be times in which a hater is forced to work with someone she genuinely hates and may succeed in doing so. However, her general attitude toward that person will still be one of disvalue and hostility since the basis of her attitude cannot be separated from her view of the person on the whole as it can be in anger.

<sup>86</sup> Murphy, "Forgiveness and Resentment," 16.

<sup>87</sup> *Ibid.*, 25.

<sup>88</sup> Hieronymi, "Articulating an Uncompromising Forgiveness," 546.

the world in defense of the moral values one holds especially dear. Hatred's defensiveness in these cases is not simply a negative evaluation. It resists the target.<sup>89</sup>

The negative evaluation of the target follows on the unpleasantness, hurtfulness, or repugnance of the target. The hated person or thing is regarded as an evil simply, or as morally bad.<sup>90</sup> Thus the racist hater views people from disfavored races as of substandard stock or as vermin. If they are seen to have a hold on power beyond their proper right they may be seen as enemies of an aristocratic natural order or of God. Other forms of hatred are more relational in character and include explicit evaluations about who the target is or who he has become as an individual. Thus the victims of the Camelback rapist hate him for his barbarous cruelty and what he has done. He is negatively evaluated as a wrongdoer and for the kind of deeply immoral person he has become, which increases his fault.

Hostility in hatred is connected to the disvalue of the target. Enmity in hate narratives suggests that the target is not simply to be escaped or rejected for its bad qualities, but opposed such as by being destroyed, fought against, or controlled. Protecting self-respect through an attitude that permeates one's interactions with another regarded as an evil—a threat to self-respect—also suggests a connection between disvalue and opposition, and so on to hostility. This is especially so in moral contexts where hostility as retribution may be identified with justice.

Hostility can also be highly qualified and circumscribed. For example, symbolic acts of destruction such as destroying photographs of a cheating romantic partner are not uncommon as

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<sup>89</sup> One might be inclined to argue that hating a person for something like his pomposity does not imply that the pompous person fails to acknowledge one's value. However, pompous people are unpleasant and their sense of self-importance often comes at others' expense. Thus the hater who hates a pompous person sees himself as defending himself, others, or right values. Though coming to hate a pompous person like this is possible, I suspect that the aversive attitudes most are inclined to experience toward the pompous in virtue of their pomposity are feelings not of hatred but of contempt.

<sup>90</sup> There is a *prima facie* objection that hatred does not require disvalue because a person can be hated for instantiating something positive that the hater does not possess. I address this issue below.

are attacks on things the hated person values, like the car he spends his hours tinkering with, rather than on the hated person himself. Many people may confine expressing hostile desires to describing what the target deserves to sympathetic friends, or to the realm of fantasy. What is important is not the particular expression of hostility, but the way it is structured. Non-instrumental hostility is the idea that the harm or suffering the subject wants for the target constitutes the end for which that harm or suffering is wished. That suffering is not accidental to the subject's end, that is, the suffering is not wanted just to realize some further goal, such as when one shoots a dangerous animal to prevent it from hurting someone.

Hatred is a hostile mode of aversion directed at enduring features of what a person or thing is or has become, it involves a negative evaluation of the target that can be broad in scope, and it is defensive. However, hatred should not be identified with its defensive elements, particularly with fear, or with the devaluation of the object. Nor should hatred be identified simply with hostility. It is the synthesis of all of these in a single permeative attitude. In the next several sections I show why hatred should be distinguished from such attitudes as fear and disgust, or to the overt manifestation of hostility. This is important because if hatred really is just a function of fear or of disgust as one often hears it described in casual conversation, then hatred is pretty obviously on shaky moral ground. Fear is defensive but hostility in fear is accidental to achieving safety. Flight alone is adequate if flight alone is practical. Disgust is defensive and focused on the target as hatred is but hostility is accidental to it, too. If hatred is just a function of these attitudes or attitudes like them, then adopting an attitude that is hostile at its heart is over-reaching.

### § 3 Fear Contrasted with Hatred

I have described hatred as a hostile mode of aversion directed at a person or thing negatively evaluated for the enduring features it has. Hatred involves non-instrumental hostility. This means hostility is not an accidental feature of some ends the hater aims at like safety, vindication, or justice. Rather, hostility is aimed at harms that are a part of what it means for the hater to realize the ends she has. This is very different from the way hostility is structured when it arises in fear. In fear the desire to escape and be safe is paramount. In this section I explore the connection between fear and escape, and fear and hostility. I argue that fear is more concerned with the subject's awareness of his or her situation with respect to a fearsome object than it is with the object itself as hatred is. Though historical and situational factors are in play in hatred and hatred is defensive, it cannot be identified with its defensive aspect.

Though fearsome things are potentially destructive to us given their various features, we do not fear them simply in virtue of those features. Instead, whether we experience fear in the presence of a fearsome thing has a lot to do with the surrounding circumstances, that is, the capacity of the fearsome thing to get at us. If it cannot, it is removed as a threat and there is no further need to fear. Thus we could locate two kinds of inappropriate fear: fearing things that are not truly fearsome, and fearing things that, though fearsome, are not threatening.

Two observations can be made about these features of fear. In connection to the target of fear, there is an awareness of the target's fearsome features, but what are of foremost importance are the situational factors that imply threat. A rational and informed person does not fear what is behind the glass, but she might be disgusted by a revolting spectacle whether it is behind the glass or not. In this respect, fear differs in structure from modes of aversion in which the target is regarded as unpleasant, but where there is not necessarily any sense of threat, such as in disgust.

In connection with the cessation of fear, the suffering or harm of the fearsome entity is not strictly required to discharge fear. In this respect fear differs in movement from modes of aversion in which hostility is an essentially constitutive part. This is because hostility in fear is always instrumental to the end of escape. This is so even when eliminating the threat involves destroying or killing it. The intention to destroy in fear is not conceptually tied to it and recommends itself only when it is the most expedient or readily available way of producing effecting escape, that is, producing safety.

Fear also does not necessarily involve any evaluation beyond the perceptual judgment that something is fearsome or terrifying.<sup>91</sup> That is, it need not invoke notions of moral goods and evils. For example, I rightly think that wolves and grizzly bears are fearsome. I fear them when I am in circumstances in which they can get at me. Wandering around the woods sometimes puts me in circumstances in which such creatures might be faced and I take precautions to keep them away. On occasion I am even prepared to destroy such creatures if I must. Still, I neither dislike, let alone disesteem, grizzly bears and wolves.

One might argue that this is the case for “simple fear,” the perception that one is threatened accompanied by the desire to avoid, flee from, or otherwise escape the threatening entity by removing its access to oneself. It might not be the case for “moral fear.” Such fear could involve the judgment that exposure to morally noxious persons or situations will tend to have a corrupting influence on the self, or that the noxious person, institution, or ideals are generally pernicious and should be avoided. In moral views that link one’s actual good and moral goods closely together, moral fear is a real possibility with potentials beyond the more prosaic

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<sup>91</sup> Because of its dependence on circumstances, fear is not an aesthetic emotion and should be distinguished from horror. A truly horrifying thing is so the moment it is made known and maintains its grip on us whether or not it is hidden. No horrifying thing can really be hidden, only mercifully forgotten. Moreover, fear should be distinguished from the religious experiences of the sublime or tremendous that may be felt in a sense as terrible or “fearsome.”

thought that rampant immorality would just tend to keep most of us from getting what we want. Certain forms of wickedness and vice could themselves be seen as fearsome for the correlative potential. Thus one could attempt a reduction of hatred to moral fear by arguing that evaluations of moral fearsomeness are directly and intimately linked with our moral commitments. However, hatred in general involves feeling hurt by the target and feeling it as a threat. What matters is not that there is a moral harm but that the target is “felt.” Moreover, there is a problem linking even moral fear, considered as a kind of fear, to hostility.

Moral fear does not involve hostility as a part of what it is to experience that attitude. For example, one might recognize that an acquaintance is a bad influence on one’s character without having any hostile intentions toward him. This is the case even if the subject wishes that his acquaintance change for the better and works toward that end while avoiding him in those situations that draw out his corrupting power. Neither fear nor evaluations of moral badness, disvalue or depreciation of character, necessarily involve opposition and hostility. To think they do is to pull in retaliatory notions that go beyond fear. This is true even if retaliatory notions accompany fear and if, as is probably the case, moral fear sometimes transmutes into hatred.

In this section I have argued that what it means to fear a thing is to find it fearsome and threatening, and to desire to avoid, flee, or otherwise escape that thing by mitigating or removing its access to oneself. This involves a structure of evaluations and movements of the psyche that bear no conceptual connection to disvalue and depreciation on the one side, and non-instrumental hostility on the other. Even if there is a non-conceptual psychological connection between fear and hatred, hatred differs from fear in virtue of its non-instrumentally hostility. We thus should not view hatred as identifiable with fear as a mere outgrowth or expression of it.

## § 4 Disgust Contrasted with Hatred

Psychologists have found that the level of one's disgust for an object is positively correlated with its disease potential.<sup>92</sup> Therefore we find things like maggots, pus, and grime disgusting. Such studies suggest a connection between fear and disgust. Like fear, disgust is at its heart a defensive passion. But disgust is not a variety of fear. Even images of maggots, puss, and grime are disgusting to those who find those things disgusting. This is not the case with fear. Pictures of fearsome things are not themselves fear-provoking. Though some images evoke fear, I suspect this has more to do with the suggestion of real entities that threaten or with the invocation of imagined horrors than with the image itself.

Because we can be disgusted by the image of a disgusting thing whether we are threatened by its contagion or not, the identification of disgusting features and the feeling of disgust are more closely connected than the identification of fearsome features and the feeling of fear. This observation has several implications. The appearance, the presentation to the senses, of the disgusting matters more than its perceived existence and power to effect. Disgust involves fascination with the object in a way that fear does not. Thus we may be disgusted even by what is behind the glass. Disgust is a more aesthetic and evaluative emotion than fear is. Hatred too is highly evaluative and concerned with the nature of its object. However, hatred is not just an expression or outgrowth of disgust.

Though disgust is about the presentation of the target, the experience of disgust is not necessarily an experience of hostility toward the target. To see this it is worth reflecting on the chemical character of disgust, a character that is obscured when we focus too sharply on visual

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<sup>92</sup> See Curtis, Aunger, and Rabie. "Evidence that Disgust Evolved to Protect from Risk of Disease," 131-133. This study mostly involved disgust-ratings of images of objects and animals. Some images did involve other people: a healthy young man and a similar man looking "feverish and spotty-faced," as well as a crowded subway car and empty subway car.

presentations of disgusting images. Charles Darwin pointed out in his examination of human and animal affect that the sensation of disgust arises primarily in response to smelling and tasting.<sup>93</sup> We turn away from strong and noisome odors, and we spit out putrid food. Horrid smells and tastes may further provoke vomiting. It is no wonder that the expression of disgust involves movements of the nose and mouth as if to generate distance, to let something “drop out,” or to convulse in movements reminiscent of those that usually precede vomiting. Disgust may also be accompanied by guttural sounds of clearing the throat or of expulsion, or raising the hands as if to push away.<sup>94</sup> Darwin’s observations attest to the chemical nature of disgust, a nature that is tied to expulsion in an attempt to clear away offending substances or cleanse oneself. Even with respect to disgusting images of maggots, puss, decaying flesh, and other filth our faces wrinkle, our mouths drop, we turn away, we utter a sound aghast. What such observations suggest is that the movement peculiar to disgust is expulsion.

Expulsion does not necessarily involve hostility. Though it pushes away and so negates proximity to, or intimacy with, the target, this need not be conceived as a form of non-instrumental hostility. It is enough to simply get the offending stuff out of you, or to be removed from its presence. On the other hand, perceiving that a thing is disgusting involves a thicker assessment than judging that a thing is fearsome. The connection between disgust and bad taste, favoring garish attire for example, is happily attested to by the way English extends the term “taste” to aesthetic judgments. Insofar as disgust is a kind of aesthetic experience it is evocative of the beautiful and the ugly, the good and the bad, in a way that the fearsome is not. Thus disgusting things can be seen as “putrid” and “rotten” not just in a descriptive sense, but in a straightforwardly evaluative sense. Given this connection to evaluation, assessing that thus-and-

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<sup>93</sup> Darwin, *Expression of the Emotions in Man and Animals*, 257.

<sup>94</sup> *Ibid.*

such is disgusting is to recommend against it, to disvalue it, to think it depreciated in beauty and goodness. A disgusting thing is unwholesome, ugly, polluting, and corrupting.

We find ourselves confronted with the possibility of a moralized counterpart of what we might call “simple disgust” or “simple aesthetic disgust.” Like simple disgust, moral disgust is a reaction to the presentation, the spectacle, of something. Instead of arising from the spectacle of putrefaction or contagion, moral disgust arises from a sense of the morally polluted or profoundly impure. There are, I think, two distinct ways to understand moral disgust. The first involves disgust as present in the spectacle of an action of a certain type having been performed. The second is disgust with the performer’s noxious qualities of character.

John Kekes offers an especially strong version of the first sort of disgust. We are morally disgusted, he says, when we perceive moral taboos being flagrantly crossed. Moral taboos have two parts. They are precepts thought to derive their benefits from our physiological and psychological nature. They also constitute our common identity as members of the moral community. Violations of moral taboos are thus violations of embodied humanity and order that evoke “a form of life in which moral considerations have no foothold,” in a word, *barbarism*.<sup>95</sup>

Evocation and presentation are important to moral disgust since there does not need to be any real and genuine threat of ushering in barbaric forms of life. A single and contained instance of the impure can still be morally disgusting. This illuminates moral disgust’s spectacle focus on the barbarous, rather than on threat. Along these lines, one should be disgusted by Armin

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<sup>95</sup> Kekes, “Disgust and Moral Taboos,” 434, 440, 442. Keke’s speaks mostly in terms of threat here but it is more apt to paint the picture in terms of what is evoked. It is the spectacle that concerns the subject, not the thing itself or the immediate harm done. Consider an analogy with environmental pollution. Though part of our concern is with the bad effects such pollution can have if allowed to fester and spread, we may also be disgusted simply because the appearance of the polluted place is one of defilement or contagion, and we would feel this way even if it were wholly contained.

Miewes' engagement in the sexually charged cannibalism of willing victim Bernde Brandes.<sup>96</sup> In connection to the fragility of our embodiment, powerlessness, and barbarous cruelty, one should be disgusted by Angel Roman who, upset by a breakup, bit the lips off a live kitten.<sup>97</sup>

Though our thoughts on the matter may be obscured by such examples as Miewes and Roman, spectacle-focused moral disgust does not have to be connected to condemnation. For example, Kekes suggests that one might be disgusted by Oedipus' incest without thinking he was at fault.<sup>98</sup> Oedipus was not engaged in an act he could have described as incest at the time he performed it. If unwitting incest is morally disgusting, spectacle-focused moral disgust is directed at the incest itself, not at culpability. The object of this moral disgust is not a particular sort of moral corruption in Oedipus but the spectacle of Oedipus and his mother. This is, admittedly, gross. Oedipus thus poses a pure example of the type without any admixture of wicked character or mal-intent.

The disconnection between moral disgust and wicked intention is puzzling. Recalling Miewes and Brandes, part of what makes the spectacle morally disgusting is that it involves willing participants. Spectacles involving agents who are in a position to describe their actions as the awful things they are are not so easily disconnected from the agency of the participants. On the one hand, a morally disgusting spectacle may involve innocent persons whose lives are marred by participation in something that upsets the goodness of their lives. This is the case with disgust as it pertains to Oedipus. Oedipus is no reprobate. He is not disgusting in this sense. In his case moral disgust operates against a life episode provoking compassionate pity on our part, and regret on Oedipus'. On the other hand, the morally disgusting spectacle may involve a

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<sup>96</sup> Luke Harding, "Victim of Cannibal Agreed to be Eaten," *The Guardian*, December 3, 2003. <http://www.guardian.co.uk/world/2003/dec/04/germany.lukeharding>.

<sup>97</sup> "Angel Roman Accused of Biting Kitten's Lips Off," *Huffington Post*, May 30, 2012.

[http://www.huffingtonpost.com/2012/05/30/angel-roman-bit-kitten-lips-offflorida\\_n\\_1556991.html?ref=topbar](http://www.huffingtonpost.com/2012/05/30/angel-roman-bit-kitten-lips-offflorida_n_1556991.html?ref=topbar).

<sup>98</sup> Kekes, "Disgust and Moral Taboos," 445.

morally disgusting character, a person against whom we take a particular evaluative stance and so shun, abandon, or eject. This opens the possibility of the second type of moral disgust—that focused on the noxiousness of the agent.

Moral disgust can be focused on a particular agent because it can apply not just to the spectacle of a deep taboo being flouted, but to modes of life and character. As a clue to what these might be, I look to departures from morally healthy human life that are describable in oral, olfactory, or tactile terms. Along these lines the morally disgusting includes insipid and saccharine sentimentalism, “softness”—the inability to handle others’ reasonable intensity or to otherwise bear up under normal pressures—suggestive of sickness, wilting, or decay, and perhaps obsequiousness. Though sickly-sweet sentimentalism and softness can call to mind distasteful, cloying and nauseating spectacles, the primary focus is not on such spectacles, but on the disgusting person’s character.

Still, disgust should not be confused with moral anger, contempt, or condemnation in general. For example, meanness of spirit, miserliness, and cowardice are contemptible, but not disgusting. A thief is condemnable, but is not disgusting. Further, we should not confuse moral disgust with moral revulsion, such as what we might feel toward the cynically hypocritical and, as Aurel Kolnai points out, those whose cunning behavior is technically within the law but is baldly unethical,<sup>99</sup> like the behavior of some politicians, banking executives, and other sensible knaves. However, it is a documented phenomenon that being disgusted is heightens the severity of our moral judgments.<sup>100</sup> We may thus be more inclined to forms of non-instrumental hostility, such as retributive hostility; against those engaged in morally disgusting behavior, but non-instrumental hostility is not part of disgust considered by itself.

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<sup>99</sup> Kolnai, “The Standard Modes of Aversion: Fear, Disgust, and Hatred,” 589.

<sup>100</sup> Wheatley and Haidt, “Hypnotic Disgust Makes Moral Judgments More Severe” 780-784.

Disgust and moral disgust are conceptually distinct from hatred in virtue of their lacking non-instrumental hostility as part of what they are. Though moral disgust raises interesting possibilities with respect to disvalue, attention to the spectacle itself or to noxious character features produces a primarily aesthetic disvalue (moral ugliness) even as it connects to moral ideas of praise and blame. This mutes the connection one might draw between negative moral evaluation and non-instrumental hostility, such as that which could be tied to retaliation. With respect to disgust itself, the primary movement is to abandon, or expel. Hostility is a part of these only insofar as it is required to produce the right sort of distance. Though hatred is also fixated on the target for what it is rather than the prevailing circumstances of one's relationship to it, and involves negative evaluation, it involves more. Though a hater might expel the target, this is done in a hostile way such as for the purpose of alienating, as symbolic destruction, to make the target "feel it" and so on.

### **§ 5 Hatred is Not Merely an Outgrowth of Fear or Disgust**

So far I have argued that hatred shares some important features with fear and disgust but is structured differently when it comes to hostility. Though fear, disgust, and hatred are defensive in various ways, hatred is not merely concerned with safety as fear is. Though disgust and hatred involve a negative experience with the target for its noxious qualities, hatred is not just concerned with removing or being removed from something offensive to one's senses or moral sensibilities. Because of the differences between hatred and attitudes like fear and disgust, hatred should not be understood as a function of those responses and should not be identified solely with its defensive or negatively evaluative aspects. As an attitude, hatred has its own particular content as the synthesis of defense, devaluation, and non-instrumental hostility in a single attitude.

It is useful to distinguish affective states by their salient features. Fear is distinguishable by the situational attention it involves, the desire to escape, and caution. Hostility in fear is accidental to the circumstances involving one's escape and so is only entertained when it is necessary to produce safety. Thus hostility does not permeate the way one interacts with a fearsome person or thing. Caution is the rule unless circumstances suggest active escape. Fear does not involve a negative evaluation, either. A thing might be thought of as fearsome, but also draw our fascination and other forms of positive affect for its fearsome qualities. Fear is not conceptually tied to devaluation or to hostility.

Disgust is distinguishable by the fascination with the target it involves and the desire to remove or be removed from the target's presence. Disgust involves having a negative experience with the target because of the qualities it has, not because of the circumstances surrounding the target and its ability to get us. This is because disgust involves the way a thing is presented to our senses or moral sensibilities. Though disgust involves "dislike" along the lines of "distaste," it involves a negative aesthetic evaluation but fails to be non-instrumentally hostile. Any hostility present in disgust is accidental to the circumstances surrounding being distanced from the offending object. In cases of moral disgust feelings of retribution may run parallel to disgust. However, moral disgust considered by itself is either separable from moral condemnation and blame which is required to drive retributive hostility, or hostility need not come into it. Sickly-sweet sentimentalism and softness may be disgusting, but do not draw hostility just because one is disgusted. In fact, one might find such traits in a person morally disgusting, but like the person for other reasons. Thus moral disgust need not dominate what it means to interact with that person. Moreover, though disgust is conceptually tied to aesthetic devaluation like regarding a thing as distasteful, ugly, gross, or contagious, it is not conceptually tied to hostility.

For these reasons hatred should not be identified with fear or disgust. It is similar to fear and disgust in virtue of its defensiveness and focus on the target, respectively, but includes a permeative stance toward the target that is very different from what find in fear and disgust. Moreover, the “movement” of the psyche in hatred is not to be cautious, to flee, to turn away, or to expel. It is hostility. Hatred is antagonistic, unfriendly, and defiant at its core, that is, these are not accidental to it or to the way the hater regards the person she hates. Moreover, hostility in hatred is tied up with the forms of negative evaluation and defensiveness hatred employs whereas it is not in fear and disgust.

I have mentioned the connection between negative evaluation and hostility already but the point can now be further elaborated. Haters find the things they hate abhorrent for who or what they are and this produces conflict. This is clear in prejudicial hatred since the targets are disvalued as vermin or villains in narratives of opposition and enmity. Iago’s hatred of Cassio shows signs of disdainful disvalue and competitive conflict characterized by the need to be vindicated. The need to justify his escalating conflict itself involves seeing Cassio as someone who has morally offended him, which is why Iago so quickly and scornfully adopts the view that Cassio has been sleeping with his wife. Thus Iago’s hostility to Cassio can take the trappings of delivering to a person his just deserts in retribution, and restoring honor. These can be seen as giving rise to the idea that a person’s suffering is unqualifiedly (non-instrumentally) a good thing and oneself as having a special right or obligation to act. Negative evaluation as moral condemnation also drives the attitudes of Richard Cress, the Camelback rapist’s victims, and Lewis, but without the invention of wrongs Iago employs.

None of this is to deny that hatred cannot develop from longstanding fear or disgust. The constant pain of fear or a disgusting person’s presence can lead to that person’s being identified

with what ordinarily is an artifact of fearsomeness and circumstances, or a disgusting trait could become identified with the whole of a person. Either could produce the kind of disvalue and hostility characteristic of hatred, especially if moralized (remember Iago). My point is that hatred, if it develops from these, marks a serious change in the subject's attitude toward the target. Rather than being seen as a function or outgrowth of fear or disgust, defensiveness or disvalue and the negation of intimacy, hatred should be recognized as an independent affective phenomenon and discussed in its own right.

## **§ 6 The Connection of Disvalue and Hostility to Hatred Defended**

There are two problems the account of hatred I have provided raises. First, it is not clear that hatred must involve disvalue. Sometimes people are hated for being goody-goodies or for characteristics one might avow as good. Second, there is a danger that I have overplayed the role of hostility. After all, a person could say, "I hate Frank and never want to see him again" and that is not clearly a hostile statement. There is a further danger that in drawing a conceptual connection between hatred and hostility, I have identified hatred with hostility. Hume argued that such a connection gets hatred wrong. I discuss these issues below.

There are two ways that a person might be hated for his good qualities. He might be hated as a goody-goody or for a quality the hater might otherwise see as a positive one. Thus a person might hate someone for having a positive attribute that he does not possess himself or for the challenge to oneself another person's good attributes raise. Goody-goodies are always on their best behavior and so would seem to be hated, when they are hated, for their apparent good qualities. However, goody-goodies are repellent. Many are overly ingratiating. The "teacher's pet" is a good example of such a person. A goody-goody is also someone who is self-righteously good or "overly" good as in being soppily sentimental about it. The latter is cloying which is a

bit disgusting. Self-righteous goodness is smug and is often sanctimonious. Being smug in one's "goodness" generally amounts to a condescending and often hypocritical attack on others. Thus the goody-goody is not an altogether pleasant or genuinely moral person. Thus, if a goody-goody is hated, it is not for traits by which she might be positively evaluated, but for traits by which she might be condemned: sickly-sweetness, overly ingratiating rule-following, or self-righteousness. Being any of these is to be open to negative moral evaluation.

A more difficult sort of hatred arises from the envious or otherwise painful apprehension of another's good attributes. I do not think haters of this sort hate their targets for the good qualities they possess understood as good qualities but for the challenge such people raise—a challenge that is experienced as painful and so as an evil. I see responses of his sort every time I teach Peter Singer's articles "Famine, Affluence, and Morality" and "All Animals are Equal." These articles have a tendency to provoke a great degree of vitriol from students that often has a lot to do with people being indignant about being told their lifestyle is excessive and a shirking of moral duty, or that they are immoral for eating meat. Singer's challenge to their moral beliefs and beliefs about themselves is a plausible explanation for the hostility his views provoke, especially since these issues are initial causes for complaint much more often than his underlying consequentialism.

To begin to see how a person might be hated for his goodness, consider how a person might come to hate another for her role in exposing his vices. C.S. Lewis offers remarks in his *Screwtape Letters* that describe how this might happen. In the novel, a senior demon advises an underling in the art of drawing a human being into damnation around the time of the Second World War. The underling is advised to take advantage of his subject's fear during the bombing of England, "Cowardice, alone of all the vices, is purely painful—horrible to anticipate, horrible

to feel, horrible to remember; Hatred has its pleasures... And Hatred is also a great anodyne for shame.”<sup>101</sup> The idea is that a person can be brought to hate another, or whole people (the Germans in this case), who causes in him the perception of his own cowardice. Rather than repent of it and work toward courage, one might fixate on those “evil people out there.” Such hatred directs attention away from oneself so a certain positive image may be preserved.

