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The Normative Problem of Shame

by

Timothy J. Oakberg

A dissertation presented to the
Graduate School of Arts & Sciences
of Washington University in
partial fulfillment of the
requirements for the degree
of Doctor of Philosophy

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Timothy J. Oakberg

Washington University in St. Louis

August 2016

Dedicated to Bob, Bernice, Liz, and Cam.

ABSTRACT OF THE DISSERTATION

The Normative Problem of Shame

by

Timothy J. Oakberg

Doctor of Philosophy in Philosophy-Neuroscience-Psychology

Washington University in St. Louis, 2016

Professor Carl Craver, Chair

What role should shame play in our lives? This is the *normative problem of shame*, and it is the focus of this dissertation. Through an examination of empirical research on shame and shame-proneness, I argue that shame should have only a very limited role in our lives. More specifically, we ought not cultivate shame, because a substantial amount of empirical literature points to the conclusion that shame-proneness is counterproductive at both an individual and a societal level. Expanding on this general answer to the normative problem of shame, I discuss in detail three proposals regarding shame from the realms of legal studies and ethics. I argue that we ought not institutionalize the use of shame penalties as legal punishments. I argue that we ought not attempt to restore shame and return to something more like a shame culture. Finally, I argue that we ought not cultivate shame as tool to promote shared responsibility.

Preface

This dissertation is structured around answering what I call the *normative problem of shame*, or the problem of explaining what role shame *ought* to play in our lives. It might seem odd to ask what role an emotion ought to play in our lives, because we do not choose what emotions to have. Nevertheless, we do have some control over what emotions we feel at both an individual and a societal level. At an individual level, we can, for example, make an effort to change patterns of thinking to change patterns of feeling, as when somebody who is afraid of flying makes an effort to eliminate distorted thoughts of certain catastrophe. At a societal level, we can enact laws or start campaigns that encourage people to feel certain emotions, as when departments of transportation use electronic road signs to publicize traffic fatalities in an effort to induce a healthy fear of speeding or texting-while-driving. Changes in patterns of feeling are not immediate, but there are ways to influence these patterns at both an individual and societal level. So it does make sense to explore the normative problem of shame, the practical question of what role shame ought to play in our lives.

Other philosophers ask and answer similar questions. Martha Nussbaum (2004), for example, asks, “How do, and how should, [disgust and shame] figure in law’s formulation and administration?” (p. 2).¹ Although Nussbaum focuses on the law, her work can easily be read as addressing the role of disgust and shame in morality as well. She argues that disgust ought to have virtually no role in formulating or applying the law, and recognizes only a sharply limited role for shame. To give another example, Dan Kelly and Nicolae Morar (2014) ask, “Is disgust the type of psychological propensity that ought to be involved in morality in some way or

¹ Nussbaum, M. (2004). *Hiding from humanity: Disgust, shame, and the law*. Princeton, NJ: Princeton University Press.

another? If so, what role should it play, which aspects of society should it be used to help regulate, and how would it ideally be reflected in and employed by legal and political institutions?” (p. 153).² Kelly and Morar defend a forceful thesis: “We think that disgust is ill-suited to do any moral or social work whatsoever, and hold rather that the ideal role for disgust in such contexts is no role at all” (p. 154). My general strategy in answering the normative problem of shame is, following Kelly, Morar, and Nussbaum, to look to empirical evidence. Thus, the dissertation is organized into two parts. Part I investigates the science of shame, and Part II explores implications for ethics.

Ethics often proceeds in isolation from science. Why should we think that research describing facts about shame bears on whether it is morally right to feel it? For one thing, empirical research on shame is not purely descriptive. Scientists investigate the outcomes of feeling shame, outcomes that can be adaptive or maladaptive, prosocial or antisocial, socially desirable or undesirable, and so on. There is little reason to cling to the image of a sharp division between the descriptive and the normative. Scientists bring a particular method to the study of shame, a method that can overturn common-sense beliefs of the sort that ethicists often used in their work. I believe that this is precisely the case for shame, which is why empirical evidence is such a big part of this dissertation. For another thing, the normative problem of shame is not best described as the question of whether and when it is *morally right* to feel shame. This makes it seem as if the only consideration that matters is whether shame is fitting. But considerations other than fittingness bear on what role shame ought to play in our lives. A bullfighter ought not feel afraid, after all, but it would be fitting for him to do so.

² Kelly, D. & Morar, N. (2014). Against the yuck factor: On the ideal role of disgust in society. *Utilitas*, 26, 153-177.

Over the last several decades, research on shame, shame-proneness, and the moral emotions more generally has exploded. There is now a firm empirical base upon which to base philosophical conclusions. The findings I discuss in the chapters that follow have been replicated and included in meta-analyses. This should help assuage the immediate worry that philosophical work sometimes incorporates controversial empirical findings and treats them as gospel. To foreshadow what comes, I come to a similar conclusion as Nussbaum, though for different empirically-based reasons. I am deeply skeptical of the role of shame in morality and the law.

As mentioned previously, Part I is an exploration of the science of shame and shame-proneness. In Chapter 1, I outline the most influential characterization of shame from the sciences, that of June Tangney. I also show that there is surprising agreement among scientists and philosophers as to how to characterize shame, and discuss views on how shame might have evolved. In Chapter 2, I review empirical research on the state and trait of shame, and present new empirical evidence linking shame-proneness to blaming others inappropriately and unproductive anger. At the end of Chapter 2, I propose a very general answer to the normative problem of shame: Whereas it might be prudent to feel (or induce) shame in exceptional circumstances, we ought to avoid any practices that would cultivate a propensity to feel shame in members of society. A full answer to the normative problem of shame, however, requires a much more in depth analysis of ethical (and legal) writings on shame. Hence, Part II.

Part II is an exploration of the ethical implications of conclusions drawn in Part I. Instead of offering generalities, I focus in on specific ethical or legal proposals and examine whether they are advisable, given what we know about shame and shame-proneness. In Chapter 3, I take up the idea of institutionalizing shaming as a legal penalty, defended by authors such as Dan Kahan

and Eric Posner (1999).³ In Chapter 4, I examine Bernard Williams's (2008/1993) proposal that we have retrogressed, morally speaking, by becoming a guilt culture instead of a shame culture.⁴ And in Chapter 5, I explore Larry May's (1992) interesting view that we ought to cultivate shame in an effort to encourage people to share responsibility with their associates who transgress.⁵

I chose to write the chapters in Part II as stand-alone papers, in the hopes of having several articles ready, or almost ready, for publication at the end of my PhD. Because of this choice, I am painfully aware that there is overlap in some of the material discussed in different chapters. Certain empirical findings, for example, provide the best examples of research on shame or shame-proneness, so I describe them in multiple chapters. Each chapter, however, includes novel research or a novel argument. In Chapter 1, I present a new just-so story for the evolution of shame that paints it as a co-opted emotion, similar to disgust. Although Darwin presented a co-option account of shame nearly 150 years ago in his 1872 work *The Expressions of the Emotions in Man and Animals*, almost no recent authors (to the best of my knowledge) defend or much less take seriously such an account.⁶ In Chapter 2, I present new analyses of empirical data gathered at the Early Emotional Development Program at Washington University School of Medicine. In Chapter 3, I present a new argument that focuses on the adverse wide (or societal) deterrent effects of institutionalized shame penalties. In Chapter 4, I explore whether the maladaptiveness of the trait of shame is a general problem for virtue ethicists, who regularly emphasize the evaluation of character. Finally, in Chapter 5, after arguing that we ought not

³ Kahan, D.M. & Posner, E.A. (1999). Shaming white-collar criminals: A proposal for reform of the Federal Sentencing Guidelines. *The Journal of Law & Economics*, 42, 365-392.

⁴ Williams, B. (2008). *Shame and necessity*. Berkeley, CA: University of California Press. (Original work published 1993)

⁵ May, L. (1992). *Sharing responsibility*. Chicago, IL: University of Chicago Press.

⁶ Darwin, C. (1872). *The expressions of the emotions in man and animals*. London, England: John Murray. Retrieved from <http://darwin-online.org.uk/content/frameset?pageseq=1&itemID=F1142&viewtype=text>

cultivate shame in an effort to encourage the sharing of responsibility, I offer a new way that we might be able to share responsibility through cultivating guilt and empathy instead.

There are always more papers to read, more edits to make, and more conversations to have. At the start of my graduate studies, I saw the dissertation as the endpoint of scholarly activity—as a perfectly crafted expression of fully fleshed-out arguments. Now, I see it as a resting point along the way. There will be poorly-worded passages in what follows. There will be papers that I ought to have cited, or arguments that I ought to have anticipated, which I did not. I will incorporate suggestions into revised versions of chapters, and move forward with publication. It is my hope, however, that the following chapters are complete enough to convey my ideas about the normative problem of shame. At the very least, after 5 years of writing and 10 years of schooling, it was time to stop

Part I: The Science of Shame

What *is* shame? How is it different from guilt? Do scientists and philosophers generally agree on what shame is? Does the empirical literature shed any light on what role shame should play in our lives? Chapter 1 and Chapter 2 focus on answering these questions, to set the stage for more detailed critiques (in Part II) of proposals surrounding the normative problem of shame.

Chapter 1: An Analytically and Empirically Adequate Characterization of Shame

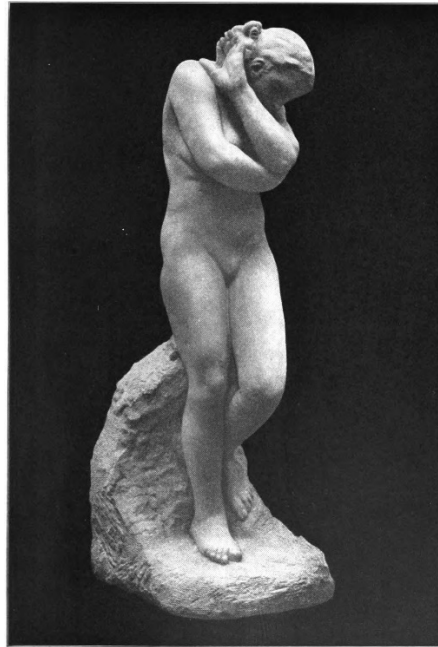


Figure 1.1 Auguste Rodin's *Eve*

Shame is easy to identify when one encounters it—as the sculpture above, Auguste Rodin's *Eve*, demonstrates¹—but it is much more difficult to characterize in words. The purpose of this chapter, nevertheless, is to explain how I will use the term *shame* in this dissertation. Given that I wish in this dissertation to draw philosophical conclusions from empirical research, the characterization that I adopt must not only adequately circumscribe the phenomenon in question, but also be close enough to the characterizations used by both psychologists and philosophers to allow for fruitful interdisciplinary exchange. This is a difficult task, but I will argue that the psychologist June Tangney defends a characterization that meets all of these desiderata.

Tangney is currently the foremost researcher of shame and guilt, and she and her colleagues have

¹ This image is part of the public domain in the United States (see https://commons.wikimedia.org/wiki/File:Auguste_Rodin_Eve_Gsell_15_us.jpg).

spent the last several decades researching these emotions. They have created and validated an important measure of shame, the Test of Self Conscious Affect (or *TOSCA*; Tangney, Wagner, & Gramzow, 1989), which has been used in hundreds of experiments.² Tangney's characterization, I will argue, is both analytically and empirically adequate, and supports interdisciplinary work.

In Section 1.1, I present Tangney's characterization of shame. In 1.2, I describe her primary measure of shame, the TOSCA. In 1.3, I present a selection of the evidence that backs up Tangney's characterization of shame, making it widely accepted in the sciences and empirically adequate. In 1.4, I show that most philosophers in recent years characterize shame in such a way that they reference the same phenomenon as does Tangney, which is evidence of the analytic adequacy of Tangney's characterization. Finally, in Section 1.5, I address several features of shame that Tangney's characterization does not address, and theorize that we can account for these features by considering the evolutionary history of shame.³ I ultimately conclude that with respect to shame, work in psychology has the potential to bear on work in philosophy and vice versa.

1.1 Tangney's Characterization

There is more agreement among psychologists than there is among philosophers as to the best way to characterize shame. This is largely because over the last few decades, June Tangney's characterization (see Tangney & Dearing, 2002; Tangney, Stuewig, & Mashek, 2007) has gained widespread support. Tangney defines shame in tandem with guilt, both of which are emotions commonly experienced in response to (or in anticipation of) a moral transgression. She distinguishes the emotions based on their focuses, behavioral tendencies, and phenomenologies.

² As I discuss in Section 1.2, the TOSCA has been revised several times, translated into a number of languages, and there are versions for special populations such as children.

³ Maibom (2010) also argues that we can account for features of shame in today's world by theorizing about its evolutionary descent. Kelly (2011) mounts a similar argument, but for disgust instead of shame.

Shame, on Tangney's view, is a self- or character-focused emotion associated with avoidance tendencies such as covering up and withdrawing from scrutiny. A person feeling shame often feels a painful sense of exposure, like the core of herself is being picked apart and judged by others. Guilt, in contrast, is an action-focused emotion associated with reparative tendencies such as apologizing and making amends. A person feeling guilt feels bad about what they have done, but the emotion is typically not as painful as shame. Below, I present the characteristics of shame according to Tangney's account, and describe how she views the explanatory relationships among those characteristics.

1.1.1 Shame's Focus: The Self

Tangney (again, see Tangney & Dearing, 2002; Tangney, Stuewig, & Mashek, 2007) follows Helen Block Lewis (1971) in identifying a focus on the self as the key distinguishing feature of shame. Guilt, in contrast, focuses on one's behavior. This distinction parallels the way we talk about shame and guilt. Whereas we often say "you should be ashamed of *yourself*," we never use a similar locution for guilt. According to Tangney, when we feel shame, we tend to turn our attention inwards and focus on our own failings and shortcomings. But when we feel guilt, we are prone to turn our attention outwards to what we have done and the people we have harmed. Sometimes shame focuses on the self as a whole, but we can also feel ashamed of our character traits or aspects of our identities—in other words, parts of ourselves. We can feel ashamed, for example, of being lazy, or of being American.⁴ According to Tangney, these are still paradigmatic cases of shame. Tangney (Tracy, Robins, & Tangney, 2007) views her theory as in agreement with that of Tracy and Robins (2006). According to Tracy and Robins, we tend to feel shame when we view a transgression as stemming from a relatively stable, relatively

⁴ We also seem to feel ashamed of ourselves due to our family, because family can be an important component of identity.

uncontrollable aspect of the self—for instance, a character trait. This stands in contrast to guilt. We tend to feel guilt when we view a transgression as stemming from a relatively unstable, relatively controllable aspect of the self—for instance, a failure of motivation.

Admittedly, it is not always easy to know if a negative appraisal focuses on the self or on an action. In part, this is because shame and guilt can be felt contemporaneously and for the same transgression, as John Rawls (1971, p. 445) notes in *A Theory of Justice*. Imagine someone who picks on a coworker and causes the coworker to quit. The person might feel guilty about causing harm to the coworker (and hence be focusing on the other), and also ashamed for being a bully (and hence also be focusing on the self). It is also because some appraisals are ambiguous (although perhaps not to the person experiencing the emotion). Imagine somebody who causes a car accident and feels bad about being inattentive while driving. It is not clear whether this person feels bad about something he was doing—a momentary lapse of attention—or the sort of person he is—an inattentive driver.⁵ Despite some difficult instances, however, shame characteristically focuses inwards at the self, and guilt outwards at behavior.

1.1.2 Shame's Behavioral Tendency: Avoidance

According to Tangney (see Tangney & Dearing, 2002; Tangney, Stuewig, & Mashek, 2007), the characteristic behaviors of shame are designed to avoid being scrutinized by others. One avoids making eye contact with others through a bowed head or averted gaze, so as not to bring attention to oneself (see the opening image of Rodin's *Eve*). One might physically shrink away from others or cover oneself up. In some cases, one might isolate oneself from others. One also tends not to admit wrongdoing if that is possible. All these types of avoidance tendencies stand

⁵ In this case and others like it, additional characteristics might help to distinguish the primary emotion as shame or guilt. If the person felt compelled to apologize, for example, then the (predominant) emotion would likely be guilt. But if the person felt like covering up or escaping from the situation, then the (predominant) emotion would likely be shame.

in contrast to the approach tendencies associated with guilt. When one feels guilty, one tends to try to undo the harm done, by apologizing or making reparations.

The avoidance tendencies associated with shame are perhaps its most salient and recognizable features. Authors who describe shame often note the desire to avoid others or their gaze.

Bernard Williams (2008/1993), for example, offers a personal description of shame that vividly illustrates shame's association with avoidance tendencies and the desire to withdraw:

In my experience of shame, the other sees all of me and all through me, even if the occasion of the shame is on my surface—for instance, in my appearance; and the expression of shame... is not just the desire to hide, or to hide my face, but the desire to disappear, not to be there. It is not even the wish, as people say, to sink through the floor, but rather the wish that the space occupied by me should be instantaneously empty.

(p. 89)

It is important to note that the avoidance tendencies associated with shame are just that—tendencies. This means that one can be experiencing shame without manifesting any of those behaviors.⁶ Characteristically, as Williams (2008/1993) indicates, one will still have a desire to shrink or hide or disappear. However, other desires or motivations could trump the ones associated with shame. One might feel like avoiding a professor after failing miserably on an exam, but muster the courage to go back to class for the sake of one's grade. Alternatively, some avoidance behaviors might not be feasible in certain situations. A defendant facing a judge might feel intense shame and the desire to flee, but that is not a viable option. Characteristically, however, a person feeling shame will manifest at least some of the behavioral tendencies associated with that emotion. A student or a defendant may avoid eye contact and lower one's

⁶ We need not think of tendencies or dispositions merely as regularities. See Romero & Craver (2015).

head, for example, even if fleeing is not feasible.

1.1.3 Shame's Phenomenology: Painful Exposure

Finally, Tangney contends that shame has a distinctive phenomenology. When we feel ashamed of ourselves, we feel a painful sense of exposure. Oftentimes, we feel gazed upon by a real or imagined audience, or even as if we see things through their eyes. Sartre's (2003/1943) well-known example from *Being and Nothingness* speaks to this. Sartre imagines peering through a keyhole in jealousy, engrossed in the situation. All of a sudden, he hears footsteps, and in that instance, becomes ashamed. He writes, "Now, shame... is shame of *self*; it is the *recognition* of the fact that I *am* indeed that object which the Other is looking at and judging" (p. 285). The anthropologist Ruth Benedict (1946) also characterizes shame based on its association with an audience and exposure. She writes:

True shame cultures rely on external sanctions for good behavior, not, as true guilt cultures do, on an internalized conviction of sin. Shame is a reaction to other people's criticism. A man is shamed either by being openly ridiculed and rejected or by fantasizing to himself that he has been made ridiculous. In either case it is a potent sanction. But it requires an audience or at least a man's fantasy of an audience. Guilt does not. (p. 223)

Although Tangney agrees with Sartre and Benedict that shame is associated with feeling exposed, she rejects a strong public/private distinction between shame and guilt of the sort that Benedict (1946) is often thought to adopt. Benedict is often interpreted as suggesting that people living in shame cultures do not internalize moral standards. Thus, people in shame cultures must

be prodded by others to feel bad for their transgressions.⁷ Tangney contends, however, that one can easily feel either guilt or shame in response to public criticism. Similarly, she contends that violations of internal standards can easily result in either guilt or shame. Like many other authors, she attempts to distance herself from Benedict on this point, as Benedict's view seems to make out some cultures less-than-moral (Creighton, 1990). Thus, Tangney rejects the sort of strong public/private distinction that Benedict makes between shame and guilt, while retaining the idea that painful exposure is the characteristic phenomenology of shame.

1.1.4 Explanatory Priority

In addition to her characterization, Tangney argues that shame's focus on the self helps to explain its other characteristics. This is why a focus on the self is the central characteristic of shame on Tangney's view. Shame is associated with avoidance, for instance, because fixing a flawed self is more difficult than fixing a flawed action. Thus, when feeling ashamed, the salient behavioral response is to conceal one's flaws from others, rather than to apologize or to make amends. Also, when focusing on one's personal flaws, one feels apt to have one's true self exposed to others. That is why an audience, real or imagined, is often associated with shame. Finally, shame is particularly painful because its focus, the self, is more significant than something like an action. Shame hits us at our core, unlike an emotion such as guilt. Hence, Tangney views a focus on the self as the central characteristic of shame.

In summary, according to Tangney, when we feel ashamed of ourselves, we characteristically focus on our personal flaws or character issues, want to shrink away and hide, and experience a particularly aversive sense of exposure to others.

⁷ I suspect that the attribution of this view to Benedict stems from an uncharitable (though understandable) reading of her work, although I do not claim to be an expert on Benedict. It is an attribution, however, that is commonly found in the literature.

1.2 The Test of Self-Conscious Affect

To measure shame as she conceives it, Tangney has developed a number of versions of the Test of Self-Conscious Affect, or TOSCA (Tangney, Gramzow, & Wagner, 1989). The TOSCA is a well-established measure in psychology. It has gone through several revisions, and was itself revised from an earlier measure, the Self-Conscious Affect and Attribution Inventory, or SCAAI (Tangney et al., 1988, March). It has different versions for children (Tangney et al., 1990), adolescents (Tangney et al., 1991), adults (Tangney et al., 2000), and special populations such as inmates (Hanson & Tangney, 1996; Tangney et al., 2008). It has also been translated into several languages, including “Hebrew, Italian, French, German, Hungarian, and Swedish” (Tangney & Dearing, 2002, p. 46). More recently, researchers have created and validated Japanese (Hasui et al., 2009) and Chinese (Gao et al., 2013) versions of the TOSCA. Along with shame, the TOSCA measures other self-conscious emotions such as guilt and pride. It also measures phenomena related to these emotions such as the tendency to blame others, or what Tangney calls *externalization of blame*.

To complete the TOSCA, a participant reads a series of scenarios. Each scenario is followed by a set of statements about what the participant might think, feel, or do in such a situation. The participant rates each statement on a scale from 1 to 5, depending on how likely such a response would be. For example, one scenario in the TOSCA-3 reads, "You make a big mistake on an important project at work. People were depending on you, and your boss criticizes you." The statements that follow include: “A) You would think your boss should have been more clear about what was expected of you; B) You would feel like you wanted to hide; and C) You would think: ‘I should have recognized the problem and done a better job.’” In the example just given, the participant’s answer to A contributes to a scale that measures how much the participant tends

to externalize blame; the answer to *B* contributes to a shame-proneness scale; and the answer to *C* contributes to a guilt-proneness scale. The Appendix presents the complete text of the TOSCA-3 (Tangney & Dearing, 2002), the most current version of the measure for English-speaking adults.

1.3 Empirical Support for Tangney's Characterization

Empirical support for Tangney's characterization of shame comes in two forms: Research probing participants' conceptions of shame, and, perhaps more importantly, successful research that uses the TOSCA, her preferred measure of shame. These forms of support complement one another to establish Tangney's characterization of shame as the leading alternative in psychology and beyond. Even researchers who disagree with some of Tangney's conclusions commonly accept her characterization of shame (see, e.g., de Hooge, Breugelmans, & Zeelenberg, 2008; Lickel, Steele, & Schmader, 2011), which is a good indication of its general acceptance.

1.3.1 Research on Participants' Conceptions of Shame

Tangney and other psychologists have used a number of methods for probing participants' conceptions of shame. They have asked participants to list situations in which they felt ashamed, and have analyzed participants' written descriptions of shame experiences (e.g., Tangney, 1992). They have had participants vividly recall being ashamed and then answer questions about their past experience (Wicker, Payne, & Morgan, 1983; Tangney et al., 1996). They have also asked participants what could have been done to prevent a shame- or guilt-inducing transgression (Niedenthal, Tangney, & Gavanski, 1994). When considering this group of studies as a whole, the results support Tangney's conceptualization of shame.

To give an example, Tangney et al. (1996) had undergraduates write a detailed description of a time they felt ashamed. After participants vividly remembered the event, they answered a series

of questions about it. They rated, for instance, how intense the experience was, how much they felt like hiding from others, and how much of a physiological response they had. For the purposes of comparison, the students did the same exercise for guilt.⁸ The results showed that participants associated shame with avoidance. Participants reported a greater urge to isolate themselves and to conceal their transgression when feeling shame than when feeling guilt. The results also showed that participants associated shame with painful exposure. They rated shame as more intense and more physiologically arousing than guilt; they also reported feeling gazed upon and judged by others more when feeling ashamed than when feeling guilty. The results did not, however, show that participants distinguished shame by its focus on the self over behavior. According to the authors, this might have been because this cognitive difference between guilt and shame is less salient to participants than the phenomenologies or behavioral tendencies associated with these emotions.

Although the study described above did not demonstrate that shame focuses more on the self than on behavior, other studies have. In a pair of studies (1a and 1b), for instance, Niedenthal, Tangney, and Gavanski (1994) had undergraduates imagine themselves in two situations, one picked to induce more shame than guilt, and the other more guilt than shame. In the situation designed to lean towards shame, participants imagined answering a question incorrectly in class and being rebuked by the professor. In the situation designed to lean towards guilt, participants imagined being responsible for the death of a bird they were pet-sitting. The students then thought of four ways in which the situation and the negative emotion could have been avoided or undone, starting with the prompt “if only....” The authors coded whether these responses referenced fairly constant aspects of the self (for example, “if only I were smarter”), more temporary aspects

⁸ Participants also reported on embarrassment, but the most relevant comparison is between shame and guilt.

of the self (“if only I understood the book better”), behaviors (“if only I had read the assignment more carefully”), or aspects of the situation itself (“if only the teacher would have been more clear”). As Table 1.1 illustrates, for the professor (shame) situation, participants referenced an aspect of the self 47% of the time (self-chronic plus self-temporary), and behavior 26% of the time.⁹ For the bird situation, the finding was reversed: participants referenced behavior 46% of the time, and an aspect of the self 20% of the time. The authors concluded that the results favor the proposal that shame focuses on the self, because participants tended to undo aspects of the self to avoid feeling it.

Table 1.1 Participant Reports of How to Undo Shame- and Guilt-Inducing Situations.

ITEM	TYPE OF REMEDY				Total
	<i>Self-Chronic</i>	<i>Self-Temp.</i>	<i>Behavior</i>	<i>Situation</i>	
Professor	50 (10%)	180 (37%)	126 (26%)	134 (27%)	490
Bird	17 (3%)	84 (17%)	226 (46%)	167 (34%)	494

Reported as number of participants, with percentages of participants in parentheses.

Adapted from Niedenthal, Tangney, and Gavanski (1994), Table 1 (p. 589) and Table 2 (p. 590).

Although research probing our folk conception of shame is suggestive, there is admittedly no guarantee that our ordinary way of thinking about shame is fully accurate. We might hold misconceptions about shame that need to be corrected in the course of scientific inquiry.

Furthermore, in the sorts of research described above, participants are almost certainly biased

⁹ It is difficult to tell whether answers that explicitly cited more temporary aspects of the self were implicitly referencing more chronic aspects of the self, which could explain why the reports for chronic aspects of the self were the least frequent. Thus, a participant who reported “if only I understood the book better” could have been implicitly referring to her intelligence, a fairly constant aspect of the self.

towards reporting on features of shame that are easy to imagine, such as action tendencies and physiological changes. The productiveness of research using the TOSCA complements this evidence, however, to support Tangney's conceptualization of shame.

1.3.2 Research Using the TOSCA

Tangney created the TOSCA to capture her characterization of shame, and its productiveness is a reason to think that her characterization is correct. The typical article in psychology is cited only a handful of times per year (Times Higher Education, 2011, March 31). The TOSCA and its direct predecessors and subsequent revisions, however, are exceptions. These measures have been used in hundreds of studies and cited in hundreds of papers over several decades. The results from these studies illustrate just how productive a measure it is.¹⁰

Studies using the TOSCA (or its direct predecessors or revisions), for example, have found that shame—more so than guilt—is related to many aspects of mental illness (or psychopathology). Tangney, Wagner, and Gramzow (1992) asked undergraduates to fill out the SCAAI, the TOSCA, the Symptom Checklist 90 (SC90), the Beck Depression Inventory (BDI), and the State-Trait Anxiety Inventory (STAI). The SC90 measures symptoms of a number of mental illnesses to produce scores on nine dimensions, including depression, anxiety, and hostility. The BDI is standard measure of depression. And the STAI measures both an individual's current state of anxiety (state anxiety), as well as the individual's tendency to be anxious (trait anxiety). The authors found that shame was positively correlated with all measures of psychopathology, and that guilt was significantly correlated with 7 of the 12 measures (Table 1.2). When the authors accounted for the correlation between shame and guilt, however, shame remained positively correlated with all measures of psychopathology, whereas guilt become insignificantly

¹⁰ Not all of the TOSCA's scales, however, have proven successful. Interestingly the pride scales have not generated anywhere close to the same amount of research as the shame and guilt scales.

or even negatively correlated with the measures.¹¹ This not only demonstrates that shame is more related to psychopathology than guilt, but also explains why guilt has often been thought to be associated with psychopathology.

Table 1.2 The Relation of Shame-Proneness and Guilt-Proneness to Indices of Psychopathology.

INDEX	BIVARIATE CORRELATIONS		PART CORRELATIONS: RESIDUALS	
	<i>Shame</i>	<i>Guilt</i>	<i>Shame</i>	<i>Guilt</i>
SC90 Somatization	.27***	.11	.25***	-.02
SC90 Obsessive-Compulsive	.38***	.22***	.31***	.05
SC90 Psychoticism	.34***	.15*	.31***	-.01
SC90 Paranoid Ideation	.35***	.08	.35***	-.09
SC90 Hostility-Anger	.20**	-.05	.24***	-.15**
SC90 Interpersonal Sensitivity	.46***	.21***	.42***	-.00
SC90 Anxiety	.34***	.19**	.29***	.04
SC90 Phobic Anxiety	.25***	.01	.27***	-.11*
SC90 Depression	.43***	.15*	.41***	-.06
Beck Depression	.51***	.19**	.47***	-.05

¹¹ The same pattern held for shame and guilt as measured by the SCAAI, but I have not reproduced the results here for ease of presentation. Accounting for the correlation between shame and guilt allows one to better estimate the unique contribution of each emotion to symptoms of psychopathology.

Trait Anxiety	.53***	.17*	.51***	-.09
State Anxiety	.41***	.10	.41***	-.10

*p<.05, **p<.01, ***p<.001

The TOSCA was used to measure shame- and guilt-proneness. Each correlation was based on data from between 211 to 230 participants.

Adapted from Tangney, Wagner, and Gramzow (1992, p. 473).

This study is merely one among many that illustrate the productiveness of the TOSCA, and many more will be presented in Chapter 2. This productiveness lends credence to Tangney’s characterization of shame. In theory, we should expect that shame is more associated with mental illness than is guilt, because shame is the more encompassing and intense emotion. This is precisely what empirical findings suggest.

1.4 Philosophical Characterizations

In recent years, there has been surprising convergence between psychological and philosophical characterizations of shame. In part, this is because Tangney and her collaborators' work has been adopted by, or has at least influenced, some philosophers. Walter Sinnott-Armstrong (2005), for example, cites psychologists who influenced or collaborated with Tangney when introducing his definitions, and accepts exactly the same definitions of shame and guilt as Tangney. He sums up the position nicely: “In short, people feel guilty for what they do, and they feel ashamed of who they are” (p. 200). The convergence is also due, however, to Tangney’s careful analysis of the phenomenon in question. She and many philosophers independently endorse similar characterizations. Regardless of the reasons, I contend that most recent philosophical characterizations of shame are close enough to Tangney’s that they refer to the same

phenomenon.

Table 1.3 presents a table of philosophical characterizations of shame offered since 1980.¹² Over the last 3 and a half decades, at least 25 philosophers have published reasonably detailed characterizations of shame. Of those, 21 explicitly cite Tangney’s central characteristic of a focus on the self (in contrast with an action). Seventeen explicitly cite not only the central characteristic, but also at least 2 more of the characteristics that Tangney identifies. And of those 17, there are no authors who cite a further characteristic that is incompatible with Tangney’s characterization. Conservatively, then, I believe that 60% of philosophical characterizations of shame since 1980 overlap enough with Tangney’s that they both reference the same phenomenon. Furthermore, visual inspection of the table shows that among philosophers, agreement with Tangney’s characterization is generally on the rise.

Table 1.3 A Comparison of Tangney’s Characterization of Shame with Philosophical Characterizations of Shame Since 1980.¹³

	CHARACTERISTICS OF SHAME				
AUTHOR	<i>Focuses on the self, character, or identity</i>	<i>Leads to withdrawal, covering up</i>	<i>Involves feeling exposed, gazed-upon, small, etc.</i>	<i>Is painful</i>	<i>Not discussed by Tangney, Stuewig, & Mashek (2007)</i>
Boonin (1983)	Y	Y	M	Y	Stems from not living up to an internal ideal

¹² I have omitted cases in which authors give a peripheral or perfunctory discussion of shame, since these characterizations might not reflect an author’s full view of the emotion. I have also omitted cases in which authors are summarizing the views of another author, particularly when it is difficult to know if the author fully endorses the other author’s views. It is certainly possible that I have missed authors who give a characterization of shame, but I have tried to make the chart complete and I believe that the chart represents a sufficient sample size of authors.

¹³ “Y” indicates that an author agrees with the characteristic, “N” that the author does not, and “M” that there is some question as to whether the author endorses the characteristic. A blank signifies that the author did not discuss the characteristic.

	CHARACTERISTICS OF SHAME				
AUTHOR	<i>Focuses on the self, character, or identity</i>	<i>Leads to withdrawal, covering up</i>	<i>Involves feeling exposed, gazed-upon, small, etc.</i>	<i>Is painful</i>	
					<i>Not discussed by Tangney, Stuewig, & Mashek (2007)</i>
Lamb (1983)	N	M			Is not (logically) associated with responsibility, blame, etc.; can take a wide range of objects; stems from not living up to an ideal
Taylor (1985)	Y		Y		Is a response to a loss of esteem
Kekes (1988)	Y		Y	Y	Stems from not living up to an ideal
Gibbard (1990)	Y	Y			Is a counterpart of disdain; stems from inability to cooperate; can spur development of abilities
May (1992 & 1996)	Y	Y	Y		Is not connected with causal agency; can spur us to better ourselves
Williams (2008/1993)	Y	Y	Y		Is a counterpart of disdain; can spur development of character
Sabini & Silver (1997)	Y	Y	Y	Y	
Blackburn (1998)		Y	Y		Is a counterpart of disdain; does not require agency
Wollheim (1999)	Y	N	Y		Stems from not living up to an ideal; spurs changing oneself

CHARACTERISTICS OF SHAME					
AUTHOR	<i>Focuses on the self, character, or identity</i>	<i>Leads to withdrawal, covering up</i>	<i>Involves feeling exposed, gazed-upon, small, etc.</i>	<i>Is painful</i>	
					<i>Not discussed by Tangney, Stuewig, & Mashek (2007)</i>
Velleman (2001)			M		Is a form of anxiety; paradigmatically stems from failing to keep something private, a failure to keep up one's persona
Manion (2002)	Y	Y	Y	Y	
Nussbaum (2004)	Y	Y	Y	Y	Develops from narcissism and seeks to restore it
Sinnott-Armstrong (2005)	Y	Y	Y	Y	
Solomon (2007)	M	N	Y	Y	Spurs reparation, or alternatively withdrawal then reintegration
Deigh (2008)	Y	Y	Y		Implies identification with a community
Morgan (2008)	Y	Y	Y	Y	Can spur self-reflection
Teroni & Deonna (2008)	Y	Y	Y	Y	Stems from violating a personal value
Haggerty (2009)	Y	Y	Y		Is associated with the threat of abandonment; can spur reconciliation
Prinz	Y	Y	Y		Is a counterpart of disgust

CHARACTERISTICS OF SHAME					
AUTHOR	<i>Focuses on the self, character, or identity</i>	<i>Leads to withdrawal, covering up</i>	<i>Involves feeling exposed, gazed-upon, small, etc.</i>	<i>Is painful</i>	<i>Not discussed by Tangney, Stuewig, & Mashek (2007)</i>
(2009)					
Maibom (2010)	Y	Y	Y	Y	Is heteronomous; spurs submission
Miller (2010)	Y	Y	Y	Y	
Williston (2012)	Y	Y	Y		Encompasses guilt; spurs reintegration
Galligan (2014)	Y		Y		
Thomason (2015)	Y	Y	Y		Stems from dissonance between identity and self-concept

“Y” indicates that an author agrees with the characteristic, “N” that the author does not, and “M” that there is some question as to whether the author endorses the characteristic. A blank signifies that the author did not discuss the characteristic.

Although Table 1.3 presents a summary of philosophers’ views, what follows is a more detailed look at select philosophers’ presentations. This will provide support for the table as a whole, and introduce the views of some of the authors whom I discuss in more detail in later chapters. This is important, as it establishes that empirical evidence gathered by researchers like Tangney very likely bears on the work of these philosophers. At the very least, one cannot maintain that scientific researchers and philosophers are talking past one another, because they accept different conceptions of shame. Below I provide evidence for the views, as they are captured in Table 1.3,

of Larry May, Bernard Williams, Martha Nussbaum, Jesse Prinz, and Heidi Maibom.

1.4.1 Larry May

May (1992, 1996) discusses shame in the context of group responsibility. Although he characterizes shame in *Sharing Responsibility* (1992), the clearest single statement of his view of shame is from his later work, *The Socially Responsive Self* (1996):

Shame is best understood as the response that people feel when they believe that others (an anticipated audience) would judge them to have a particular failing or character defect. Shame has its origins in the feeling of wanting to hide from someone whose gaze betrays some sort of disapproval of one's person (p. 81).

This short quotation illustrates that May agrees with most of the characteristics of shame that Tangney identifies. When we feel ashamed, we feel exposed to the gaze of others. When we feel ashamed, we feel as if our self or character has been damaged. And when we feel ashamed, we feel like withdrawing from others and concealing ourselves.

There are, however, two notable differences between May's and Tangney's characterizations. First, May emphasizes that shame is not connected to causal agency in the same way that guilt is, since guilt focuses on an action, whereas shame focuses on the self. According to May, for example, you can feel ashamed when your colleague does something wrong even if you did not straightforwardly transgress yourself, whereas you could not feel guilty. Tangney does not discuss this as a characteristic of shame (although she might in fact agree). Second, May contends that shame can spur one to repair or better the self. So it seems as if May includes betterment of the self as an action tendency of shame along with avoidance. Tangney, in contrast, does not view betterment as a *characteristic* of shame. In fact, she argues that her

evidence shows quite the opposite.¹⁴ Despite these two differences, May's (1992, 1996) characterization of shame is close to Tangney's—close enough that we can assume that they are discussing the same phenomenon.

1.4.2 Bernard Williams

Williams (2008/1993) presents his characterization of shame in *Shame and Necessity*. Like May, he agrees with 3 of the characteristics that Tangney outlines. He agrees with the central characteristic of a focus on the self: “[...] in the experience of shame, one’s whole being seems diminished or lessened” (p. 89). He agrees that shame involves a feeling or thought of exposure to an audience: “[...] shame and its motivations always involve in some way or other an idea of the gaze of another,” even if that is merely “the imagined gaze of an imagined other” (p. 82). And he agrees that a behavioral tendency associated with shame is avoidance: “[...] the expression of shame... is not just the desire to hide..., but the desire to disappear, not to be there” (p. 89).