When people are hated for their virtues, they are hated for the challenge their goodness raises to the hater’s self-conception. The perception of goodness in others can highlight one’s own inadequacies, which is painful. Lewis’ evil spirit discloses that the perception of another’s superior goodness that prompts one to say “I’m as good as you,” expresses “precisely the itching, smarting, writhing awareness of an inferiority which the patient refuses to accept.”<sup>102</sup> This produces envy, and ultimately spite, as charity is withdrawn from the superior person and replaced with general animosity and scorn. In the envious hater’s mind, a better spoken person becomes a “snob,” a more intelligent person an “insufferable know-it-all” or “vile sophist,” a more virtuous person is “self-righteous” or a “prig.” His hostility is then rooted in an attempt to disvalue another’s differences with him by turning the virtuous person’s attributes on their heads. They are apprehended not under the guise of goodness, but of evil. All of this is done by the hater to protect his self-image.

The conceptual connection I draw between hatred and hostility might also be questioned. After all, a not uncommon sort of expression is this: “I hate Frank. I just never want to see him again.” If my description of hatred is correct, then the remark above probably expresses loathing, intense dislike without overtones of hostility. The expression could express hatred insofar as hostility can be highly qualified and circumscribed. By not wanting to see a person again, one

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<sup>101</sup> C. S. Lewis, *The Screwtape Letters*, 160.

<sup>102</sup> *Ibid.*, 198.

might want the target banished or excluded in ways intended to hurt. One might also deny to herself outward displays of hostility for various reasons, leaving hostile intentions to the realm of fantasy. To know whether we were confronted with a case of loathing or hatred, we would have to know more about this person who is averse to Jack. However, expressions of this sort do raise questions about the extent to which hatred and hostility can be linked. One might even worry that I have improperly identified hatred with overt displays of hostility. Stands against such connections and identifications have been held by such figures as David Hume.

Hume described love and hatred as *impure passions*, that is, passions that are not completed within themselves. Pure passions, like pride in one's beautiful house, involve no desire to do anything. On the other hand, love and hatred involve desires directed toward their respective targets. They are thus impure passions. On the one hand, love is always followed by a desire for the beloved's happiness and an aversion to her misery. On the other, hatred is always followed by a desire for the target's misery, and an aversion to her happiness.<sup>103</sup> However, Hume tells us that love is not constituted by benevolence, and that hatred is not constituted by hostility. If we attribute to love the target's happiness as an end, and to hatred, the target's misery as an end, then "love is nothing but the desire of happiness to another person, and hatred that of misery. The desire and aversion constitute the very nature of love and hatred. They are not only inseparable but the same."<sup>104</sup> According to Hume, this conclusion is mistaken. Both love and hatred may be expressed many ways, not necessarily just through benevolence and anger, respectively. A person or thing may be long hated without any desire for the other person's misery ("anger" as Hume often puts it) and that desire thus plays no essential part in hatred, nor does benevolence in love. Hume goes so far as to say "If nature had so pleas'd, love might have

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<sup>103</sup> Hume, *A Treatise of Human Nature*, 2.2.6.3.

<sup>104</sup> *Ibid.*, 2.2.6.4.

had the same effect as hatred, and hatred as love. I see no contradiction in supposing a desire of producing misery annex'd to love, and of happiness to hatred.”<sup>105</sup>

Hume's point seems to be that there is no conceptual connection between hatred and hostility. This denies any conceptual connection between hatred and non-instrumental hostility. At any rate, this is how Peter French reads him. French offers an example by way of his hatred of Kit Carson. As Indian agent in New Mexico, Carson distributed smallpox infected blankets to native leaders in an early instance of biological warfare. French points out that though he might wish that Kit Carson's reputation be stained, he “cannot sensibly desire his misery” since the man is long dead and misery can no longer be inflicted on him.<sup>106</sup> Though hatred is often conjoined with hostility, it is not in this case.

Hume describes what the hater is prone to experience toward the target as both as anger and as a desire for the target's misery. The first is a form of affect that is itself an attitude one can take toward the object of his hatred. The other is a specific desire that may be associated with anger, but can also exist without it. Thus Hume could be saying that hatred is an attitude that should not be associated with any particular emotion, or that it should not be associated with the specific desire for the target's misery. If Hume is saying that to hate someone does not mean to be perpetually angry with him, then he is certainly right. Rather than understanding hatred as just very strong negative feelings, hatred orders how the subject thinks about the target. If all Hume means about the connection between hatred and the desire for the misery of the target is not all that hatred is, that is, that it should not be identified with overt acts of non-instrumental hostility, he is right about that, too. Hatred can be thought of as involving a hostile end without commitment to the idea that haters will always act with overt hostility in toward their targets.

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<sup>105</sup> *Ibid.*, 2.2.6.6

<sup>106</sup> French, *The Virtues of Vengeance*, 100.

Pleasantries may be aimed at setting up one's enemy for downfall. Iago's interactions with Othello and Cassio are a case in point. Moreover; hatred may fail to motivate action because one lacks the strength or opportunity to act or identifies countervailing values that would be undermined by overtly hostile acts.

If Hume means that hatred is not an essentially hostile attitude—that it is not conceptually connected to a non-instrumentally hostile frame of mind, then I must disagree. All the argument shows is that not all cases of hatred involve overt hostility and that hatred does not disappear just because the hater has ceased thinking about the target and so neither feels anger nor harbors the wish that the target suffer or come to harm. If nature so constituted us that we wished good things on those we hate and evils on those we love as a matter of course, it could only be because goods coming to those we hate is bad for them and evils coming to those we love is good for them. We might do good to those we hate in an effort to overcome hatred or because of an ideal of universal love, but we would not desire to do those goods out of hatred.

Though French is right that we cannot sensibly wish that some people we claim to hate experience misery, it can still be claimed that one's positive feelings at the thought of someone like Kit Carson being defamed is still to look at him under the guise of a hostile attitude. One might hope that he is in hell after all, and we do often speak of dragging another's name through the mud. Even with respect to the dead, this can be understood as a harm to them in a highly qualified sense, as something that destroys or disrupts the quality of the narratives of their lives. At any rate, it is not as though French took the opportunity he had to say something about Carson as an opportunity to praise the man's virtue.

I have described hatred as a defensive and permeative form of regard characterized by devaluation and hostility. This does not mean that haters are constantly full of wrath or the desire

to inflict misery on their targets. Hatred is instead an attitude that orders the way another person is dealt with and what our responses to him will be. This is compatible with a wide range of affects and even with doing nice things for a hated person, such as when one hopes to bring about his downfall. Hostility in hatred may also not be very motivating. The magnitude of one's hatred may not be very great and one might have reasons not to show hostility. Hatred can also exist in tension with values and ideals that push against it and that inhibit hostility. In the end, drawing a conceptual connection between hatred and hostility is not to identify hatred with hostility.

## **§ 7 Hatred**

I have argued that hatred is not a function of fear or disgust, nor is it a product of its defensive, evaluative, or hostile aspects. Instead, it is the synthesis of its defensive, evaluative, and hostile aspects into a single attitude. Hatred, I have argued, is an aversion response to something regarded as profoundly hurtful, unpleasant, or repugnant, that is, it is an aversion response to things regarded as evils. Hatred can thus be seen as a defensive attitude because of the aversion to the target it carries. Hatred is further an attitude that permeates one's interactions with the target. The description of the target as hurtful, unpleasant, or repugnant dominates the way the hater sees it. However, hatred cannot simply be identified with its defensive aspect. If it were, we might confuse it with fear or with disgust. However, fear does not necessarily involve seeing the target as hateful. Thus, if hatred is identified with its defensive aspect or is described as an outgrowth of fear, it would seem that the hater only "discovers" the hatefulness of the target once hatred has been adopted. A similar story can be told when hatred is identified with the negation of intimacy or as an outgrowth of disgust.

Hatred involves the devaluation of the target as an evil and non-instrumental hostility. These aspects of hatred are not unrelated. Whatever is hated is hated as an evil and so hostility in hatred arises as what the hater takes to be an appropriate response to disvalue or negative value. This sometimes does result from a distortion of the facts such as when bad qualities are projected on to the target. However, what my analysis so far can be understood to show is that haters do not inevitably do this. It is possible that the presentations of the world on which their hatred depends get things right and that non-instrumental hostility is a fitting feature of an attitude adopted toward a thing evaluated as the hater evaluates it.

In summary, hatred can be described as follows:

- 1) Hatred is an attitude of aversion adopted toward a person or thing regarded as profoundly painful, unpleasant, or morally repugnant.
- 2) The attributes for which the hated person or thing is hated are understood as enduring features of that person or thing that permeate the hater's relationship to, interactions with, or thoughts about that person or thing.
- 3) The hated person or thing is disvalued in virtue of the offensive and enduring attributes that person or thing is taken to possess.
- 4) The hated person or thing is the object of non-instrumentally hostile wishes or acts that may be highly qualified or circumscribed.

This suffices for a general description of hatred and may be used to suggest when different forms of hatred might be fitting or even morally justified. Since I am concerned to defend varieties of hatred that arise in response to serious wrongdoing, showing that those attitudes can properly be viewed as kinds of hatred is also of interest.

In the next chapter I argue that some kinds of hatred can be described as what Peter Strawson called "reactive attitudes," that is, attitudes that respond to a person's quality of will. Thus I pick out retributive hatred from attitudes like prejudicial hatred, malice, and spite that contrast with it. I then use the framework of the reactive attitudes to set out retributive hatred's proper focus conditions, conditions that must be met in order for the hater to properly represent

her target as befitting her attitude. However, there are challenges to the proper-focus conditions I establish. Thus I argue that these conditions can indeed be met in chapter four. If the hater properly represents the wrongdoer, and hostility in hatred is tied to evaluation, then some cases of hatred may be justified. I tackle the question of justification in chapter five.

## Chapter 3

### RETRIBUTIVE HATRED AS A REACTIVE MORAL ATTITUDE

So far I have offered a general description of hatred an attitude of aversion adopted toward a person or thing regarded as profoundly painful, unpleasant, or morally repugnant in virtue of his or her enduring attributes. The hated person or thing is disvalued because of his possession of these attributes and is the object of non-instrumentally hostile wishes or acts. This hostility may be highly qualified or circumscribed. Hatred, as my description and examples like Lewis, The Camelback rapist's victims, and Cress suggest, can be adopted in response to a person's serious wrongdoing. Hatred in these cases involves engagement with moral concepts and making moral claims. Moreover, hatred in such cases is not obviously a distortion of the facts or otherwise unjustifiable. As I have described hatred, some varieties of hatred should be classified among what Peter Strawson called the reactive attitudes, those attitudes that respond to a person's quality of will as displayed in his attitudes and actions.

In this chapter I zero in on retributive hatred, a form of hatred with a distinctly retributive character, and argue that it should be classified among the reactive attitudes because it is a response to a person's quality of will. It is ultimately a response those attributes relevant to the target's moral assessment and for which she is morally responsible. I thus further argue that retributive hatred should be considered among what Strawson and his commentators have called

the moral reactive attitudes or reactive moral attitudes: those reactive attitudes with moral content. Retributive hatred is reactive in the sense that it reacts to how people fare with respect to legitimate demands or expectations that people bear good will toward each other, or at least not indifference or ill will. It is moral in the sense that it is pervaded with moral content: the idea that so-and-so has committed a serious moral wrong; this wrong proceeded from morally wicked character, and so on. Given this framework, conditions can be given that specify what would be required for the target of retributive hatred to be adequately represented as worthy of the attitude. These conditions are conditions of the attitude's evidentiary appropriateness, that it is based on an accurate view of the target. I follow Michelle Mason in calling such conditions a reactive attitude's proper focus conditions.<sup>107</sup> My chief concern is to spell out what retributive hatred's proper focus conditions are and to distinguish it from attitudes with which it may be confused.

My plan is as follows. In the next section I give a brief sketch of retributive hatred and what it involves by focusing on some examples of it drawn from chapter one. In section three I explain why this attitude is different from simple hatred, prejudicial hatred, malice, or spite, and why these attitudes are either morally uninteresting or unfit for defense. In section four I develop retributive hatred as a reactive moral attitude and I use the framework of reactive attitudes to develop what retributive hatred's proper focus conditions are. I begin by showing how this can be done for similar but distinct attitudes, namely resentment and contempt. I then set out retributive hatred's proper focus conditions. Because retributive hatred might be confused with what Jean Hampton calls moral hatred, I use the description of retributive hatred developed here to distinguish it from moral hatred, which does not really appear to be a kind of hatred at all.

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<sup>107</sup> Mason, "Contempt as a Moral Attitude," 242.

## § 2 Retributive Hatred

I begin by zeroing in on examples of the sort of hatred I have in mind to defend in some cases, the sort experienced by Richard Cress toward his thirteen year-old son Patrick's murderers, the Camelback rapist's victims, and the fictional Lewis as I described them in chapter one. Eighteen days after going missing in 1983, Patrick's body was found by a utility worker fixing a ditch near an apartment complex construction site. This discovery was made a week after rumors began circulating among local teenagers that the boy had been murdered. Patrick appears to have been murdered soon after going missing by a single devastating blow to the head.<sup>108</sup> Patrick's murderers have never been caught. Cress was devastated by his son's death, so much that he was forced to retire from his job as an architect three years later as a result of post-traumatic stress disorder he suffered as a result of the murder.<sup>109</sup> He writes plainly of his own vindictive feelings toward Patrick's murderers and fantasies of revenge. Cress would, he has written, like nothing better than to be the agent of the murderers' execution and advocates that victims not allow themselves to be shamed into forgiveness, that is, into giving up their vindictive attitudes. It is important to point out that Cress does not direct his attitude at the murderers just for what he has suffered himself, but for their having murdered his son, the immediate victim of their awful act. Cress' other children also suffered greatly. Though Cress' case is useful for capturing the interiority of retributive hatred, it has some difficulties. Patrick's body was found near a construction site and there is good reason to think that other teenagers were involved in his death. Given these circumstances, it is not clear whether Patrick's death was

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<sup>108</sup> Parella Lewis, "Source of a Rumor Could Solve a Decades-Old Murder Mystery," *Washington's Most Wanted*, May 17, 2013, <http://catchwmw.com/2013/05/17/source-of-a-rumor-could-solve-30-year-old-murder-mystery/>. Hector Castro, "New Details Released in 1983 Murder of Boy, 13," *Seattle Post-Intelligencer*, May 3, 2008, <http://www.seattlepi.com/local/article/New-details-released-in-1983-murder-of-boy-13-1272365.php>. Rumors of Patrick's death included accurate information about where his body was left and how he died.

<sup>109</sup> Richard Cress, "Biography of Richard W. Cress," last modified June 19, 2013, [http://www.dove-wa.org/Dicks\\_Bio.html](http://www.dove-wa.org/Dicks_Bio.html).

the result of malicious intent or an accident that was then covered up.<sup>110</sup> For now, as in many cases of child murder, let us assume malicious intent. The Camelback rapist, a brutal serial rapist active in the late 1980's, was utterly unrepentant at sentencing. His victims have been described as having had their lives "trashed" and openly proclaimed their anger and hatred as they demanded he receive the greatest sentence allowed by the law. Lewis and Frank enjoy a collegial work relationship and can be considered friends. When an opportunity for advancement appears for which Lewis is the better qualified, Frank works to sully Lewis' image all the while continuing to benefit from his good relationship with him. In the end, Frank gets the position and Lewis' prospects at the company are severely hurt. When confronted, Frank unrepentantly replies, "If you want an omelet, sometimes you have to break some eggs." As far as Lewis is concerned, it would be a fine thing if Frank suffered for what he has done and entertains thoughts of obloquy and of undermining Frank as far as he can.

In each case the offenses understandably take on immense significance in the victim's lives and these retributive haters maintain attitudes of moral aversion to the respective wrongdoers. The wrongdoers can also be described as deeply bad as evidenced by the gravity of the wrongs they have done and by their failures to repent. This adds to the sense of moral injury and we might say that these wrongdoers are not just hated for what they have done, but for who they have become. They are, in part, hated for enduring moral badness. As a result, they are disvalued as wicked people and as deserving hard treatment. Thus retributive hatred comes to permeate the victims' thoughts about, and interactions with so far as is possible, the wrongdoer. Moreover, in each case the attitude is hostile. This hostility is related to the moral evaluations (disvalue) made by the victims in each case, evaluations to which the lack of repentance, the

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<sup>110</sup> I thank Ingra Schellenberg for pointing this out.

gravity of the wrong, and wicked character are salient. In summary, retributive hatred is a form of hatred in which the basis of disvalue and related hostility is moral wickedness.

Because the cases in question focus on a person's moral character and morally wrong acts for which the person can be held responsible, I will argue that retributive hatred should be classified as a reactive moral attitude, moral, that is, in the sense that it has moral content. As a reactive moral attitude it is conceivable that there are properly focused cases of retributive hatred—cases of retributive hatred that satisfy those conditions that must be met for the attitude to properly represent its target. That is, the target actually has the features the retributive hater presents him as having. Before showing that retributive hatred is a reactive attitude and setting out its proper focus conditions, there are varieties of hatred from which it should be distinguished: simple hatred, prejudicial hatred, malice, and spite. Though these might sometimes be thought of as fitting, they are either not morally interesting or are not suited to any serious moral defense. I discuss these in the next section.

### **§ 3 Forms of Hatred Unsuitable to Moral Defense**

There are varieties of hatred that are not liable to any serious moral defense and that should not be confused with retributive hatred. The first, simple hatred, can be laid aside once identified. Prejudicial hatred involves a distortion of what is actually the case and so never really gets things right about its targets. Thus prejudicial hatred is not of much moral interest because every case of it is morally unacceptable. However, it is of great psychological interest from the standpoint of treatment and prevention. Malice and spite, though interesting, are not serious contenders for moral acceptability either. There is a question as to whether simple hatred, prejudicial hatred, malice, spite, and retributive hatred form an exhaustive list of kinds of hatred. My primary purpose here is not to so much to provide an exhaustive list as it is to make clearer

what retributive hatred is by contrasting it with other types and to show that the problems plaguing them do not plague retributive hatred.

## Simple Hatred

Given the definition of hatred I have provided, a person or thing might be hated simply for its unpleasantness. This is what Jean Hampton called “simple hatred,” inveterate dislike of something regarded as profoundly unpleasant or hurtful accompanied by the related wish to see that odious thing removed or eliminated.<sup>111</sup> According to Hampton, this is the sort of hatred invoked when someone says such things as: “I hate mosquitoes.” And “I really hate him. He talks endlessly about the stupidest crap and just can’t take a hint to get lost.” Simple hatred is thus directed at evils considered very broadly, much more broadly than the class of moral evils and the associated ideas of responsibility and blame with which I am concerned. However, Hampton’s inclusion of annoying people raises some problems for simple hatred because including such an example suggests that simple hatred may be a little less simple than Hampton makes it out to be.

If hating an annoying person with whom one is forced to associate is supposed to track hating mosquitoes, then it seems that being profoundly annoying is something one simply cannot help. However, there is precedent for looking at profound annoyingness in conversation, being a boor for example, as a moral failing. One need only look to Aristotle.<sup>112</sup> If annoying people are thereby hated for attributes for which they can be blamed, then ideas of agency and responsibility creep into simple hatred and it is no longer just about evils broadly construed as unpleasant or hurtful. The appeal to moral evil could even be invoked to explain the passion that stands behind

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<sup>111</sup> Hampton, “Forgiveness, Resentment and Hatred,” 60-61. Mosquitoes and an annoying boorish person with whom one must interact at social gatherings are Hampton’s examples.

<sup>112</sup> Aristotle, *Nicomachean Ethics*, 1108a25.

some cases of simple hatred. The hater might be seen as imparting agency to the targets of her ire, like mosquitoes, where no agency exists and where no moral categories apply. This sort of attribution is not uncommon. As Adam Smith pointed out, a person can take an understandable pleasure in the destruction of an object that accidentally led to the death of a friend in an “absurd sort of vengeance.”<sup>113</sup> We may even look on the home of a happy childhood or on an ancient tree with something like reverence, melancholy at its decay, and other emotions that, in a fanciful moment, bring a person to think of the target as a person. Clearly, hating mosquitoes in a way that invokes moral ideas or that leads one to swat at them in revenge involves a distortion of the facts.

In spite of the difficulties with spelling out simple hatred, it is certainly imaginable that a person hates mosquitoes simply for their hurtful and unpleasant features, not for anything for which they can be blamed. Hating a profoundly annoying person this way might also be possible though I suspect it is rare. At any rate, when true cases of simple hatred are before us I am not inclined to think that they are of any real moral interest.

### **Prejudicial Hatred: Hatred of Dehumanized Persons Seen as “Animal Pests”**

Prejudicial hatred typically dehumanizes people as “vermin” or as “animal pests.” This is evident in the kind of stereotyping that occurs in propaganda in which target groups may be visually or verbally depicted as roaches, reptiles, or beasts.<sup>114</sup> Such imagery is also evident in interpersonal relationships wherein a slovenly person or one led by his sexual appetites is a “pig,” a betrayer a “rat,” and so on. In some ways prejudicial hatred resembles simple hatred of profoundly annoying people. If this is all there is to it, then prejudicial hatred might be

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<sup>113</sup> Smith, *Theory of Moral Sentiments*, 113.

<sup>114</sup> Sternberg and Sternberg, *The Nature of Hate*, 91.

interesting from a therapeutic standpoint, but uninteresting from a moral one even though it is profoundly morally wrong.

However, the narratives that support prejudicial hatred support a response more complex than that found in simple hatred. Demonization and dehumanization often go hand-in-hand with the responsibility-dependent practices of assigning blame and guilt, calling to account, and shame.<sup>115</sup> While casting a target group as vermin, germs, and parasites, hate propaganda not uncommonly attributes qualities to members of the target group that suggest that they are being viewed as responsible agents. Thus they may be cast as shameless, scheming, criminal, or inhumane. It could even be argued that it is the human quality of the interaction between the “pure” favored group and “shameless criminal vermin” that feeds violent antagonism in group hatred and gives it its meaning. Though prejudicial haters may be impervious to seeing the targets of their hatred as individual persons, it is the recognition of humanity that gives much of the revolting barbarism that grows out of prejudicial hatred its peculiar point.

However, because it is focused on what a person is as a member of a class, prejudicial group haters do not appear to properly react to negative moral qualities in their targets. Instead, prejudicial haters discover hatefulness in their targets as a matter of associating them with membership in a hated class. This underscores the idea that prejudicial group hatred is projective and so involves a distortion of the target’s actual moral qualities and so rests on an inappropriate view of the target’s human value. For these reasons, prejudicial hatred is never morally appropriate. Whatever morally defensible hatred might look like, it does not look like prejudicial hatred with its uneasy mix of hating other human beings for “what they are” as animal pests and ascribing to them humanity and responsibility as utterly shameless, criminal, scheming, or inhumane.

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<sup>115</sup> Brudholm, “Hatred as an Attitude,” 300.

## Malice and Spite

Jean Hampton describes malice and spite as related competitive responses to others engaged in as strategies for shoring up one's sense of worth.<sup>116</sup> Hampton's use of the term "strategy" in the competitive context of malice and spite should not be thought to imply that the malicious hater's hostility is accidental to her aims. The benefit to be gained, an increased sense of worth, is not a side-effect of the hater's hostility.<sup>117</sup> Instead, hostility toward the target constitutes what it means to bring about the end the hater seeks.

Malicious and spiteful haters understand others as having been raised in relative esteem by actions that have lowered the hater's own esteem as a consequence.<sup>118</sup> Thus where one stands on the value-curve is inversely related to where others stand in a zero-sum game. To see how this works, let us first examine a non-competitive worth hierarchy. In many grading schemes students are assessed relative to a fixed scale of mastery. On such a scale it is possible for everyone to perform equally well because it is one's own performance that establishes position in the hierarchy of merit assessment. Though a low-performer might be upset with her low rank, and may even resent others for doing so well, competitive attempts to defeat others to improve one's lot are misplaced. Instead, one must recognize that her prior estimation of her merit was mistaken and cultivate better performance in the future, or she must discover evidence that the assessment she was given is mistaken.

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<sup>116</sup> Hampton, "Forgiveness, Resentment, and Hatred," 62. Describing malice and spite as competitive has roots in Immanuel Kant's thought. As Kant describes it, self-love is part of our predisposition toward seeking our own happiness and the inclination to gain or maintain worth in others' eyes. Ideally, self-love results in a thirst for equal worth—that no one gain superiority over oneself. In people anxious that others are striving for ascendancy over them "an unjust desire to acquire superiority for oneself over others" arises. From this we get the "diabolical" vices of secret and open hostility, envy, ingratitude, and joy in others' misfortunes. See Immanuel Kant, *Religion Within the Boundaries of Mere Reason*, 6:27.

<sup>117</sup> Hampton, "Forgiveness, Resentment, and Hatred," 66.

<sup>118</sup> *Ibid.*, 67.

Competitive hierarchical schemes suggest different strategies for improving one's self-esteem. For example, in a fencing tournament athletes are initially placed in pools based on rankings derived from past performance. When low ranked athletes beat high ranked athletes, their low rankings increase to the detriment of the high-ranked athletes. A bout between two equally ranked athletes ends in an increase in ranking for the victor and a decrease in ranking for the loser. These rankings seed athletes in a single-elimination fight for final ranking. In single elimination, if the top-seeded athlete is defeated by the lowest seeded athlete in a tournament with 32 participants, the lowest seeded athlete increases his rank by 16 places while the top seeded athlete loses that many. If the top seeded athlete wins, his ranking goes unchanged. In this scheme, scoring touches and defeating others is not just a tool for achieving a high rank in the way that shooting a dangerous and feared animal is a way of escaping it. Scoring touches and defeating others is what increasing one's rank means. In malice and spite the diminishment of another through competitive victory cannot be separated from the hater's end of increasing her esteem. Thus her hostility is strategic, but non-instrumental in the way I have employed that term.