Williams’s (2008/1993) characterization of shame does diverge in some ways from Tangney’s. The following quotation illustrates the two ways in which Williams’s characterization differs:

What arouses shame... is something that typically elicits from others contempt or derision or avoidance.... It will lower the agent’s self-respect and diminish him in his own eyes. His reaction... is a wish to hide or disappear.... More positively, shame may be expressed in attempts to reconstruct or improve oneself. (p. 90)

First, Williams claims that disdain is the third-person counterpart of shame. This is something

¹⁴ May might very well agree that we ought not include betterment of the self as a characteristic of shame, although he discusses it when he is characterizing shame. Williams (2008/1993; see Section 1.4.2) also might be thought to include self-improvement as a characteristic of shame. To include this characteristic, however, would rule out the possibility of the sort of argument presented in this dissertation. I think it is best practice for characterizations of the behavioral tendencies associated with shame ought to steer clear of questionable scientific notions like “betterment” or “self-improvement.”

upon which Tangney does not touch in her characterization, but it does not seem to conflict with her account in any way. Second, one of the action tendencies that Williams associates with shame, like May, is self-improvement. Once again, this is not something that Tangney includes in her characterization of shame. She looks to empirical evidence on this point. Neither of these differences, however, is substantial enough to maintain that Williams and Tangney refer to different phenomena when discussing shame.

1.4.3 Martha Nussbaum

In *Hiding from Humanity*, Nussbaum (2004) develops a characterization of shame based largely on the writings of the physician and psychoanalyst Donald Winnicott and others in the psychoanalytic tradition. Nussbaum follows Winnicott in tracing the experience of shame back to infancy:

When an infant realizes that it is dependent on others, and is by this time aware of itself as a definite being who is and ought to be the center of the world, we can therefore expect a primitive and rudimentary emotion of shame to ensue. For shame involves the realization that one is weak and inadequate in some way in which one expects oneself to be adequate. (p. 183)

This view of shame as forming in infancy, “over the course of the first year of life” (p. 184), is controversial, although Barrett, Zahn-Waxler, and Cole (1993) argue that 2-year-olds experience guilt and shame.

Despite Nussbaum’s (2004) controversial view of the *development* of shame, she endorses all four of Tangney’s characteristics of the emotion. She states that shame focuses on the self: “To put things very generally, shame, as I shall understand it here, is a painful emotion responding to a sense of failure to attain some ideal state. Shame, as is generally agreed by those who analyse

it, pertains to the whole self, rather than to a specific act of the self” (p. 184). She also states that shame tends to lead to covering up, and is associated with painful exposure: “Sometimes, however, our ‘abnormal’ weaknesses are uncovered anyway, and then we blush, we cover ourselves, we turn away our eyes. Shame is the painful emotion that responds to that uncovering. It brands the face with its unmistakable signs” (p. 173). Similar to other authors, then, Nussbaum characterizes shame in a way that is very similar to how Tangney does.

1.4.4 Jesse Prinz

Prinz (2009) explores the notion of shame in an overview article of the moral emotions. Prinz classifies shame, very broadly speaking, as a self-directed emotion of blame. He accepts Tangney’s central characteristic of shame, a focus on the self, as well as the idea that shame is involved with an audience:

Shame arises when one performs an action that is perceived as being likely to bring about unwelcome attention from others.... Shame is particularly likely when one fears that one will be viewed as a defective person. It is said that guilt is act-focused (I did something bad), and shame is person-focused (I am a bad person). Consequently shame is likely to arise when an action is seen as rendering one’s self impure, corrupt, or contaminated. It is, thus, an analogue of disgust” (p. 527).

Although Tangney does not explicitly link shame with disgust, this does not seem to be incompatible with her position in any way. Additionally, Prinz (2009) agrees that the behavioral tendency characteristic of shame is hiding or withdrawal. “Simple reparative behaviors, such as confession or apology,” he writes, “cannot alleviate shame very effectively because these behaviors cannot eliminate feelings of contamination. Instead, shame is associated with concealment” (p. 527). The only characteristic of shame that Tangney adopts, but which Prinz

does not mention, is the particular painfulness of shame. This, however, is a minor discrepancy, and it seems safe to say that Prinz and Tangney adopt the same characterization of shame.

1.4.5 Heidi Maibom

To give a final example, Maibom (2010) characterizes shame as follows: “Shame is a painful emotion concerned with failure to live up to certain standards, norms, or ideals. The subject feels that she falls in the regard of others; she feels watched and exposed. As a result, she feels bad about the person that she is” (p. 566). This short quotation provides evidence that Maibom agrees with almost all of Tangney characteristics of shame. Shame, for Maibom and Tangney alike, focuses on the self, is associated with an audience/exposure, and is particularly painful. Maibom also notes that shame is associated with avoidance tendencies. Subsequently, she writes, “[Shame] tends to make people who experience it feel small or inferior to others, and to want to hide from them” (p. 569). Maibom might not agree with Tangney’s thoughts on the explanatory relationships among the characteristics of shame (perhaps Maibom sees exposure as the primary characteristic), but this is likely a minor difference, if it is a difference at all.

Maibom (2010) argues at some length that the “standards, norms, or ideals” (p. 566) to which an ashamed subject does not adhere are publicly held—that is, that shame is heteronomous. This is a characteristic of shame that Tangney does not address, likely because it is one that is mostly relevant for philosophical discussions, not psychological ones. According to Kant’s view, for example, all actions of moral worth stem from knowledge of the moral law, which is given by rationality. One cannot, for example, be trying to avoid public censure if one is acting morally. If shame were a response to public expectations—an emotion responding merely to public

opinion—then for Kant it would fall outside the scope of morality.¹⁵ This is a debate that Tangney does not address, so it is unclear where she stands on the heteronomy issue. But given the agreement on other characteristics of shame, it is clear that Maibom and Tangney are referencing the same phenomenon.

1.4.6 Summary

There is solid support among contemporary philosophers for Tangney's characterization of shame. This means that the characterization of shame as focusing on the self, as being associated with a painful sense of exposure, and as motivating avoidance tendencies is widely accepted both in the scientific and philosophical communities. That is quite remarkable, and it suggests that Tangney's characterization is adequately capturing the core features of shame.

1.5 The Evolution of Shame

As one would expect of an account that aims to pick out the core features of a phenomenon, there are some features of shame that Tangney's characterization does not address. To begin with, people feeling ashamed often blush. Second, people feel ashamed not just in response to moral failures, but also in response to (for example) athletic or academic failures; in fact, shame seems to be particularly associated with the body and nudity, even in non-moral situations (again, recall the image of Rodin's *Eve* that opened this chapter; see also Gilbert & Miles, 2002; Williams, 2008/1993). Finally, shame has an overlapping (though not identical) domain with guilt, that is, we both commonly feel guilt and shame in response to our moral transgressions. Although not core features of shame, it is reasonable to ask if one could supplement Tangney's characterization to account for these features. The absence of such a supplementary account would not necessarily speak against Tangney's characterization, but if there were a way to

¹⁵ Williams (2008/1993) addresses the Kantian view at length in *Shame and Necessity*.

explain the supplementary features, it could lend some credence to the idea that Tangney's characterization is adequate.

One approach to providing such a supplementary account is with an evolutionary just-so story (see, e.g., Maibom, 2010). The point of such a story is less to specify how a feature actually evolved than it is to specify how a feature *plausibly* evolved.¹⁶ Since a characterization of a phenomenon can stand on its own as adequate or inadequate, a just-so story is not a critical component of a characterization. But it can help to ameliorate worries that a characterization *cannot* account for such-and-such a feature. With this in mind, what follows is an evolutionary just-so story of shame as a co-opted moral emotion.

1.5.1 A Just-So Story of Shame as a Co-Opted Emotion

Human beings, as a species, are particularly vulnerable to the elements. Whereas most other species have fur, feathers, or scales, human beings noticeably do not. As a consequence, we are particularly dependent on clothing and shelter to survive. In fact, these items of protection are considered to be basic needs for human beings. Clothing and shelter protect us from wind, rain, cold, sun, and so on. Given that clothing and shelter are basic needs, it would make sense if human beings had a drive to cover themselves and to seek shelter from exposure. Shame plausibly could have evolved to fulfill this role. In response to physical exposure or the threat of it, shame would drive us to cover our bodies and retreat to cover, that is, to seek protection.

Features that evolved for one purpose do not necessarily continue to serve that purpose, or to serve that purpose exclusively, in the future. Disgust is a perfect example of this, and is (importantly I believe) another emotion that spans both the moral and non-moral domains. Dan

¹⁶ See Machamer, Darden, & Craver (2000) or Craver (2006) on how-possibly, how-plausibly, and how-actually descriptions (although in the context of mechanistic explanation).

Kelly (2011; Kelly & Morar, 2014) presents the most detailed account of the evolution of disgust, arguing that it represents an “entanglement” of two adaptations. As Kelly and Morar (2014) write, “disgust is a composite emotion whose two main components originally evolved to protect against poisons and parasites, respectively” (p. 155). Characteristics of disgust such as its phenomenology of nausea and its facial expression—an open, gaped mouth—relate to the need to expel poisonous substances. Characteristics such as its withdrawal tendencies and the way it focuses one’s attention on contamination and objects proximal to the source of contamination relate to the need to avoid infection by parasites. Although other animals share parts of the human disgust response, disgust proper, as the entanglement of responses to poisons and parasites, is peculiarly human. Furthermore, according to Kelly’s account, although disgust originally evolved in the realm of physical poisons and parasites, it has been co-opted to play a role in the sociomoral realm. “In virtue of its flexibility and susceptibility to learning,” Kelly and Morar (2014) write, “a given individual’s disgust system will be calibrated by her own personal experience, her family and peers, and her cultural in-group. Thus, her disgust will be directed not just at ‘exotic’ cuisines and locally salient markers of disease and infection, but also at those practices, norms and values that the cultural in-group deems wrong and disgusting, as well as at those people, including members of cultural out-groups, who embrace them” (p. 156).

Like disgust, shame could have evolved in a non-moral domain, and been co-opted to serve a function in the sociomoral domain. This possibility appears most plausible if we think about the feeling of exposure that is associated with shame. Shame was, according to this co-option story, initially a response to physical exposure. But we can also feel exposed in a social sense, when others are gazing upon us critically or we are apt to be scrutinized. This transfer to the social realm parallels the transfer of disgust to the social realm. There is a comparison to be made

between substances that cause contamination, for example, and people who cause contamination. That which an infected substance touches contaminates other things and makes it unsuitable for consumption, similar to how an immoral person contaminates relationships and dealings with others. The behavioral responses we make to a contaminated substance could be fitting for contaminated people: focused attention, avoidance, and so on. Similarly, the behavioral responses we make to physical exposure to the elements could be fitting for social exposure: withdrawing, hiding, and so on. They would serve as a form of self-protection (Taylor, 1985). In short, it makes sense why the co-option of both disgust and shame for functioning in the sociomoral realm could have happened.

As I will argue throughout the rest of this dissertation, shame—although often thought of as a moral emotion—is flawed in that role. In this respect, it is once again similar to disgust (Nussbaum, 2004; Kelly, 2011; Kelly & Morar, 2014).¹⁷ Although the behavioral tendencies associated with both disgust and shame could suffice for the social realm, they are not necessarily the best fitting or most constructive responses. An emotion such as guilt, in contrast, seems finely tuned to the sociomoral domain and sensitive to considerations such as agency and intent. In fact, Larry May (1992) argues that guilt is an inappropriate emotion for sharing responsibility with one’s associates precisely because it is too closely intertwined with questions of agency (see Chapter 5). Interestingly, guilt does not seem to have the negative effects of shame (for a review, see Tangney, Stuewig, & Mashek, 2007). This lends some credence to how-plausibly stories according to which disgust and shame were co-opted as quick and dirty

¹⁷ Kelly and Morar (2014) defend the strong claim that “disgust is ill-suited to do any moral or social work whatsoever”, although a more moderate statement might be “there are no defensible uses for disgust in legal or political *institutions*” (emphasis added; p. 154). The argument in this dissertation is similar in spirit, though on the less extreme end of the spectrum. I contend that having a propensity to feel shame—the trait of being shame prone—is morally, socially, and personally counterproductive. But I do not deny that there are some instances of feeling shame—the state of feeling shame—that, in the moment, are morally, socially, or personally useful.

solutions to problems in the sociomoral realm, but did not evolve for that purpose.

1.5.2 A Precedent for Co-Option Views

The speculation that shame did not evolve specifically for a moral purpose is not new. Darwin, in Chapter 13 of his 1872 work *The Expression of the Emotions in Man and Animals*, speculates that shame evolved as a response to physical shortcomings or slights, especially those that affect one's appearance or attractiveness to potential mates such as conspicuous birthmarks or crippled limbs. He advances several reasons for thinking that this was the original domain of shame. Primary among those is that comments about appearance tend to elicit blushes more strongly than anything else. Furthermore, blushing is especially common among those to whom, Darwin suggests, attractiveness is most important: young (presumably unmarried) ladies in the company of young (presumably unmarried) men.

Darwin (1872) draws on associationism to explicate a possible co-option mechanism for shame:

Many reasons can be assigned for believing that originally self-attention directed to personal appearance, in relation to the opinion of others, was the exciting cause; the same effect being subsequently produced, through the force of association, by self-attention in relation to moral conduct. It is not the simple act of reflecting on our own appearance, but the thinking what others think of us, which excites a blush. (pp. 326-327)

It is noteworthy that Darwin characterizes shame with many of the same features as does Tangney (although as the title of his work suggests, he is particularly interested in the *expression* of emotions, that is, in blushing in relation to shame). In the previous quotation, he notes the relationship between shame and an audience, as well as the relationship between shame and a focus on the self. He also notes shame's withdrawal tendencies: "Under a keen sense of shame there is a strong desire for concealment. We turn away the whole body, more especially the face,

which we endeavor in some manner to hide” (p. 322).

Darwin (1872) does not link the evolution of shame to exposure to the elements, although he comes fairly close:

It is a rather curious question why, in most cases the face, ears, and neck alone redden, inasmuch as the whole surface of the body often tingles and grows hot. This seems to depend, chiefly, on the face and adjoining parts of the skin having been habitually exposed to the air, light, and alternations of temperature, by which the small arteries not only have acquired the habit of readily dilating and contracting, but appear to have become unusually developed in comparison with other parts of the surface. (p. 315)

Instead of pursuing exposure, however, Darwin ultimately explores a mechanism by which attention to the prominent feature in determining attractiveness—the face—causes dilation of the capillaries there. But it is significant that Darwin notes that those of our features that are most exposed to the elements are also those features in which blushing is most prominent.

1.5.3 The Submission/Appeasement Evolutionary Just-So Story

Darwin’s (1872) proposal has not received much attention in modern times.¹⁸ The currently dominant view on the evolution of shame points to its role in submission and appeasement, and views shame as evolving in a distinctly sociomoral, cooperative realm. The most prominent authors to suggest such a view are Keltner (see, e.g., Keltner & Harker, 1998) and Fessler (see, e.g., 1999, 2007).¹⁹ Even Tangney (Tangney & Tracy, 2012) seems to favor such a view. For

¹⁸ There are, of course, exceptions. See, e.g., Crozier (2006).

¹⁹ On Fessler’s (2007) view, especially, human shame is importantly different from shame in other animals. Arguing that this primordial facet of shame operates in hierarchical social relationships, I then suggest that our species’ reliance on culture and cooperation favored the evolution of a new motivational system, one oriented not toward relationships between superiors and inferiors, but rather toward relationships among prospective cooperative partners. It is this orientation, I suggest, that lies at the heart of most human shame experiences. (p. 174)

the purposes of exposition, however, I will focus on Heidi Maibom's (2010) recent account in this tradition, which incorporates many of the ideas of authors writing before her. Maibom's central thesis is that "[human] shame and the emotion underlying the submissive displays of nonhuman animals are descended from the same emotion; they are both modifications of it" (p. 579). Because human and nonhuman shame share a common descendant, Maibom argues that we can learn something about the former by studying the latter. In animals, submission is all about maintaining social order to facilitate living in groups, so that individuals are not constantly struggling for dominance and resources. Human shame is undoubtedly different from animal shame, but we can leverage work on animal shame to explain features of human shame. Maibom writes, "... there are important lessons to be learned about shame from its origins. In particular, we can understand why shame features an audience centrally, why status matters, and why shame concerns the whole person, not just her actions" (p. 577). Maibom also argues that we can learn about the phenomenology of shame by studying its descent.

First, Maibom (2010) argues that shame is associated with an audience because appeasement cannot take place without someone to appease. Furthermore, the internalization of rules and norms is a recent evolutionary development. Most species rely on the gaze of their conspecifics to dissuade behaviors, and the association between shame and an audience reflects that. Second, shame is associated with status because the evolution of shame is intimately linked with maintaining social order through dominance hierarchies. Thus, feeling ashamed in the presence of a powerful individual makes sense, which is a phenomenon for which Maibom argues a theory should account. Next, shame is associated with the whole self, as opposed to actions, because social hierarchies and maintaining social order is more about who one is, and one's place in the

hierarchy, than about what one does.²⁰ The caste system in India is a good illustration of this. Finally, shame is associated with feeling small and the feeling of wanting to hide, because those are perceptions of the appeasement displays associated with shame, such as shrinking away and covering up.

There are certainly attractive features of Maibom's (2010) account of the evolution of shame. Maibom argues, for instance, that it beautifully explains why a sexual assault victim might feel ashamed (Nathanson, 1989), given that such a victim has not violated any norm or transgressed in any way. This form of shame is explained simply by the emotion's descent from an emotion closely tied with aggression and dominance. Nevertheless, as I will argue in the next section, the co-option view of shame has several distinct advantages over the submission/appeasement account. And Maibom herself admits that her account "does not explain why people feel shame at the approval of others, of public nudity, of their sexual desires, etc." (pp. 589-590). All in all, I contend that the exposure-based co-option story is a more plausible account than its leading competitor.

1.5.4 The Plausibility of the Co-Option Account

To begin with, the exposure-based co-option view of shame provides a satisfying how-plausibly explanation for why shame is associated with blushing, instead of with some other conspicuous signal to others. After all, any conspicuous signal would satisfy the demands of an appeasement/submission signal. As Darwin (1872) noted more than a century ago, blushing is most common in the parts of the body that are most exposed to the elements: the face, ears, and neck. These areas are the most difficult for human beings to cover up, while still being able to sense the environment and respond to potential dangers. The flushing of capillaries near the skin

²⁰ Maibom (2010) also notes that the focus on the self is reinforced by human shame's connection with being elicited by disgust, since we shun whatever has been contaminated or corrupted in its entirety.

plays a clear function in combatting damage caused by exposure. By releasing blood to exposed skin, our bodies protect against damage from the wind and cold. Coming in from the outside on a cold, blustery day, one's cheeks will certainly be flushed, illustrating this response.²¹

Second, the co-option view of shame provides a plausible explanation for why shame spans both moral and non-moral domains. Shame did not evolve in the sociomoral/cooperative domain, so it is not finely tuned to moral transgressions and other moral considerations. Given that shame evolved in a sociomoral context on Maibom's account, she has more difficulty explaining this fact, although she can point to the nature of social hierarchies perhaps. Furthermore, we can still note the evolutionary past of shame in its current association with nudity and the body, which is something that Maibom (2010) admits her account cannot explain. Uncovering our bodies makes us prone to exposure, and shame prompts us to attempt to cover up. Given that sex necessitates exposure, it is naturally linked with shame.

Next, the co-option view of shame, in contrast to the submission/appeasement account, supports a good just-so explanation for why both guilt and shame exist. Guilt is, by all accounts, associated with apology and reparation—paradigms of appeasement behavior. But according to Maibom (2010), shame evolved squarely in this domain to appease conspecifics. It is difficult to understand, then, why two emotions evolved with overlapping domains and functions. The co-option account, on the other hand, provides a nice explanation for why this is so. Shame is not a perfect fit as an emotional response to violations of norms and expectations, although it has features by which it can satisfice in such a role. Violating a norm or expectation does not

²¹ There is a parallel here with disgust. The explanation of the characteristic facial expression of disgust is given a satisfyingly deep, rather than a shallow, explanation by being linked with the original evolutionary purpose of disgust. Certainly, a gaped mouth signals to others that one is feeling disgust, but there is a reason why this signal in particular, as opposed to another other signal, evolved.

necessarily reflect on one's character, yet shame focuses on the whole person. Similarly, the best response to harming another is often to apologize and repair relationships or reintegrate into the group, yet avoidance tendencies can at least ameliorate immediate punishment. Thus, in human beings, it is plausible that guilt evolved specifically for a social/cooperative purpose, given shame's imperfect yet satisficing role. I believe that the research discussed in Chapter 2 will reinforce this point, as it highlights the damaging effects of shame-proneness, whereas guilt-proneness has not been shown to have similarly negative effects, and instead largely positive ones.

Finally, the exposure-based co-option view of shame provides competing explanations for why "shame features an audience centrally," why "shame concerns the whole person, not just her actions" (p. 577), and why shame relates to feeling small and as if one should disappear; Maibom (2010) favors her account for providing these explanations, but the co-option account succeeds as well. Shame plausibly features an audience because an audience (real or imagined) provides the exposure trigger, though a metaphorical, social form of exposure rather than a physical exposure to the elements. Shame concerns the whole person or self because physical exposure concerns the whole physical body or self. And shame features a phenomenology of smallness and a desire to disappear because those are ways to respond to physical exposure, to ball-up, cover-up, and/or hide. The exposure-based co-option account even provides a competing explanation of why sexual assault victims sometimes feel shame, given the exposure that usually accompanies that terrible act. All in all, the co-option account supports more plausible explanations than submission/appeasement account, and should be considered a superior just-so story for that reason.

1.5.5 Summary

Human beings need protection from exposure to the elements, and shame makes us cover up, seek protection, and it flushes the most exposed parts of our bodies with blood. Although shame is often categorized as a moral emotion, according to the co-option how-plausibly story presented here, it did not evolve specifically to play a role in this domain. Such a view can strengthen Tangney's characterization of shame, by giving plausible explanations of additional features of the emotion.

Evolutionary accounts are speculative, and the co-option account is no exception. Aside from pointing out the explanatory advantages of the account in comparison with other competing accounts, there is little evidence to which one can point to support it. Furthermore, an important criticism is that there is always an evolutionary story that one can weave to fit the features one wishes to explain. This is a criticism that I will not address here, however, for the empirical evidence that I present in the rest of this dissertation is a solid foundation, by itself, for the arguments I present in Chapters 3-5.

That being said, one upshot of the evolutionary just-so story that I have sketched is that it provides a reason—though not the only reason—for thinking that shame and guilt are distinct natural kinds.²² On a view like Maibom's (2010), one could view guilt as a modification of shame, rather than a separate emotion. If this were the case, then perhaps the differences between guilt and shame are more a result of cultural expectations, rather than deep biology. On the co-option story, however, shame and guilt serve a similar function and cover similar

²² One might be inclined to think that neither shame nor guilt are natural kinds at all. Griffiths (2004) sees a category as a natural kind if scientists can reasonably make discoveries about its members by studying individual instances. Is shame a natural kind according to this definition? It strikes me that the best way to answer this question is to attempt to study shame scientifically. At present, the scientific consensus seems to be that shame is indeed a natural kind.

domains, but they have distinct evolutionary histories. This fits with other evidence in favor of viewing shame as a distinct natural kind, namely, that the behaviors and expressions associated with shame cross cultures (Keltner & Buswell, 1997; Keltner & Harker, 1998), that shame produces a different physiological response than guilt (Dickerson et al., 2004), and that shame has distinct neurological correlates (Wagner et al., 2011; Whittle et al., 2016).

1.6 Conclusion

June Tangney identifies a focus on the self as the central characteristic of shame. She argues that this characteristic helps explain the other characteristics of shame that she identifies, namely, that shame causes avoidance tendencies and that it is associated with a painful feeling of exposure. I believe that Tangney's characterization is both analytically and empirically adequate. It can serve as fruitful characterization for interdisciplinary work.

Empirical evidence for Tangney's characterization comes in two forms: Research on participants' conceptions of shame, which gives face validity to Tangney's characterization, and research using the TOSCA, which measures shame as Tangney conceives of it. Research on participants' conceptions of shame supports Tangney's characterization, although participants often report the easily observable characteristics of shame, such as its behavioral tendencies. Research using the TOSCA also supports Tangney's characterization, because the measure has proven to be extremely productive and to confirm intuitive hypotheses. Several decades' worth of research using the TOSCA demonstrates that it is a useful measure.

There is significant overlap between Tangney's characterization of shame and most recent philosophical characterizations. Conservatively, 60% of philosophers endorse characterizations of shame that are similar enough to Tangney's so that we can safely presume they are

referencing the same phenomenon. This is good evidence that Tangney's characterization gets at the core features of shame, and that shame is reasonably seen as a scientific kind. It also means that there is plenty of room for interdisciplinary engagement between philosophers and psychologists. I illustrate the potential for this engagement in Chapters 3-5 of this dissertation.

Although Tangney's characterization can stand alone, I contend that we can complement it with a novel evolutionary just-so story. Human beings need protection from the elements, and shame plausibly could have evolved to spur covering up and seeking shelter. These action tendencies also satisfice as a response to social exposure, so shame might have been co-opted to serve in the sociomoral realm. This story supports a deep how-plausibly explanation of phenomena like blushing, which makes it superior to other modern views on the evolution of shame.

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Chapter 2: An Empirically-Based View of Shame: A Little is Good, But More Is Not Better

Empirical research on shame tends to come in two sorts. Some researchers focus on shame as a state—for example, by inducing shame in research participants and recording the effects—and some on shame as a trait—for example, by having research participants rate how likely they are to feel shame and associating that rating with outcomes of interest. A similar thing could be said of research on fear (and other emotions), some of which focuses on the state of fear, and some on the trait of being fearful. To mark the state/trait distinction for shame, many researchers use the term *shame-proneness* (or variants like *propensity to feel shame*) to refer to trait-level shame, a practice to which I will try to adhere when clarity is necessary in this and future chapters.

The purpose of this chapter is provide an overview of scientific research on both shame and shame-proneness. It is upon this foundation of empirical evidence that I will construct my arguments in Part II of this dissertation, where I trace out specific implications for ethics. In Sections 2.1 and 2.2, I summarize existing empirical research on shame and shame-proneness, respectively. In Section 2.3, I present evidence from the Early Emotional Development Program at Washington University School of Medicine, which reinforces existing evidence on shame-proneness. Subsequently, in Section 2.4, I state and clarify my central empirically-based conclusion—namely, that according to a review of empirical evidence, the state of shame sometimes has desirable consequences, but the trait of shame does not—and I explain away the apparent conflict in this conclusion. In Section 2.5, I continue to address objections to the preliminary conclusion stated in Section 2.4. I address the objections that all negatively-

valenced trait-level emotions are maladaptive; that my summary of the empirical literature is contaminated by confirmation bias; and that we need to consider whether shame is fitting, not whether it is adaptive or beneficial to feel. I argue that the objections to my central conclusion can be met. Lastly, in Section 2.6, I state my general answer to the normative problem of shame. Since the state of shame can have beneficial effects, we ought not eliminate the use of shame; there may be limited instances in which we ought to feel or induce shame, depending on specific circumstances. Since shame-proneness has negative effects, however, we ought to eliminate and avoid practices that cultivate shame.

2.1 The State of Shame

Researchers interested in the state of shame often emphasize the positive effects that it can have. Research shows that shame can motivate moral behavior such as honesty and sharing; it can drive one to repair an image of oneself or one's community; and it can appease others. Thus, it appears as if (state-level) shame is beneficial both at an individual and at a societal level, as I will demonstrate in the following sections.

2.1.1 Moral Behavior—Honesty

Several investigations have suggested that feeling shame can spur honesty (e.g., Cochran et al., 1999; Tibbetts, 1999; Bryan, Adams, and Monin, 2013).¹ Cochran et al. (1999) studied the effects of anticipated feelings of shame, anticipated feelings of embarrassment, and anticipated institutional sanctions on academic integrity issues such as plagiarism and cheating on an exam. The authors asked undergraduate students (N = 448) to fill out anonymous and confidential surveys inquiring about history (within the last year) of 5 types of academic integrity transgression. The surveys also asked participants about perceived certainty and seriousness of

¹ Several authors suggest that shame might be particularly suited to inhibiting antisocial behavior, such as preventing cheating. See Olthof (2012) and Sheikh and Janoff-Bulman (2010).

feelings of shame, embarrassment, and institutional sanctions if one were to commit each of the 5 types of transgression.² Anticipated shame—but not anticipated embarrassment or the threat of institutional sanctions—was widely correlated with intentions to avoid academic integrity transgressions. The authors concluded,

[...] the only form of sanction threat that appears to enter into and influence the rational calculus of prospective cheaters is their own sense of shame associated with acts of academic dishonesty. Those undergraduates who indicated the highest likelihood of feeling ashamed of themselves if they were to cheat in school and who said that their shame would pose a problem for them reported the lowest frequencies of involvement in acts of academic dishonesty. (p. 98)

To give another example, in a series of experiments, Bryan, Adams, and Monin (2013) investigated whether giving participants instructions with the word *cheater*, as opposed to the word *cheating*, led to an increase in moral behavior. In each experiment, the authors gave participants a chance to cheat without anybody (including the experimenters) ever knowing whether they cheated. Although the authors did not interpret their experiment specifically in terms of shame and guilt, according to Tangney's definitions (see Chapter 1), it is likely that using the word *cheater* facilitated feeling shame, whereas *cheating* facilitated feeling guilt. The former refers to a character trait—an aspect of the self—whereas the latter refers to an action.

In Experiment 1, Bryan, Adams, and Monin (2013) exploited the unusual fact that when asked to think of a number between 1 and 10, people usually pick an odd one (Kubovy & Psotka, 1976).

A research assistant who was blind to the purpose of the study stopped students on a college

² The items that measured shame were worded “Would you feel ashamed of yourself if you...?” and “How big of a problem would *feeling ashamed of yourself* be for you if you...?”, where the ellipses were filled in with the 5 types of academic integrity transgression (Cochran et al., 1999, p. 95).

campus and asked them to participate in the experiment. Each participant was read the following script, hearing either the cheater or the cheating version:

We're interested in how common [cheating is/cheaters are] on college campuses. We're going to play a game in which we will be able to determine the approximate [rate of cheating/number of cheaters] in the group as a whole but it will be impossible for us to know whether you're [cheating/a cheater]. (p. 1002)

The game simply involved thinking of a number between 1 and 10. Participants were then informed that if they thought of an even number, they would receive \$5. About 20% of participants in the cheater condition claimed to have thought of an even number, a rate that the experimenters confirmed was the baseline rate for choosing an even number. Participants in the cheating condition, on the other hand, reported thinking of an even number 50% of the time. Thus, the cheating instructions were not effective at motivating participants to do the right thing, whereas the cheater instructions motivated honesty.

A potentially important detail of Experiment 1 was that participants interacted with a research assistant face-to-face. To test whether it was in fact important, the researchers (Bryan, Adams, & Monin, 2013) conducted Experiment 2 entirely online. Participants from a university-run pool of volunteers were instructed that the experiment was a skeptical investigation of psychokinesis. They were to find a coin and toss it 10 times, recording whether it came up heads or tails, and to try to influence the coin with their mind to make it come up heads. Purportedly for motivation, participants were instructed that they would receive \$1 every time the coin came up heads. They also read a script similar to that quoted above, which explicitly instructed them not to cheat/be a cheater, as it could affect the outcome of the experiment. On average, participants in the cheating condition reported 5.49 heads, whereas participants in the cheater condition reported

4.88 heads. The average number of heads reported in the cheating condition was significantly greater than what would be expected by chance, whereas the average in the cheater condition was not, showing once again that implicating the self spurred honesty.

Finally, in Experiment 3, Bryan, Adams, and Monin (2013) replicated Experiment 2 using participants recruited from a FaceBook advertisement. They also included a condition to investigate baseline rates of cheating. For the cheating, cheater, and baseline conditions the mean number of heads reported were 6.22, 5.23, and 6.31, respectively. All in all, presenting participants with the instructions using the term *cheater* suppressed cheating, whereas presenting them with the instructions using the term *cheating* (or a variant emphasizing behavior) did not.

2.1.2 Moral Behavior—Sharing Resources

There is also evidence that the state of shame can lead to sharing resources. de Hooge, Breugelmans, and Zeelenberg (2008) designed a series of 4 experiments to investigate this possibility. According to the authors, emotions orient us to what is important in the environment, and they affect decisions that need to be made. Disgust orients us to food, for example, affecting the decision of whether to consume it. They made a distinction between *endogenous* and *exogenous* effects of emotions:

Influences of emotions are denoted as endogenous when they concern behaviors in situations that are related to the emotion-causing event. Examples are the influence of fear of animals on the decision to visit a zoo or the experience of sadness when taking a loved one to the airport for her departure.... We refer to influences of emotions as exogenous when they influence behaviors in situations that are unrelated to the emotion-causing event. Examples of exogenous influences are the spillover effects of emotions resulting from a prior experience, such as watching a happy or a sad movie, on

subsequent unrelated decisions, such as deciding how much to tip the driver of the cab that brings you home. (p. 935)

The authors hypothesized that endogenous effects of shame would likely be moral and beneficial, whereas exogenous effects of shame would be more likely to be undesirable. The authors also made a distinction between *prosocials*—people who tend to act prosocially already—and *proselfs*—people who tend to act more selfishly. The authors hypothesized that the prosocial effects of shame would be more evident for proselfs than prosocials, since prosocials already have the disposition to be moral and helpful.

Each of the 4 experiments had a similar design. de Hooge, Breugelmans, and Zeelenberg (2008) induced shame in some participants and used others as controls, measured participants' endogenous or exogenous behavior to see if it was prosocial, and finally measured whether participants qualified as prosocials or proselfs. The induction methods varied and will be described below. The authors sorted participants as prosocials or proselfs using a questionnaire about how to divide money, the Triple Dominance Measure of Social Value Orientations (Van Lange, Otten, De Bruin, & Joireman, 1997). In the majority of experiments, the authors used the 10-coin give-some dilemma game (Van Lange & Kuhlman, 1994) to measure the endogenous or exogenous behavioral effects of shame.³ In this game, participants were asked to divide ten coins between themselves and a partner, where the value of the coin was double for the partners than it was for the participants. In the endogenous condition, the partners knew about and were made relevant to the participants' shame-inducing situations. In the exogenous condition, they did not know and were not relevant.

³ The exception being Experiment 4, in which the experimenters used scores on the Prosocial Tendencies Scale (de Hooge et al., 2007) as their outcome variable.

In Experiment 1, university students read scenarios and imagined themselves in the situation. In the shame-inducing scenario, participants imagined performing extremely poorly in a class presentation, exposing that they did know the material at all. In the control scenario, participants imagined doing as well as the other students.⁴ Participants then imagined playing the 10-coin game with either another student in the class who saw the presentation (endogenous condition) or another student who did not see the presentation (exogenous condition). As Table 2.1 shows, among participants who were classified as proselves, shamed participants who played the 10-coin game with a student in the class reported that they would give more coins to that student. The other comparisons did not reveal any statistically significant effects. This suggests that shame had a prosocial, reparative effect among proselves.

Table 2.1 Average Number of Coins Given to Partner (with Standard Deviation), by Exogenous/Endogenous and Prosocial/Proself Conditions (Experiment 1).

	Shame	Control
Prosocial: Exogenous	5.86 (2.85)	5.93 (3.01)
Endogenous	6.06 (2.29)	6.94 (2.66)
Proself: Exogenous	3.20 (1.82)	3.65 (2.21)
Endogenous*	6.21 (2.90)*	4.47 (2.10)*

* Indicates that the shame/control comparison was statistically significant for the row.

Adapted from de Hooze, Breugelmans, & Zeelenberg (2008, Table 1, p. 938).

Experiment 2 was almost identical to Experiment 1, except to induce shame, participants recalled

⁴ The authors included a manipulation check in each experiment to verify that participants in the shame condition reported feeling more shame than those in the control condition.

a situation in which they felt ashamed in the past. Control participants imagined a normal day. Then, participants imagined playing the 10-coin game either with somebody who witnessed or knew about the recalled event (endogenous condition), or somebody unrelated (exogenous condition). Once again, as Table 2.2 shows, proselves contributed significantly more coins to their gaming partner in the endogenous condition than in the exogenous condition. This again suggests that under certain circumstances, shame appears to have a prosocial effect on behavior.

Table 2.2 Average Number of Coins Given to Partner (with Standard Deviation), by Exogenous/Endogenous and Prosocial/Proself Conditions (Experiment 2).

	Shame	Control
Prosocial: Exogenous	5.38 (1.99)	5.06 (2.41)
Endogenous	6.33 (2.32)	7.62 (2.90)
Proself: Exogenous	3.82 (2.40)	3.57 (2.32)
Endogenous*	6.56 (2.75)*	2.74 (2.49)*

* Indicates that the shame/control comparison was statistically significant for the row.

Adapted from de Hooge, Breugelmans, & Zeelenberg (2008, Table 1, p. 938).

The pattern of results in Experiments 3 and 4 replicated the pattern from Experiments 1 and 2, adding further support to the conclusion that among proselves, endogenous shame contributes to prosocial behavior. The authors concluded that “As ugly and negative as shame experiences can be, feeling this emotion can have clear positive consequences for interpersonal behavior” (p. 940).

2.1.3 Repairing an Image

In a subsequent paper, de Hooge, Zeelenberg, and Breugelmans (2010) investigated the hypothesis that feeling shame prompts attempts to restore one’s self-image if such restoration is feasible, but withdrawal if not; the authors termed these restore motivations and protect motivations, respectively. In 5 experiments, de Hooge and colleagues induced shame in a sample of participants and measured resultant restore and protect motivations. In Experiment 1, for example, the authors induced shame using the same procedure as in Experiment 1 described above in Section 2.1.2 (de Hooge, Breugelmans, & Zeelenberg, 2008). Then they measured restore and protect motivations using a novel self-report questionnaire. Table 2.3 shows the results from the 5 experiments. In general, the results show that shame can indeed motivate restoration of one’s self, although it often also motivates protection (i.e., avoidance).

Table 2.3 Mean Motivation Scores (with Standard Deviations) in 5 Experiments Investigating the State of Shame.

<i>Study</i>	<u>Shame</u>		<u>Control</u>	
	Restore	Protect	Restore	Protect
1	3.78 (1.89) ^a	4.16 (1.99) ^a	2.51 (1.50) ^b	3.61 (1.81) ^c
2	5.14 (1.23) ^a	3.59 (1.52) ^b	3.48 (1.26) ^b	2.08 (0.96) ^c
3	6.26 (1.88) ^a	6.40 (1.87) ^a	N/A	N/A
4	4.75 (1.70) ^a	3.85 (1.66) ^b	N/A	N/A
5	5.34 (0.96) ^a	4.88 (1.05) ^b	3.07 (1.55) ^c	3.37 (1.58) ^c

Within each row, cells with different superscript letters are significantly different from one another. Restore and protect motivations were measured on a 7-point scale.