If a person's conception of human esteem is competitive and hierarchical, then it will make sense to strike out against and undermine others to increase her position. For this reason Hampton describes malicious and spiteful hatred as involving "a defiant reinterpretation of the world."<sup>119</sup> We have seen this before. Recall Iago's hatred of Cassio and the hatred experienced by the woman who infected unsuspecting men with HIV by having one night stands with them. Iago hates Cassio as a bookish spinster who does not merit being promoted over him. His hatred

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<sup>119</sup> *Ibid.*, 68. As with all hatred, hostility may be highly qualified or circumscribed. When malicious haters cannot get at those who have lowered them, they may opt for private reinterpretations of the world wherein they relish the target's torment in malicious fantasies. They may even attempt to vilify the target—anything to lower him in the hater's eyes and increase her own self-esteem. Vilifying the target to feed one's hatred is projective, but such distortions are not essential to malice and spite.

is a malicious competitive response to Cassio for having higher position and rank. By destroying Cassio, Iago will vindicate his own position and, in the highly personal and zero-sum game in which Iago takes himself to be, vindication over Cassio and Cassio's destruction are synonymous. The subject of Hampton's horrifying "Dear Abby" letter is dismayed at her infection with HIV. As Hampton develops the case, the woman sees herself as bearing qualities that diminish her in esteem and rank. As she sees it, her position in the space of human values is lower than most. As far as she is concerned, vindicating her own position and spreading the disease are sides of the same coin.

Obviously, maintaining attitudes of malice and spite amounts to acting on an anti-egalitarian and anti-Kantian view of worth in which the actions of others produce actual differences in rank and value. Hampton tends to speak of moral worth and rank in her discussion as though the only thing malicious and spiteful haters are after is increases or decreases in esteem understood in terms of moral worth. However, this oversimplifies matters. As Peter French points out, we need to keep in mind that people can and do differ in rank "where rank is calibrated in terms of merit."<sup>120</sup> Many professional settings and other areas of life deploy merit-ranking systems explicitly, and implicit merit differentials exist in virtually every sphere of human endeavor and achievement whether one pays them any attention or not. Esteem understood in terms of, say, professional merit and one's sense of personal moral worth, though often related, are not necessarily identical concerns. This generates two kinds of malice and spite: those kinds oriented at undercutting or destroying another person's merit assessment, and those kinds oriented at undercutting or destroying another person's moral status.<sup>121</sup>

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<sup>120</sup> French, *The Virtues of Vengeance*, 101. French develops the distinction between forms of malice and spite aimed at destroying merit and those aimed at destroying moral status.

<sup>121</sup> *Ibid.*, 102-103.

We can and do differ in merit in nearly all areas of human life, some of these areas are also competitive, and mistakes of merit evaluation and one-upmanship often do occur both by accident and by design. For this reason, properly focused cases of malice and spite that count as reactive attitudes and that are oriented toward destroying merit assessments might exist. Even so, Hampton points out that malice and spite aimed at destroying a person's merit assessment is likely to be self-defeating since diminishing and degrading an opponent may undermine the hater's efforts to improve her own position. In a normal competitive setting like the fencing tournament, there is nothing self-defeating about increasing one's rank by defeating others. However, a malicious hater wants not just to show that he is meritorious, but to show that whomever he hates is substantially degraded in merit.<sup>122</sup> It is this degradation and destruction that is supposed to elevate the hater's status. The problem is that by revealing exceptionally low value, the hater cannot substantially increase her own esteem by comparison. In order to do that, the target must retain a high degree of merit. I am not sure that Hampton's charge that malicious hatred is self-defeating works in all cases. On the other hand, it seems that malicious hatred, by being focused more on one's own value assessment than on what the target actually deserves, is apt to go wrong much of the time and trade on a distorted view of others' merit relative to one's own. At the least, revealing others' low merit just to surpass them is vainglorious. To actively destroy their merit through calumny or through personal harm is vicious. Neither is a moral recommendation.

The other variety of malice and spite is aimed at increasing one's moral status by attacking the moral status of others. The hatred revealed in the woman who infects unsuspecting men with HIV reflects this. By focusing on her sense of low moral worth in comparison to

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<sup>122</sup> Hampton, "Forgiveness, Resentment and Hatred," 73. This is also why the morally healthy and sportsmanlike competitor does not hate her opponents whereas the malicious competitor does.

others' high worth, her acts of destruction reduce others to her level. This act is meant to adjust the value assessments in her favor as though human moral worth is graded in the same manner as the typical physics class—on a curve. This sort of hatred is self-defeating. Even if the spiteful hater succeeds in changing the value curve, her efforts cannot serve to elevate her actual moral status. As Hampton puts it, “our evaluation of her is not curve based but criteria based and thus objective.”<sup>123</sup> The spiteful hater's antagonism is *about* these objective criteria: health, “cleanness,” and the like. A change in the value curve can do nothing to alter her status with respect to these criteria, even if she were the last, and so the “best,” person on earth.<sup>124</sup> Not only is this a defective strategy, but destroying a person's moral status as shown here is vicious because it is unjust. After all, the man this woman infected cannot possibly deserve to get HIV because his getting it will increase her self-esteem. A person in his situation has a legitimate moral demand not to be treated that way.

Malice and spite are interesting varieties of hatred. Their structure is complex and they engage others in such a way that they might sometimes get things right about the competitive relation that exists between parties and so be fitting. This is not to say that malice and spite are ever morally appropriate. These responses are generally self-defeating and so are foolish, and are not open to any serious moral defense. Rather, they are open to criticisms that reveal serious moral impropriety.

However, retributive hatred is not like the forms of hatred that are often dismissed by psychologists and philosophers. It is not like simple hatred, prejudicial hatred, or malice and spite. At the least retributive haters do not project negative qualities into the target only to

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<sup>123</sup> *Ibid.*, 77.

<sup>124</sup> French puts the point in a different but illuminating way. A hater like the woman who purposefully infects unsuspecting men with HIV accepts moral worth egalitarianism because she accepts that there is one bar of measure, a bar she falls beneath. She seeks to improve her worth by lowering the bar. This strategy fails because it confuses moral worth egalitarianism with moral merit assessment. (French, *The Virtues of Vengeance*, 104)

“discover” them there later. Retributive hatred also responds to a person’s quality of will in ways that simple hatred, prejudicial hatred, malice, and spite do not. Retributive hatred is thus not any of the kinds of hatred described above. Unlike simple hatred, retributive hatred can only be explained in terms of morality and responsibility. Unlike prejudicial hatred, retributive hatred is focused on who a person has become as a moral agent, not on features irrelevant to moral assessment by which he might be classified as this or that kind of thing. Therefore, retributive haters do not project evils onto individual targets the way that prejudicial haters do. Unlike malice and spite, retributive hatred is not concerned with moving up in rank in any straightforward way. A retributive hater, believing someone, perhaps himself, to have been demeaned by the target, does not have to think of that person as diminished. Instead of focusing on increasing his rank, the retributive hater is focused on defying the wrongdoer and desert.

#### **§ 4 Properly Focused Retributive Hatred**

In referring to hatred, particularly retributive hatred, as an attitude I mean to capture its characteristic as a form of regard and ultimately to justify it as an affective stance toward some kinds of people, not merely as a belief we might have about them being hateful. Retributive hatred is a way of seeing another that matters to how one feels and thinks about, and is disposed to interact with, that person. As I have described it so far, retributive haters respond to what they understand to be a person’s wickedness and the actions in which that wickedness is manifest. It is thus a response to moral violations the retributive hater understands as diminishing the target’s moral value in a way that calls for a retributive response. Presumably, this is because the target deserves such a response in virtue of the wrong or wrongs arising from enduring and morally odious aspects of his character. Devaluation of the target can therefore be tied to his status as a wrongdoer on the one hand, and the wrongdoer’s character on the other. Again, having this

attitude is more than just believing that someone has done wrong, is diminished in moral value, and merits a hostile response; it is coming to see the target that way. It is thus to be in a state of defiant or antagonistic aversion. Retributive hatred is properly focused when the target is accurately represented as morally responsible and as having the moral wickedness the retributive hater takes him to have.

To figure out what these conditions are it is useful to look at the reactive attitudes, especially those to which retributive hatred bears a strong resemblance. Considered broadly the reactive attitudes are reactions to a person's quality of will, good or ill, as it is manifest in that person's actions and attitudes.<sup>125</sup> We are social creatures so quality of will matters to us. This is revealed in our concern for the ideals, demands, and expectations surrounding the quality of will we bear toward others and that they bear toward us. Barring circumstances allowing otherwise, we demand and expect a certain degree of good will from ourselves and others, or at least an absence of ill will. Reactive attitudes like admiration, gratitude, resentment, indignation, and guilt are attitudes about how a person fares with respect to our ideals, expectations, and demands regarding the quality of will we bear toward each other. When a person exemplifies moral ideals, we are inclined to admire him. When a person violates moral demands, we are inclined to be indignant or resentful.

In fact, being prone to regard others within the scope of the reactive attitudes is just what it means to regard them as responsible agents.<sup>126</sup> To see that this is so we need only to reflect on the circumstances under which a reactive attitude, resentment for example, would not make sense. Strawson suggests two types of special considerations that might modify, mollify, or remove resentment. The first is expressed in such statements as "he was defending himself," "she

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<sup>125</sup> Strawson, "Freedom and Resentment," 191.

<sup>126</sup> *Ibid.*, 208

had to do it,” “he had no alternative,” “he didn’t know,” “she wasn’t herself,” and so on. Such claims as these do not invite us to see the agent as anything other than a fully responsible agent.<sup>127</sup> Instead, they invite us either to see that what the agent did was in fact justified, and so not a true violation of any legitimate moral expectation, or to recognize the violation while also recognizing an excusing factor that distances the agent from bad intentions and ill will. A second sort of consideration is expressed in such statements as “he’s only a toddler,” “he is senile,” “she is schizophrenic,” and so on. These do invite us to see the other person as something other than a responsible agent and so suspend our ordinary reactive attitudes.<sup>128</sup>

The division here is crude because it glosses the continuum of responsibility that applies in the case of children and varying degrees of mental incapacity and derangement. However, it does suggest to us the sort of attitude that is opposed to the reactive attitudes—the objective attitude. Under the objective attitude people are viewed as objects of social policy, management, treatment, or control rather than as responsible agents with whom we are in moral community.<sup>129</sup> Though it detaches us from engaging with others as moral agents, the objective attitude can carry emotional overtones. As Strawson points out, it may include repulsion, fear, pity, and some kinds of love. However, it cannot include indignation, resentment, gratitude, forgiveness, “or that sort of love which two adults can sometimes be said to feel reciprocally, for each other.”<sup>130</sup> These require seeing a person as a morally responsible agent. Thus looking at people wholly under the objective attitude severely diminishes the richness of the kinds of relationships it is possible to have with them.

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<sup>127</sup> *Ibid.*, 193.

<sup>128</sup> *Ibid.*

<sup>129</sup> *Ibid.*, 194, 202.

<sup>130</sup> *Ibid.*, 194-195.

Deliberating about and treating others as objects of policy, control, or treatment differs markedly from deliberating about them and treating them in ways consistent with recognizing them as responsible. Responsibility involves recognizing the potential to address, appraise, and call to account. Such recognition is reciprocal and so involves recognizing the potential to be addressed, appraised, and having to answer for our actions and attitudes. As these involve one's quality of will, the reactive attitudes are evaluative ways of regarding. They are not merely beliefs or judgments about others.<sup>131</sup> To regard people as responsible means to regard them in certain non-detached ways, and make possible the full range of human relationships in which relations of responsibility are an important feature.<sup>132</sup>

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<sup>131</sup> R. J. Wallace describes the reactive attitudes as the "quasi-evaluative stance" of holding someone to an expectation in *Responsibility and the Moral Sentiments*, 25. Such language commits him to describing the reactive attitudes as *evaluative but not really*. There is no reason to be shy about the evaluative content of the reactive attitudes. Much good philosophical work has been done that affirms that affective states are evaluative in terms of connecting to values, framing situations in terms of relevant values, and even as revealing value. The worry may be that the objective world is not a value-rich world; that value only exists because rational agents project it, or some other such thing that would suggest that value *isn't really there*. Still, our lives are inescapably ethical in character and content. This fact pervades our relationships with others. Value is there to be grasped in our evaluations because it is simply a part of human life.

<sup>132</sup> Wallace argues that the reactive attitudes may not be as inevitable a feature of human relationship as they might first appear. Pointing to the connection between the reactive attitudes and expectations, Wallace argues that love, hurt feelings, shame, and gratitude should not be included among the reactive attitudes as Strawson suggests they should. Instead, the reactive attitudes, as connected to holding others to expectations and demands, should be confined to resentment, indignation, and guilt. Viewed this way, he argues, the reactive attitudes are not essential features of human relationships. We could imagine a culture in which the quasi-evaluative stance is not available even if expectations are. This would allow for love and hurt feelings, but not for resentment, for example. Therefore the reactive attitudes are not absolutely inevitable. (Wallace, 30-31) However, Wallace goes on to argue that involvement in interpersonal relationships is inevitable and this involves such "natural emotions" as friendship, attachment, concern, sympathy, and love. Living in a culture in which the quasi-evaluative stance is available, these natural emotions are wrapped up in that stance through moral expectations. Thus we will be prone to the reactive attitudes as we understand our interpersonal relationships with others. (32)

This is an interesting position but it is mistaken. Interpersonal relationships are inevitable fixtures of human life and these require shared expectations and values. We expect a certain degree of fellow-feeling and beneficence in community and attitudes like resentment and gratitude uniquely capture performance with respect to moral expectations in these contexts. Merely holding the detached judgment that a wrongdoer is mistaken about the moral facts or merely being saddened by a poor performance ignores the importance of interpersonal relationships in our lives by reducing others' actions to events in which goods are gained or lost. Grief and disappointment naturally fixate on loss but are not ways of regarding others as agents who have done us moral injury. In fact, I doubt that there could be any such thing as real intimacy without moral expectations and demands, and there could be no such things as moral expectations and demands without the evaluative stance. I suspect that a culture in which these are denied would lack people who view themselves as active agents. If

Strawson draws a number of distinctions with respect to the reactive attitudes. The first is between personal, vicarious, and reflexive (self-reactive) attitudes. Personal reactive attitudes are those that rest on or reflect the expectation either that others bear a certain degree of good will, or forbear indifference or ill will, toward ourselves.<sup>133</sup> Personal reactive attitudes are thus concerned with our projects as our own, with self-respect, and other values of the self. Vicarious reactive attitudes are analogues of the personal reactive attitudes and reflect the same expectations of those attitudes but in a generalized form.<sup>134</sup> Rather than resting on the expectation that others bear good will toward us, the vicarious attitudes rest on the general expectation that good will, not ill will or indifference, be shown toward everyone. Thus the vicarious reactive attitudes are disinterested. Indignation, in contrast to resentment, is a paradigmatic example of this type.<sup>135</sup> The self-reactive attitudes are those associated with our expectations and demands on our own quality of will as this is manifest either toward others or toward ourselves and our own activities and projects.<sup>136</sup> Paradigm cases of the type include guilt, shame, and remorse. It may even include some forms of pride. Strawson points out that these three types are all humanly connected. To be prone to one sort of reactive attitude but not the

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natural emotions like love exist in this imagined culture, it could only be the love one has for a pet robbed of the possibility of moral outrage one might experience toward those who would willfully mistreat that pet—the object of one’s care. At any rate, being open to moral outrage, a reactive attitude, is part of what it means for the object of any love worth bearing to have value. I thus affirm that the reactive attitudes are inevitable. If by some psychological violence a human culture without them could be born, it would be shallow, lacking the full richness of human relationships.

<sup>133</sup> Strawson, “Freedom and Resentment,” 200.

<sup>134</sup> Ibid.

<sup>135</sup> Stephen Darwall draws the personal/vicarious distinction similarly in “Two Kinds of Respect,” 37. He describes resentment as expressing an *obligation to* some particular person whereas indignation expresses obligation from the standpoint of representative persons, that is, obligation *period*. It is true that we often do resent others for violating expectations peculiar to a particular relationship, such as those expectations that arise within the context of intimate relationships. However, vicarious resentment (indignation) on behalf of others when the peculiar expectations present in a particular relationship have been violated is intelligible and normal. This is what we experience when a friend tells us of a slight within the context of another friendship that would not count as slights outside of the particular expectations of that relationship. These vicarious resentments may carry moral content too insofar as they invoke such ideas as what it means to be a good friend.

<sup>136</sup> Strawson, “Freedom and Resentment,” 201. Strawson only includes our demands on ourselves toward others.

others would be a kind of failure. Thus to be prone only to the personal reactive attitudes would be egocentric or a kind of moral solipsism.<sup>137</sup> To be prone only to the reflexive reactive attitudes would be to regard oneself apart from others, either above them or below them, and would again amount to a kind of moral solipsism. To be prone only to the vicarious reactive attitudes would be to take such a detached view of one's own projects and position in the world that one would, in effect, disappear as an agent with projects of his own. Therefore, in human terms, to be prone to one type is to be prone to the others.

Strawson draws a second distinction between moral reactive attitudes (those having moral content), and the rest. He marks the difference by identifying the vicarious reactive attitudes as having moral content, content that is denied to the personal and reflexive attitudes. Given that the personal reactive attitudes include resentment, and that the reflexive reactive attitudes include guilt and shame, it is puzzling why one would think the line would be drawn here. To identify the moral attitudes with the vicarious attitudes is to depersonalize morality's content as though it were all a matter of abstract principles. This is to over intellectualize actual moral practice which is very often manifest as a concern for particular people within the web of relations that form the moral community. Cutting off resentment and guilt from the scope of moral attitudes, and thus cutting the moral attitudes off from concern for oneself or others understood in personal terms, acts against the pervasiveness of moral ideals, values, and expectations in our lives.<sup>138</sup>

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<sup>137</sup> Ibid.

<sup>138</sup> Alternatively, Wallace maintains a broad understanding of moral emotions as those with moral content but severely restricts what counts as a reactive attitude. On his view, reactive attitudes are those that respond to the violation of legitimate demands. Thus, the reactive moral attitudes are only those "explained exclusively by beliefs about the violation of moral obligations." (Wallace, 38) Thus Wallace concludes that the only reactive moral attitudes are resentment, indignation, and guilt. This view is appealing because it captures the character of resentment, indignation, and guilt as they connect to responsibility through taking an evaluative stance. However emotions like gratitude are no less responses to the quality of a person's will than are resentment, indignation, and

For these reasons we should see the reactive moral attitudes as those having moral content—those that must be explained in moral terms as well as in terms of responsibility. Because retributive hatred is an attitude taken toward another regarded as a responsible agent for serious moral violations, it is right to call it a reactive moral attitude in that it reacts to the demand that barring certain circumstances, we all maintain at least some degree of good will, or at least a lack of ill will, toward each other and, and has moral content.

The proper focus conditions of a reactive moral attitude can be sketched by reflecting on what the reactive attitudes are. I have already said that being prone to the reactive attitudes constitutes what it is to view ourselves and others as responsible agents. For this reason a negative reactive attitude will be the proper attitudinal response to unacceptable ill will or indifference when the target is a responsible moral agent and the violation of ideals, expectations, or demands he committed is one for which he can be held responsible. Thus the agent in question must not have acted in non-culpable ignorance of what she was doing, was not coerced into doing so or was otherwise “not herself,” or is not so psychologically underdeveloped or abnormal as to warrant the objective attitude.<sup>139</sup>

In accordance with the picture so far, the proper focus conditions of a paradigmatically reactive moral attitude like resentment can be laid out. Resentment is a properly focused response to a person when it is directed at her in virtue of a morally offensive or injurious action for which the offender is responsible. Thus the offender was not non-culpably ignorant, coerced, psychologically underdeveloped, and so on. Moreover, resentment is properly focused when it rests on a legitimate moral expectation or demand that others manifest good will, or at least not

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guilt even though their focus is not on flouted obligations. I encourage a wider understanding of what the reactive attitudes.

<sup>139</sup> Not being oneself is a fuzzy notion and different standards abound. It seems to me that the degree to which a person a “not herself” excuse will fly depends on at least three factors: the extent to which the offender is regretful or apologetic, the quality of the offense, and the offense’s magnitude.

manifest ill will, a demand that has been violated. This demand might be a general one we all have on each other's behavior, or one peculiar to a particular relationship.

Typically, people are resented for discrete acts of wrongdoing and instances of ill will. For this reason, resentment is not focused on enduring features of a person's character as hatred is, and is not permeative as hatred is. Thus, even if a person experiences resentment, that person does not necessarily also experience retributive hatred. Retributive hatred's proper focus conditions need to reflect the fact that it pulls in negative evaluations of a person in virtue of his enduring traits. However, not all reactive attitudes that have such a component are forms of retributive hatred.

Contempt involves negative assessments of a person's moral character. In fact, contempt is a response to people not just in virtue of transgressions of moral obligations, but to failures of what the contemner takes to be legitimate interpersonal ideals of the self.<sup>140</sup> Thus Mason describes properly focused contempt as directed at a person in response to violations of an interpersonal ideal of the person stemming from morally evaluable character traits for which the target can appropriately be held responsible and for which there exists a legitimate expectation or demand that the target approximate that ideal.<sup>141</sup> Mason offers an example by way of the film *Le mépris*.<sup>142</sup> In the film Camille comes to feel contempt for her husband Paul who is a playwright. Camille's ire is stirred as her husband shows himself willing to barter her sexuality to a wealthy American film producer for the purpose of professional advancement.<sup>143</sup> In Camille's eyes Paul is "not a man."<sup>144</sup> She comes to hold Paul in contempt. As Mason points out, "man" here is a

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<sup>140</sup> Mason, "Contempt as a Moral Attitude," 248.

<sup>141</sup> *Ibid.*, 250.

<sup>142</sup> Jean-Luc Godard, *Le mépris*, 1963.

<sup>143</sup> Mason, "Contempt as a Moral Attitude," 237. As Mason points out, this plot summary glosses over a number of ambiguities in the film.

<sup>144</sup> *Ibid.*, 240.

normative assessment.<sup>145</sup> Contempt in this example is an attitude that permeates the contemner's orientation to the target and it is focused on failures that reflect the target's enduring deficiencies of character. The example also seems to be one of what I am inclined to call a transgression of moral demands. This suggests a contempt that might include retributive elements thereby blurring any distinction we might draw between it and retributive hatred.

A case of contempt that does not involve any interpersonal transgression and is free of any retributive flavor comes by way of Johnston McCulley's *Zorro* story *The Curse of Capistrano*. In it Don Diego Vega limply offers to wed Lolita. Her ire is pricked by Diego's apparent failure to live up to any of the romantic expectations placed on young caballeros; he will not even ride his horse the four miles from his home to serenade her. Instead, he offers to send a servant to do the job. Unaware that Diego is hiding his identity as the masked highwayman Zorro, Lolita declares, "Don Diego Vega...you are of a noble family and have much wealth and will inherit more. But you are lifeless, senor!"<sup>146</sup> To her parents she declares, "He is not the sort of man I wish for my husband. He is lifeless; existence with him would be a continual torment."<sup>147</sup> Lolita's attitude toward Diego is one of aversion simply for his failing to live up to an interpersonal ideal. It does not involve a violation of any moral demands and has no retributive edge. Though the contemner will withdraw from the target as much as possible, her attitude is not necessarily a hostile one.

Retributive hatred draws more under its purview than resentment and involves more than failures to live up to interpersonal ideals of the self as such. As I have described it so far, retributive hatred is a response to voluntary interpersonal wrongdoing arising from morally evaluable character traits. One might even imagine hating a person for an involuntary but

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<sup>145</sup> Ibid.

<sup>146</sup> Johnston McCulley, *The Curse of Capistrano*, chapter 6.

<sup>147</sup> Ibid., Chapter 10.

culpable wrong for which he shows no remorse or repentance thereby identifying himself with a quality of will that would usually only accompany voluntary wrongdoing. These features explain retributive hatred's defiant and permeative character because the wrong comes to characterize what the wrongdoer means to the hater. The wrong also comes to represent a standing offence. As demonstrated in the last chapter wrongs carry messages about our value and addressing those who delivered those messages as wrongdoers amounts to a defense of self-esteem. In light of these considerations a given case of retributive hatred is properly focused when it meets the following conditions:

- 1) Retributive hatred is adopted in response to a particular person in response to his having committed a serious wrong that violates legitimate moral demands or expectations holding between people in general or those moral demands and expectations peculiar to a particular relationship.
- 2) The violation to which retributive hatred is a response arises from among those morally evaluable character traits for which the target can rightly be held responsible.

I have mentioned two further features of retributive hatred that do not appear explicitly in this list. The first has to do with the connection between disvalue and hostility in retributive hatred. The second connects it to non-repentance. Both conditions generate the sense of disvalue to which the retributive hater responds. These are connected to hostility through the idea of diminished moral merit, that is, negative desert. However, forging this connection is a matter of justifying retributive hostility so I leave it for chapter five. Since non-repentance is a source of defiance and is also connected to justifying hostility, I leave discussing it for chapter five as well.

From the description I have given of retributive hatred and the proper focus conditions I have set out, it should be clear that I am not interested in defending all instances of retributive hatred. For example, retributive hatred directed at a person only because that person's brother murdered one's child would fail to count as properly focused retributive hatred. I am not advocating feuds and similar affairs. Our lack of knowledge with respect to Patrick's killers also

raises doubts as to whether Richard Cress' retributive hatred is properly focused. Some unsavory varieties of retributive hatred might count as properly focused but fail to be justified. Retributive hatred as it manifests with respect to some honor killings could fit this category.

The examples I have employed to describe retributive hatred may worry some readers because its paradigmatic instances arise in a deeply personal relationship between victim and victimizer. This is what we see in Lewis and the Camelback rapist's victims. Because of this deeply personal character, one might wonder whether retributive hatred has any vicarious or reflexive analogues. After all, if retributive hatred fails to have either, it looks like a solipsistic attitude at worst and an attitude with no general moral content at best. Either looks suspicious and either would undermine any attempt to offer a justification for any case of retributive hatred from the start.

However, to suppose that retributive hatred can only be felt on one's own behalf is a mistake. Morally valenced hatred is sometimes directed at those whose general mode of life is seen as wicked for their licentious and pernicious ridicule of sound moral principles and for their moral corruption. Their corruption might involve serious immorality but fail to involve interpersonal transgressions involving violations of rights and even go on without the production of any specific and assignable victims. The hater in that case could expect anyone to join in her attitude based solely on the moral offensiveness and depravity of the target's actions and the corruption of his heart. A similar story can be told of retributive hatred in which there are definite victims of wrongdoing. Cress' hatred of his son's murderers is an attitude that he has not just for what he has suffered, but for what his son suffered. Experiencing retributive hatred against those who gravely wrong family and friends is not hard to imagine insofar as we have special care for those we love and naturally identify with them. Retributive hatred can and had

better be more vicarious than this. Adam Smith mentions in his discussion of resentment, an attitude that for him covers both of what I have called resentment and retributive hatred, that we hold others—family, friends, citizens, and people in general—in our regard as individual persons. We are thus concerned for what happens to them as individual people, not just in terms of how what befalls them threatens civil society or otherwise affects us.<sup>148</sup> Vicarious retributive hatred has its conceptual basis in this fact. The impartial spectator apprehends that a person has suffered moral injury at the hands of a wicked person who deserves to suffer in virtue of that fact and it is in virtue of that fact that vicarious retributive hatred is adopted. Though the vicarious retributive hater may not wish to, or see herself as having legitimate moral authority to *pull the trigger* on the target of her ire as someone like Cress does, her hostility may yet involve wishing to see someone like Cress get his way.

Finally, retributive hatred should be distinguished from what Jean Hampton describes as moral hatred. According to Hampton, moral hatred is not grounded in competition for rank or moral status. Instead, Hampton describes moral hatred as:

An aversion to someone who has identified himself with an immoral cause or practice, prompted by moral indignation and accompanied by the wish to triumph over him and his cause or practice in the name of some fundamental moral principle or objective, most notably justice.<sup>149</sup>

Hampton notes that this sort of hatred might not seem that it is directed at a person, but the bad principles that person champions—those principles with which he or she has come to be identified. However, these awful principles are “tangled up” with the character and beliefs of the hated person “in the same way a cancer can get mixed up with the healthy cells of one’s body.”<sup>150</sup> For this reason hating those principles can come to mean hating the person who

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<sup>148</sup> Smith, *Theory of Moral Sentiments*, 108.

<sup>149</sup> Hampton, “Forgiveness, Resentment and Hatred,” 61

<sup>150</sup> *Ibid.*

proclaims them. Moreover, Hampton tells us that sometimes moral hatred is morally acceptable.<sup>151</sup>

Moral hatred is indignation about a wrong combined with the idea that the wrongdoer has become so associated with an evil cause that we can consider him to have become “rotten” or to have “gone bad.”<sup>152</sup> The aspect of indignation in moral hatred as Hampton understands it is not about opposing the wrongdoer directly for the wrong he has done. Hampton understands indignation as defying the message communicated by an act of wrongdoing, a message like “I matter but you don’t” or “It is fine for me to use you for my purposes.” It is messages like these and the false principles they represent that the moral hater is primarily concerned to oppose and defeat.<sup>153</sup>

Whatever it involves, the attitude Hampton describes does not include non-instrumental hostility toward another person. Describing the object of the attitude as immoral principles or causes suggests that the wrongdoer does not have to come into the moral hater’s thoughts of defiance and defeating the evil cause at all. Defeating *him* is either merely a way of undermining some wicked program or his coming to harm is just acceptable collateral damage in a war of principles.<sup>154</sup> He does not so much deserve what he gets as what he gets is acceptable given his relationship to the principles the moral hater desires to uphold and what will be required to defend those principles in a particular case. The moral hater’s intention is not to bring [retributive] misery on the target even if the target’s suffering is foreseeable given what the moral hater plans to do. The target’s misery is accidental to the moral hater’s aims just as a patient’s misery is accidental to an oncologist’s aim of defeating cancer.

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<sup>151</sup> Hampton, “Introduction: Forgiveness and Christianity,” 12.

<sup>152</sup> Hampton, “Forgiveness, Resentment and Hatred,” 80. The terms are Hampton’s.

<sup>153</sup> *Ibid.* 59-60.

<sup>154</sup> Peter French in “The Virtues of Vengeance” makes a similar point by arguing that Hampton’s moral hatred is committed to the doctrine of double effect. (105)

Hampton's description of a variety of hatred here is a little off the mark because of the separation it draws between actions, intentions, and ideals on the one hand, and the practical identity of the agent on the other. This ultimately leads to a distinction between actions and action-focused attitudes, and agents and agent-focused attitudes that arises from the everyday grammar we use to describe certain kinds of emotional experience. After all, "I resent..." or "I am indignant about..." is usually filled in with some action. Sentences like "I hold... in contempt" and "I hate..." are usually filled in with a name or pronoun. In terms of the intentional objects of different reactive attitudes the story goes, some are aimed at actions or principles whereas others are aimed at persons. Hampton's point is that moral hatred's indignant aspect is not aimed at a person directly. Instead, it is aimed at defending morality *as such*. This allows for its moral appropriateness in some circumstances.

The scheme of act-focused and person-focused attitudes does not describe emotional experience. The failure arises from an oversimplification that collapses the target of a given reactive attitude with what prompts it. As Stephen Darwall points out in the case of resentment, the object is "always some individual conceived as free and rational" whereas what prompts the attitude is that individual's exercise of his rational capacities.<sup>155</sup> We must not forget that reactive attitudes are about the quality of will expressed by another *through* his actions, that is, actions as done by particular agents. The act-focused/agent-focused confusion probably gets its start in the accurate perception that some reactive attitudes are directed at a person for discrete instances of good or ill will and so are not broad and permeative while others, like contempt and hatred, are by being more about the person on the whole. At any rate, being focused on moral principles *as such* versus being focused on persons cannot settle the question of justification one way or the other as Hampton seems to suggest.

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<sup>155</sup> Darwall, *The Second Person Standpoint*, 79.

Again, what Hampton describes as moral hatred is very different from what I have described as retributive hatred. Moral hatred is indignation understood as opposition to the morally false message communicated by a person's wrongdoing combined with the belief that the wrongdoer's deep association with an evil cause has caused him to have rotted or gone bad. Thus the moral hater understands the target to have lost some degree of goodness. This is similar to what the retributive hater thinks. However, whatever suffering is wished for by the moral hater is wanted as a way of defeating the wrongdoer's evil cause instead of as a way of defeating *him*. It is thus accidental and instrumental to defeating an evil cause understood as separable from its proponents. For this reason moral hatred contrasts with retributive hatred. In retributive hatred whatever suffering is to befall the target is wished for non-instrumentally as an essential part of what moral justice entails.

## **§ 5 Conclusion**

I have described retributive hatred as a reactive moral attitude. It is a reactive attitude insofar as it responds to a person's quality of will and involves seeing him or her as answerable for himself and as responsible for what he is and who he has become. Retributive hatred is a moral attitude in the sense that it has moral content. It does, after all, respond to serious wrongdoing and wicked character. Thus retributive hatred involves the idea that the target has depreciated in moral value or merit and that this calls for or permits a non-instrumentally hostile response. Retributive hatred is properly focused when it accurately represents the target as a responsible wrongdoer whose actions follow from enduring and negatively morally evaluable features of his or her character. Thus I have argued that retributive hatred is properly focused when the following conditions are met: It is adopted in response to a particular person in response to his having committed a serious wrong that violates legitimate moral demands or

expectations holding between people in general or those moral demands and expectations peculiar to a particular relationship. The violation to which retributive hatred is a response arises from among those morally evaluable character traits for which the target can rightly be held responsible. I have not included the connection between disvalue and hostility, and the salience of non-repentance to properly focused retributive hatred because these have more to do with the conditions under which properly focused retributive hatred is morally justified as I will describe them in chapter five.

By locating retributive hatred in the reactive moral attitudes I have argued that retributive hatred can only be sustained by the recognition of the hated person as a moral agent and so as having moral status. It is not an “anything goes” attitude with respect to hostility. Properly focused retributive hatred cannot therefore be directed at non-wrongdoers who might bear close relationships to those who have given rise to one’s hatred. Even morally inappropriate but properly focused retributive hatred is not to engage in, or to desire to engage in, a feud. Instead, retribution in retributive hatred is tied to notions of merit and desert. Because the connection between hostility and merit/desert has to do with retributive hatred’s moral justification, I leave my discussion of these to the last chapter.

I have also distinguished retributive hatred from morally uninteresting or indefensible varieties of hatred, that is, simple hatred, prejudicial hatred, malice, and spite. Though retributive hatred shares some affinities with these attitudes, it is ultimately distinct from them for the kind of disvalue it involves and for its moral basis. Retributive hatred can also be distinguished from resentment in virtue of the latter’s having no orientation to bad character and its lack of permeativity. Retributive hatred can be distinguished from contempt in virtue of its aspect of defiance and hostility and in virtue of its referencing more than just the target’s failure to live up

to an interpersonal ideal of the self. Finally, retributive hatred is distinct from what Hampton referred to as moral hatred, a combination of impersonal indignation aimed at opposing immoral principles and the idea that a wrongdoer's close association with immoral principles allows us to regard him or her as having gone bad. In this attitude whatever harm falls on the wrongdoer is accidental to one's aim of defeating the immoral cause. This is different from retributive hatred in which hostility is non-instrumental.

Properly focused retributive hatred is not without problems. I have argued that retributive hatred is properly focused on those whose wrongs arise from bad character traits for which a person can be held responsible. This involves being able to say enough about a person's character to count as properly representing it. However, one can argue that we never have evidence of character sufficient to ground an attitude like retributive hatred. Pressing this argument admits that retributive hatred can be properly focused in principle, but that no human case of it whatsoever is actually properly focused. Because proper focus is a necessary condition of a reactive attitude's justification, if the objection succeeds, no case of retributive hatred is ever morally justified. I address this problem in the next chapter.

## Chapter 4

### KNOWLEDGE OF CHARACTER AND PROPER FOCUS

I have argued that retributive hatred is properly focused when it is adopted in response to a particular person in response to his having committed a serious wrong that violates legitimate moral demands or expectations holding between people in general or those moral demands and expectations peculiar to a particular relationship. And the violation to which retributive hatred is a response arises from a morally evaluable character trait for which the target can rightly be held responsible. These conditions reflect retributive hatred's focus on the person of the wrongdoer. Hatred thus draws on judgments about another's character and it permeates the hater's attitude toward the wrongdoer. Because of its focus on character and identity, a given case of retributive hatred will fail to be properly focused insofar as the character judgment is not supported by the evidence, or when the target of hatred is not responsible for the character trait in question.

Retributive hatred's detractors may argue that we never have evidence of character sufficient to ground reactive attitudes, particularly negative and retributive ones. This objection can be taken in three different directions. One might argue that we often do not have access to the "whole story" and so do not have enough information to hate. One argue that retributive hatred could get off the ground if anyone were thoroughly wicked yet claim that no one is "all bad." Evidence that a person is vicious in one area of life is insufficient evidence of badness on

the whole after all. Alternatively one might offer an argument that is skeptical of our ability to discern motives and character thus robbing us of any real capacity to judge them.

In this chapter I take on the worry that retributive hatred is never properly focused because judgments about character are never epistemologically warranted. In section two I discuss the objection that the full story behind a wrong exculpates the wrongdoer, or at least makes retributive hatred unwarranted. In section three I discuss the objection that even the wicked among us have redeeming qualities and that these do not permit the kinds of judgments required of retributive hatred. Though this worry is more of a moral objection than an epistemological one, it is related to the “whole story” worry and to how the target of retributive hatred is represented. In section four I discuss the objection that we cannot know enough to hate. After arguing that each objection fails to show that retributive hatred fails to be properly focused in all cases, I recommend some cautions regarding retributive hatred’s adoption.

## **§ 2 Biography and Circumstance: “We Don’t Know the Whole Story”**

It is not uncommon to be asked to withhold negative reactive attitudes either because we do not know enough about the circumstances to warrant them or because, if we were to understand the whole story of how the wrongdoer’s peculiar biography intersects with the situation at hand, we would excuse the offense. I respond to a strong version of the former worry in section four. For now our focus is confined to the latter worry, a worry that reflects the saying, “to understand is to pardon.” The idea is that if we extend compassionate understanding to the wrongdoer, we will develop feelings of empathy or of pity that undermines negative attitudes. Compassionate understanding involves focusing on those biographical and psychological factors operating on and in the wrongdoer that generated the wrong. Our attitude about the offence is reframed with respect to those factors and so changes from attitudes of grievance like resentment

and retributive hatred to more positive attitudes. In fact, reframing a wrong by focusing one's attention on the role of the wrongdoer's biography leading up to that wrong is how David Novitz, Robert Roberts, and Cheshire Calhoun understand forgiveness.

On Novitz's view we can elicit a change in our understanding of a wrongdoer through empathetic thinking that reframes the offence by offering a history of it that no longer fixates on one's grievances, but shifts focus to "the other side of the story." This is achieved by imaginatively placing the offence within a context that undermines the grievance.<sup>156</sup> Roberts similarly argues that retributive attitudes can be overcome through a Gestalt switch from the retributive attitude to some more benevolent understanding of the offender.<sup>157</sup> One way this might happen is by understanding the wrongdoer in terms of his *humanity*—his damaged nature, the suffering he has endured, the frustrations and feelings of inadequacy arising from his shattered aspirations, his weakness, and his fragility. Detaching ourselves from the position of victim to adopt the wrongdoer's viewpoint as someone who has suffered is meant to shift our attention from the actions that provoked our retributive attitudes.<sup>158</sup>

Calhoun also looks to changes of perspective that bring the role of biography more clearly to light. She points out that we typically give up retributive attitudes by telling stories that diminish culpability and reduce one's sense of what is deserved by the wrongdoer.<sup>159</sup> Calhoun tells us that "in living through time, normal persons need to make the sorts of choices that will add up to and sustain an integrated, rather than fragmented biography... although an agent's wrongdoing fails to make moral sense, it does make biographical sense."<sup>160</sup> Adopting a more

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<sup>156</sup> Novitz, "Forgiveness and Self-Respect," 309, 311.

<sup>157</sup> Roberts, "Forgivingness," *American Philosophical Quarterly*, 293.

<sup>158</sup> *Ibid.*, 297.

<sup>159</sup> Calhoun, "Changing One's Heart," 83. Calhoun, like Roberts, appears to cast the question of forgiveness primarily within the context of retributive attitudes.

<sup>160</sup> *Ibid.*, 92.

benevolent understanding of another involves seeing that wrongdoing usually expresses the fallout from other areas of a person's life rather than being aimed directly at oneself. Thus, compassionate shifts of attention deprioritize the moral in favor of the biographical, that is, the information that constitutes the rest of the story. With these thoughts in play it is easy to see why someone might think that retributive hatred arises either through ignorance of all the relevant facts, or through a failure of social and epistemic virtues that seek the whole story through shifts in perspective.

Compassionate understanding is a good thing. Offences are very often less than we imagine them to be especially when those offences are against us personally. Wrongdoers very often deserve less harshness than many suppose. However, it is hard to see how diminishing culpability—providing an excuse—counts as forgiveness since it undermines the idea that a moral wrong occurred in the first place. Calhoun shows great insight by arguing that forgiveness ultimately releases a person from he or she deserves. This is what makes a forgiving change in perspective so difficult. However, understanding this release as a release from culpability is a mistake *because* the moral is deprioritized. Instead, forgiveness should be understood as forswearing whatever properly focused and morally justified negative attitudes are left after all legitimate excuses have been made. The “whole story” objection also supposes that access to more information will always provoke a shift in one's attention away from wrongs done, that we are always excused by biographical considerations, or that identifying with the wrongdoer will always diminish his fault. Each of these presuppositions is false.

Suppose that John fails to notify his colleague Catherine that he will miss an important meeting with her, a meeting she has gone to some inconvenience to make time for. Catherine might well feel slighted by the lack of regard for her revealed by John's actions and be angry.

Suppose she learns that John missed the appointment because he happened upon some old, true, and long-missed friends whom he was so excited to meet that he forgot the meeting and shared a drink with them instead. This story lessens John's fault because it distances John from the disregard he showed Catherine by missing the meeting. It excuses him, at least partially. Insofar as John has an excuse, blame is misplaced and properly focused negative reactive attitudes are unavailable. On the other hand, suppose that John just did not want to show up, preferring to do his own thing and not wanting to waste the energy to contact Catherine. This is so outside the realm of normal forgetfulness that it increases John's fault, and would likely raise Catherine's anger as her understanding of John's attitude toward her deepens.

Similarly, suppose that Richard Cress' son was slain accidentally or the murderer did it because someone credibly threatened grave harm to his family if he did not kill the boy. The murderer would then be distanced from the evil intentions normally associated with unjustified killing. We could sympathize with the murderer's reasons and might even pity him for the remorse and grief he feels as a result. A killer might even be excused somewhat for, say, abandoning the boy to die on the side of the road after an accident out of fear, especially if it were the case that his circumstances predisposed him to mistrust police and the community at large. Matters change greatly if, in getting more information and adopting the wrongdoer's perspective, we discover that genuinely bad intentions drove his action.

Certainly we should not always be excused for the wrong we do, nor always excuse others for the wrong they do. To think otherwise is to think that we are pretty well detached from our own actions in virtually every circumstance. Not only does belief in such detachment also alienate us from the good we do, it threatens to undermine viewing people as responsible agents. Sophisticated versions of the objection drawn from various theories of forgiveness do not have to

count the addition of information and perspective through compassion as excusing. Insofar as they do reduce to giving excuses, and insofar as they trade on shifts of attention, compassion advocates must allow that properly focused retributive attitudes are a possibility.<sup>161</sup> Insofar as they do not, the objection threatens the very idea of moral responsibility.

Recall Frank's betrayal of Lewis to illustrate this point. Filled with a confusing bundle of feelings on discovering Frank's perfidy, Lewis recalls that Frank was raised by ambitious and hard-hearted parents who prized success above all else. Frank was held to exacting standards and his parents usually spoke of his friends in highly competitive terms. So from an early age Frank came to put himself first no matter what. When Lewis finally confronts Frank, Frank appears to miss the moral significance of what he has done. He only says that he did not enjoy undermining Lewis and did not initially set out to do so. Speaking primarily of the importance of success, Frank exclaims, "if you want an omelet, sometimes you have to break some eggs."

Through his experience, Lewis comes to have feelings of resentment and retributive hatred over Frank's betrayal and cold expediency that are in tension with Frank's sorry history. "How could Frank have come out any other way?" we might imagine Lewis asking himself. If Lewis insists that Frank could not have helped his circumstances, as surely he could not, and so should not be resented, then he falls into using compassionate understanding to distance Frank from his acts of betrayal and from his viciously expedient character. Lewis will thereby minimize the wrong done.

We must be careful here. The objection initially put on the table was that negative reactive attitudes, especially retributive hatred, arise because we are ignorant of all of the

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<sup>161</sup> That proper focus is distinguishable from moral propriety is very important here. I am not saying that a moral view that makes great space for compassionate changes of understanding and shifts of attention from one attitude to another must yet allow that retributive attitudes be morally permissible. Moral permissibility does not follow from proper focus without further argument. As we saw in the last chapter, some forms of malicious hatred might be properly focused while still being morally wrong to indulge.

relevant facts and perspectives. On one understanding, the objection means that we are always excused from the evil we do because there is always some fact or perspective immediately present in the situation that distances the wrongdoer from the wrong or from some particular intentional state. This is to deny that we are ever responsible for the things we do and is a position so at odds with human experience as to be utterly implausible. We are not always so detached from our own actions and intentions that we cannot view them as our own. Identification with a wrongdoer, understanding how he got to be the way he is and how his wicked actions develop as part of an integrated biographical unity, is not the same as excusing those actions. Good and evil have general perspectival senses in which standing in another person's shoes reveals to us how his actions make sense to him as means of pursuing what seems good to him. To confuse this with moral good and evil is either to fall into an implausible subjectivism in which moral terms have no real meaning, or to be guilty of a category mistake. Thus, to identify with the wrongdoer may result in understanding his actions as expressions of who he is and his conception of the good, but is not the same as seeing those actions as morally good and justified, or as separate from his sense of identity and so as excused.

On another understanding of the objection we can alternate between retributive and benevolent attitudes toward others either of which would be properly focused. Thus Lewis could see what Frank has done as a natural manifestation of his character—of who he is and as directly aligned with his will. However, the putative objector seems to have in mind that we should prefer the compassionate attitude of pity to retributive hatred, or to resentment for that matter, because of its focus on the whole person of the wrongdoer. This understanding threatens to collapse back into the excuse view. If we should prefer compassionate understanding and pity because it delegitimizes negative reactive attitudes like resentment and retributive hatred, then

compassionate pity and such attitudes are understood as competing for justification. As Pamela Hieronymi points out, compassionate pity and negative reactive attitudes are incompatible only in the weak sense of competing for our attention, not in the strong sense of competing for justification.<sup>162</sup> Retributive hatred is justified by another person having done wrongs that proceed from vicious character traits for which he or she may be held responsible, compassionate pity is justified by a sorry and troubled biography. One is about moral rights and wrongs, the other is not. Thus one cannot use trading perspectives to excuse or otherwise undo the judgments on which retributive hatred is grounded.<sup>163</sup> If we are meant to prefer compassionate pity because it is more pleasant to experience or similar reasons, then the proper focus of retributive hatred is not addressed at all.

More difficult versions of objections rooted in ideals of compassionate understanding, namely moral luck and our identification with the wrongdoer as a fellow wrongdoer can be raised. The strongest and most potentially devastating to my project argues that by identifying with others on the basis of our shared humanity, from properly appreciating the fragility of our own goodness and acknowledging our own moral transgressions, we do not have the moral authority to take up retributive hatred. This is not an epistemic objection nor is it an objection to the form of moral responsibility ascription my account of properly focused retributive hatred requires. It is not an objection to proper focus but an objection to moral justification. For now I must leave this matter aside.

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<sup>162</sup> Hieronymi, *Articulating an Uncompromising Forgiveness*, 543.

<sup>163</sup> This is not to deny a psychological tension between compassion and retributive hatred as the two compete for our attention. One might go further by claiming a conceptual tension between compassion and retributive hatred. This may well be so but I worry that such a tension would be similar to that existing between the reactive and objective attitudes. I favor regarding people as responsible. This does not rule out sympathy. However, rather than failing to experience negative attitudes from the start, compassionate fellow-feeling instead might call for forswearing negative attitudes and responses in acts of forgiveness and mercy.

In this section I have argued against the contention that retributive hatred is never properly focused because the potential targets of that attitude will always be excused or our judgments of culpability otherwise undermined by the admittance of further information or by taking on the perspective of the wrongdoer. I have shown that though compassionate understanding is a good thing, relying on it to remove blameworthiness threatens the idea of moral responsibility. I have also shown that using compassionate understanding to draw our attention away from moral wickedness implausibly distances the wrongdoer from his or her own actions, intentions, and character. Thus it cannot serve as a means of undermining the retributive hater's negative appraisals. In the next section I address a worry that moves from the insight that even the worst of us are not often entirely corrupt, to an attempt to show that the kind of appraisal required for retributive hatred is not warranted. In section four I address the objection that we cannot have enough insight into another person's character to warrant taking on retributive hatred as an attitude in response to anyone.

### **§ 3 Redeeming Qualities: "He's Not All Bad"**

The insight that almost no one is *all bad*, rotten through-and-through, and the need for charity that accompanies this insight give rise to the most intuitive way of stating a general evidentiary objection to retributive hatred. In its most prosaic form, this insight that the wrongdoer is not all bad amounts simply to the recognition that we should very often give the benefit of the doubt. It may also mean that those who have done great evil in the past are not necessarily thoroughly wicked, or that very morally bad people very often have redeeming qualities.

I have some experience with this. While working the front desk at an outpatient mental health facility for high-risk adults I met a woman who had spent ten years in prison for

murdering her own infant child.<sup>164</sup> My interactions with her were always positive and she did seem to have a number of good qualities. Her character was by no means monolithic. She was likeable. This general point is particularly clear when we look at people who are evil in one domain of their lives but who are positively good in others. To illustrate just this phenomenon, Michelle Mason imagines that Paul, who in her example seeks to pimp his own wife to professional contacts for the purpose of advancing his career, also volunteers at the local soup kitchen from genuine concern for those in need, does what he can to help colleagues, and is otherwise known as a generous person.<sup>165</sup> Here is a man lacking in filial virtue but who has the redeeming quality of generosity.

The same phenomenon persists even as we raise the stakes of the evils involved. Vikings were cruel invaders, but they also maintained standards of honor and justice among their own, loved their families, and helped their friends. Torturers in every age have doted on their children. Even Himmler felt a sympathy he fought to suppress for his millions of victims, a sympathy which a charitable soul might see as the last twinkle of humanity and moral sense in a corrupt and blackened heart. For reasons like these, Jean Hampton tells us that “people never become so rotted as individuals that they lose all decency and goodness.”<sup>166</sup>

However, the retributive hater sees the person she hates as morally wicked, even evil. The designation of another as wicked or as evil gives hatred a totalizing feel.<sup>167</sup> Since retributive hatred presents another as wicked or evil, then the hated person would have to be wholly bad to

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<sup>164</sup> That this example comes from the confines of a mental health facility may draw some to think that no reactive attitudes are appropriate. These people must not forget that most of us live on a spectrum of responsibility, a spectrum on which it was abundantly clear to me the patient in question stood.

<sup>165</sup> Mason, “Contempt as a Moral Attitude,” 259.

<sup>166</sup> *Ibid.*, 153. I leave it to the reader to fill in the details of this line of thought for Frank the betrayer, the murderers of Richard Cress’ teenage son, and the Camelback rapist.