Adapted from Table 1 (de Hooge, Zeelenberg, & Breugelmans, 2010).

To give another example, Schmader and Lickel (2006, Study 1) investigated the behavioral tendencies associated with *group-based shame*, or shame that does not stem directly from one's own behavior, but rather an associate's.⁵ More specifically, the authors investigated group-based shame stemming from another person's negative stereotypical behavior. The authors asked Hispanic university students to recall and write about a time that somebody (other than themselves) acted in line with a negative stereotype about Hispanics. Afterwards, participants completed a set of surveys, including a survey about how they felt about the event they described and a survey about how they felt like acting in response to the event.⁶ As part of their data analysis, Schmader and Lickel tried to predict how participants felt about acting in response to the event from the emotions they reported feeling about the event. The results are presented in Table 2.4.

Table 2.4 Regression Coefficients from Models Investigating the Effects of Group-Based Emotion on Distancing or Repairing.

	<u>Outcome Variables</u>			
	Distance from Group Member	Distance from Group Identity	Repair Group Image	Repair Event
<u>Predictors</u>				
<i>Shame</i>	.28***	.49***	.42***	.11

⁵ For additional work on shame and image restoration, see, e.g., Gausel and Leach (2011); Gausel et al. (2012); Lickel, Steele, & Schmader (2011); and Lickel et al. (2014).

⁶ The participants also filled out a survey beforehand about how much they esteemed their ethnic group, but this measure does not pertain to the results presented here.

<i>Anger</i>	.54***	-.07	-.03	.06
<i>Guilt</i>	.16 [#]	-.02	.08	.24*
<i>Sadness</i>	-.15 [#]	.11	.10	.33**
<i>Anxiety</i>	-.04	.13	.00	.04

*p < .05, **p < .01, ***p < .001, [#]p < .10

Adapted from Schmader & Lickel, (2006, Table 13.3, p. 275).

As Table 2.4 shows, Schmader and Lickel (2006, Study 1) found that participants rated shame to be a powerful motivator. Reports of group-based shame in response to a negative stereotypical event predicted a desire to distance or insulate oneself from both the group member who exemplified the stereotype and the group itself.⁷ Shame was also the only emotion that predicted a desire to counteract the negative stereotype of the group. Thus, shame appears to be able to induce prosocial motivations even in those who have not done anything wrong.

2.1.4 Appeasement

A final example of research on the state of shame comes from Dacher Keltner and colleagues (Keltner, Young, & Buswell, 1997; see also Martens, Tracy, & Shariff, 2012). In two experiments (Study 3 and Study 4), participants viewed pictures of actors displaying different emotions (see Figure 2.1 below), and imagined that the emotions were felt by the actors in response to an event. In Study 3, the event was tripping in front of other people. In Study 4, it was giving a terrible presentation in a course. Afterwards, participants rated how much amusement, anger, contempt, disgust, concern, forgiveness, and sympathy they felt towards the

⁷ Distancing was measured by items that suggested avoidance tendencies, such as trying to avoid being associated with the group or group member.

person in the picture, each on a scale of 1 to 7. The authors then combined the ratings for anger, contempt, and disgust into an antipathy superscale, and the ratings for concern, forgiveness, and sympathy into a sympathy superscale. In both experiments, Keltner, Young, and Buswell found that participants reported feeling the most sympathy, and the least antipathy, towards people feeling shame. This suggests that the state of shame serves an appeasement function, soothing social tensions.

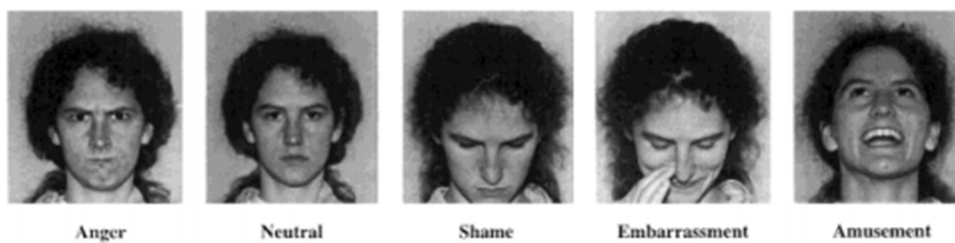


Figure 2.1 Pictures of Emotional Expressions from Keltner, Young, & Buswell (1997, p. 363).

Stearns and Parrott (2012) also investigated the effects of perceiving somebody who feels ashamed. In Experiment 1, the experimenters asked participants to read descriptions in which an author detailed a transgression and either acknowledged or did not acknowledge moral responsibility. If the author of the writing acknowledged moral responsibility, the author described it explicitly as either a feeling of guilt or a feeling of shame. Participants then rated their agreement with statements about the author, such as “The person who wrote this account has taken responsibility for what happened,” “The person who wrote this account has empathy for how [injured party] is feeling,” and “The person who wrote this account is a nice person” (see Stearns & Parrott, Table 1, p. 413). This allowed Stearns and Parrot to calculate variables such as how moral the author was perceived to be, how much empathy the author was perceived to have for the victim, and how generally likable the author was perceived to be. The

experimenters found that guilt and shame were equally likely to improve ratings of morality, empathy, and likeability, when compared with the no responsibility condition. Thus, feeling shame was as effective as feeling guilt at improving others’ perceptions and appeasing their moral judgments.

Experiment 2 differed from Experiment 1 in that the vignettes did not explicitly use the terms *guilt* or *shame*, and in that Stearns and Parrott (2012) investigated two different forms of shame. As the experimenters conceptualized the difference, “One, *public shame*, stems from public exposure of personal defects and results in concern about reputation, status, and others’ evaluations; it results in a motivation to hide or otherwise escape public scrutiny. The other, *private shame*, stems from a more private negative evaluation of oneself that results in feelings of self-contempt, inferiority, and worthlessness” (p. 417). Otherwise, Experiment 2 was similar to Experiment 1. Results are presented in Table 2.5. The results suggested that experiencing private shame was effective at appeasing others, but that public shame was not effective. Guilt appeared to be the most adaptive emotion to express. Nevertheless, both Experiments 1 and 2 showed that if a transgressor felt ashamed, it typically improved the way others perceived them, and hence served an appeasement function.

Table 2.5 The Effects of Private Shame, Public Shame, Guilt, and No Emotion on Others’ Perceptions.

	Private Shame (n=55)	Public Shame (n=50)	Guilt (n=47)	No Emotion (n=41)	df	F-value
<i>Moral Character scale</i>	4.82 (1.20) ^a	3.53 (1.41) ^b	5.11 (1.38) ^a	3.43 (1.12) ^b	(3, 189)	21.49***

<i>Empathy for Victim scale</i>	3.97 (1.87) ^a	3.19 (1.85) ^{a, c}	5.39 (1.76) ^b	2.75 (1.38) ^c	(3, 189)	20.13***
<i>Likeability /Approval scale</i>	4.37 (1.58) ^a	4.27 (1.60) ^{a, c}	5.51 (1.47) ^b	3.55 (1.31) ^c	(3, 189)	12.94***

*** indicates $p < .001$

Means (on a 9-point scale) are given with standard deviations in parentheses. Within each row, cells with different superscript letters are significantly different from one another.

Adapted from Stearns and Parrott (2012, Table 4, p. 419).

2.1.5 Summary

The experiments described above are representative of the experimental corpus on the state of shame. Much of this research seems to confirm the common-sense view that shame is a moral emotion that has benefits both for the individual who feels it (e.g., by appeasing others) and for society as a whole (e.g., by reducing cheating), although sometimes the effects only appear under limited circumstances.

2.2 The Trait of Shame

According to those who research the trait of shame such as June Tangney, shame has a dark side (see, e.g., Tangney, 1995a). Evidence shows, for instance, that shame-proneness is either anti-correlated, or not correlated at all, with empathy. Rather, shame-proneness is associated with feelings of personal distress. Also, shame-proneness is positively correlated with many types of mental illness. Finally, and perhaps most importantly, shame-proneness is associated with a defense mechanism of blaming others, getting angry, and being aggressive and having other conduct issues. Thus, at both an individual- and societal-level, shame-proneness seems to have

negative effects.

2.2.1 Empathy and Personal Distress

Shame has been found to be uncorrelated or sometimes negatively correlated with empathy, but positively correlated with personal distress (Tangney, 1991; Leith & Baumeister, 1998; Joireman, 2004). Empathy and personal distress can be characterized as different ways of reacting to another's pain or misfortune. To feel empathy for the person is to feel that person's pain in some sense, although typically in a warm-hearted way, while maintaining focus on the other in need and understanding things from the other's perspective.⁸ To feel personal distress, in contrast, is to feel distress oneself because of the other's distress, but to focus on one's own distress instead of the other's. Empathy and personal distress lead to different action tendencies. To relieve empathic feelings, one often helps the other in need. But to relieve personal distress, it is often easiest to avoid the distressing stimulus, for example, by leaving the situation (Batson, Fultz, & Schoenrade, 1987; Batson, 1991).

Leith and Baumeister (1998) conducted a series of experiments to explore the relationships among shame, personal distress, and the perspective-taking component of empathy. In Experiments 1a, 1b, and 2, the authors had undergraduate volunteers fill out questionnaires, including the TOSCA (Tangney, Wagner, & Gramzow, 1989), to measure shame-proneness, self-esteem, personal distress, and perspective-taking abilities, among other things. The authors then performed statistical analyses designed to reveal the unique contributions of shame-proneness to perspective-taking and personal distress, while controlling for guilt-proneness and self-esteem. Results are presented in Table 2.6. In all 3 experiments, shame-proneness, but not guilt-proneness, was associated with personal distress. Shame-proneness was uncorrelated with

⁸ There are well-known difficulties in defining empathy and characterizing different forms of it, which I cannot hope to detail here. See Coplan & Goldie (2011).

perspective-taking (although guilt-proneness was clearly associated with it). The results suggested that shame-prone individuals are disposed to respond in less prosocial ways when encountering others who are in pain, turning inwards and focussing on their own distress, instead of outwards on the other's.

Table 2.6 Correlations Between Shame-Proneness and Perspective-Taking/Personal Distress, after Accounting for Self-Esteem and Guilt-Proneness; and Correlations Between Guilt-Proneness and Perspective-Taking/Personal Distress, after Accounting for Self-esteem and Shame-Proneness.

	Shame	Guilt
Perspective-taking		
<i>Exp. 1a</i>	-.03	.32*
<i>Exp. 1b</i>	-.03	.31*
<i>Exp. 2</i>	-.05	.34*
Personal distress		
<i>Exp. 1a</i>	.23*	.04
<i>Exp. 1b</i>	.24*	.04
<i>Exp. 2</i>	.29*	-.01

*p<.01

Adapted from Leith & Baumeister (1998), Table 2, p. 12.

In another study, Joireman (2004) investigated the mechanism by which shame-proneness might lead to personal distress. He hypothesized that self-rumination might explain why people who

tend to feel shame also tend to focus inwards on their own distress when seeing others in pain. Results showed that shame-proneness (measured using the TOSCA) was indeed predictive of personal distress. This replicated previous research showing that “Whereas shame predicts higher levels of ‘self-oriented’ personal distress (feelings of anxiety in emergency situations), guilt predicts higher levels of ‘other-oriented’ perspective taking (the ability to take the perspective of another) (Leith & Baumeister, 1998; Tangney, 1995b), and in some cases, higher levels of empathic concern (warm, tender feelings for others in need) (Tangney, 1995b)” (p. 226). Analyses of the relationships among shame-proneness, self-rumination, and personal distress revealed that “shame and self-rumination may feed each other within a reciprocal cycle that is likely to result in a maladaptive empathic response (i.e., personal distress)” (p. 225).

2.2.2 Mental Illness

In numerous studies that have accounted for both guilt and shame, shame has been found to be associated with psychopathology, whereas guilt has not been found to be associated with it (Orth, Berking, and Burkhardt, 2006; Robinaugh and McNally, 2010; Stuewig and McCloskey, 2005; Fergus et al., 2010; Bennett, Sullivan, & Lewis, 2010; Hedman et al., 2013; Highfield et al., 2010; Leskela, Dieperink, & Thuras, 2002; Pineles, Street, & Koenen, 2006; Tangney, Burggraf, & Wagner, 1995).⁹ Luby et al. (2009b) investigated the relationships among guilt, shame, major depressive disorder (MDD), and other psychiatric disorders in a large sample of preschoolers. An interviewer acted out the beginnings of stories with figurines, and the children were asked to complete them. Some of these story stems contained a transgression. Trained researchers then coded the number of shame themes and guilt themes that the children used in the story endings they created. The severity of depression predicted how many shame themes the children used,

⁹ See also the evidence presented in Chapter 1 linking shame-proneness with a myriad of symptoms of mental illness.

but none of the psychopathology severity measures predicted the number of guilt themes used.

As another example, Saftner et al. (1995) investigated the role of shame in eating disorders in college-aged women. The authors used the TOSCA to measure shame- and guilt-proneness, and the Eating Disorder Inventory Version 2 (EDI; Garner, 1991) to measure symptoms of eating disorders. They found that shame-proneness was significantly positively correlated with symptoms such as being obsessed with thinness and bingeing/vomiting cycles. Guilt-proneness, in contrast, was generally negatively related to subscales of the EDI, especially when controlling for the effects of shame by using partial correlations. Complete results are presented below in Table 2.7. The authors concluded that “these findings suggest that shame is an important emotion to consider in working with women who have eating difficulties” (p. 322), although they also noted that it is difficult to isolate shame-proneness as a cause or an effect of eating difficulties, as there are likely feedback effects.¹⁰

Table 2.7 Correlations and Part Correlations between Shame- or Guilt-Proneness and Subscales of the Eating Disorder Inventory Version 2.

<i>EDI Subscales</i>	Bivariate Correlations		Part Correlations	
	<i>Shame</i>	<i>Guilt</i>	<i>Shame Residuals</i>	<i>Guilt Residuals</i>
Drive for Thinness	.22***	.05	.21**	-.07
Bulimia	.19*	-.01	.22**	-.12
Body Dissatisfaction	.21**	-.08	.27***	-.20**

¹⁰ On shame and guilt in obesity, see Conradt et al. (2008), “Who Copes Well? Obesity-Related Coping and Its Associations with Shame, Guilt, and Weight Loss.”

<i>EDI Subscales</i>	Bivariate Correlations		Part Correlations	
	<i>Shame</i>	<i>Guilt</i>	<i>Shame Residuals</i>	<i>Guilt Residuals</i>
Ineffectiveness	.31**	-.09	.39***	-.26**
Perfectionism	.07	.12	.01	.09
Interpersonal Distrust	.10	.16*	.20**	-.24**
(Lack of) Interoceptive Awareness	.24**	.03	.25***	-.10
Maturity Fears	.10	-.03	.13	-.09
Asceticism	.25**	-.01	.28***	-.15
Impulse Regulation	.15	-.11	.22**	-.20**
Social Insecurity	.30***	-.13	.40***	-.31***

N = 171; p < .05*; p < .01**; p < .001***

Reproduced from Saftner et al. (1995).

2.2.3 Externalization of Blame

One of the strongest findings in research on trait-level shame is that shame-proneness is associated with externalizing blame, that is, with a tendency to blame other people for

transgressions instead of blaming oneself.¹¹ In two experiments, for example, Tangney et al. (1992) asked undergraduate participants to fill out a series of questionnaires. The authors used the Self-Conscious Affect and Attribution Inventory (SCAAI) and the TOSCA to measure guilt, shame, and externalization of blame. A striking pattern emerged, presented in Table 2.8. When looking at simple (bivariate) correlations, shame was in each instance correlated with externalization of blame. Also in each instance, guilt was uncorrelated with externalization of blame. Taking the analysis one step further, the authors investigated partial correlations to parcel out the effects of one emotion from the other. When doing so, the correlation between shame and externalization became even stronger, whereas the correlation between guilt and externalization became negative.

Table 2.8 Correlations between Shame/Guilt and Externalization of Blame in Two Studies.

	Bivariate Correlation		Part Correlation	
	<i>Shame</i>	<i>Guilt</i>	<i>Shame Residual</i>	<i>Guilt Residual</i>
<i>Externalization</i>				
Study 1 SCAAI	.21***	-.06	.27***	-.18**
Study 2 SCAAI	.32***	.02	.40***	-.24**
Study 2 TOSCA	.40***	.07	.41***	-.12*

*p<.05, **p<.01, ***p<.001

Reproduced from Tangney et al. (1992), Table 1, p. 672.

¹¹ Several of the papers summarized in the following sections report the shame-proneness and externalization of blame finding, so I only summarize one paper here.

2.2.4 Anger Problems

Guilt-proneness has been found to be associated with less anger and better ways of dealing with it, and shame-proneness with more anger and worse ways (Tangney et al., 1992; Wright, GudJonsson, & Young, 2008; Hejdenberg & Andrews, 2011; Tangney et al., 1996; Peters et al., 2014). Peters et al. (2014), for example, studied the links among shame-proneness, anger, and borderline personality disorder (BPD) symptoms in a large sample of college students (N = 823), using self-report questionnaires. Individuals with BPD tend to have trouble in relationships with others, have outbursts of and dramatic swings in emotion, and engage in risky behaviors. Using structural equation modeling, the authors found that shame tended to lead to BPD symptoms via anger and rumination about anger, illustrating the link between shame and anger. Their data did not support the model that anger tended to lead to shame and then BPD. Thus, this model provided evidence that shame-proneness causes individuals to have problems with anger and rumination about anger.

2.2.5 Hostility & Aggression

Shame-proneness has also been linked more directly with increased hostility and aggression. Heaven, Ciarrochi, and Leeson (2009) conducted a longitudinal study lasting one year in a large sample (N = 670) of high school students. The authors investigated the causal relationship between shame-proneness and hostility. They used the expanded form of the Positive and Negative Affect Schedule (PANAS-X; Watson & Clark, 1994) to measure shame-proneness and hostility. To completed the PANAS-X, participants rated how much they had felt emotions over the past month. Items such as “ashamed” and “disgusted with self” were combined to measure shame-proneness, and items such as “hostile” and “irritable” were combined to measure hostility. The authors found that “Structural equation modelling showed that higher shame in Grade 9 was predictive of increases in hostility in Grade 10, whereas hostility was not predictive of increases

in shame” (p. 841).

Stuewig et al. (2010), to give another example, explored the mechanisms that might link shame-proneness with aggression. Using statistical modeling techniques and 4 substantially different samples of participants (including a group of inmates), the authors found that there is indeed a link between shame-proneness and aggression, and that it leads through the intermediate of externalization of blame. The authors measured aggression in a variety of ways, including with clear-cut self-report items such as “I get in many fights” and “I physically attack people” (p. 95). Thus, there is good evidence that suggests that shame-proneness is associated with increased aggressive tendencies, as well as good evidence for a mechanism that explains the relationship.

2.2.6 Other Behavior Problems

Finally, shame-proneness as opposed to guilt-proneness has been found to be linked with a variety of negative behaviors or outcomes (Treeby and Bruno, 2012; Covert et al., 2003; Hosser, Windzio, & Greve, 2008; Kivisto et al., 2011; Lotze, Ravindran, & Myers, 2010; Roos, Hodges, & Salmivalli, 2014; Stuewig & Tangney, 2007). Dearing, Stuewig, and Tangney (2005), for example, investigated how guilt-proneness and shame-proneness related to the abuse of alcohol and illegal drugs. Two large samples of college students, and one large sample of inmates, completed the TOSCA along with measures of alcohol and drug use. The authors found a positive relationship between shame and substance use problems in all samples, but found negative or negligible relationships between guilt and substance use.