<sup>167</sup> Aristotle in *Rhetoric* 1382a15 distinguishes between the angry man and the hater along the lines of their action tendencies. The one “would have the offenders suffer for what they have done’ the other would have them cease to exist.” This seems to track the idea that hatred is totalizing. I am, of course, classifying retributive hatred on the “anger” side of this equation.

be properly represented by the attitude. With these thoughts in mind one could complain that retributive hatred is never properly focused. No one meets the condition of total moral badness. No one is so corrupt that she is hateful. Therefore retributive hatred is never properly focused. It is never epistemologically warranted and so is never morally justified. This is a common sort of argument to make. Jean Hampton makes it when she tells us:

If we come to know and understand the wrongdoer as an individual, we may retain our hatred of her deeds and of her character traits that led her to hurt another, but still come to feel compassion, and even come to like, the individual herself.<sup>168</sup>

Hampton's discussion raises two distinct sets of issues. The first is the difference between desiring to repudiate someone and the desire to correct her. Someone who opposes the message communicated by an act of wrongdoing, that so-and-so has less moral standing than the wrongdoer, does not have to directly oppose the wrongdoer. Instead, he might desire to correct her understanding of the moral landscape—to educate her through such practices as blame, condemning the action, and punishment. The wrongdoer is not evil herself, but merely cloaked in evil deeds and character traits that are somehow alien to her. On the other hand repudiation does not just disapprove of bad actions or character traits, but disapproves of the person. Repudiation, Hampton believes, is based on confusion about what can be properly identified with who a person is.<sup>169</sup> On this view evil is not embodied or lived as who we are, but is a cloak hiding our true, proper, and good selves. Though the problem here is complex, I do think it confuses moral worth with moral merit. The second set of issues has to do with the epistemic warrant of attitudes focused on a person's character traits and moral identity. There are two worries here. The first has to do with the warrant of character-identity focused attitudes in a world of people with redeeming qualities. The second has to do with the warrant of attitudes that presume to

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<sup>168</sup> Hampton, "The Retributive Idea," 151.

<sup>169</sup> *Ibid.*, 152.

accurately augur a person's motives and character. Denying the warrant of retributive hatred on the basis of our redeeming qualities puts its defender in the position either of defending the implausible view that character is monolithic, or of denying that total moral corruption is necessary for retributive hatred's proper focus. I agree with Hampton that character is not monolithic. Instead, I argue that a person's redeeming qualities do not invalidate the proper focus of retributive hatred directed at a person for wicked actions arising from vicious character traits.

While confronting a similar issue, Mason points out that negative reactive attitudes grounded on judgments about the target's character or moral identity are properly focused insofar as the subject has warrant to give special weight to the character traits from which the offenses in question arose.<sup>170</sup> This is fairly easy to see in the context of personal relations in which many wrongs occur. Often, we stand in special relationships to others that bring different traits and actions to bear in ways that are peculiar to the contours of those relationships and the ideals that reign over them. Thus Mason illustrates that if Paul tried to talk Camille's out of contempt by pointing out his many hours in the soup kitchen, he would only look worse. What is relevant between Paul and Camille as husband and wife is not what goes on in the soup kitchen but what transpires between *them*. Though Paul's charges in the soup kitchen may owe him gratitude, this is not a quality relevant to Camille's assessment that Paul completely fails to rise to the moral ideals and expectations of being a good husband.

Similarly, part of what marks the insidiousness of Frank's perfidy is the friendship he shared with Lewis, and the use he made of that friendship even as he betrayed him. Lewis' hatred can be properly focused even if we suppose that Frank is not wholly a viciously expedient sort of person. Perhaps he helps out at the soup kitchen from a genuine yet circumscribed concern for others' welfare. The reason is because what Frank does for others out of genuine

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<sup>170</sup> Mason, "Contempt as a Moral Attitude," 259.

concern does not bear on the choice Frank made to systematically betray Lewis for professional gain. His offence is against Lewis as his friend, and Frank's viciously expedient attitude is an attitude toward Lewis in that relation to him. What Frank does elsewhere in his life simply does not mitigate his vices and betrayal and the weight these should take in Lewis' judgments about how Frank has responded to him. Though Frank's beneficiaries at the soup kitchen may owe him gratitude, even they may share in Lewis' repudiation tempered as it may be by their distance from the relationship that gives Lewis the special claims he has on Frank, his actions, and his attitudes. For this reason, those Frank and Paul serve at the soup kitchen might also take negative views of them as Lewis and Camille do, respectively. Not only the victims of wrongdoing get to respond in the way they do. With respect to retributive hatred we should thus distinguish between hating someone because of wrongdoing arising from certain bad characteristics even though he also has some good ones, and hating someone for what he has done *to you*.

The extent to which redeeming qualities are relevant to negative attitudes adopted in response to vile character traits depends on the relational context in which evils flowing from those traits occur. My examples so far involve antecedent personal relationships but such relationships do not have to antedate those events that suggest retributive hatred as an intelligible response. Suppose Patrick's killers had malicious intent. In that case the character of the offense itself can generate a relational context in which retributive hatred is immediately intelligible. This is because what the murderers of an innocent teenager do within the context of their own lives, positive though these may be, have little bearing on them being the ones who opted to kill the boy or on the father-son relationship they consequently destroyed. To suggest otherwise is really to say either that the goods they have done elsewhere act as excuses, or worse, indulgences, or to render their bad character traits somehow less bad in virtue of the existence of

good traits. Nice things done to others are not excuses because they have nothing to do with the wrong at hand or with culpability for the noxious character trait from which the wrong arose. Good works done outside the contexts of one's vices and the particular lives affected do not make one's vices less vicious.<sup>171</sup> They do not lessen the relevance of those vices to the relational contexts in which they are expressed, either.

This in mind, we see that retributive hatred does not require that the person hated be totally morally bad when we examine its defining characteristics and its proper focus conditions. Recall that retributive hatred involves non-instrumental hostility in response to the poor moral quality of the wrong done and the wickedness from which it arose. Neither the judgment that the wrongdoer committed a serious wrong nor the judgment that he has wicked character traits entail that he is wholly and irredeemably evil. All that is required is that one's vices be manifest in a way that makes them the most salient feature of his description. Seeing the salience of this description to the victim as of genuine moral importance and responding to the wickedness the target has revealed, spectators to the wrong may adopt vicarious retributive hatred toward the wrongdoer as the vicious man who betrayed his friend, the malevolent person who murdered a teenage boy, and so on.

In the end we find that a person does not have to be wholly morally bad for retributive hatred to be properly focused on him. The wrongdoer's wicked action does not need to flow from a thoroughgoing and total corruption of character. This is why betrayal in friendship opens the possibilities for repudiation, resentment, and hatred that it does. The fictitious case of Lewis and Frank illustrates this. On the other hand, retributive hatred can arise from the character of the relationship generated by some particular wrong done by some particular person to some other

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<sup>171</sup> Though admirable deeds done in penance or to make amends can and should figure in our judgments, such deeds are not the stuff of the redeeming qualities worry.

particular person. Though the intuitive objection from redeeming qualities ultimately fails, it points us toward a more potent kind of objection to properly focused hatred. This is the objection that we cannot know enough about another person's motives and character to form the judgments necessary to sustain retributive hatred. I turn to this problem next.

#### § 4 Knowledge of Character

Accurately discerning the real content of another's character can be very difficult, much more difficult than discovering this or that discrete intention. The proper focus of retributive hatred relies on our ability to assess not just particular intentions, but to have a strong sense of the character traits from which those intentions sprung. Insofar as one thinks that others' characters are forever opaque to us, retributive hatred will never be warranted. Immanuel Kant expressed this worry as follows:

We call a human being evil... not because he performs actions that are evil... but because these are so constituted that they allow the inference of evil maxims in him. Now through experience we can indeed notice unlawful actions, and also notice (at least within ourselves) that they are consciously contrary to law. But we cannot observe maxims, we cannot do so unproblematically even within ourselves; hence the judgment that an agent is an evil human being cannot reliably be based on experience. In order, then, to call a human being evil, it must be possible to infer *a priori* from a number of consciously evil actions, or even from a single one, an underlying evil maxim, and, from this, the presence in the subject of a common ground, itself a maxim, of all particular morally evil maxims.<sup>172</sup>

According to Kant, discovering even our own grounds of action is not just difficult, but impossible, since, though the empirical character of our actions is observable in the phenomenal world, our maxims are not liable to observation even from the subject's own standpoint. Whatever one observes in his own apparent character may not be what he is like *in himself*. Thus, as discursive rational beings, the depth of the moral evaluations we can make is too limited to support retributive hatred.

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<sup>172</sup> Kant, *Religion Within the Boundaries of Mere Reason*, 6:20.

The problem of access to, and judgment of, the real person appears whether we accept Kant's rift between the world as it appears and the world as it is in itself or not. The human psyche is a tangle of traits, pressures, motives and intentions, ideals, ways of wanting to see oneself, and even of self-deceptions. People act on attitudes born of bad upbringing and abuse, are caught up in social processes productive of corruption, and so on that may not reflect that person's true core. Given such difficulties, the true orientation of the heart is difficult to augur, and the agent's true character hard to discover with certainty. As the objection goes, even if retributive hatred is justifiable in principle, it is not in terms of human practice.

Jeffrie Murphy and Peter French have approached this problem by subjecting its strongest statement to a *reduction ad absurdum*. If the problem is that we cannot know other's maxims of action, then the problem can be interpreted as our being unable to genuinely know others' discrete intentions, let alone their character states. This way of thinking assumes that moral judgments require certainty. Since certainty is elusive, we should avoid making moral judgments at all. Living as though the claim that we should never make moral judgments about others is true would immediately undermine our normal human practices of holding each other responsible (praising and blaming), desert ascription (rewarding and punishing), and compensating. Though legitimate in principle, these practices, practices on which the ethical character of human relationships *as human relationships* depend, would be illegitimate in practice and so would have to be abandoned. Abandoning our practices of responsibility, desert, and compensation would require such a radical revision of human life, and strike so deeply against the way we are as ethical creatures, that it would amount to a practical absurdity.<sup>173</sup> After all, having a system of morality requires that we see ourselves and others as able to give and

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<sup>173</sup> Murphy, "Hatred: A Qualified Defense," 99. As Murphy puts it, "jettisoning these practices would be drastic and irrational."

respond to reasons *as reasons*. Thus morality requires that we see ourselves as responsible moral agents. Part of what it means to see ourselves and others as responsible moral agents is to see ourselves as liable, in practical terms, to moral assessment, praise, blame, punishment, and reward.<sup>174</sup> Jettisoning these practices jettisons morality along with it. Though the objection's advocate might claim that we are, or at least might be, responsible moral agents in principle, abandoning the practices of responsibility ascription in practice would rob responsibility of its meaning. The most we would be able to muster for each other in actual practice would be variations on the objective attitude. Since the conclusion that we should abandon ordinary moral practices is absurd, something must be wrong with the premises that got us there.

Though it is certainly right that we need to make evaluative judgments in order to engage in the practice of morality, the argument above does not tell us as much as first appears. While urging against epistemic overconfidence, Kant did not advocate that we abandon our ordinary moral practices. Though he declares that we have a "duty to cultivate a conciliatory spirit," we must not confuse this with the "placid toleration of injuries," and he tells us that "every deed that offends a man's right deserves punishment, the function of which is to avenge the crime upon its perpetrator."<sup>175</sup> This comes with an important caveat, the punishment in question may not be inflicted on the private authority of the injured party and none "may be inflicted out of hatred."<sup>176</sup> At any rate, the practices Kant is talking about do not necessarily require judgments about character. It appears that the best we get out of Kant's qualifications and the Murphy-French line of argument is moral judgments tied to the shallower elements of our mental lives, that is, particular motives. That might be only as far as responsibility requires. Though moral evaluations proceed in increasing depth judgments about motives to deep evaluations of

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<sup>174</sup> French, *The Virtues of Vengeance*, 109.

<sup>175</sup> Kant, *The Doctrine of Virtue*, 460.

<sup>176</sup> *Ibid.*, 459.

character, it just is not clear that evaluations of character are required for moral practice based on what has been said so far. Thus it may still be the case that retributive hatred cannot be properly focused.

Abandoning the possibility of warranted evaluative character judgments and the proper focus of attitudes that take character under their scope would still mean giving up some important elements of moral practice that do not appear to be unreasonable. We can become very intimately familiar with others even to the point of being drawn to them for what we take to be their goodness. After all, this is what Aristotle has in mind when he describes perfect friendship, and it does not appear to me that friendship of that sort, and the judgments required of it, are unreasonable.<sup>177</sup> We can also become intimately familiar with others even to the point of being repelled by their badness, and this does not appear to be unreasonable, either. However, intimate familiarity is not necessarily required for evaluative character judgments and judgments about a person's salient moral identity of the sort required for retributive hatred.

The nature of the unrepentant wrongdoing done by people like the Camelback rapist, and those who like Frank are willing to betray a friend for personal gain is suggestive of wicked character even without the experience of a person as a repeat transgressor. Some attitudes and actions immediately imply badness. This does not mean that every act of betrayal, murder, and the like reveals a corrupt character trait. However, there are actions one cannot voluntarily perform under a certain description, killing as murder for example, without knowing that what he does is deeply morally wrong. Some of these are of such a foul character as to immediately suggest depravity. The activities of the Camelback rapist exemplify this. Others can be done in an unapologetic and shameless way such that to deny the connection between that action and

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<sup>177</sup> Aristotle, *Nicomachean Ethics*, Book VIII. The three principle ways of loving someone as a good are in terms of that person's usefulness to oneself, that person's pleasurable company, or the goodness of that person's character.

vice looks like a flat denial of the facts. Frank's betrayal is an example. At any rate, character evaluations based on the things people do are a commonplace of everyday moral experience the abandonment of which is at odds with normal features of human moral life, some positive and benevolent like friendship, and some negative.<sup>178</sup> Denying warrant to those character evaluations that could result in properly focused retributive hatred while allowing those that can result in perfect friendship, admiration, emulation, and the like is arbitrary.

In this section I have defended against the objection that we do not have the knowledge of character required of properly focused retributive hatred. Denying our ability to make moral judgments on epistemic grounds would result in an irrational abandoning of those ordinary practices required for morality. For this reason, demanding certainty of evaluative moral judgments, a demand on which the objection appears to rest, is untenable. The door is thereby opened for revisable evaluative moral judgments including character judgments that can be cashed out in virtue and vice terms. Such judgments are important for some positive benevolent relationships and are warranted in those contexts. It would thus be arbitrary to deny that the negative judgments required for properly focused retributive hatred cannot be warranted.

Having responded this way, the objection can be weakened so that it stands not as a denial of properly focused retributive hatred, but as a caution against rushing to the appraisals that support it. In the next section I express this caution by discussing some virtues that generally

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<sup>178</sup> One might object that the worst of wrongdoers, the truly vicious, operate under morally incorrect evaluative schemes through which their actions may be described as morally required or permissible. Not having chosen evil for its own sake, they may not be as evil as they first appear. I do not think this sort of objection gets that far in the present context. It is basically an appeal to moral luck. The wrongdoer is not responsible for the predispositions and upbringing by which he came to have his bad evaluative scheme so he is not *deeply* responsible in the way required for retributive hatred. The problem is that operating in the world under a malicious, cruel, self-focused, or otherwise vicious evaluative scheme is a pretty good description of what being a wicked person means. At the least, we appear to have access to those character traits that can be evaluated as malicious, cruel, self-focused, and so on.

tend against adopting retributive hatred, but that also are likely to generate properly focused retributive hatred when that attitude is adopted.

## § 5 Conclusion and Caution

The epistemic worries that we do not know the whole story behind any particular wrong, that no one is all bad, and that we do not have the access to ours and others' character necessary to warrant the judgments required for retributive hatred do not defeat the possibility of properly focused retributive hatred. For this reason, properly focused retributive hatred stands as a real option for victims of wrongdoing and their allies. However, the uncertainty in our judgments should caution us against rushing to retributive hatred. The insight that people are by and large not wholly evil and often work with biographical baggage that makes certain wrongs "make sense" should caution us against overmoralizing and overdramatizing our retributive practices into narratives of righteous cosmic drama.<sup>179</sup> These are morally ridiculous. Besides, a reflective and circumspect attitude toward one's judgments can do much to alleviate the injustices born of failures of sympathy, prejudice, picking favorites, and inventing injury where there is none. Indeed, where angry responses to wrongdoing are concerned, it is better to error on the side of deficiency. At any rate, rather than throwing out the challenges to hatred's proper focus presented here, we should treat them as cautionary admonitions to be careful about the judgments we make.

Still, one might insist that retributive hatred's permeativity is such as to make it resistant to altering judgments. Resistance to altering judgments threatens the proper focus of retributive hatred as the target lives and changes over time by repenting the wrong, offering amends, or doing penance. Maintaining the outlook that allows retributive hatred a foothold in one's life in

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<sup>179</sup> Murphy, "Hatred: A Qualified Defense," 100.

the first place might even be claimed to reflect self-righteousness or inordinate self-regard. My remarks above are sufficient to answer the latter worry. Retributive hatred may be properly focused based on the qualities of the wrongdoer and a normal concern for people's value and the contours of social-moral space. We do not, as the worry seems to imply, have to imagine that the retributive hater lacks those habits of clear perspective, such as a conciliatory spirit, either the loving or compassionate habit of identifying with others, or the willingness to forgive that generally move us away from the hardest of our attitudes.

For example, a credible view of forgiveness is as follows: real forgiveness means looking directly at the wrongdoer in all of his meanness and malice after all excuses have been made and forswearing all of one's negative reactive attitudes directed toward him. On this view, being forgiving does not mean excusing, abandoning blame, or abandoning the thought that wrongdoers cannot be held to account for the vices on which properly focused retributive hatred rests. A forgiving and conciliatory spirit, or the loving or compassionate identification with another, may still leave us with a view of the wrongdoer that casts him or her in a very negative light if we are truly honest about it. Whether properly focused retributive hatred is morally justified, or whether one must have adopted it or something like it in order to forgive are issues beyond the point I wish to make here. I only mean to point out that a conciliatory, loving, or forgiving spirit is not incompatible with making the kinds of judgments required for properly focused retributive hatred. In some cases we might rise to retributive hatred though our virtues tend against its adoption. Retributive hatred arising in the context of having exhausted all excuses, benefits of the doubt, and attempts to understand the *why* of it all from the wrongdoer's perspective stand to produce instances of retributive hatred that are more reliably properly focused.

However, retributive hatred's permeative character may stand as an obstacle to taking further information into account, such as the wrongdoer's later repentance, penance, or attempts to make amends. It is true that retributive hatred will be more resistant to alteration than negative moral attitudes that are less permeative. This should not strike us as a problem. The standards required to demonstrate sincere repentance may be very high when we are dealing with unprovoked murder, vicious serial rape, and betrayal. Thus the retributive hater should not be seen as no longer open to further evidence, but as skeptical that changes in the wrongdoer are real and sincere. The quality and degree of atonement required to address the way in which hateful evils alter the moral contours of victims' relationships and lives should also not be underestimated. Moreover, there is reason to resist the temptation to think that retributive hatred and other negative reactive attitudes can have their proper focus undermined just by the actions of the wrongdoer. When the moral space between people has been marred and lives deeply, perhaps irreparably, adversely altered, it is reasonable to expect that reconciliation is a two-way street, requiring activity of both wronged and wrongdoer. Retributive hatred loses its proper focus if the repentance and amends of the wrongdoer show that those vices that led to the wrong no longer persist in him. However, the victim might still harbor resentment, believe that the wrongdoer deserves hard treatment, and so on. Forgiveness is thus largely the prerogative of the victim. Though failing to forgive might seem unseemly given a wrongdoer's displays of repentance, we should not expect that it is a duty to the wrongdoer generated by his or her actions as something he or she comes to deserve. Ultimately, these matters require a discussion of retributive hatred's moral justification.

Here I have addressed the worries that we do not know the whole story behind any given wrong, that no one is all bad, and that we do not have the epistemic access to character required

to support properly focused retributive hatred. I have shown that these concerns do not provide us with stories that undermine retributive hatred's proper focus, point out virtues in the wrongdoer that countervail against the judgments that make for properly focused retributive hatred, or that generate skepticism capable of bringing us to rationally abandon the real practical possibility of properly focused retributive hatred. Though this is the case, we should yet understand these worries as providing cautions against the quick adoption of retributive hatred and against understanding ourselves as the righteous heroes in a cosmic conflict. They also instruct us to develop virtues that produce in us generous and conciliatory spirits. Though these virtues generally tend against adopting retributive hatred, they do not rule it out. I now turn to retributive hatred's moral justification.



## Chapter 5

### JUSTIFIED RETRIBUTIVE HATRED

Retributive hatred is directed against others in virtue of serious acts of wrongdoing arising from enduring character traits. Retributive hatred involves the judgment that the wrongdoer's suffering would be an unqualifiedly good thing because it is deserved. Though the retributive hater may not believe himself to have any right to inflict certain forms of suffering on the wrongdoer, such as punishment, he might still censure the target and wish that he come to harm. These arise from a negative view of the wrongdoer that permeates the subject's thoughts about, and encounters with, him. Insofar as one entertains wishes and fantasies of downfall, and insofar as alienation, censure, and worse are intended to hurt the wrongdoer for retributive reasons, the retributive hater's attitude is a hostile one. This is the kind of attitude I defend in this chapter.

As I have already shown, retributive hatred is different from what Hampton called moral hatred. She described moral hatred as indignation, opposition to the morally false message communicated by a person's wrongdoing, combined with the belief that the wrongdoer's association with an evil cause has caused her to have "rotted" or "gone bad." As with retributive hatred, the target of moral hatred is understood to have lost some degree of goodness or, as

Hampton says, “moral health.”<sup>180</sup> However, whatever suffering is wished for the target of moral hatred is wanted as a way of defeating the wrongdoer’s evil cause, rather than as a way of defeating *him*.<sup>181</sup> This should be contrasted with retributive hatred wherein whatever suffering is wished for the target is wished for non-instrumentally as an essential part of what moral justice entails. In fact, Hampton explicitly denies that the wish for such harm is ever morally justified. It is over the defensibility of non-instrumental desires that a person suffer where my disagreement with Hampton lies.

To some it will seem obvious that adopting non-instrumentally hostile responses toward serious wrongdoers like the Camelback rapist are morally justified. Just as good character and deeds merit non-instrumentally benevolent attitudes of admiration, gratitude, and reward, wicked character and deeds sometimes merit non-instrumentally hostile ones. Others will be suspicious of hostile retributive attitudes, finding in them nothing but malice and revengefulness. If meting out suffering to others is to have any morally defensible point, they might say, we must aim at consequentialist ends like deterrence, forward looking ends like moral education, or deontic ends like affirming the real value of the victim against the degrading treatment she received. Non-instrumental retributive hostility raises serious moral questions: Why do a person’s past actions put demands and constraints on what we should do with people now? Why does wrongdoing render permissible attitudes and actions that are usually regarded as impermissible? How is the gap between “so-and-so deserves hard treatment” and “one is entitled to hostile attitudes toward so-and-so” to be bridged?

I argue that wrongdoers sometimes merit non-instrumentally hostile responses through an examination of moral desert. Non-instrumental hostility is thus non-incidental to the expression

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<sup>180</sup> Hampton, “Forgiveness, Resentment and Hatred,” 80.

<sup>181</sup> *Ibid.*, 82.

of moral opprobrium and is an appropriate response to diminished moral merit. Properly focused retributive hatred, I argue, tracks the contours of desert and uniquely captures desert claims in some circumstances. This defense is not an argument for the Wild West, harshness, or against forgiveness and mercy. Retributive hatred is an attitude that admits of degrees and forgiveness and mercy are good things. I am arguing just that a particular sort of victim is not morally mistaken to adopt retributive hatred against a particular sort of wrongdoer and we are not wrong to vicariously join him in that.

My argument proceeds as follows. In the next section I clarify the retributive intuition behind retributive hatred and other retributive attitudes by presenting a case in which whatever suffering is desired for the wrongdoers is not desired for their own good or for the victim's good. Retributive intuitions can be supported by the idea of moral desert which is a non-forward-looking way of assigning goods and evils. I describe moral desert in section three. In section four I argue that we can deserve to experience pain and hardship for what we have done both for the mark against our merit and because of what is owed to the injured party. I then argue that retributive hatred uniquely captures retributive desert claims in some cases. In sections five through seven I argue that retributive hatred is not necessarily hypocritical or self-righteous, that it is not malicious, and that it is compatible with respect for persons. Through this discussion I develop four criteria that must be met for a case of properly focused retributive hatred to be morally justified.

## **§2 The Retributive Intuition**

If retributive hatred is justified then retributive haters must be justified in wanting wrongdoers to suffer in virtue of what they have done and who they have become. Period. The deserved suffering the retributive hater desires for the target is not aimed at changing the

wrongdoer for the better, at making the wrongdoer stop, or at general deterrence even if these effects can be expected. Moreover, though the wrongdoer's suffering is morally satisfying to the retributive hater, it is not aimed at being a compensatory benefit to the victim, nor is it aimed at the hater's good. The idea expressed here, that it is an unqualifiedly good thing that the wrongdoer suffer because of (and in proportion to) the wrong done is the retributive intuition.

Reflecting on the retributive hatred experienced by the victims of the Camelback rapist and of Richard Cress toward his son's murderers lends this intuition weight. However, some may be prone to say that the victims and their sympathizers getting their way is really grounded in the desire to get another criminal off the streets, to send a message to would be murders and rapists, and ultimately that the retributive hater's hostile stance can only be justified by those deterrent and public interest considerations if it can be justified at all. Thus, reflecting on a purer case to illustrate the retributive intuition will be useful.

From October 2013 to June 2014, more than 52,000 children, mostly from Guatemala, Honduras, and El Salvador, were apprehended trying to cross the United States' border with Mexico. This represents a dramatic upsurge in unaccompanied children and small families trying to cross the border that began in 2012.<sup>182</sup> Guatemala, Honduras, and El Salvador are at this time among the most violent nations on earth with murder rates of about 40, 90, and 41 intentional homicides per 100,000 people reported in 2013, respectively.<sup>183</sup> This is remarkable when we see that the rate of civilian casualties in Iraq during the troop surge of 2007 was about 62 per 100,000 people.<sup>184</sup> Most children fleeing this almost unbelievable non-wartime violence mention the desire to escape the everyday challenges of evading extortion, being witness to murder, and

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<sup>182</sup> P. J. Tobia, "No Country for Lost Kids," *PBS Newshour*, June 20, 2014, <http://www.pbs/newshour/updates/country-lost-kids/>. United Nations High Commissioner for Refugees, *Children on the Run*, 9-11. Before 2012 about 8000 children tried to cross the southern border each year.

<sup>183</sup> United Nations Office on Drugs and Crime. *Global Study on Homicide 2013*, 126.

<sup>184</sup> *Ibid.*, 81.

navigating the social challenges raised by threats of violence to themselves, their families, friends, and neighbors by armed gangs. Escaping conditions of persistent domestic abuse and reunification with family members residing in the United States are also prevailing and related themes.<sup>185</sup>

The U.S. Border Patrol has had difficulty accommodating the massive influx of unaccompanied children at stations along the border and many of them wind up being housed in small concrete windowless rooms for several days to several weeks.<sup>186</sup> As a result, hundreds of captured children have been bused to less trafficked U.S. Customs and Border Protection stations. One such station is in Murrieta, California. On July 2, 2014 about 100 anti-immigration protesters blocked the progress of buses transferring 140 people to the Border Patrol offices there.<sup>187</sup> These protesters waved signs and large American flags while chanting such things as, “Deport! Deport!” “Impeach Obama!” “Proud legal American. It doesn’t work the other way.” “Go Back Home!” And, “USA! USA!”<sup>188</sup> In a town meeting that evening, protesters expressed such sentiments as “I just wish America would be America again because it’s not,”<sup>189</sup> And “The Democrats are making it easy for them to come here so they can produce more Democratic voters.”<sup>190</sup> That a person, an American no less, could wave the flag while chanting “Deport! Deport!” and wishing that “America would be America again” at buses full of children fleeing

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<sup>185</sup> United Nations High Commissioner for Refugees, *Children on the Run*, 9-11.

<sup>186</sup> P. J. Tobia, “No Country for Lost Kids,” *PBS Newshour*.

<sup>187</sup> Ricardo Cano, “Protesters Block Migrant Buses in California,” *The Palm Springs, Calif. Desert Sun*, July 2, 2014, <http://www.desertsun.com/story/news/2014/07/01/immigrant-transfer-el-centro-murrieta/11904351>.

<sup>188</sup> Ed Payne; Michael Martinez; Holly Yan, “Showdown Over Immigration: ‘this is an invasion,’” CNN, July 3, 2014, <http://cnn.com/2014/07/03/us/california-immigrant-transfers/>; Matt Hamilton, “Immigration Rallies Wait for Buses of Immigrants in Murrieta,” *Huffington Post*, July 4, 2014, [http://www.huffingtonpost.com/2014/07/04/immigration-bus-murrieta\\_n\\_5559113.html?page\\_version=legacy&view=print&comm\\_ref=false](http://www.huffingtonpost.com/2014/07/04/immigration-bus-murrieta_n_5559113.html?page_version=legacy&view=print&comm_ref=false); Matt Hansen; Mark Boster, “Protesters in Murrieta Block Detainees’ Buses in Tense Standoff,” *Los Angeles Times*, July 7, 2014, <http://www.latimes.com/local/lanow/la-me-ln-immigrants-murrieta-20140701-story.html#page=1>.

<sup>189</sup> Ed Payne; Michael Martinez; Holly Yan, “Showdown over Immigration: ‘this is an invasion,’” CNN.

<sup>190</sup> Matt Hansen; Mark Boster, “Protesters in Murrieta Block Detainees’ Buses in Tense Standoff,” *Los Angeles Times*.

from situations of incredible violence can scarcely be fathomed. The actions of these protesters are cruel to the children and, because they have acted as spokespersons for the American citizenry, an offense to their fellow citizens.<sup>191</sup>

Given the mean-spiritedness and cruelty of the protesters and the offense their actions give to other citizens, a wish that they would suffer somehow for what they have done is certainly imaginable. That wish, if one has it, is not aimed at making the protesters stop, though it would be good if they did. Whatever they might endure is not likely to change their minds and the protests are over now anyway. Nor would their suffering improve the lot of the children affected or other Americans to whom they have given moral offense. *That* desire for another's suffering, if one has it, is purely retributive. The Murrieta protesters should suffer because they deserve it for cruelly assailing children and for approving their own meanness, no more.

### **§ 3 Earned Moral Desert**

The idea of moral desert reveals how the retributive intuition gets going and how it stands to be justified. I argue that desert is a non-forward-looking and non-consequentialist way of assigning goods and evils and that this supports the retributive intuition. Retributive hatred can thus be understood as giving concrete expression to desert claims that invoke not just a bad action, but a more pervasive wickedness behind the action. Because of the nature of the wrong and the character of the wrongdoer, devaluation and retributive hostility permeate the retributive hater's thoughts about the wrongdoer.

In this section I examine desert claims to show that they include both a desert basis and desert results. In moral desert there are two kinds of desert basis: that which is unearned, and that which is earned and variable. The retributive intuition tracks earned and variable desert and this

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<sup>191</sup> In contrast, citizens of Nogales, Arizona have welcomed buses of children and donated clothing and other items to them. See Matt Hamilton, "Immigration Rallies Wait for Buses of Immigrants in Murrieta," *Huffington Post*.

sort of desert affects how a person is morally evaluated (valued or disvalued, esteemed or disesteemed) and the normative status of her getting good or bad things. Moreover, desert claims provide moral considerations that are not forward-looking or utilitarian and are non-incidental to holding people accountable for the good and bad they do. Therefore, if suffering is ever deserved it is deserved non-instrumentally and its expression is not incidental to holding wrongdoer's accountable. In the next section I argue that suffering is sometimes deserved by having done wrong.

Desert claims have the form "X deserves R in virtue of B" where X is a person, R is some good or ill that affects X, and B is some action, trait, or other characteristic that is or has been true of X.<sup>192</sup> Thus B is the reason X should get R. Thus an action, trait, or some other characteristic that is or has been true of X is the desert basis. R, what X deserves because of B, is the desert result. Because the desert result is deserved in virtue of something true of the target, desert claims alter the normative status of his being treated in various ways.<sup>193</sup> This is best illustrated by examples. "Jay deserves a first-place medal for winning the fencing tournament." "Bob deserves to have his artwork shown in a gallery. It's really good." "Jamie deserves a raise. Her work is excellent and she is devoted to the company." In Bob's case it could be said that his artwork deserves display, but art is always a product of some person whose talents it manifests. The desert basis is thus Bob's demonstrated artistic creativity.<sup>194</sup> In the other cases the desert basis is athletic prowess manifest in victory, and being an excellent employee. Falling into a certain condition, in these cases being treated in particular ways and receiving goods, is deemed

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<sup>192</sup> Kleinig, "The Concept of Desert," 71; Falls, "Retribution, Reciprocity, and Respect for Persons," 39. This characterization can be applied to earned or unearned desert claims. It is also applicable to desert in non-moral contexts.

<sup>193</sup> Sher, *Desert*, 7.

<sup>194</sup> The term "desert basis" is Joel Feinberg's in Feinberg, "Justice and Personal Desert," in *Doing and Deserving: Essays in the Theory of Responsibility*, 58-61.

a fitting response to the desert basis and it is only in virtue of the desert basis that the prescribed responses are fitting.

There are many kinds of desert bases and many kinds of desert results. Desert bases can include various kinds of talent, good or bad performances, hard or lax work, moral or immoral action, virtues, or vices. Desert results can include awards and prizes, assignments of grades, ranking in a hierarchy, praise or blame, gratitude or resentment, admiration or censure, compensation or penalty, restitution, reparation, pity or harshness, fortune or misfortune affecting one's aspirations, flourishing or languishing in life, and rewards or punishments.<sup>195</sup> Clearly, desert assessments affect many areas of our lives. Of particular interest here is moral desert and its desert bases.

At first glance it looks like moral desert is fairly simple. Good deeds, intentions, and character traits are meritorious and sources of positive desert including praise, admiration, well-wishing, gratitude, and reward. Wicked deeds, intentions, and character traits are corrupt and sources of negative desert including liability to compensation and restitution, retaliation, obloquy, punishment, and the general wish that the target fall into misfortune or a languishing life. Moral merit might thus be viewed as something that is essentially variable and earned.<sup>196</sup> However, consider the following moral desert claims: 1) "Cynthia is an adult; she deserves the latitude to make her own decisions free of your paternalistic interference." 2) "Mark deserves better treatment from you. He has always gone out of his way to help you." 3) "Craig should receive the Washington Medal of Valor. I have never witnessed such selfless bravery in the face of such overwhelming danger." 4) "Bob wrecked his car! The way he drove drunk all the time he

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<sup>195</sup> Kekes, *Facing Evil*, 61-62; Joel Feinberg, "Justice and Personal Desert," 62.

<sup>196</sup> French, *The Virtues of Vengeance*, 192-193. French argues that moral merit varies depending on what we have done and the kinds of people we have become, and that moral merit and moral worth are identical. Thus, a person's moral worth is variable and moral worth in general is non-egalitarian.

had it coming.” Though the latter three claims point toward merit that is variable because it is earned, the respect owed to Cynthia is not. She deserves a particular form of regard because of her unearned status as a full-fledged moral agent. Sometimes when we say that so-and-so deserves thus-and-such we mean that she deserves to be treated with the respect due to all persons in virtue of her inalienable worth as a person.<sup>197</sup> This is a paradigm case of *unearned moral desert* and it is based on *unearned moral worth*.<sup>198</sup>

Usually when we say that so-and-so deserves thus-and-such we have *earned moral desert* in mind. Earned desert is not about respect for persons and their inalienable worth. It is instead about acquired esteem and appraisals of worth and worthiness.<sup>199</sup> These appraisals are connected to the degree to which one’s actions and character embodies right values. Being a benefactor, courageous, or a habitual drunk driver are desert bases of this sort. In my earlier examples, as Lewis has it, Frank deserves obloquy and alienation from his coworkers, to have his projects undermined, or to meet with the misfortune of being fired.<sup>200</sup> The Camelback rapist’s victims want him to suffer the harshest sentence allowable under the law, that is, to languish in prison for the rest of his life. They may even think that the sentencing judge has an obligation to make this happen. Richard Cress would like Patrick’s murderers to die for what they have done.

Earned desert bases are thus understood as altering the normative status of the target receiving life’s goods and ills. Moral merit (esteem and disesteem) is connected to desert. We often use the terms “merit” and “desert” synonymously: to merit something is to deserve it. To have positive merit means that one deserves good things, and to have negative merit means that

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<sup>197</sup> I leave the exact basis of such desert open. It could be our agency, natural sympathy, the reflection of the Divine image in each of us, or something else.

<sup>198</sup> Other cases of unearned desert that can be tied to various kinds of morally relevant statuses and relationships, and for which others might fall under moral requirements to treat us in particular ways, include being a child, being so-and-so’s child, being so-and-so’s friend, and so on.

<sup>199</sup> Falls, “Retribution, Reciprocity, and Respect for Persons,” 40.

<sup>200</sup> Betraying a coworker is not itself a reason to be fired, but being fired could be seen as especially fitting.

one deserves the opposite. Therefore earned moral merit alters the target's moral status with respect to various kinds of treatment and regard. Ultimately, the desert basis alters the target's moral status. This is easy to see with unearned moral desert. Whatever we take the unearned moral desert basis to be: sentience, rationality, being a human person reflecting the Divine Image, and so on we have moral status of a particular kind insofar as we have the attribute linked to it. Without the attribute, we lack that moral status. Whether we have a particular attribute could dictate whether we have moral standing at all. Less obvious is how earned moral desert alters the target's moral status.

Craig's courage is intrinsically good and we esteem him for it, Frank's expedient view of others is coldhearted, the Camelback rapist is barbarous, and Patrick's murderers are wicked. These are claims about moral merit and they are evaluative. Moreover, they affect how we are meant to regard the target in virtue of those evaluations. We would adopt positive reactive attitudes toward Craig as a hero, and negative reactive attitudes toward the others as wrongdoers. Thus their decreased moral merit marks a change in what attitudes are fittingly and justifiably directed toward them (how we should respond to them), and what they are due. That is a change in earned moral status. Though it presupposes sources of unearned moral status like agency, earned moral desert (merit) operates in an area of moral appraisal whose evaluations are not settled by our simply having moral standing.

Earned desert presupposes a close relationship between the person and those attributes that form the desert basis. For example, a man does not deserve applause for his wife's magnificent cello performance or praise for the time she spends teaching music to underprivileged children. Thinking so would misuse the idea of desert because the attributes in question, though desert bases, are not his. What would be good for a person, as well as general

utility, fail as moral desert bases because they are not closely connected to the target's moral merit. In a non-moral context, saying a friend deserves a job in upper management over better qualified candidates because it would be good for her, perhaps better for her than it would be for the others, or because it is in line with one's aspirations for her violates the idea of desert. That getting the job would be good for her, by increase her self-esteem for example, is not an attribute of the right sort. Moreover, one's aspirations for someone, that she prospers in life for example, are not the target's attributes nor are they relevant to how she is appraised with respect to anything.

Ultimately, desert acts as a moral consideration independent of the consequences of meting it out and independent of such considerations as maximizing pleasure, desire-satisfaction, or general "wellbeing."<sup>201</sup> Suppose Frank really does deserve Lewis' condemnatory ill-will and the non-cooperation of his coworkers. He does not deserve that ill-will and non-cooperation because it will deter others from undermining friends and colleagues or because it will begin the work of his moral reform. What is required to influence the actions of others is not among Frank's attributes and bears no connection to his earned moral merit, that is, the proper basis of earned moral desert claims. Though moral reform is concerned with changing moral merit, moral reform is not something Frank has of himself because it is not something he is, has been, or has done. Thus, Frank does not deserve anything in virtue of what he may or may not become. Instead, Frank deserves Lewis' hostility, if it is deserved, even if treating him that way would be disastrous to his moral development or highly disruptive at work. The bad consequences of treating Frank with hostility might count as reasons for not treating him that way, but are not

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<sup>201</sup> Feinberg, *Justice and Personal Desert*, 81-82. Feinberg tells us that at the level of the reactive attitudes, there is no room for utilitarian considerations because the reactive attitudes are simply fitting to their targets. Punishment and reward are deserved in a "derivative" sense insofar as they are the "natural or conventional means of expressing the morally fitting attitudes."

reasons against his deserving it. Desert is not a tool for realizing deontic ends of which it is not an essential part, either. Consider again a case of making a desert claim on the basis of need. A student does not deserve a high score in a class because she needs it to keep a needed scholarship. That need is irrelevant to the evaluation on which grades are supposed to be assigned. Doing otherwise is a violation of the norms of fairness because it violates the proper desert basis. Instead, giving people their due is part of what it means to act fairly. Therefore, what we deserve we deserve non-instrumentally.<sup>202</sup>

None of this is to say that it is not a good thing to sometimes give people what they need because they need it or that we are never obligated to meet people's needs. Though in the student's case there is a strong presumption against giving him the grade, seeing that people have shelter and enough food and water to live when we have the resources to help them is a good thing to do whether we can say they have earned it or not.<sup>203</sup> Desert, earned or otherwise, is not the only consideration affecting the distribution of goods and evils, but it is one, and it is not reducible to any of the others in any straightforward way.

Moreover, earned desert is non-incidental to holding people responsible. It is tightly connected to merit and demerit, esteem and disesteem because desert claims are claims about those things. This is because desert is about morally relevant actions and attributes that can be attributed to the person in question. Insofar as a person deserves praise, admiration, and so on in response to what can be properly attributed to him; he merits a positive change in our attitude toward him. To praise someone is not simply to say that his action was right or that he is

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<sup>202</sup> Some have argued that what is deserved in a retributive context is best understood as what would be required to realize an allegedly more basic value like the ideal of equal respect for all persons. Thus whatever harm is deserved could not be deserved *simpliciter*. My account runs contrary to this line of reasoning. The issue is discussed in greater detail below.

<sup>203</sup> One might employ his unearned status as a person to levy the claim that some basic goods are deserved, but that would still not be the only morally relevant reason for saying that so-and-so getting thus-and-such is good.

virtuous. It is to change our attitudes and this involves a change in what we think is appropriate to do to or with the target. Insofar as a person deserves blame, condemnation, and so on in response to what can be properly attributed to him; he merits a change in our attitude toward him. To blame someone, after all, is not simply to claim that his action was wrong, it is to do something, to reprove and so to express, or wish to express, our negative feelings about who he is or what he has done. It is thus to change our attitude toward him and thus what we think is fitting with regard to him. To have high earned merit just is to be the fitting recipient of certain goods. To have low merit just is to be the fitting recipient of certain of the opposite. Thus changes in our way of regarding the wrongdoer—from non-interference and benevolent concern to ill-will and “hard treatment” like excluding a friend, censure, and punishment—are not incidental to moral responsibility.<sup>204</sup> The idea of desert is a part of holding people responsible and accountable.<sup>205</sup>

Being prone to the reactive attitudes is what it means to hold ourselves and others morally responsible. The reactive moral attitudes and earned moral desert share the same basis in moral merit, that is, they are each tied to the target’s quality of will, virtues, and vices as these are or have been manifest in the things he does. Thus we can understand the reactive attitudes as natural expressions of desert. Insofar as attitudes like retributive resentment and retributive hatred are fitting, they can be seen as natural and ordinary responses to wrongdoing and the desert that wrongdoing incurs to the target. Retributive hatred can thus be seen as a concrete expression of certain kinds of desert claims.

Inclinations to express praise, admiration, and gratitude through positive feelings of indebtedness and beneficence, and to express anger and hatred through condemnation, obloquy,

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<sup>204</sup> Falls, “Retribution, Reciprocity, and Respect for Persons,” 42-43.

<sup>205</sup> Making good on desert claims may be forsworn in forgiveness. Thus forgiveness can be given as a gift that releases a person from what he or she deserves from someone.

and vindictiveness can be explained through earned moral desert. Institutions like awards committees and prisons could even be explained as rooted in these inclinations. I have also argued that when any of this is deserved it is deserved non-instrumentally. However, non-instrumental hostility has yet to be justified. A satisfactory account must defend retributive intuitions about desert.

#### **§ 4 Retribution**

So far I have described desert and concluded that it is not incidental to responsibility and to seeing the actions and morally evaluable character traits of particular people as attributable to them. As we have seen, desert results are merited non-instrumentally, that is, because they are morally fitting. Thus I have concluded that if hard responses are ever deserved, they are deserved non-instrumentally and as a morally fitting. However, I have yet to show that it is morally permissible to desire someone's non-instrumental suffering as a matter of that person's earned moral desert.

There are two aspects of negative earned moral desert I would like to point to. First, we might speak of the desert basis as the wrongdoer's wrongful action or wicked character trait simply. Second, we might speak of the desert basis arising from the way the wicked trait or wrongful action has hurt others, and the claims on the wrongdoer this generates. These aspects of desert are not unrelated but in what follows I focus on the second. Wrongdoing imposes burdens on those wronged they should not have been made to bear. These harms or "costs" are moral harms that must be morally addressed and give at least the victim claims on the wrongdoer's actions. This point can be illustrated by pondering what we expect from, and what is morally required of, wrongdoers in the wake of their wrongdoing. We find that moral harms should be addressed by the wrongdoer's expressing guilt, shame, apologizing, and sometimes by taking on

hardships, often on the victim's behalf. Practices of making amends like offering restitution and penance can be linked to taking on hardships. I draw a connection between this and the retributive idea that it is unqualifiedly a good thing that the wrongdoer suffer for what he or she has done. I then argue that when a serious wrongdoer refuses to address the moral harms he has done in appropriate and adequate ways, defiant hostility such as vindictiveness and the desire for punishment are justifiable as morally fitting responses to him.

Serious wrongdoing leaves in its wake a host of material, emotional, and moral damage. Lewis has lost the promotion that was due him and finds his career in jeopardy. His peace of mind is shattered by his friend's betrayal as he experiences the unpleasant feelings of broken trust. He has also suffered moral harm. Though moral harms is felt emotionally, it is not reducible to psychological perturbations produced by material loss and squandered opportunities without remainder. The moral harm consists of his legitimate hopes being unjustly dashed, the use that was made of him, being deceived and duped into aiding his betrayer and the insult of being treated as just another obstacle in someone's path to success. The Camelback rapist's victims have suffered serious bodily harm that profoundly mars their lives. The psychological costs of what they endured are grave and closely tied to the moral harms they suffered in being used in such a malicious and degrading way. Cress finds his beloved son's future closed forever, as well as his future with his son. This amounts to the obliteration of the life he wanted for the both of them, his hopes and aspirations as a father. He is grief-stricken and his life will never be, and can never be, returned to what it was. In varying degrees of gravity, the latter point is common to all of the victims described. Supposing that Patrick's murderers acted maliciously, the loss in each case is conditioned on another's wickedness. This gives each loss the quality of a moral harm. Because these harms are moral harms, they involve notions of affront, justice, and

justification that are absent from the frustration we might feel for having overlooked an opportunity, for a life-changing accidental and unforeseeable injury, or for losing a loved one to cancer or old age.

Moral harms generate claims on the part of the victim against the wrongdoer. Consider what is morally required of the wrongdoer in the wake of wrongdoing. A wrongdoer should recognize the harm he has done and that he is morally responsible for it. The wrongdoer should regret his wrongful deed including feeling guilty or ashamed. The self-directed attitudes wrongdoers morally ought to adopt are themselves inherently painful. Michael Moore has even claimed that “to feel guilty is to judge that we must suffer.”<sup>206</sup> This sentiment is not unique to Moore. Adam Smith put the point eloquently:

The violator of the more sacred laws of justice can never reflect on the sentiments which mankind must entertain with regard to him, without feeling all the agonies of shame, and horror, and consternation... [The wrongdoer] regrets the unhappy effects of his own conduct, and feels at the same time that they have rendered him the proper object of the resentment and indignation of mankind, and what is the natural consequence of resentment, vengeance and punishment.<sup>207</sup>

We can demand that the perpetrators of serious wrongs feel this way. The retributive character of the desire that someone feel guilt and shame can be lost in the face of the fact that people who feel moral guilt and shame are the better for it. However, feelings of guilt are not justified by whatever future effects feeling guilty might have. They are justified simply because those feelings are part of what it means to acknowledge wrongs done and that wrongdoers should do that.

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<sup>206</sup> Moore, “The Moral Worth of Retribution,” 215. Moore argues that retributive punishment is justified by the feelings of guilt we should have if we had done the wrong in question and could reflect on it as decent people. What we deserve is a function of what we would feel appropriate as a matter of our own guilt. For the heinous moral affronts Moore mentions we should go so far as to feel “guilty unto death.”

<sup>207</sup> Smith, *Theory of Moral Sentiments*, 102.

The wrongdoer should repent and apologize to the victim. As pointed out by Jeffrie Murphy and Jean Hampton, wrongs have expressive power by communicating such messages as “I count but you do not” and “I can use you for my purposes.”<sup>208</sup> Acknowledging a wrong and apologizing is a way of “taking back” the message implicit in wrongdoing. Regret and apology represent the wrongdoer’s disavowal of his wrongful intentions and vice and “take back” the moral harm of lingering insult that forms the basis of everyday moral resentment.<sup>209</sup> Finally, the wrongdoer should offer any relevant compensation, restitution, or amends. Compensation is the return of what material goods were taken or destroyed by the wrongdoing. It is fitting that the wrongdoer pay back what he took from the victim because he was causally and morally responsible for imposing the cost. Moreover, adequately expressing regret and apology means that the wrongdoer should not profit from the wrong by keeping what he took or by failing to restore what he destroyed.

In light of these obligations, the victim has morally grounded claims that the wrongdoer feel and perform in certain ways. The idea that the victim has claims on the wrongdoer’s feeling guilty and actions of apologizing and offering compensation I do not take to be especially controversial. Apology is obviously basic to the acknowledgment of wrongs and begins to address the moral harm the wrongdoer has done. Compensation returns goods to the victim to

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<sup>208</sup> Murphy, “Forgiveness and Resentment,” 25; Hampton, “Forgiveness, Resentment and Hatred,” in *Forgiveness and Mercy*, 51-53.

<sup>209</sup> One might be tempted to liken all wrongdoing to verbal insults and the truth-affirmation and denial of hurtful propositions on this model in which case harder forms of resentment, moral hatred, and retributive hatred would lose their point and chance for justification. One could go so far as to say that wrongs that don’t involve insults aren’t wrongs at all and thus deny the coherence of moral hatred and contempt altogether. However, it is clear that such things as acts of cowardice and some ways of regarding natural objects are moral wrongs that should trigger reactive attitudes and activate the notion of desert. Moreover, many desert bases that do not involve insults of themselves, are usually made known through various forms of affront at least insofar as they violate legitimate moral norms and expectations within relationships, abandoning one’s friend when danger looms for example. However, not all wrongs are equal and not all moral harms can be adequately addressed by casting one’s eyes down in contrition and saying “I’m really sorry.” There is a gulf between everyday verbal insults and the likes of what was done by the Murrieta protesters or the depravity of the Camelback rapist.

which she has an obvious right. However, not all of the moral costs of wrongdoing are like stolen goods that once taken, can be returned, or once destroyed, replaced. It is morally offensive to think that Patrick's murderers can compensate Cress by paying back what they have destroyed. It is likewise offensive to think that the Camelback rapist's victims would have nothing left to complain about if they were given financial packages akin to worker's compensation, or a compensatory pension paid by the state or by victim's rights groups. In the case of the Murrieta protests, there is no clear sense in which the children's rights were violated and no clear sense in which any physical or material harm that could be compensated was incurred. What the children suffered is psychological and moral harm: humiliation, distress, and another's hardhearted cruelty. These costs are not addressed by returning a lost item and, where an item can be restored, its being returned is not enough to abate desert-responsive reactive attitudes. The strangeness of being asked to stop being angry with an unrepentant crook because a third party has restored what she took should be enough to convince a person of this. In other words, what is deserved is not always captured by the victim's claims to be compensated and to receive a simple verbal apology.

We can often be reconciled to others by acknowledging the wrong done, experiencing the anxiety and painful feelings of guilt, shame, and remorse, and apologizing.<sup>210</sup> However, sometimes we must do something purely to express our regret for having done wrong.<sup>211</sup> Repentant wrongdoers often demonstrate their acknowledgment of these costs in concrete ways by taking on material burdens commensurate with the wrongs they have done. This is evident in our practices of making amends such as restitution and penance. These practices arise from the idea that the wrongdoer bears responsibility for the moral harms she has produced and that these

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<sup>210</sup> Radzick, "Making Amends," 144.