2.2.7 Summary

The evidence on shame-proneness reviewed above presents a strikingly different picture than evidence on the state of feeling shame. To a surprisingly large extent, research on shame-

proneness has found that it is a problematic trait, both for individuals and for society. At the level of individuals, shame-proneness is persistently linked with symptoms of many mental disorders. On a societal level, shame-proneness is not associated with prosocial ways of responding to or interacting with others. On the contrary, it is associated with feeling personal distress, a lack of perspective-taking abilities, blaming others, anger, aggression, and other undesirable behaviors such as substance abuse.

2.3 Replication of Research on Shame-Proneness, Externalization of Blame, Anger, and Behavior Problems

Data gathered at the Early Emotional Development Program (EEDP) at Washington University School of Medicine support the hypothesis that being disposed to feel shame is associated with blaming others and with having anger issues.¹² The Preschool Depression Study (PDS) has followed hundreds of children for over 10 years, beginning when they were aged 3-6 (for a description of the initial study, see Luby et al., 2009a).¹³ Children were initially recruited for the study if they had either high or very low scores on a brief measure of depression (Luby et al., 2004). At yearly assessments, children and their parents completed measures of psychiatric symptoms, emotional well-being, and conduct issues (among other things). At three consecutive annual assessments (study timepoints 6, 8, and 10, or T6, T8, and T10) when the children were 7.5 to 13.5 years of age, they also completed the TOSCA for children (or TOSCA-C; Tangney et al., 1990). This data afforded the opportunity to investigate the relationships among shame-proneness, the tendency to externalize blame, anger, and conduct problems.

The analyses presented below feature data gathered using the Children's Anger Management

¹² I would like to thank Dr. Joan Luby for giving me permission to use data from the EEDP.

¹³ The Preschool Depression Study has been refunded several times, but for ease of presentation I treat all of this work (which uses the same participants) as the Preschool Depression Study. It is still ongoing at the EEDP.

Scale (CEMS-A or CAMS; see Zeman, Shipman, & Suveg, 2002) and the Child and Adolescent Psychiatric Assessment (CAPA; see Angold et al., 1995), along with the TOSCA-C data. The CEMS-A measures anger dysregulation as a simple sum of the scores of 3 items (with each item being a 3-point scale). The three items target “culturally inappropriate expression of anger” (p. 395). The CAPA is a comprehensive psychiatric interview that allows trained administrators to investigate and quantify psychiatric symptoms, including a simple binary measure of whether a symptom is absent or present. The measure of externalizing psychiatric symptoms used below is a count of this binary measure for symptoms of externalizing disorders such as Oppositional Defiance Disorder and ADHD. The measure of history of depressive symptoms (later called Avg. MDD Sum Score, or simply Avg. MDD) is an average of the sum of depression symptoms from all previous annual waves of the PDS study.

Exploratory cross-sectional correlations were conducted using SPSS (IBM Corporation, 2011), and the results are presented in Table 2.9. The results suggest that shame-proneness is in general correlated with concurrent measures of externalization of blame, anger dysregulation, and externalizing symptoms.

Table 2.9 Correlations of Shame-Proneness at 3 Timepoints with Concurrent Measures of Externalization of Blame, Anger Dysregulation, and Externalizing Psychiatric Symptoms.

		Externalization of Blame (<i>T6, T8, or T10</i>)	Anger Dysregulation (<i>T6, T8, or T10</i>)	Externalizing Symptoms (<i>T6, T8, or T10</i>)
T6 Shame	<i>Correlation</i>	.343**	.185**	.151*
	<i>Significance</i>	.000	.006	.026
	<i>N</i>	219	219	219

T8 Shame	<i>Correlation</i>	.310**	.095	.227**
	<i>Significance</i>	.000	.151	.001
	<i>N</i>	229	229	229
T10 Shame	<i>Correlation</i>	.508**	.234**	.163*
	<i>Significance</i>	.000	.001	.021
	<i>N</i>	201	201	201

* Significant at .05 (two-tailed)

** Significant at .01 (two-tailed)

Given that the PDS sample was selected in part based on symptoms of depression, there was the distinct possibility that these symptoms would wash out any potential findings related to shame-proneness, given the known correlation between depressive disorder and shame. Thus, additional exploratory partial correlations were conducted in order to control for history of depressive symptoms. As shown in Table 2.10, the results continued to be promising.

Table 2.10 Partial Correlations of Shame-Proneness at 3 Timepoints with Concurrent Measures of Externalization of Blame, Anger Dysregulation, and Externalizing Psychiatric Symptoms, Controlling for History of Depressive Symptoms.

		Externalization of Blame (T6, T8, or T10)	Anger Dysregulation (T6, T8, or T10)	Externalizing Symptoms (T6, T8, or T10)
T6 Shame	<i>Partial Corr.</i> ¹	.345**	.181**	.153*
	<i>Significance</i>	.000	.007	.024

	<i>N</i>	216	216	216
T8 Shame	<i>Partial Corr.</i> ²	.297**	.066	.132*
	<i>Significance</i>	.000	.323	.047
	<i>N</i>	226	226	226
T10 Shame	<i>Partial Corr.</i> ³	.510**	.206**	.081
	<i>Significance</i>	.000	.004	.257
	<i>N</i>	197	197	197

¹ Controlling for the average number of MDD symptoms at annual waves through T6

² Controlling for the average number of MDD symptoms at annual waves through T8

³ Controlling for the average number of MDD symptoms at annual waves through T10

* Significant at .05 (two-tailed)

** Significant at .01 (two-tailed)

The correlational analyses presented above suggested that there could be important relationships between shame and externalization of blame, anger dysregulation, and behavior issues. A weakness of the analyses, however, was that they neither revealed effect sizes, nor took into account standard control variables, nor exploited the longitudinal nature of the data. Thus, additional analyses were warranted. Instead of conducting regression analyses cross-sectionally at each wave, generalized estimating equations (GEEs) were used to increase power. GEEs take into account the correlational structure inherent in longitudinal study designs with repeated measures (Burton, Gurrin, & Sly, 1998; Hanley et al., 2003), and so are well-suited for longitudinal analyses. GEE analyses were conducted using SAS (SAS Institute Inc., 2013).

Control variables in each model included age, income-to-needs ratio (as a surrogate for socioeconomic status, or SES), sex, and race.¹⁴ Results are shown below in Tables 2.11, 2.12, and 2.13.

Table 2.11 Parameters of the General Estimating Equation with Outcome Variable as Externalization of Blame.

Parameter	Estimate	Std. Error	95% Confidence Limits		Z	Pr > Z
<i>Intercept</i>	23.4112	4.74	14.1209	32.7015	4.94	<.0001
<i>Avg. MDD Sum Score</i>	51.4095	18.8669	14.4311	88.388	2.72	0.0064
<i>Age</i>	-0.0941	0.0241	-0.1414	-0.0468	-3.9	<.0001
<i>SES</i>	-0.0885	0.4961	-1.061	0.8839	-0.18	0.8584
<i>Sex (F)</i>	2.4347	0.9913	0.4918	4.3777	2.46	0.014
<i>Race (AA)</i>	0.6291	1.4043	-2.1233	3.3815	0.45	0.6542
<i>Race (Not AA or C)</i>	3.2668	1.5666	0.1964	6.3373	2.09	0.037
<i>Shame</i>	0.6092	0.0764	0.4595	0.7589	7.98	<.0001
<i>Avg. MDD x Shame</i>	-1.281	0.4711	-2.2044	-0.3576	-2.72	0.0065

Bolded rows are significant at .05.

¹⁴ An income-to-needs ratio factors in the number of people supported by an annual income. It was calculated from data collected at participants' initial visits to the EEDP, as SES is thought to be particularly important when children are young.

Table 2.12 Parameters of the General Estimating Equation with Outcome Variable as Anger Dysregulation.

Parameter	Estimate	Std. Error	95% Confidence Limits		Z	Pr > [Z]
<i>Intercept</i>	1.4444	0.1793	1.093	1.7958	8.06	<.0001
<i>Avg. MDD Sum Score</i>	1.0654	0.5614	-0.0348	2.1657	1.9	0.0577
<i>Age</i>	-0.0013	0.001	-0.0032	0.0006	-1.3	0.193
<i>SES</i>	-0.02	0.0174	-0.0542	0.0142	-1.15	0.2517
<i>Sex (F)</i>	0.0246	0.0319	-0.038	0.0872	0.77	0.441
<i>Race (AA)</i>	0.0256	0.0477	-0.0679	0.119	0.54	0.5915
<i>Race (Not AA or C)</i>	-0.0394	0.0534	-0.1441	0.0652	-0.74	0.4602
<i>Shame</i>	0.0057	0.0025	0.0008	0.0106	2.29	0.0221
<i>Avg. MDD x Shame</i>	-0.0107	0.0137	-0.0376	0.0161	-0.78	0.4337

Bolded rows are significant at .05.

Table 2.13 Parameters of the General Estimating Equation with Outcome Variable as Externalizing Psychiatric Symptoms.

Parameter	Estimate	Std. Error	95% Confidence Limits		Z	Pr > [Z]
<i>Intercept</i>	1.6014	0.5294	0.5638	2.639	3.02	0.0025
<i>Avg. MDD</i>	5.7152	1.8415	2.1059	9.3244	3.1	0.0019

<i>Sum Score</i>						
<i>Age</i>	-0.0095	0.0025	-0.0144	-0.0046	-3.82	0.0001
<i>SES</i>	0.0056	0.0532	-0.0987	0.1099	0.1	0.9164
<i>Sex (F)</i>	-0.2299	0.0978	-0.4215	-0.0383	-2.35	0.0187
<i>Race (AA)</i>	0.0628	0.153	-0.2372	0.3627	0.41	0.6816
<i>Race (Not AA or C)</i>	0.1891	0.125	-0.0558	0.434	1.51	0.1302
<i>Shame</i>	0.0104	0.0082	-0.0055	0.0264	1.28	0.2006
<i>Avg. MDD x Shame</i>	0.0003	0.0461	-0.0901	0.0907	0.01	0.9955

Bolded rows are significant at .05.

As shown in in Table 2.11, shame-proneness was a highly statistically significant predictor of externalization of blame, along with history of depressive symptoms, age, sex, race (not African American or Caucasian), and the interaction between previous MDD symptoms and shame-proneness.¹⁵ Shame-proneness was also the only statistically significant predictor of anger dysregulation (Table 2.12). Lastly, shame-proneness was not a statistically significant predictor of externalizing psychiatric symptoms. Rather, only previous MDD symptoms, age, and sex were significant predictors (Table 2.13).

Overall, the results of the GEE analyses supported the hypothesis that shame is associated with a

¹⁵ It is unsurprising that prior history of depressive symptoms, age, and sex were statistically significant. The race finding would need much more investigation before I could make any comment. Finally, it is very difficult to interpret the continuous interaction effect of Avg. MDD x Shame without further analyses, so I will not attempt to here.

defense mechanism of externalizing blame and becoming angry. The analyses did not reveal the hypothesized final step in the mechanism, a tendency towards aggressive behavior. This could be because externalizing psychiatric symptoms were not a targeted measure of aggressive behavior. They included, for example, symptoms of ADHD. It is also possible that as the last step in the mechanism, it was most difficult to detect the relationship between shame-proneness and aggression.¹⁶ Some shame-prone people may be able to regulate their emotions to prevent aggressive outbursts. Another possibility is that including history of depressive symptoms as a control variable washed out some of the effect of shame.

Additional analyses might help to clarify whether shame-proneness was a predictor of conduct issues or aggression. In many analyses, for example, researchers use residuals in their models to isolate the effects of guilt-proneness and shame-proneness from one another. This would be a good idea to explore in future analyses. Another hypothesis of interest to explore would be that shame-proneness mediates the relationship between MDD and externalizing symptoms. More sophisticated mediational analyses would need to be undertaken to explore such a hypothesis. Despite some limitations, however, the analyses above replicated the findings on shame-proneness, externalization of blame, and anger.

2.4 Preliminary Conclusion

The evidence presented above suggests the following preliminary conclusion, which has yet to stand up to objections: Whereas the state of shame has some positive effects, the trait of shame has negative effects both for the individuals who tend to feel ashamed and for society as a whole. Unpacking this a bit further, the conclusion suggests that while it might be unobjectionable in

¹⁶ Recall that the correlation coefficients tended to decrease as one moved from externalization of blame to anger to conduct issues. See Table 2.9.

each instance to induce or feel shame, to cultivate shame-proneness is in fact objectionable, because of its counterintuitive and negative effects.

There is, admittedly, a tension in this conclusion. If individual instances of feeling shame have beneficial effects, how can having a tendency to feel shame come to have a negative effect? One might think that most commonly, if a state is generally beneficial, then the propensity to be in that state ought to be beneficial as well. There is no guarantee, however, that a simple additive relationship exists when moving from claims about states to claims about traits. It is good to consume sugar every once in a while, but bad to be prone to consuming sugar (at least in industrialized society). It is good to get some sun (to produce Vitamin D and improve mood), but there are negative effects to having a propensity for being in the sun (sunburn and an increased risk for skin cancer). More is not always better. It is certainly possible that shame falls into such a category.

I believe that the tension mentioned above can be further dissipated by considering the evolutionary just-so story that I presented in Chapter 1. If feeling shame were never beneficial after moral transgressions, then it would be difficult to see why it would have been co-opted to fill that role. We should expect, then, to be able to find evidence that the state of feeling shame has some beneficial effects. But shame plausibly did not evolve specifically to play a role in morality. It is, perhaps, a kludge, like using a sledgehammer to pound nails when building a house. Yes, it works for a few nails. But it can also cause substantial damage and be counterproductive to one's overall efforts if used consistently.

2.5 Objections

Before accepting the preliminary conclusion stated above, it is important to consider objections

to it. Three worries, in particular, are as follows. The first is that the conclusion is of no import, because it would hold for all negatively-valenced emotions. Of course tending to feel an *excess* of an emotion or tending to feel it in *unfitting* circumstances is bad, but this does not mean that the trait of feeling shame *proportionally* and in *fitting* situations is maladaptive. Second, one might be worried that the evidence presented above reflects a confirmation bias. Is there really no evidence that shame-proneness has beneficial effects? Finally, one might object to the idea that we ought not tend to feel shame even if it seems fitting to do so, for example, if one has committed a transgression because of one's vicious character. Below, I address each of these 3 objections in turn.

2.5.1 All Negatively-Valenced Trait-Level Emotions Are Maladaptive

One might object to the importance of the conclusions drawn above by arguing that similar conclusions would likely hold for all emotions, and certainly for all negatively-valenced emotions. To give an example, the state of fear could easily be shown to have positive effects, but being prone to feeling fear in general or to a magnified extent would be maladaptive. The issue here is most likely one of fittingness and proportionality.¹⁷ Being prone to feel a reasonable amount of fear in objectively fearful (i.e., fitting) situations, if we presume that there is such a category, would not be maladaptive. But a general proneness to feel fear or to feel too much fear, even in situations that may not be objectively fearful, would be maladaptive. Measurements such as those of shame-proneness using the TOSCA, then, might be thought to tap into a tendency to feel unfitting or disproportionate shame.¹⁸

There is, however, a counterexample to this objection. Guilt is a negatively-valenced emotion, but guilt-proneness—including as measured by the TOSCA, using exactly the same scenarios

¹⁷ I discuss fittingness further in Section 2.5.3.

¹⁸ For Tangney's views on issues surrounding the measurement of shame, see Tangney (1996).

and study populations—has not been found to have negative effects. Evidence to support this conclusion has been presented above (see also reviews such as Tangney, Stuewig, & Mashek, 2007). Thus, it does not appear to be true that all negatively-valenced trait-level emotions are maladaptive.

It is difficult to know for certain if measures like the TOSCA are tapping propensities to feel emotions like shame disproportionately or in unfitting circumstances. The scenarios that the TOSCA uses are often ambiguous (by design) as to the underlying responsibility for a transgression (for example, there are numerous reasons why a ball you have thrown could hit somebody in the face), and some scenarios do not even feature a clear transgression (for example, putting off a difficult phone call for a few days, or having a friend's spouse find one attractive). Crucially, if the TOSCA measured unfitting or disproportionate shame, it would also pick up on unfitting or disproportionate guilt. Thus, it is challenging to explain why being prone to feeling guilt disproportionately or in unfitting situations would be adaptive, whereas being prone to feeling shame disproportionately or in unfitting situations would not be.¹⁹ Furthermore, as I will discuss in the following section, meta-analyses that included research using a variety of measures of shame-proneness have substantiated findings of maladaptiveness.²⁰ Thus, the findings on shame-proneness cannot be dismissed as inevitable or uninteresting.

2.5.2 The Presentation Above is Contaminated by Confirmation Bias

One might be concerned that the evidence presented above on shame and shame-proneness is not

¹⁹ Some authors (e.g., Rodogno, 2008; see also Fontaine et al., 2001) object that the very characterization of shame biases one towards finding maladaptive effects. The state of shame, however, has positive effects, so it is unlikely that the characterization is overly biased. Furthermore, the characterization is widely accepted as analytically and empirically adequate (see Chapter 1).

²⁰ A newer scale of shame-proneness, the GASP scale, seems to produce evidence in line with the TOSCA, although the sample of research using the GASP is much too small to draw firm conclusions (Cohen et al., 2011). Also recall Heaven, Ciarrochi, and Leeson's (2009) research using the PANAS-X (see Section 2.2.5).

truly representative of either domain, due to confirmation bias. Empirical research has shown that people tend to seek out evidence that confirms their views, while not seeking out (or ignoring) evidence that contradicts it (for a review, see Nickerson, 1998). In particular, is there research on the positive effects of shame-proneness that I have overlooked or failed to present?

To begin with, even researchers who disagree with the portrayal of shame as a negative emotion admit that the research on shame-proneness establishes its negative effects:

Shame-proneness is the general tendency of an individual to experience shame (Tangney, 1990). [Research on shame-proneness] convincingly shows that people who are likely to experience shame, or who experience shame very frequently, are also prone to feelings of inferiority, anxiety, lessened empathy, shyness, interpersonal distrust, and depression (Gilbert et al., 1994; Harder et al., 1992; Tangney and Dearing, 2002). However, it is not at all clear that these findings of shame-proneness as a trait can be generalized to experiences of the emotion shame as a state. (de Hooge, Breugelmans, & Zeelenberg, 2008)

More importantly, however, in situations such as this, experimenters turn to two things to establish trends in research: replications and meta-analyses. We are at the point in research on shame-proneness where findings are being replicated in different populations and under different circumstances. The new evidence presented above, for example, can be considered to be a replication of findings that originally came from young adult populations, typically “normal” undergraduates. That the same findings emerge under slightly different conditions strengthens those findings, even if the condition in question is as seemingly innocuous as being conducted at a different laboratory under a different investigator.

In addition, three recent meta-analyses support the preliminary conclusion stated above. First, Leach and Cidam (2015) performed a meta-analysis on studies of episodic shame, looking for evidence of when the state of feeling shame led to what they term a “constructive approach” (p. 984) to the transgression and towards others (e.g., by making amends). The authors hypothesized that mixed results in the literature could be due to variability in the ease with which transgressors could repair the damage they had done. When it is difficult to repair the situation or one’s image, then shame fails to motivate constructive approaches to reparation. When repair of the situation or of one’s image is easy, shame can indeed motivate us to repair. The authors found good evidence for this hypothesis across a number of studies. It appears that the state of shame can have prosocial effects in some circumstances.

Second, Kim, Thibodeau, and Jorgensen (2011) conducted a meta-analysis of findings related to shame, guilt, and depression. The authors included almost 250 experimental findings in their analysis, and came to the general conclusion that “Shame showed significantly stronger associations with depressive symptoms ($r = .43$) than guilt ($r = .28$)” (p. 68). Thus, shame does appear to be particularly related with at least depression, and likely with other mental disorders as well.

Finally, with respect to shame-proneness, Tignor and Colvin (2016, January 25) recently conducted a meta-analysis on shame-proneness and prosocial behavior. The authors found that shame-proneness is negatively correlated with prosocial behavior. This is strong confirmation of the preliminary conclusion stated above, especially as it relates to the society-level conclusion that becoming a shame culture would be beneficial for us, overall, as a society. All-in-all, given the substantial number of replications and the recent emergence of meta-analyses, the concern about confirmation bias is unsubstantiated.

2.5.3 We Ought to Feel Shame if it is Fitting

Lastly, one might object by claiming that if it is fitting to feel or cultivate shame, then we ought to feel or cultivate it, which is in conflict with the preliminary conclusion drawn here. Suppose that one has a vicious character and engages in a pattern of transgressions. This person, it seems, ought to tend to feel ashamed. This suggests, given the preliminary conclusion, that we both ought to and ought not to cultivate shame, which certainly appears contradictory.

There is, however, more than one sense of “ought” in the previous sentence. In one sense, it is the ought of fittingness (see D’Arms and Jacobson, 2000). In another sense, it is the ought of prudence or instrumental value. John Heil (1983) provides a good example in “Believing What One Ought,” even if it is from the epistemic instead of emotional domain:

Sally and Bert have been happily married for fifteen years and have every reason to look forward to continuing connubial bliss. One day, however, Sally notices a long blonde hair on Bert’s coat. On a later occasion she discovers in the same coat a lipstick-stained handkerchief and a matchbook from an intimate French restaurant that she has never visited. These, together with certain other bits of evidence, seem plainly to warrant the conclusion that Bert has been seeing another woman.

Sally, however, while appreciating the import of the evidence against Bert, believes passionately in her marriage. It is, she thinks, worth preserving even if the cost is high. Further, Sally recognizes that she is the sort of person who cannot easily conceal suspicions. If she were genuinely to believe that Bert might be unfaithful, she would come to treat him with coolness and indifference, and the marriage, already teetering, would not survive. Because this prospect is unacceptable to Sally, she decides to believe, despite a mounting tide of evidence to the contrary, that Bert is not seeing another

woman. (pp. 752-753)

Heil argues that for Sally, it is reasonable for her to believe that her husband is not having an affair. “There is... something oddly unsettling,” he writes, “about the notion that it is in every case most reasonable, all things considered, to believe on the evidence, to do so even when such belief may issue in tragedy or worse” (p. 753). He continues,

Reasonable belief, like reasonable action, is most naturally regarded as the result of an agent’s practical reasoning. Such reasoning takes into account levels of epistemic warrant, but it takes into account, as well, an agent’s nonepistemic interests. Where these interests are regarded as being best served by adopting beliefs solely on the basis of epistemic considerations, such beliefs are, for that agent, reasonable. If, in contrast, an agent’s practical interests outweigh epistemic claims, then beliefs based on the latter cease to be reasonable for that agent. (pp. 753-754)

A similar analysis can be given for emotion. We can continue Heil’s (1983) example by noting that it would be fitting for Sally to feel angry with Bert. But recognizing that the anger would likely result in a broken marriage, she might bring herself to remain calm through whatever means she can. This example illustrates that fittingness is not the only evaluation that goes into an assessment of whether one ought to feel an emotion. The upshot is that it is not always true, in an all-things-considered sense, that we ought to feel an emotion if it is fitting to do so.

2.6 Conclusion

I believe that all of the empirical evidence reviewed above and more besides points to an answer to the normative problem of shame: *Shame can be a good and fitting thing, but we ought not cultivate it, for to do so would be to make people more prone to feeling shame, which is counterproductive at both an individual and social level.* This is, admittedly, a very general

answer. There is work to be done in translating it into specific arguments and recommendations about the role of shame in morality. Thus, in the remaining 3 chapters of the dissertation, I explore the implications of the above answer to the normative problem of shame.

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Part II: Implications for Ethics

What are the implications for ethics of the conclusion that being prone to feel shame benefits neither individuals nor society? Do philosophers or other academics advocate for shame having an important role in our lives? Do the empirical findings on shame-proneness really bear on specific proposals concerning the role of shame? Part II explores these questions to flesh-out the answer to the normative problem of shame presented in Part I.

Chapter 3: An Empirically-Based Argument

Against the Deterrent Effects of

Institutionalized Shame Penalties

Can we shame our way to a better society? Would the threat of shame deter criminals from reoffending and promote prosocial behavior? Does this form of punishment have advantages over more traditional options, such as incarceration and fines? The answer to all of these questions, many think, is yes. In recent years, judges (for examples, see Brooks, 2014; Morrison, 2014, May 24; Goldman, 2015), legal scholars (e.g., Kahan & Posner, 1999; Book, 1999; Brooks, 2008; Moskowitz in Simon, Moskowitz, & Turley, 2013, August 24; Coontz, 2015), and other academics (e.g., Etzioni, 2001; Jacquet, 2015) have shown a renewed interest in institutionalizing shame punishments or penalties.¹

One of the primary arguments given in favor of reintroducing shame penalties is that they have a special deterrent effect. In a narrow sense, they deter convicted criminals who receive the sentence from reoffending. In a wider sense, they help prevent the general population from committing crimes, and instead promote legal and ethical behavior. These deterrent effects are thought to stem from the expressiveness of shame penalties. Being imprisoned or paying a fine are relatively anonymous punishments. They do not expose one to the moral disapproval and anger of a large number of one's peers, like shame penalties do. This painful exposure of one's transgressions and character, or the threat of such exposure, is thought to be a particularly compelling motivation to comply with the law. When combining the expressive and deterrent

¹ I understand shame punishment to be a broader category than shame penalty, wherein a shame penalty must be imposed through a legal process by the state.

properties of shame punishments with other considerations, such as their cost-effectiveness, it is easy to see why judges, legal scholars, and others see them as an attractive type of sentence.

As long as shame penalties are believed to have special deterrent properties, it is likely that interest in institutionalizing this form of legal punishment will continue. Most theories of punishment recognize the importance of deterrence. Certainly, for non-retributivist or utilitarian-style theories, deterrence is characteristically of central importance.² Even some forms of retributivist theory acknowledge the importance of deterrence. If reform is what an offender deserves, then deterrence is good indicator of whether that reform is occurring. In any case, it is only very rarely that an author argues, for example, for a purely expressivist theory of punishment (see, e.g., von Hirsch, 1976; Duff, 2003; Glasgow, 2015). Most theorists and legal scholars recognize that there are multiple factors that enter into an evaluation of a type of punishment, such as whether it fulfills retributive, deterrent, rehabilitative, reintegrative, and/or expressive functions.

In this paper, I will argue that based on empirical evidence, we ought not expect institutionalized shame penalties to have a deterrent effect, either narrow or wide. In fact, the opposite is true: We should expect a negative change in ethical and legal compliance, in the general population in particular, were we to institutionalize shame penalties. This is a significant blow to those who argue in favor of institutionalizing shame penalties. The deterrent properties of shame penalties are often taken for granted. If proponents cannot make this assumption, then the case for institutionalizing shame penalties becomes much more difficult to make.

² For a brief overview of theories of punishment, see Ellis (2014).

In Section 3.1, I will characterize shame and shame penalties, and I will introduce proposals to institutionalize shame penalties. In Section 3.2, I will argue that there are currently no adequate empirically-based arguments against the deterrent effects of institutionalized shame penalties. In Section 3.3, I will present recent empirical evidence on the propensity to feel shame both in the general population and in convicted criminals, and I will argue that this evidence supports the hypothesis that institutionalized shame penalties do not have the expected deterrent effects. In fact, the evidence suggests that institutionalizing shame penalties would if anything make people less prosocial. Finally, in Section 3.4, I will present an all-things-considered assessment of institutionalized shame penalties, given that the main argument presented in this paper only focuses on their deterrent effects. I will contend that although institutionalized shame penalties are undeniably expressive, they are not a viable option as a legal penalty.

3.1 Shame, Shame Penalties, and Proposals to Institutionalize Shame Penalties

Two teenagers walk through their community, leading a donkey, with a placard that says “Sorry for the Jackass Offense.” A judge orders a man to sleep in a doghouse for an entire month. Adolescents wear signs declaring “I AM A JUVENILE CRIMINAL” (Turley, 2005, September 18). These are all good examples of shame penalties. What, however, links them all together? With a characterization of shame in hand, I will explain why all of these examples count as shame penalties, and why some defend the idea that we ought to institutionalize them.

3.1.1 What is Shame?

To understand shame penalties, it helps first to understand the character of shame.³ According to Nussbaum (2004) and many contemporary authors, shame is the painful feeling that one’s being

³ For a more complete characterization, see Chapter 1.

has been exposed, or is apt to be exposed, as weak or defective or deficient in some way.⁴

Nussbaum writes, “shame involves the realization that one is weak and inadequate in some way in which one expects oneself to be adequate” (p. 183). Shame hits at one’s core, and makes one feel small and helpless. The action tendencies associated with shame are covering up and hiding: “Its reflex is to hide from the eyes of those who will see one’s deficiency, to cover it”

(Nussbaum, 2004, p. 183). To feel exposed as a liar, for example, is to feel shame. But to feel bad about telling lie, in contrast, is to feel guilt. Guilt does not strike at one’s core in the same way as shame does—one does not feel as if one’s self or character has been exposed. Thus, Nussbaum clarifies that “whereas shame focuses on defect or imperfection, and thus on some aspect of the very being of the person who feels it, guilt focuses on an action (or a wish to act), but need not extend to the entirety of the agent” (p. 207).

The exposure associated with shame appears to be related to an audience, although it does not require one.⁵ Thus, one can feel shame without others knowing about a weakness or character flaw, as long as one feels apt for exposure; private shame is possible (Tangney, 1992).

Nevertheless, when we undergo shame, we tend to have thoughts about what others are thinking of us, at least more so than we do when we undergo guilt (Tangney et al., 1996). Thus, there is something right about Sartre’s (2003/1943) noted example of a man looking through a keyhole, who suddenly feels ashamed (and exposed) when hearing approaching footsteps and becoming the object of attention for another. Other people do seem to feature in the experience of shame, although it would be a mistake to think that publicity were an essential feature of the emotion.

⁴ I focus on Nussbaum’s (2004) characterization for expository purposes, as I discuss her arguments against shame penalties later in the paper; Nussbaum is one of the only authors to offer an empirically-based argument against shame penalties and their purported deterrent effects. Many other philosophers agree with Nussbaum’s general characterization, including, among others, Bernard Williams (2008/1993), Larry May (1996), and Walter Sinnott-Armstrong (2005).

⁵ Bernard Williams’s (2008/1993) analysis of shame, and in particular his defense of shame against the Kantian claim that it is a heteronomous emotion, is particularly illuminating on this point.

3.1.2 What are Shame Penalties?

Shame penalties are legal punishments, administered by the state, which are designed to induce a sense of exposure and a sense that one has failed as a person in some way. They are generally designed so that the person being punished cannot hide from a disapproving audience—to ensure a sense of exposure—and so that the person feels small, inadequate, or helpless—to ensure a sense of failure as a person. Perhaps the paradigmatic form of shame penalty in modern times is ordering a convicted criminal to stand in a public place with a sign that references one’s transgression. In a case that will not gain more publicity by being presented here, for example, a woman was sentenced to stand for two mornings on a corner, holding a sign that read, “Only an idiot would drive on the sidewalk to avoid a school bus.” Her punishment was broadcast by local TV stations and picked up by national news (Muskal, 2012, November 13). The penalty was clearly designed both to expose her to public disdain and to affect her as a person, as the sign explicitly questioned her intelligence.

In perhaps the best publicized case, since it was addressed by the Supreme Court, Shawn Gementera was sentenced—along with 2 months’ incarceration (the mandatory minimum), among other things—to stand outside a San Francisco post office for 8 hours, wearing a sign that read, “I stole mail. This is my punishment” (Turley, 2005, September 18).⁶ Gementera’s punishment was clearly meant to expose him to the public. One could argue, however, that it was not meant to denounce his character, given the content of the sign, which only referenced an

⁶ A summary of the Supreme Court filing is available at <https://www.justice.gov/osg/brief/gementera-v-united-states-opposition> (accessed March 19, 2016). Gementera’s lawyers argued in part that their client’s punishment was cruel and unusual, an affront to his human dignity. The Supreme Court disagreed and upheld the lower court’s decision. In fact, the lower court noted that the punishment served a crucial expressive function: Gementera was forced to confront potential victims of his crime, users of the US Postal Service. See <http://law.justia.com/cases/federal/appellate-courts/F3/379/596/475040/> (accessed March 19, 2016) for a summary of the case in the US Court of Appeals for the Ninth Circuit. Gementera was arrested with stolen mail a month after serving his shame penalty (Harden, 2012).

action. It seems reasonable to consider this a shame penalty, however, because of the way it implicitly invited the public to judge Gementera's character. Gementera's punishment was not standing and holding a sign *per se*, it was facing the judgement and disapproval of passing citizens. His sign invited those citizens to punish him, and we can assume that those citizens knew what the invitation meant. It meant that they should see Gementera with a special scorn, as a person bad enough to be served with this unusual sort of legal penalty. Thus, I believe that Gementera's penalty is a reasonable example of a shame penalty.

An offshoot of the paradigmatic shame penalty, sign holding, is the sort of Scarlet Letter penalty that would require convicted drunk drivers to have special license plates on their cars. Ohio requires those convicted of drunk driving to use bright yellow license plates with red numbers in certain circumstances (Drew, 2003, October 5). One might argue that these license plates serve a function for fellow drivers who see the plates, as those drivers know to take special care around these cars. Special license plates, however, are also clearly an invitation to stigmatize individuals, to mark them off as deficient beings. Thus, Scarlet Letter penalties are another good example of shame penalties, as they seek to expose and debase.

All of the shame penalties discussed above involve securing the in-person gaze of others. Sometimes, however, penalties such as having to sleep in the woods or to live in slums are cited as shame penalties (Morrison, 2014, May 24). Although some have disputed this characterization (including Nussbaum herself), I believe that these punishments are indeed shame penalties, given that they are clearly designed both to gain publicity and to dehumanize the convicted individual. The aim of such punishments is to extend them further than merely the uncomfortable time spent in less-than-human living conditions. The aim is to have media cover the sensational punishments and the convicted individuals, so that the community can express

their disapproval and scorn. Thus, they are designed to secure exposure. And clearly, the penalties in question are designed to make the offenders feel less than human—not worthy of decent living conditions.

It might help to contrast shame penalties with more common forms of punishment in Western societies, such as receiving jail time, doing community service, or paying fines. Although each of these forms of punishment can have the effect of exposing and demeaning individuals, that is neither their intent nor arguably their primary effect. Publicity can accompany a jail sentence, for example, but the point of the sentence is not to notify the community of a transgression, invite them to participate in punishment, or to dehumanize the offender. Community service does indeed expose an individual to the gaze of community members (at least to some extent), but it is not designed to invite those members into the punishment or to induce a sense of a failed or damaged self—in fact, quite the opposite. And fines are generally paid without publicity, and generally do not stigmatize an individual. Again, intent and considerations of a penalty's primary effect can be important. Some of these punishments will dehumanize and publicize, but that is neither their intent nor a primary effect, so they do not qualify as shame penalties.

In summary, shame penalties are legal penalties, administered by the state, that are designed to expose a transgressor to the gaze of individuals in the community, and to make the transgressor see him or herself as having deficient identity or character.

3.1.3 Proposals to Institutionalize Shame Penalties

The focus of this paper is not on individual instances of judges assigning shame penalties. I will not, for example, argue that Gementera's penalty was ill-advised. Perhaps in this exceptional instance, the judge was correct in thinking that a shame penalty was justified and prudent.

Rather, the focus of this paper is on proposals to *institutionalize* shame penalties. To give an

example, the most influential proposal to institutionalize shame penalties comes from Kahan and Posner's (1999) article entitled "Shaming White-Collar Criminals: A Proposal for Reform of the Federal Sentencing Guidelines." The authors argue that institutionalized shame penalties for white-collar crimes like embezzlement or tax evasion are "an economically efficient *and* politically viable sanction" (p. 367). Another good example of an institutionalized shame penalty, which has been noted above, is requiring DUI offenders who meet certain criteria to use a special license plate on their cars (Drew, 2003, October 5). These are the sorts of proposals for institutionalizing shame penalties that are the target of this paper.

Several of the arguments that proponents of institutionalized shame penalties offer have been noted above. First, proponents favor these penalties because they serve a crucial expressive function. In Kahan's (1996) seminal paper "What do Alternative Sanctions Mean?", he argues that the "political unacceptability of alternative sanctions... reflects their inadequacy along the expressive dimension of punishment. The public rejects the alternative not because they perceive that these punishments won't work or aren't severe enough, but because they fail to express condemnation as dramatically and unequivocally as imprisonment" (p. 592).⁷ Kahan favors shame penalties precisely because they allow the public forcefully to express their moral condemnation. This makes shame penalties satisfy one function of legal penalties, which is to communicate to an offender that a transgression of the law or community norms is unacceptable.

Second, building on the expressiveness of institutionalized shame penalties, proponents argue that they are particularly good at deterring criminal behavior. Kahan and Posner (1999), for example, view shame penalties as particularly deterrent because of the damage that they do to the

⁷ The alternative sanctions to which Kahan refers do not include shame penalties, but more traditional alternative sanctions such as community service.

offender's reputation. For one thing, because of the expressiveness of shame penalties, others in the community know that the offender has character flaws, and should not be trusted. Part of their deterrent effect, then, is a form of incapacitance (as might be achieved through incarceration). Another part of the deterrent effect, of course, is the psychological pain of shame and stigmatization. This is a direct effect of the expressive nature of shame penalties, as criminals are painfully exposed to the moral condemnation of their community. But the deterrent effects are even wider than this. The expressiveness of shame penalties also results in a deterrent effect for those who witness the penalties and see how undesirable and humiliating they are. Thus, shame penalties reinforce norms both in convicted criminals and in community members.

Third, proponents argue that shame penalties are cost-effective in comparison with other forms of sentence, especially imprisonment (Kahan & Posner, 1999; Book, 1999; Moskos in Simon, Moskos, & Turley, 2013, August 24). The costliness of imprisonment as an institutionalized legal penalty is well known (see, e.g., Schmitt, Warner, & Gupta, 2010, June). This is a strong incentive to find effective alternative sentences, and shame penalties are thought to be a good option. Typical shame penalties cost very little to implement, certainly much less than incarceration. Having an offender purchase an add in a local newspaper or hold a sign on a corner pales in comparison to housing, feeding, and policing an inmate. If shame penalties function just as well as incarceration but for less money, it is another reason to institutionalize them.

Finally, Whitman (1998), although not a proponent of shame penalties *per se*, calls them “beautifully retributive” (p. 1062), and the slogan has stuck. Shame penalties often have an eye-for-an-eye quality, like sentencing someone who abandoned kittens in a forest to sleep outdoors

in the forest for a night (Morrison, 2014, May 24). Thus, they are thought to satisfy the retributive function of legal punishments particularly well.

These four arguments do not carry equal weight. Authors often take it for granted that shame penalties have special deterrent properties. This assumption forms the starting point for an argument in their favor that cites other advantages such as their cost-effectiveness or retributive qualities. A New York Times opinion article, for example, states that “Shaming is clearly useful for minor offenses, particularly those involving juveniles” (The New York Times, 1997, January 20). The usefulness in question is usefulness in deterring juveniles from future criminal activity. This is not to say that the other arguments in favor of institutionalized shame penalties carry no weight. The expressiveness of shame penalties in particular is often cited as a primary reason to favor them, but even then, one of the reasons expressiveness is thought to be important is that it ultimately results in deterrence. In any case, it should be clear that an argument that targets the purported deterrent properties of shame penalties has the opportunity to be a particularly effective part of a case against institutionalizing shame penalties.