<sup>211</sup> Bennett, "The Varieties of Retributive Experience," 159.

harms put a burden on the victim. Since it is the wrongdoer's bad intentions or character traits that have brought these harms into the world, it is more appropriate that she shoulder them. The wrongdoer is the one who *deserves* to shoulder them. Paying restitution and adopting penitent burdens demonstrates this idea as an attempt to "set right" the wrong.<sup>212</sup> The repentant wrongdoer's efforts should not be understood as an attempt to alter the past or as an action that has the power to negate the victim's complaint. There are moral harms that cannot be repaired by heaping goods on the victim. However, the voluntary adoption of penitent burdens can initiate the process of changing the significance of the wrong in the victim's and wrongdoer's past and make the psychological and moral costs of the wrong easier for the victim to bear through the morally satisfying apprehension that justice is done.

Restitution and penance involve adopting burdens and these are often adopted on the victim's behalf. However, they are not just about doing good to the victim. Suppose a private third party, or society as a whole, heaped goods upon the victims of wrongdoing in excess of what would be required to compensate their losses. It would be a mistake to think that restitution had been made, penance done. It would be a mistake to suppose that the victims, lavished with goods, no longer had claims on their victimizers or that wrongdoer's were absolved of the need engage in displays of repentance. The wrong still stands in the past between the victim and wrongdoer with all of its harms. Thus it is important that the wrongdoer adopt a burden.

The burdens a wrongdoer should adopt are a kind of voluntarily accepted suffering because they require the wrongdoer to give up goods of time, resources, and comfort that are otherwise his own. Everyday making amends typically involves doing a favor for the victim or offering a propitiatory gift. Though doing these things involves shouldering the burden of guilt,

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<sup>212</sup> Restitution and penitent burdens go beyond what is required to compensate the victim when compensation is possible. When compensation is impossible, penance is addressed to the wrongdoer's own feelings of guilt and the moral harms done.

they are also relieving and we are usually happy to do them. When the wrong was very serious and the costs are high the most fitting service to the victim to atone for the wrong involves a serious commitment on the wrongdoer's part. Frank might give up his ill-gotten position, offer Lewis gifts, and devote himself to serving others. It is unclear what murderers and rapists could do because of the kinds of relationships their wrongs set up, but we can imagine that the burdens that must be voluntarily accepted by murderers and rapists would have to be very difficult.

The practices of restitution and penance demonstrate that wrongdoers' suffering is not accidental to our responses to them and what they deserve. Though penance and restitution often involve doing good to victims and can be a part of repairing character and community, they are not justified by character and community repair.<sup>213</sup> They are a part of the requirement that wrongdoer's acknowledge their wrongs and their responsibility for the harms they have wrought. They are justified by moral claims arising from the idea of desert. In other words, amends-making practices like restitution and penance are grounded on the retributive intuition that it is an unqualifiedly good thing that wrongdoers suffer for the wrongs they have done. When they are reparative, they are so *because* they are grounded on that intuition.

When wrongdoers are unrepentant like the Murrieta protesters and the Camelback rapist, the wrong looms in the victim's past and ultimately stands as an attack on the victim to which a response is still required. When wrongdoers do not adopt the burdens required of them some victims will harbor a desire for retribution. To them, this is what moral debt and being owed signify—the general idea that the wrong done permits a hard response. The retributive response may be quite harsh as it is in Cress' case. Retributive responses can also be more prosaic, such as

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<sup>213</sup> They are *part* of reparative practices because they are not complete in themselves. Victims' actions like forgiveness are also important.

Lewis expressing his defiance by putting Frank through the discomfort of alienation, ostracism, noncooperation, and active attempts to undermine him.

So far I have focused on the moral requirements weighing on the wrongdoer because of his wrongdoing and the moral claim that the wrongdoer behave in certain ways. However, another not unrelated aspect of desert is that simply the wicked character and wrongful intentions form a desert basis. With respect to our reactive attitudes and desert, the worse one's intentions and character, the stronger our negative reactive attitudes and the more severe the claims the victim can legitimately press. Retributive desert is thus also connected to an evaluation of the wrongdoer. This point should not surprise us and is embedded in our institutions of punishment. A planned killing is judged to be more culpable than a killing arising in the heat of passion or from recklessness where there is no intention that someone be harmed. Thus poisonings and mob-hits are more culpable than killings arising from finding one's spouse in bed with someone else or from crashing one's car and killing someone while exceeding the speed-limit down a winding road, respectively. In the first case there is more evidence of malice and corrupt character than the others and the middle case is judged to arise from worse intent than the last. Murder is thus punished more severely than voluntary manslaughter and that is punished more severely than involuntary manslaughter.

At the personal level we are more upset with people the worse their intentions toward us are. This is because the wrongdoer is more closely identifiable with the intentions behind his action. Wrongs arising from culpable negligence and carelessness can generate serious moral costs to the victim but are not as morally insulting as wrongs arising from actively bad intentions and from wicked character traits.<sup>214</sup> We have seen that voluntarily offering to make amends

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<sup>214</sup> A negligent or unintended wrong the wrongdoer does not regret can also increase the wrongdoer's moral culpability, that is, the magnitude of his desert.

through restitution and penance is grounded in retributive intuitions and reflects well on the wrongdoer. This affects what attitudes are appropriate to him. Lewis might be justified in resenting even a repentant Frank. However, insofar as Frank offers meaningful displays of remorse, Frank can no longer be said to oppose Lewis by the wrong. Because retributive hatred is an oppositional attitude as I argued in chapters two and three, it would not be fitting in that situation because hostile opposition is not called for even though the desire for retributive suffering might still be justified.<sup>215</sup>

I have argued that hostility in retributive hatred is tied to desert claims as they arise against unrepentant wrongdoers. These desert claims take both claims against the wrongdoer and an assessment of the wrongdoer's earned moral esteem into account. I have also argued that these desert claims are morally justified. However, there is still a gap between the claims "X deserves to suffer in virtue of what he has done and who he has become" and "It is morally permissible to respond to X with hostility in virtue of what he has done and who he has become."

Retributive hatred uniquely captures desert claims in some situations. When a wrong arises from exceptionally bad intentions and wicked character, the victim does not misrepresent matters by describing the wrongdoer primarily in terms of the trait or the kind of relationship the wrong arising from that trait has generated. I argued for this in chapter four. I have also argued that esteem can be earned and lost because claims about earned moral desert can be justified as non-incidental parts of holding people responsible and the negative changes in attitude this implies. Thus, the hater's devaluation of the hated person can be connected to a judgment about the wrongdoer's low moral esteem. This finds expression in a negative turn of attitude. Moreover, what the loss of moral merit means in concrete terms is a negative change in how a

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<sup>215</sup> For example, appropriate penance for some very serious wrongs could include voluntarily submitting oneself to punishment.

wrongdoer is regarded and treated. Often wrongdoers are apologetic and repentant so whatever retributive intuitions we might have are softened by the wrongdoer taking on the burdens of his own guilt and attempting to make amends to the victim. However, some serious wrongdoers are unrepentant. Thereby they maintain moral opposition and call for defiance as their victims and their victims' vicarious sympathizers want those wrongdoers to "feel it." The expression of the wrongdoer's response thus takes on a retributive and oppositional character that is itself not incidental to holding that sort of wrongdoer responsible for what he has done. This response is not justified by deterrence, getting the wrongdoer to acknowledge the wrong, and so forth. It is justified because it is what that sort of wrongdoer deserves. It is in circumstances like these that retributive hatred is properly focused and morally justified.

Even repentant and penitent wrongdoers can be said to fall under the scope of retributive intuitions but their opposition is withdrawn. There is no need for retributive opposition. Retributive hatred in those cases loses its justification. Therefore, a justificatory restraint on retributive hatred is:

- 1) Properly focused retributive hatred is justified only if the wrongdoer is unrepentant.

I should make clear that one's hostile attitudes being justified does not mean that someone ought to go out and physically harm the wrongdoer or that anyone has a right to do so. Retributive hatred might involve the wish that the legal system run its course or the hope that poetic justice is served. Supposing that retributive hatred toward the Murrieta protesters is justified, no one can claim a right to more than obloquy and social exclusion though further suffering, such as falling on hard times in a way somehow connected to their cruelty to the children they held up, might be fitting. My aim here has been to defend the intuition that the wicked get their just deserts and attitudes based on that, not the Wild West.

## § 5 Moral Challenges to Retributive Hatred

There are strong worries that can be raised against the justification of retributive hatred I have provided. Even if retributive desert claims are justified, it could still be the case that no one has the moral standing to adopt hostile desert-responsive attitudes. This might be understood as lying behind such admonishments as “let he who is without sin cast the first stone.” There are two ways to understand the moral authority objection. On the one hand it can be seen as advancing the idea that, since we are all wrongdoers and in need of forgiveness and mercy, no one is in a position to adopt retributive attitudes to anyone else even when those attitudes would be properly focused. On the other it can be seen as a founded on the idea of moral luck. Since any of us might have done wrong or have come out badly given certain circumstances, we must refrain from hard responses to others. In each case, retributive hatred as I have described it could be understood as self-righteous and so as morally deficient. In section six I focus on the charge that retributive hatred is self-righteous. For this reason I deal with the two versions of the of the moral authority objection together. From my discussion of the moral authority worry, I derive further conditions that must be met for properly focused retributive hatred to count as morally justified.

Another worry attacks the structure of desert I have drawn up. As I have described it, desert is a direct response to negative moral appraisal because the desired ills are constitutive of one’s ends—they are just a part of what justice means. By arguing that retributive hostility must realize some further end to have any rational point, one could object that retributive hatred gets the structure of desert wrong by mistakenly spreading the moral worth of persons across a hierarchy based on earned moral desert. Retributive hatred, the objection goes, violates the tenets of moral-worth egalitarianism. Some philosophers such as John Kekes and Peter French are

content to abandon moral-worth egalitarianism. I am not. In section seven I defend retributive hatred from the charge that it is malicious while preserving a version of moral-worth egalitarianism.

## § 6 The Challenge to Moral Standing

The objection that we lack the moral standing to retributively hate has biblical roots. The writer of the *Gospel of John* records the following exchange between Jesus and a group of Pharisees questioning him about the legality of stoning a woman caught in the act of adultery:

When they kept on questioning him, he straightened up and said to them, “let he who is without sin be the first to cast a stone at her.”<sup>216</sup>

The *Gospel of Matthew* also records Jesus saying:

Do not judge, or you too will be judged. For in the same way you judge others, you will be judged, and with the measure you use, it will be measured to you.<sup>217</sup>

These passages are not uncommonly treated as prohibitions on making any judgments at all and are sometimes treated as demanding an uncritical embrace of everything. This is a mistake. Instead, our moral imperfection is used either to warn us against a certain type of condemnatory attitude, such as a retributive one. This is not the same as refraining from making any judgments at all and embracing everything.

These passages do not undermine the moral legitimacy of negative desert claims in general. It is interesting that in the first passage, though the authority of every member of the mob to carry out a rather severe act of punishment is attacked, the legitimacy of the desert claim, that adulterers should be stoned, is not. Even if we imagine that this particular desert claim is not morally legitimate, and I am glad that most of us do, that would not be the same as undermining every desert claim attached to adultery whatsoever. Jesus does not claim here that the woman

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<sup>216</sup> *John* 8:7 (New International Version).

<sup>217</sup> *Matthew* 7:1-2 (NIV).

caught in adultery does not deserve anything at all or that we must never recognize anyone as deserving hard treatment.<sup>218</sup>

Part of the point of Christianity's soteriological story, at least as it occurs in the penal substitution and satisfaction theories of atonement and the traditions influenced by those, rests on our deserving quite a bit and being somehow released from desert by God because of the cross and the empty tomb.<sup>219</sup> Telling that story is St. Paul's aim early on in his epistle to the Romans. Verses 1:21-32 and 2:1-6 (NIV) offer a sharp contrast. In the first passage we are told that human beings, not thinking it worthwhile to retain the knowledge of God as *The God*, have been given over to a depraved mind and every kind of "wickedness, evil, greed, and depravity." We are "full of envy, murder, strife, deceit, and malice" and are "gossips, slanderers, God-haters, insolent, arrogant and boastful" people who "invent ways of doing evil." Indeed, we "have no fidelity, no love, no mercy." We do these things and approve of those who do them even under God's decree "that those who do such things deserve death." St. Paul's lament then changes tone. He tells us that we have no excuse when we pass judgment on others because, doing the same things, we only condemn ourselves. However, St. Paul's whole enterprise in the first passage is an exercise in condemnation. He is telling us that each and every one of us deserves to die for and in our evil. If we are not to throw the whole thing out as riddled with contradictions, we must take the

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<sup>218</sup> Ostensibly, Jesus himself has absolute authority to "cast the first stone" because, of all those present, *He* is without sin. That the second person of the absolute and triune God does not press what anyone in the audience would have thought of as the demands of natural justice, demands that are never denied moral legitimacy, is what gives the story much of its force. The force of the story and the general point remain even if stoning is not legitimately proportioned to what an adulterer or adulteress actually deserves.

<sup>219</sup> There is a thorny issue here. There are many theories of atonement in Christian theology including the ransom theory, the penal substitution theory, St. Anselm's satisfaction theory of atonement and the *Christus Victor* model. I do not wish to take a philosophical and theological stand on these matters here. However, it is worth pointing out that the first three traditional understandings of atonement can be related to the idea of desert and paying a debt.

latter “do not judge” part as consistent with the prior part that is full of judgment and condemnation.<sup>220</sup>

As with Jesus’ words, it does not seem that earned moral desert claims in general are under attack. Instead, if we are to read these passages as attempts to undermine retributive hatred, they should be understood as attempts to break the connection between desert claims and condemnatory retributive attitudes. Immanuel Kant, leaning heavily on the idea of moral luck, offers what could be understood as a forceful take on this theme in *Religion within the Boundaries of Mere Reason*:

This is how so many human beings (conscientious in their own estimation) derive their peace of mind when, in the course of action in which the law was not consulted or at least did not count the most, they just luckily slipped by the evil consequences; and [how they derive] even the fancy that they deserve not to feel guilty of such transgressions as they see others burdened with, without however inquiring whether the credit goes perhaps to good luck, or whether, on the attitude of mind they could well discover within themselves if they just wanted, they would not have practiced similar vices themselves, had they not been kept away from them by impotence, temperament, upbringing, and tempting circumstances of time and place... This dishonesty, by which we throw dust in our own eyes and which hinders the establishment in us of a genuine moral disposition, then extends itself also externally, to falsity or deception of others. And if this dishonesty is not to be called malice, it nonetheless deserves at least the name of unworthiness. It rests on the radical evil of human nature which (inasmuch as it puts out of tune the moral ability to judge what to think of a human being and renders any imputability entirely uncertain, whether internal or external) constitutes the foul stain of our species.<sup>221</sup>

Here Kant does not make an attempt to undermine the moral legitimacy of desert claims. Instead, Kant is telling us that the contingencies of moral luck bar us from self-righteous forms of condemnation behind which we hide our own evil. A person can then use condemnation as a way of polishing his own self-image. Given the admonishments of Jesus, St. Paul, and Kant, one

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<sup>220</sup> Though God may be understood as the ultimate judge here, St. Paul can be thought of as making a judgment based on how he understands natural justice. After all, he is telling us what we deserve. Moreover, he describes us as making judgments based on natural justice as it is generally known. See *Romans* 2:14-15 (NIV).

<sup>221</sup> Kant, *Religion Within the Boundaries of Mere Reason*, 6:38.

might conclude that adopting retributive attitudes, especially retributive hatred, is not morally justified even if the truth of some desert claims is left intact.

There is a way to answer the charge that reveals a truth about what is required of morally permissible reactive attitudes but that is ultimately the wrong sort of response. Michael Moore contends that pointing out that we are all guilty of some immoralities is “pretty clumsy moral philosophy.”<sup>222</sup> Though we have all made little convenient lies, have not cared enough about others’ suffering, and been uncharitable, few of us have remorselessly murdered or engaged in other morally horrific actions.<sup>223</sup> I agree that we should not hypocritically adopt retributive hatred. Having done wrongs or possessing vices for which one hates another commits a person to hating himself for those action and vices. However, moral luck and the fact of one’s own wrongdoing point to a much deeper worry that is not exorcised simply by failing to be a murderer, *et cetera*.

Condemning others can lie at the root of very subtle self-deceptions. This is one of the main points Kant tries to make in the passage above and, I shall argue, that St. Paul is trying to make between the condemnatory passage and his admonition that we refrain from judgment. One common way, perhaps the chief way, people have of hiding from judgment is to be harsh with others. The second of St. Paul’s passages seems keenly directed at such people.<sup>224</sup> In that light, the problem with judgment and condemnation is not so much the judgment or the condemnation itself, but self-righteous judgment and condemnation. Self-righteousness distorts one’s sense of the license his own moral authority grants him to maintain attitudes based on the judgment that the offender is vicious in some respect. Condemnation and retributive reactive attitudes can thus become a vehicle of our own self-deception and so operate as a way of turning from God,

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<sup>222</sup> Moore, “The Moral Worth of Retribution,” 188.

<sup>223</sup> *Ibid.*

<sup>224</sup> I owe this point to Ron Belgau.

refusing His mercy, and so falling under His judgment. This raises a general point: A necessary condition of retributive hatred's justification is that it is directed by a person who is not self-righteously or self-deceptively condemning others. But what could justify the move between acknowledging the truth of desert claims and adopting attitudes like retributive hatred? Ultimately, an adequate response to this question must show that retributive hatred is permissible even as we acknowledge our own moral badness and our own moral luck.

Suppose we maintained retributive desert claims but eliminated retributive reactive attitudes from our moral vocabulary. In that case those claims would have no real force in our lives. At most they could only act as suggestions or exhortations about how to act.<sup>225</sup> We might attempt to elevate desert claims to warnings by reiterating Plato's point that wrongdoing makes "the soul full of distortion and ugliness" for which it will "suffer its appropriate fate."<sup>226</sup> We might say that God will get the wicked in the end or that karmic causality will visit suffering on future selves.<sup>227</sup> However, pressing the moral authority objection so far as to eliminate retributive attitudes from our moral vocabulary would mean that we could not wish for these things or express that wish. Insofar as accountability entails the expression of our beliefs about desert, and for human beings that expression involves affective states, it is difficult to see how we would be able to hold each other accountable inside a framework where our retributive reactive attitudes are unjustifiable because we have all done wrong and because our own goodness, when we have it, is only contingently our own. We might be accountable to God, or subject to an impersonal causal law that for some inexplicable reason measures good consequences to virtue, but we

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<sup>225</sup> Ibid.

<sup>226</sup> Plato, *Gorgias*, 525a.

<sup>227</sup> I am reminded of Johnny Cash's rendering of the song "Run On" as "God's Gonna Cut You Down," on the album *American V: A Hundred Highways*, Lost Highway Records, 2006.

would not be accountable to each other. Thus without desert responsive (retributive) reactive attitudes, it is hard to see what the practice of holding each other responsible could mean.

The objector might try at this point to hold on to the non-hostile retributive attitudes but not the hostile ones. This would require altering the moral standing objection in a way that picks retributive hostility out for attack by a line of thought that seems intended to undermine the retributive intuition itself as a kind of excess. Pressing the moral standing objection this way would not undermine the claim that retributive hatred is sometimes properly focused. There would then be people on whom retributive hatred is properly focused but to whom no more than feelings of (retributive) resentment or lingering resentment appropriate to wrongdoers whose actions did not grow from malign character or to wrongdoers who are repentant and trying to make amends could be addressed. The extent to which a person acts with vicious character like Frank, or is unrepentant like the Camelback rapist, would then matter little to the moral attitudes we adopt toward him even if we were permitted to maintain harder desert claims in those cases. Using the moral standing objection against retributive hatred thus gives rise to a strange discontinuity between our desert-judgments and the attitudes responsive to those judgments.

Moreover, there are reasons to think that forgiveness and mercy gain their meaning and moral significance from the moral justifiability of retributive attitudes. Imagine someone who is owed a lot of money. Given the terms of the loan he has made, he has a right to collect and he can only choose to forgive the debt if he is within his rights to collect it. Suppose that retributive hatred is sometimes morally permissible, that is, that a person may sometimes be “within her rights” to adopt it. If forgiveness involves forswearing morally legitimate negative reactive attitudes as most moral philosophers agree it does and mercy means forswearing to do what is within one’s legitimate authority to do, then it is only by acknowledging the moral permissibility

of retributive hatred that forgiving or showing mercy to a serious and unrepentant wrongdoer can count as either.<sup>228</sup> These responses require either that the retributive hatred one feels is justified, or that one sees, on the basis of a legitimate desert claim, that it would be justified, but then expresses this fact in an act of forgiveness and mercy. At any rate, sometimes one might opt to forgive and so to forswear the attitude by abandoning hostility, sometimes one might opt for just deserts.<sup>229</sup>

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<sup>228</sup> I believe Mahatma Gandhi expressed as much when he said, “abstinence [from violence] is forgiveness only when there is the power to punish, it is meaningless when it pretends to proceed from a helpless creature... A definite forgiveness would therefore mean a definite recognition of our strength.” Mahatma Gandhi, “The Doctrine of the Sword,” <http://www.mkgandhi.org/nonviolence/Doctrine%20of%20the%20sword.htm>. See also, Mahatma Gandhi, *The Essential Gandhi: An Anthology of his Writings on His Life, Work, and Ideas*, 137.

<sup>229</sup> At this point some might argue that what I have said is all well and good, but that we are under a moral obligation of universal forgiveness. Jesus’ parable of the unmerciful servant in Matthew 18:21-35 (NIV) might be marshalled in support of this view. The story opens with a ruler settling his accounts. One man owes him 10,000 talents, an enormous sum of money. The ruler orders that the man, his wife, and his children be sold to settle the debt. The man begs for the patience of the ruler who, in his pity for the man, forgives the debt by cancelling it in full. The man, coming upon a fellow who owes him a fairly small sum, demands payment. Unable to pay, the man has this unfortunate person thrown in prison until the debt is paid. Learning of this, the ruler becomes very angry for the man, having begged for mercy, would show no mercy of his own. Even here forgiveness means acknowledging that one is owed and has a right to what he is due. Even the unforgiving man seems to have a right to collect from his peer. Cancelling the debt would not count as forgiveness and mercy if he did not. Moreover, a duty to forgive is not generated by it being hard-hearted not to. That there is no duty to do something when one morally ought to is familiar from other contexts. After all, the refusal to pay a debt of gratitude to a friendly benefactor when one easily could is ungrateful, but that fact does not produce a duty to pay up. The benefactor, to count as one, has no right to collect. The man in the parable is hard-hearted, ungenerous, and greedy. His refusal to see himself in the man he victimizes is also so monstrously self-absorbed as to verge on the solipsistic. However, none of that erases the legitimacy of the claim he has on what is owed to him.

At any rate, we should not understand forgiveness as seeing that one has no claims against the wrongdoer or that negative attitudes are never justified. As evidence to the contrary, some point to Martin Luther King, JR and Mahatma Gandhi. There is little reason to think that Gandhi was not open to retributive attitudes. He wrote, “We feel too downtrodden not to be angry and revengeful. But...India can gain more by waiving the right to punishment. (Gandhi, 137-138) Forgiveness, he tells us, is only a sign of strength “when there is power to punish.” (Gandhi, 137) Though Gandhi’s remarks show a preference for forgiveness over retributive attitudes (the desire that the target be punished) forgiveness gains its meaning from one already having the power to hold those attitudes. To have that power fully, one’s retributive attitudes must be morally justifiable. For King, loving human community and community with God are the point of the universe. (King, 104-107) Forgiveness reflects our knowledge of that end, our humility in the face of God’s forgiveness, our trust that He moves through the universe to bring that end about. As a consequence of wrongdoing, we need forgiveness and love. (King 105) That is not to say that we deserve it. Desert and need are different moral considerations. For this reason, King’s view is compatible with the idea that retributive attitudes are justified by natural justice and, because his reasons for forswearing those attitudes are spiritual reasons, forgiveness is a part of the theological virtues of love (*caritas*, *agape*), faith, and hope, not a part of the cardinal virtues. In this framework, radical forgiveness takes its moral meaning from the justifiability of the attitudes it forswears. Those who are meant to live by this or a similar

I have argued that the moral standing objection against retributive hatred, that our own wrongdoing, character faults, and proper acknowledgment of our moral luck make even properly focused hatred morally impermissible, is mistaken. Retributive hatred is an attitude that uniquely captures the moral contours of certain wrongs so its moral justification is an important part of those attitudes by which we are held responsible for our actions and accountable to each other. There are good reasons to think that even the moral significance of forgiveness depends on its and similar attitudes' moral justifiability. Therefore, instead of interpreting the moral standing objection as denying that retributive hatred is sometimes morally justified, it should be understood as a moral prohibition against hypocrisy, self-righteousness, self-deception, and harshness flowing from these. Thus my discussion suggests further justificatory conditions for retributive hatred:

- 2) Properly focused retributive hatred is not justified if it is adopted hypocritically.
- 3) Properly focused retributive hatred is not justified if it is adopted self-righteously or self-deceptively, or if the harshness of the response is born of self-righteousness or to hide from judgment oneself.

The idea here is not that hypocritical or self-righteous hatred cannot be properly focused. The idea is that hypocritical or self-righteous hatred cannot be morally justified. Hypocritical and

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framework, that is, Christians, are thus confronted with a choice in the face of morally justifiable retributive hatred. For them, natural justice is not the final consideration.

A further issue also arises here, that of whether failing to adopt retributive hatred in response to some wrongdoers is ever a moral failing. As I have drawn my account, such a failure would be morally problematic. This is certainly a troubling conclusion to many people and I also find it somewhat worrisome. The extent to which one must *feel* that retribution is deserved, a question about the force of the attitude one should experience, is a difficult issue uncertainty surround which doubtlessly contributes to the troubling nature of the conclusion. My own thoughts on this particular matter are admittedly imprecise. However, the picture of forgiveness that has emerged from my discussion over the last two chapters is one in which the wrongdoer is acknowledged as deserving particular negative attitudes and then those attitudes are forsworn. Given a particular moral vision, this is even a way of confronting wrongdoing.

King is quoted from: Martin Luther King, Jr, *Stride Toward Freedom* (New York: Harper and Row Publishers, 1958). Gandhi is quoted from: Mahatma Gandhi, *The Essential Gandhi: An Anthology of His Writings on His Life, Work, and Ideas*, edited by Louis Fischer (New York: Vintage Books, 2002).

self-righteous hatred rests on a general frame of mind that tries to close off self-directed reactive attitudes. To fail to be open to these is to fail to take to heart moral expectations and demands as they bear on oneself and so represent a preoccupation with one's own case or degree of self-absorption that threatens moral solipsism.<sup>230</sup> Attitudes held in that manner, though they might be properly focused, are not morally justified.

In conclusion, retributive hatred is morally available to us because it uniquely captures and concretely expresses desert claims in a narrow range of circumstances. Again, this is not an argument for the Wild West, for harsh responses, or an argument against forgiveness and mercy. I am simply arguing that adopting an attitude of retributive hostility toward a particular sort of wrongdoer is not a moral mistake provided that the wrongdoer is unrepentant and that the retributive hater is not hypocritical or self-righteous in maintaining the attitude. The moral authority objection should thus be understood not as a moral prohibition against retributive hatred, but as a moral warning against retributive hatred that is hypocritical or self-righteous.

### **§ 7 Is Retributive Hatred Malicious?**

Malice and spite are forms of hatred in which the hater understands that others have been raised above her in esteem or that her own esteem has been lowered as a result of their actions in a competitive hierarchy. For the hater, the only way to restore her relative position is through a competitive victory over her superiors. Just as competitive victory over a high-ranked competitor is part of what it means to move up in sports rankings, competitive victory over a rival is what it means to move up in a game of moral merit. Thus, malicious and spiteful haters seek harm *simpliciter*. Those still skeptical of the moral legitimacy of retributive hatred could take a cue from this description of malice and spite. Because retributive hatred involves non-instrumental

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<sup>230</sup> Strawson, "Freedom and Resentment," 201.

hostility it could be argued that retributive hatred is just a form of malice or spite. Thus it resembles the malicious hater's hunger for harm. This is Jean Hampton's strategy for arguing against retributive hatred as involving a mistake about human moral worth.

Hampton argues that retribution is not a morally basic idea. Thus, retributive desert cannot be direct. To make her case, Hampton offers a Hegelian theory of retribution in which retribution is built on the more basic ideas of punishment as "defeating" the wrongdoer to assert moral truth against its denial, and as vindicating the victim's value through protection.<sup>231</sup> According to Hampton, defeating the wrongdoer is a symbolic affirmation of the victim's value. Because a wrong may be thought to symbolize the wrongdoer's belief that she is above the victim, a defeat figuratively demonstrates the belief that the wrongdoer's sense of superiority is false.<sup>232</sup> Thus by defeating the wrongdoer, retribution changes the significance of the wrong in the victim's life by giving a concrete expression to the realization and acknowledgment of the victim's moral value in the wake of moral injury.<sup>233</sup> Hampton concludes that the aim of retribution is not simply that the victim's own value be stood up for and affirmed, but to demonstrate the equal worth of all persons. Stephen Darwall expresses the idea aptly, whatever we do about wrongdoing, it must be aimed at "what sanctions would best realize the ideal of equal respect."<sup>234</sup> Moreover, because the idea of defeat is conceptually distinct from such ideas as "harm" and "suffering," the retributive idea involves no non-instrumental desire that the

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<sup>231</sup> Hampton, "The Retributive Idea," 124-125, 138. Vindicating the victim's value through protection is related more to the value of punishment in its institutional context than it is to the interpersonal contexts with which I am concerned here. Thus I leave it aside in what follows.

<sup>232</sup> *Ibid.*, 143.

<sup>233</sup> Farnham, "A Hegelian Theory of Retribution," 608, 610-12.

<sup>234</sup> Darwall, *The Second Person Standpoint*, 83.

wrongdoer suffer. It just happens that various forms of suffering are usually the most efficacious demonstrations of defeat.<sup>235</sup>

This way of thinking suggests two objections to retributive hatred. The first is that desert and retributive attitudes as I have described them amount to a failure to deliberate about others in the right way. Retributive desert as I have described it ties desert to the character and context of the wrong itself and so inappropriately arrives at non-instrumental suffering and hostility. There is, on Hampton's view, no morally legitimate way to arrive at non-instrumental hostility. Thus, even when the retributive hater's attitude is properly focused, her retributive desires are malicious or spiteful.<sup>236</sup> A second and related worry is that retributive hatred throws out the idea that all people have equal moral worth because the targets of retributive hatred are treated with an ill-will that is contrary to treating them with the worth inherent in being a person. This too comes to malice or an unbridled malevolence.

To make the case that retributive hatred is malicious on Hampton's terms it must be demonstrated that it is an obnoxiously competitive way of trying to move up in a moral worth hierarchy. However, the discussion of desert I have provided shows that retributive hatred is *not* about moving up a worth hierarchy. It is about appropriately responding to conditions of negative desert. Thus it arises from a concern for accountability, moral value, and justice. Hampton's argument that retributive hatred is malicious must then rest on the contention that it involves regarding the wrongdoer with a worth lower than what he actually has.<sup>237</sup> Thus retributive hatred is the expression of a defective view of desert in which people differ with respect to moral worth. People do not differ with respect to moral worth, so retributive hatred always gets things wrong because the desert claims on which its justification rests gets things

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<sup>235</sup> Jean Hampton, "The Retributive Idea," 126.

<sup>236</sup> *Ibid.*, 145.

<sup>237</sup> *Ibid.*

wrong. Whatever concern for moral value and justice retributive hatred involves, it rests on faulty conceptions of moral value and justice.

This objection implies that the position I have offered denies that human beings have inalienable value. However, I have already argued that there are two kinds of desert: earned and unearned. One can admit that there are two sources of human worth, that both have normative force, and that a complete view of a person and the kinds of attitudes appropriate to her depend on an appreciation of both. I thus oppose meeting the challenge by denying worth egalitarianism by arguing that whatever worth a person has is earned as John Kekes and Peter French do. Kekes draws attention to two assumptions of worth egalitarianism pertinent to Hampton's objection: There are two aspects to being a person, the self and its qualities, and worth attaches to selves, not their qualities.<sup>238</sup> Moral worth attaches to the capacity for rational choice, a capacity shared by everyone. Because moral merit rests on character and character does not reflect the core choosing self, it has no connection to moral worth.<sup>239</sup> The worth egalitarian thus sees the issue of judging moral merit (esteem) as distinct from judging responsibility.

### **Moral Worth Egalitarianism**

The problem with the typical worth egalitarian assertion that worth and merit are independent is that it strips the self of those qualities that mark it as a human self. The human self becomes "a mere logical subject of which qualities are predicated."<sup>240</sup> Because anything at all can be thought of as a logical subject, there is no distinguishing between human selves and rocks, trees, mice, or anything else. Thus, moral worth cannot be attributed to human beings just

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<sup>238</sup> Kekes, *Facing Evil*, 110.

<sup>239</sup> *Ibid.* 115. Kekes mentions three fundamental assumptions of worth egalitarianism in all. The third is that worth egalitarians assume that human nature is basically good. (117) This assumption is not especially relevant to my argument here so I will not discuss it below.

<sup>240</sup> *Ibid.*, 112.

on the basis of their being logical subjects.<sup>241</sup> To save the view, the worth egalitarian attributes moral worth to whatever capacity is shared by all persons, namely, our rational nature. Since this capacity cannot be lost no matter how much evil we choose, we are always in possession of moral worth, and we possess moral worth in equal measure to everyone else always.<sup>242</sup> However we come to be appraised, our laudability or corruption has no independent normative force because it has no direct bearing on how we should figure into people's deliberations about what to do. Only our shared rational capacities have such force.

George Sher points out that the view that our true selves are not constituted by our contingent attributes is antagonistic to desert because, since talents and abilities are unchosen on that view, we cannot deserve anything directly from their presence or development.<sup>243</sup> I am skeptical that any notion of the human person remains when we leave behind the contingent features of our embodiment, our values, our hopes, and our relationships to others. Though the capacity for rational choice is a part of what we are, it is on the basis of the contingent features of our lives that we are able to make rational choices. Volition shorn of our nature and identity is not rational but arbitrary. Earned desert comes with our agency because “no being that did not stand in some suitably intimate relation to its preferences, values, skills, talents, and abilities could choose and act in the full sense.”<sup>244</sup> We are left with a picture of the self that is different from the worth-egalitarian picture that afforded earned desert no independent normative force. Earned desert involves a view of the self in which there is an intimate relationship between the

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<sup>241</sup> French, *The Virtues of Vengeance*, 190.

<sup>242</sup> *Ibid.*, 191.

<sup>243</sup> Sher, *Desert*, 154-155. This is similar to the moral luck version of the moral standing objection.

<sup>244</sup> *Ibid.*, 159.

person and his actions and attributes, yet who endures over time in spite of the mutability of his attributes over spans of it.<sup>245</sup>

French and Kekes use the desert-friendly view of the self to collapse all assignments of moral worth into attributions of earned desert. The reason is because they see nothing in the human self on which inalienable moral worth can be grounded. Thus, French has it that retributive hatred and resentment, the desire to be avenged, and punishment are reflections of differential moral worth. Some people have less of it because of what they do and that opens them to hostile responses. However, collapsing all forms of moral worth into earned moral merit is a mistake. The dignity of the human person as a good can be preserved even as we allow the direct normative force of earned desert claims and the “direct” justifiability of reactive attitudes that express them.

### **Dignity of the Person and Earned Desert**

From the start I have distinguished between earned and unearned desert. Retributive hatred is about what some serious wrongdoers have earned. Thus Cress understands Patrick’s murderers to deserve death not in virtue of the fact that they are persons, but in virtue of what they have done as persons. The Camelback rapist deserves the harshest penalty the law will allow and Frank deserves harsh words, ostracism, and non-cooperation in the same way. Understanding the difference allows us to respect the idea that there is a sense in which we all do have equal moral worth, maintains the idea that retributive responses are responses to moral

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<sup>245</sup> Ibid., 151. This picture of the self is liable to its own problems such as how personal identity is maintained over time and which traits count as relevant to desert. An answer to these questions is not required for my aims here. The opposing view has its own problems as already pointed out. Doing away with the idea of the self or of the persistence of identity is liable to the objection that desert and the practices surrounding it lose their coherence and because any such view will have trouble accommodating the subjective unity of consciousness. At the least, our quality as rational beings involves that we make accounts of ourselves thus giving our lives narrative coherence and unity. Traits relevant to moral desert are those that are relevant to moral assessment: actions, virtues, and vices.

badness, and avoid the implausible claim that retribution is aimed at demonstrating the equal worth of all persons understood in terms of equal goodness or merit. After all, to deserve retributive suffering is to have less moral merit (*earned* moral worth) than one ought to have.

Consider the ways in which a person can be seen as depreciated. In stratified societies, social inferiors include those of lower class. Thus one might fail to meet the ideal of the aristocratic person, but may yet satisfy the ideal of lesser sorts, such as the ideal of the professional, the laborer, or the bondman. The value attributed to superiors in the value-hierarchy is not reducible to terms of usefulness, importance with respect to a human project, or to one's contribution to the well-functioning of society. The deference and priority afforded to an aristocrat in a stratified society in virtue of his status is tied to the dignity of his position. Dignity of position further operates as a limit on how that person can figure into others' deliberations about what to do, that is, what can be done to or with that person. Another way a person can be seen as depreciated is through her earned desert. Looking at the example of a stratified aristocratic society, dignity of position tells us nothing about how a person is to be evaluated with respect to how well he lives up to the ideals of his position. That a person is a baron or a gentleman is not the whole story of how he is to be evaluated, but we need the whole story to reveal how he is to be regarded by others and treated.

What can be earned depends on how a person performs in a particular role. In human moral terms, this involves actions that are contrary to or beneath our dignity as persons. It can also be understood in terms of what we can claim of others and what they can claim of us as we act as the kinds of beings we are through the course of our lives. As I have argued previously, these sources of desert are related and they are a source of value to which desert claims and our reactive attitudes respond. Though people may hold value because of the capacity for rational

choice, because their being is good as such, or because of the divine image in them, they also hold value and disvalue because of the use they make of their being and rational choice, and because of their realizing or failing to realize their nature. What treatment a person can earn by failing to live up to the office of “human person” is constrained by the dignity of that office.

However, one might still insist that non-instrumental hostility is unacceptable ill will that offends the value of persons. Recall Iago’s malicious hatred of Cassio in Shakespeare’s *Othello*. Though it may be contingently required by circumstance that Iago destroy Cassio to gain position or a sense of elevated worth, Cassio’s suffering is only incidentally a part of either. Thus Cassio’s suffering is both wished for simply as an evil to him—suffering for the sake of suffering—and he is used as a mere means to Iago’s ends. If Iago acts to feed his malevolence, we get the same result. The desire that another suffer *simpliciter* could thus be seen just as the gratification of malevolent emotions. I agree that this wish for suffering is vicious. Because of our proneness to self-deception (Iago imagines himself in the right after all) it is also easy to fall into. However, this is not the case in retributive hatred.

Retributive desert is part of morality and involves the thought that the wrongdoer’s suffering is non-contingently a good thing. This is because retributive suffering is tied to non-contingent moral demands on wrongdoers to fully acknowledge, repent for, and amend as far as possible the wrongs they have done. The victim’s claims on the wrongdoer to behave in certain ways and to suffer the costs of wrongdoing give rise to the desire for retribution. When unrepentant wrongdoers are involved, this desire is justifiably hostile. In cases of justified retributive hatred this hostility is not a mad attempt to gratify resentful and vindictive passions, to gain worth, or to destroy the wrongdoer’s value. It is a desire that justice be done. Seeing justice done might be gratifying, but this is because we are concerned with justice of which the

wrongdoer's suffering is a part, not because we are concerned with suffering as such. Though this amounts to a kind of ill will, the suffering desired by a retributive hater is not about personal gratification. It is about justice.

In addition, the negative feelings found in retributive hatred are not absolute renunciations of good will. It is not justified when wrongdoers are repentant and so retributive haters must be open to withdrawing the hostile ill will they have. The human person is a person in community so part of the human purpose of morality is tied to that. Insofar as part of the concern for justice is a concern for the human purposes of preserving community, our retributive attitudes and practices must also be referenced to and conditioned by that end even if they are not strictly justified by it. This is part of why repentance and penance please us even when they can do no good to the victim. Thus, retributive hatred must never be a total rejection of a person. In retributive attitudes there must remain the hope, dim as it might seem, for acknowledgment and repentance. For these reasons retributive hatred is not an offense to the target's moral worth. Justified retributive hatred does not expose the wrongdoer to suffering for its own sake or absent any human purpose. It is not an absolute renunciation of hope. We are thus given a final condition justifying retributive hatred's moral justifiability:

- 4) Properly focused retributive hatred is justified only if it does not involve rejecting the target's humanity, rejecting the value the target has because of his humanity, does not represent an absolute renunciation of hope for the target's repentance and renewed moral community.

Properly focused and justified retributive hatred thus must not include a hardness of attitude or idea of deserved treatment derived from rejecting the wrongdoer's humanity or rejecting the hope of her repentance.

In this section I have argued that retributive hatred is not a form of malice or spite. It does not operate on the competitive model on which malice and spite are built. Retributive hatred is

also not morally defective in virtue of the value-depreciation it involves. Worth egalitarians might argue that merit and worth are distinct and that merit ascriptions have no independent normative force. Doing so results in merit ascriptions having little moral relevance and this is not in line with the normal moral practices by which our relationships with each other are sustained. Instead, value depreciation is a part of earned desert claims. The expression of some desert claims in retributive hatred is not to deny that we have dignity as human persons. Instead, it is to acknowledge that a human self is more than a volitional subject stripped of its attributes and the normative force others' particular identities have in our lives.

## **§ 8 Conclusion**

Retributive hatred relies on the moral legitimacy of retributive desert claims where these involve the thought that X deserves some form of suffering in virtue of B. I have presented a picture of desert in which such claims are justified on the basis of the demands on the wrongdoer that wrongdoing generates. These demands are grounded on the idea that wrongdoing generates moral costs which, like others costs of wrongdoing, ought to be paid by the wrongdoer, but unlike other costs are not properly compensable. An attractive feature of my view is that it allows our ordinary appraisals of merit direct normative force in our lives which tracks ordinary moral practice. My view also allows us to make sense of two sources of human moral value. Thus we can speak of a person as having low moral merit, a kind of moral worth, while also recognizing that his dignity is a source of inalienable worth that constrains the content of the attitudes we can take toward him.

There are some questions one might raise with respect to the theory of retributive desert I have built in this chapter. I discussed retributive hostility through the idea that the wrongdoer “owes” something to the victim that is not captured by the idea of compensation. One might thus

wonder whether retributive hatred is only justified when there is serious harm we can point to or whether a person's having or expressing morally appalling attitudes is enough. This is a difficult issue. Moral harm does not require being accompanied by material harm, though the latter can add to the former. Moreover, the line between expressing an appalling attitude and harm is not always clear. After all, the Murrieta protesters expressed appalling attitudes and did so in insensitive and cruel ways to the children whose busses they stopped. However, it is not clear that immigrant children who saw the protesters understood what was happening enough to experience moral harm and outrage. This makes the question of whether anyone is "owed" anything murky. There is also the further issue of the protesters acting as representatives of the American people and the rift their protest made between them and the rest of the American community. At stake here is whether contempt or a retributive attitude is the more appropriate attitude to take. With respect to retributive hatred and as I have described retributive desert, a victim of wrongdoing is required for hostility's justification. However, whether any moral harm can really be assigned to anyone will sometimes be a murky issue. There is also a sense in which we might want to preserve the justifiability of hostile attitudes toward people for particularly odious kinds of attitudes that my account misses. I am not sure that attitudes of *that* kind should be classified as instances of retributive hatred so, given my focus on hatred as uniquely capturing our attitudes with respect to a fairly narrowly defined range of desert claims, and thus wrongs, I have little to say about it. Still, the issue is complex, worrisome, and worth further thought.

A further issue I have not yet addressed specifically is whether retributive hatred continues to be justified after the suffering the hater desires has taken place. One might think that it is given the wrongdoer's continued denial of the victim's value through her continued endorsement of her actions and character. Moreover, it is probably true that hatred lingers on in

very many haters after a morally satisfactory degree of suffering has taken place. In those cases in which punishment is meted out, the significance of the wrong is altered, that is, the victim and those who would support him are no longer passive to the wrong and the requirements of justice have been met. Thus non-instrumental retributive hostility in virtue of that wrong and the wicked traits from which it flowed is no longer justified. Thus retributive hatred is no longer justified. However, matters are complicated when the wrongdoer remains unrepentant because her failure to repent stands either as a further wrong or as a continuation of the initial wrong. Certainly, the same level of hostility initially wished for can no longer be appropriately sustained but whether retributive hatred should then resolve into contempt in favor of a greatly diminished degree of retributive hatred is a difficult question.

At any rate, it is important to realize that retributive hatred is not always properly focused and that properly focused retributive hatred is not always justifiable. As I have argued, retributive hostility is constrained by the wrongdoer being unrepentant. This constrains when retributive hatred is justifiable as do other conditions that emerged as I discussed objections to retributive hatred's justification. In summary, these conditions are as follows:

- 1) Properly focused retributive hatred is justified only if the wrongdoer is unrepentant.
- 2) Properly focused retributive hatred is justified only if it is adopted hypocritically.
- 3) Properly focused retributive hatred is justified only if it is not adopted self-righteously or self-deceptively, and only if the harshness of the response is not born of self-righteousness or to hide from judgment oneself.
- 4) Properly focused retributive hatred is justified only if it does not involve the total rejection of the target's humanity, rejecting the value the target has because of his humanity, does not represent an absolute renunciation of hope for the target's repentance and renewed moral community.

Therefore, even though retributive hatred is sometimes justified, retributive haters must be sensitive to the changing condition of the wrongdoer and must be careful to pay attention to their own internal states.



## CONCLUDING REMARKS

I have argued that properly focused retributive hatred is sometimes morally justified. Retributive hatred is properly focused when it is adopted in response to a particular person in response to his having committed a serious wrong that violates legitimate moral demands or expectations holding between people and when the violation to which retributive hatred is a response arises from among those morally evaluable character traits for which the target can held morally responsible. Hatred of this type is morally justified when the target deserves retributive suffering and when a defiant attitude linked to this is called for. Thus properly focused retributive hatred is justified only if it is aimed at wrongdoers who are not genuinely repentant. Moreover, properly focused retributive hatred will fail to be justified if it is adopted hypocritically, self-righteously, or to hide from judgment oneself. Finally, justified retributive hatred must not deny the humanity and moral standing the target has as a person, or involve the absolute renunciation of hope for the wrongdoer's repentance. These conditions put limits on the degree of hostility that can be adopted and the suffering the hater can wish for or demand.

I have argued that retributive desert is itself justified by the moral demands we can place on the wrongdoer in the wake of his wrongdoing. These derive from the moral badness of the intentions and character traits from which he acts and on the non-compensable moral harms the

victim is forced to endure. Taking on a burden, usually on the victim's behalf, is how the wrongdoer can try to change the significance of the wrong in the victim's life. Unrepentant wrongdoers, by failing to voluntarily adopt what they deserve, fall under the scope of our defiance and retributive hostility.

My view has interesting implications for how we should respond to victims of wrongdoing who experience retributive hatred, how we should understand forgiveness, and for legal justice. First of all, properly focused retributive hatred does not involve a distortion of reality so victim's experiencing it should not be treated as though they do not know the whole story or as though they are ignoring a wrongdoer's positive attributes. Neither should such haters be treated as deficient in moral wisdom as we saw Robert Sternberg and Karin Sternberg suggest in chapter one. Rather than failing to balance their interests against others' wellbeing as Sternberg and Sternberg have it, retributive haters are concerned with justice. Moreover, shifting the retributive hater's attention to elements of the target's biography that make motivational sense of the wrong may not make moral sense of it and so retributive hatred can stand as morally justified. Thus the retributive hater is not necessarily a clever but unwise sort of person.

Failing to appreciate the proper focus and moral justifiability of some cases of retributive hatred is perhaps why Richard Cress exhorts fellow victims not to tolerate the charge that their vindictive feelings are unjustified or sick, and not to let society—friends, support-group leaders, religious leaders, and so on—shame forgiveness out of them. One gets the feeling that people like Cress do not feel like their reactive moral attitudes are being taken seriously.<sup>246</sup> This robs victims of such tools as the idea of desert, the notion that they are “owed” something, and the

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<sup>246</sup> Given the suggestion I have made that Cress' retributive hatred probably is not properly focused it should be treated differently from those that are. However, the idea that some retributive haters should be treated as people with morally justifiable attitudes stands.

claim to moral justification that would otherwise help them make sense, that is, make moral sense, of their negative feelings.<sup>247</sup>

Naturally, the question of forgiveness is raised. Because my view offers a moral justification for retributive hatred there does not seem to be a reason to prefer forgiveness all things being equal. Though this might sound unsettling, it does preserve an important intuition that is otherwise lost: forgiveness is gracious—a gift. Granting it is not something the wrongdoer deserves and is not something to which he has a right. This insight can be lost if we reject the idea that a wrongdoer deserves, *morally* deserves, a retributive response and that the victim has morally justifiable claims surrounding that fact.

Most philosophers agree that forgiveness involves forswearing attitudes like resentment. On some accounts, this means giving up one's protest of the wrong with no retributive connotations. Thus the desire to punish is independent of what the forgiver forswears. This puts a divide between forgiveness and mercy. This is a fairly common feature of contemporary philosophical accounts of forgiveness. In this spirit Jean Hampton approvingly mentions a group of a group of colonial New Englanders who would hold a ritual of forgiveness for a capital offender before marching him to the gallows.<sup>248</sup> Because the retributive hater's attitude is one of retributive hostility, by forswearing his attitude he must also give up his retributive desires concerning the wrongdoer. The same might be said for other retributive attitudes. Though I do not discuss it here, I suspect that forswearing one's negative reactive attitudes involves releasing the wrongdoer from the burdens he might voluntarily adopt as well. Thus there is a tighter

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<sup>247</sup> Macalester Bell has argued along similar lines that the failure to take people's negative feelings seriously can be especially damaging to members of oppressed groups by limiting their recourse against wrongdoing and oppression. This can undermine self-respect and favors servility. See Bell, "A Woman's Scorn: Toward a Feminist Defense of Contempt as a Moral Emotion" 82.

<sup>248</sup> Hampton, "The Retributive Idea," 158.

connection between forgiveness and mercy than many contemporary accounts of forgiveness proscribe.

Finally, though I do not offer a theory of punishment here, my view has implications that limit the scope of punishable offenses. I have drawn a close connection between bad intentions and character and retributive desert. This raises a serious problem for imposing punishment for strict liability crimes, those crimes that do not require that the prosecution prove *mens rea* to get a conviction and, in some cases, prison sentence. Thus a person can be punished under the law for non-culpably ignorant actions and the like. Such punishment goes against the framework of retributive desert I have drawn up and if a minimal condition of justified punishment is that a person deserves it, then those punished under strict liability statutes appear to have a moral complaint against their punishers. Moreover, I have included a significant role for amends-making practices like penance in the theory of desert I have offered. I argued that these are ultimately founded on the retributive idea that it is an unqualifiedly good thing that wrongdoer's suffer for what they have done. However, repentant and penitent wrongdoers do not deserve our hostility. Insofar as some criminal wrongdoers are repentant, there may be reason to favor forms of justice that allow them to make amends to their victims and communities.

In the end retributive hatred has value for victims and helps us make sense of changes of attitude like forgiveness. We should not uncritically reject retributive hatred as a morally legitimate response. It is not like prejudicial hatred or malice. However, we should also be circumspect in our experience of it. It is a frightening attitude because it is prone to abuse. After all, the self-righteous can use it to deceive themselves and hide from judgment. The judgments that sustain retributive hatred as a properly focused attitude can also be hard to make. Thus we must be careful when adopting it.

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