3.2 Existing Empirically-Based Arguments

There are several ways in which authors appeal to empirical evidence in attempts to argue against the deterrent effects of institutionalized shame penalties. These include focusing on research that investigates the state of shame (as opposed to shame as a trait), focusing on the development of shame, and focusing on research on the real-world outcomes of institutionalized shame penalties. None of these arguments, however, amounts to a successful empirically-based argument against the deterrent properties of institutionalized shame penalties.

3.2.1 The Negative Effects of the State of Shame

Some scholars warn that feeling ashamed (i.e., the state of shame) often leads to reactive anger and aggression (e.g., Scheff & Retzinger, 2001/1991; Gilligan, 1997). Scheff and Retzinger, for example, study shame in interpersonal conflict. They document what they term *shame-rage spirals*. One party in a conflict feels belittled and ashamed, which causes that party to lash out at the other party, which causes the other party to feel belittled and ashamed, and so the spiral starts. If the state of shame tends to have these sorts of effects, then it would not be good to institutionalize shame penalties. Causing an offender to feel shame would tend to lead to lashing out at others, rather than compliance with the law.

It is difficult to argue against the deterrent effects of institutionalizing shame penalties, however, by focusing on the consequences of the state of shame. Although there may be studies documenting negative effects, there are conflicting studies showing that feeling shame can spur reintegration attempts and deter unwanted behavior. de Hooge, Breugelmans, and Zeelenberg (2008), for example, hypothesized that feeling shame would have a positive effect on behavior when the shame was directly related to a decision one was facing (but that it would not necessarily have such an effect for unrelated decisions). Thus, feeling ashamed after a transgression because of how you treated an individual ought to improve a follow-up interaction with that individual or with others aware of or related to the transgression (but not necessarily improve an interaction with an unrelated person who was unaware of the transgression). Furthermore, the authors predicted that this relationship should be most detectable in people who aren't already generally motivated to act prosocially.

To investigate their hypotheses, de Hooge, Breugelmans, and Zeelenberg (2008) conducted a series of experiments. To give an example, in Experiment 3, the authors invited a group of

students into a room and seated them at computers. The students then each took two mock intelligence tests. The “results” of these tests were shown to everybody in the group.

Participants in one condition of the experiment were led to believe that they received a poor score, while the others in the group did well. Participants in the other condition were led to believe that they received an adequate score, which was comparable to the scores received by the others. Next, participants played an economic game with either a member of their group, or an outsider who had no knowledge of the IQ scores. In the game, each participant has 10 coins that are worth half as much to themselves as to the other. Each participant can choose to keep the coins or to give some to the other participant. The number of coins handed over is a measure of prosocial behavior. Among participants who tend towards selfish behavior, playing with another who knew about the low IQ score was a significant predictor of increased prosocial behavior—of handing over more coins, presumably in an effort to restore esteem. A manipulation check verified that these participants were feeling an increase in shame.

Perhaps even more to the point, in “When Cheating Makes You a Cheater: Implicating the Self Prevents Unethical Behavior,” Bryan, Adams, and Monin (2013) conducted an elegant series of experiments to show that wording that emphasizes the self can promote prosocial actions. In Experiment 1, for example, the authors approached 51 undergraduate students (one student was excluded from analyses, however, for not being a native English speaker). After agreeing to participate in the study, the authors read each student one version of the following script:

We’re interested in how common [cheating is/cheaters are] on college campuses. We’re going to play a game in which we will be able to determine the approximate [rate of cheating/number of cheaters] in the group as a whole but it will be impossible for us to know whether you’re [cheating/a cheater]. (p. 1002)

Each participant then was asked to think of a number between 1 and 10. Once the participant had a number in mind, the researchers instructed the participant that they would receive \$5 if they thought of an even number, but nothing if they thought of an odd number. Participants revealed their numbers and were paid accordingly.

Surprisingly, when asked to think of a number between 1 and 10, a large majority of people think of odd numbers (Kubovy & Psotka, 1976). Leveraging this fact, Bryan, Adams, and Monin (2013) found that 13 of 26 participants (50%) in the cheating condition reported thinking of an even number, whereas just 5 of 24 participants (just over 20%) in the cheater condition did. In a follow up study with no script or monetary incentive, only 5 of 26 participants (just under 20%) reported thinking of an even number. Thus, it would appear that the cheater condition was very effective at making participants honest. Although the authors did not explicitly investigate shame (for example, by administering follow-up questionnaires as a manipulation check), it is likely that the anticipation of shame played a role motivating honest behavior, given the intimate connection between shame and appraisals of the self.

Leach and Cidam (2015) conducted a meta-analysis of studies of what they call episodic shame, to distinguish it from the disposition to feel shame. They set out to try to explain an apparent contradiction: Although we think of shame as a moral emotion that can motivate fixing a failure, there is a trend in psychology to see shame as a negative emotion that motivates avoiding fixing failures. The authors hypothesized that reparability is a crucial variable that can help explain when episodic shame is positive or negative. In fact, through their meta-analysis, the authors found that reparability was key. When it was easy to repair failures, episodic shame motivated approach tendencies and reparative action. But when it was more difficult to repair failures, episodic shame was negatively associated with approach and fixing failures.

The recent empirical literature demonstrates that in some situations, the state of shame can have prosocial outcomes. Given this mixed evidence, one cannot mount an evidence-based argument against the deterrent effects of institutionalized shame penalties by focusing on research on the state of shame.

3.2.2 Nussbaum's Argument

Nussbaum (2004) attempts to strengthen arguments that stem from empirical research on the state of shame by defending a developmental account of shame. She bases this account on psychoanalytic theory, and, in particular, on what is known as object-relations theory.⁸

According to her account, shame develops during infancy—in fact, over the first year of life—and is closely linked with infantile narcissism. The needs of fetuses are constantly met, and young infants still desire whole and complete comfort. They are unaware of the wants and needs of others, and demand that their needs be met on cue. Everything seems made for them and their comfort. All infants know, then, is fulfillment on the one hand, and on the other hand the sense of weakness and powerlessness when their narcissistic desires are frustrated. As infants begin to develop their senses of self, this feeling of weakness or powerlessness is what Nussbaum identifies as primitive shame, or what I will simply refer to below as shame.⁹ Nussbaum summarizes,

When an infant realizes that it is dependent on others, and is by this time aware of itself as a definite being who is and ought to be the center of the world, we can therefore expect a primitive and rudimentary emotion of shame to ensue. For shame involves the

⁸ Key authors in the object-relations tradition include Donald Winnicott, W.R.D. Fairbairn, and Otto Kernberg, among others.

⁹ Nussbaum (2004) identifies this as primitive shame, because she recognizes a more mature and beneficial form of shame. However, mature shame is such a small and narrow category that it seems appropriate for expository purposes to use the term shame without the qualifier primitive, with the understanding that Nussbaum marks off a small category of shame to which her argument does not apply.

realization that one is weak and inadequate in some way in which one expects oneself to be adequate. (p. 183)

Nussbaum (2004) argues that as children age past infancy into toddlerhood and beyond, a critical developmental milestone is coming to terms with the world of objects, including other people. If development goes as planned, children will come to see themselves as one person among many, whose needs are interdependent. By constructing what Nussbaum (2004), following Winnicott, calls a “facilitating environment,” parents can help their children develop “mature interdependence” (p. 223). This involves bringing the child to recognize their humanness and messiness, and to accept their inherent flaws. It involves letting the child know that their needs will be met, so that they can develop trust and explore the world. If this process goes awry, however, children can remain overly narcissistic and prone to feeling shame when their needs go unfulfilled. Nussbaum reminds us, “It is only because one expects oneself to have worth or even perfection in some respect that one will shrink from or cover the evidence of one’s nonworth or imperfection” (p. 184). According to Nussbaum, however, even those who have developed mature interdependence can lapse into infantile narcissism and shame—it is always a threat. She writes, “the primitive shame that is connected to infantile omnipotence and (inevitable) narcissistic failure lurks around in our lives, only partially overcome by the later development of the child’s own separateness and autonomy” (p. 185).

Certain reactions are common from people who are prone experiencing shame, given shame’s close links with frustrated infantile narcissism. One reaction is anger and rage directed towards others. Just as young children often become enraged at others when they do not meet their needs or demands, older children and adults often turn outwards in anger when experiencing shame, inappropriately blaming others. “We can already see,” Nussbaum (2004) writes, “that this

primitive shame is closely connected to aggressive wishes toward those people who fail to minister to the infant's needs; thus we can look down the road to see that some difficulties for social interactions may arise if primitive shame is not adequately dealt with" (p. 186).

Depression is another common reaction, when one becomes overcome with the sense of helplessness, smallness, and worthlessness. Nussbaum writes, "The shame person feels a pervasive sense of inadequacy, and no clear steps suggest themselves to remove that inadequacy. The tendency may often be simply to retreat and shut down" (p. 209), resulting in a dive into depression.¹⁰

In summary, Nussbaum (2004) follows Freud and later psychoanalysts in locating the roots of shame in infancy. Infants are narcissistic beings, and shame is the emotion they feel when they are faced with limits to their power. To overcome narcissism, infants must have stable, consistent care from their caretakers. If this developmental process is disrupted, individuals will be particularly prone to feeling shame. This can lead to reactive anger and aggression and to depression.

Nussbaum (2004) argues that her developmental account of shame adds force to previous empirically-based arguments, including the argument against the deterrent effects of shame

¹⁰ The final step of Nussbaum's (2004) developmental account, which is critical in other of her arguments against shame penalties, links primitive narcissism and shame to practices of shaming and stigmatizing others. By stigmatizing others and groups who are different in some way, one can make oneself feel whole, perfect, and complete. In fact, Nussbaum speculates that all attempts to shame and stigmatize others stem from one's own unresolved, pathological narcissism:

I believe the use of the category "normal" to stigmatize deviant behavior should be understood as the outgrowth of the primitive shame that to some degree affects us all. Because we are all aware that there are many ways in which we fail to measure up to the exorbitant demand of infancy for complete control over the sources of good, because we retain our nostalgic longing for the bliss of infantile oneness with the womb or the breast, we need a surrogate kind of safety of completeness. And those who call themselves "normals" find this safety in the idea of a group that is both widespread, surrounding them on all sides, and good, lacking in nothing. By defining a certain sort of person as complete and good, and by surrounding themselves with such people, normals gain comfort and the illusion of safety. The idea of normalcy is like a surrogate womb, blotting out intrusive stimuli from the world of difference.

But of course, this stratagem requires stigmatizing some other group of persons. (pp. 218-219)

penalties that stems from research on the state of shame.¹¹ In particular, Nussbaum uses her account to substantiate findings associating shame with anger and aggression. For Nussbaum, it is no accident that feeling ashamed of oneself often leads to anger and lashing out. Shame is an infantile response, and in infants and young children leads to these negative effects. Thus, there is a developmental mechanism that links shame to anger and aggression. It would be very difficult to break this link and disassociate shame from its negative effects. This is a strong empirically-based reason, according to Nussbaum, to avoid institutionalizing shame penalties. One cannot argue, for instance, that there is a way to break the link between shaming an offender and making it more likely that the offender will blame others and become angry and possibly aggressive. Those responses are deeply intertwined with the experience of shame.

The difficulty with Nussbaum's (2004) empirically-based argument, however, is the questionable firmness of its psychoanalytic base.¹² One common worry about psychoanalytic theories, for instance, is that their theoretical apparatus tends to outpace the empirical evidence that would warrant it.¹³ An example of a concern in this domain is that psychoanalytic theories tend to over-attribute mental states, including complex mental states, to very young children. This is true of Nussbaum's (2004) account: She attributes a complex emotional state, shame, to children beginning at a very young age (starting around 6 months, and definitely by 1 year). Attributions of shame to young children are coupled with complex attributions of recognition of being weak or deficient. These judgments seem overly sophisticated for infants. Furthermore, Nussbaum draws much of her evidence from clinical reports. That is not to say that there is no experimental

¹¹ Nussbaum (2004) actually identifies 5 arguments against shame penalties, including the argument against deterrent effects, and argues that her developmental account strengthens each one. Some of the arguments she identifies (relating to human dignity, mob justice, and unreliability) will be discussed in Section 3.4.

¹² See Grunbaum (1985) and Eysenck (2004/1985) for critiques of psychoanalytic theories.

¹³ This criticism is particularly associated with B.F. Skinner (1954), although one certainly need not adhere to behaviorism to see the force of the criticism.

evidence in favor of Nussbaum's account.¹⁴ But some of the central theses are presented without supporting *experimental* evidence.¹⁵ And with the paradigm shifts in psychology, new evidence is getting harder to come by. Thus, it is sometimes not a matter of there being evidence that contradicts a psychoanalytic theory, but more that there is an insufficient evidence base at all.

I believe that the problems with Nussbaum's (2004) developmental account undermine her argument against the deterrent effects shame penalties. There are good reasons to be skeptical of the account, so it cannot provide good support for linking the *state* of shame with antisocial consequences.¹⁶

3.2.3 Direct Research on the Effects of Institutionalizing Shame Penalties

Given the interest in shame penalties and prominent claims that they are more effective at deterring crime than other forms of punishment, one would expect there to be a body of empirical literature that substantiates these claims through direct study of institutionalized shame penalties. In fact, very little research has been done on shame penalties—so little, in fact, that this body of literature is of questionable value.¹⁷ This is understandable, given the difficulties in performing appropriate scientific studies of shame penalties *in situ*. Governments, of course, do not institute policies such as special license plates for DUI offenders with an eye towards the

¹⁴ To give an example, there are some older papers that link pathological narcissism with shame. See, for example, Gramzow and Tangney (1992).

¹⁵ This is particularly true for the claim that attempts to define oneself as normal and complete are behind attempts to shame others. Nussbaum (2004) herself admits that this is “highly conjectural” (p. 217). And there appear to be counterexamples to the claim. This might seem plausible when considering school-yard instances of shaming, but it should be less so when considering instances of parents shaming their children—a practice that is undoubtedly on the rise in America, with the aid of social media. It is difficult to see how a parent could successfully set themselves up as normal in comparison to a child, when the child will (typically) share a large number of traits with the parent, including socioeconomic status, race, religious orientation, and so on. There are most likely a number of reasons why parents resort to shaming a child, including the parent's own history of maltreatment, and seeing shaming as a last resort. (Surprisingly, however, there is a dearth of research on the topic of parents shaming their children.)

¹⁶ The emphasis on the *state* of shame is important. Research on the trait of shame, or shame-proneness, convincingly shows the trait *is* associated with antisocial tendencies.

¹⁷ There is a substantial literature on restorative justice conferences (or reintegrative shaming), but as I argue in Section 3.3.5, shame is not the dominant emotion evoked by such conferences.

methodology of science. Thus, it is difficult to isolate the effects of such policies. There are confounds of time and enforcement emphasis, among other things. Thus, it is unlikely that good direct evidence is on the horizon.

There are a small number of articles that purport to address the ramifications of shame penalties instituted by governments, but do not discuss empirical evidence. In “Beyond First Blush: The Utility of Shame as a Master Emotion in Criminal Sentencing,” Coontz (2015) advances a theory of shame to explain why it is a “master emotion,” and particularly useful in a criminal setting. But he does not report on any studies that have demonstrated these useful qualities of shame in action. Similarly, one might expect that an article subtitled “Evaluating the Efficacy of Shaming Sanctions in Criminal Law” (Anonymous, 2003) would point to empirical studies of shame penalties, but this is not the case.¹⁸ The author states, instead, that few if any empirical studies of shame penalties have been conducted.

Grasmick and colleagues have authored some of the only direct research on the effects of institutionalized shame campaigns designed to increase compliance with the law. In “Shame and Embarrassment as Deterrents to Noncompliance with the Law: The Case of an Antilittering Campaign,” Grasmick, Bursik Jr., and Kinsey (1991) investigated the wide deterrent effects of a campaign in Oklahoma designed to shame people who litter.¹⁹ Using survey data, the authors found that shame (measured by the item “Generally, in most situations I would feel guilty if I were to litter the highways, streets, or a public recreation area”) was a significant predictor of a self-reported reluctance to litter (measured by the item “In the future, will you ever litter the

¹⁸ It is the practice of the *Harvard Law Review* to publish first-authored student work anonymously, to encourage publication and scholarly activity.

¹⁹ The slogan of the campaign, “Don’t Lay that Trash on Oklahoma,” perhaps leaves something to be desired compared with the now famous Texas slogan “Don’t Mess with Texas.”

highways, streets, or a public recreation area?”). There are, however, a number of limitations this research that make its applicability to shame penalties questionable. To begin with, the campaign might not have succeeded in shaming citizens. Simply calling for a stop to litter is not an attempt to shame, and the item the researchers used to measure shame explicitly mentions guilt, not shame.²⁰ In addition, the campaign included other such efforts as handing out trash bags for vehicles, which constituted potential confounding variables. The evidence did suggest, however, that the littering campaign worked. As the authors reported, according to the Oklahoma Department of Transportation, “the number of ‘litter items’ in the state decreased by 22.8%” (p. 238) within 1 year. Thus, one could argue that the Grasmick and colleagues article does constitute at least some direct evidence for the wide deterrent effects of institutionalized shaming.

Subsequently, in “Reduction of Drunk Driving as a Response to Increased Threats of Shame, Embarrassment, and Legal Sanctions,” Grasmick, Bursik Jr., and Arneklev (1993) investigated the effects of another well-known campaign—that against drunk driving. The authors set out to compare the effects of the threat of legal sanctions against the threat of shame and embarrassment on deterring drunk driving. The items measuring shame and embarrassment were the same as those described above. Items measuring legal sanctions asked participants about how likely they felt it was that they would be caught if driving drunk, and how much the resulting punishment would affect their lives. Finally, the items measuring drunk driving inquired whether participants had driven drunk in the previous 5 years, and whether they would

²⁰ The other item Grasmick, Bursik Jr., and Kinsey (1991) used, “Would most of the people whose opinions you value lose respect for you if you were to litter the highways, streets, or a public recreation area?” actually seems to measure shame better than the other item. The authors took this item to measure embarrassment, and found that its effects were much less than shame’s. I think this indicates that guilt is doing the real work in the Oklahoma antilittering campaign.

in the future. The authors concluded that the “increased threat of shame and its relatively strong deterrent effect appear to be the primary source of reduction in drunk driving” (p. 61).²¹

Even with a smattering of articles that claim to show deterrent effects of shame penalties (or, more accurately, shame campaigns), we ought to be skeptical of drawing firm conclusions from them. Research on the topic is still very sparse. There is not a sufficient corpus of papers from which to draw firm conclusions. The possibilities of publication bias against negative findings (i.e., finding no statistically significant effects) is a real concern. And there are inherent limitations in the existing literature, such as confounding variables and lack of control populations. Thus, the empirical literature that directly investigates the effects of shame penalties is of little consequence.

3.3 A New Empirically-Based Argument

Although existing empirically-based arguments against the deterrent effects of shame penalties are not successful, I contend that we can build a successful argument based on investigations into shame-proneness.

3.3.1 Research on Shame-Proneness

In recent years, psychologists have greatly increased our knowledge not only of the effects of feeling shame in the moment, but of the effects of being *prone* to feeling shame, and the conclusions are notably different. Led in large part by June Tangney (see, e.g., Tangney, Stuewig, & Mashek, 2007), researchers have discovered that shame-proneness (unlike guilt-proneness) is unrelated to empathy, and is instead associated with feelings of personal distress.²² Furthermore, being prone to feeling shame is associated with a defense mechanism that leads

²¹ Once again, a limitation of this research is that it does not effectively distinguish between guilt and shame.

²² Personal distress is an egoistic way of responding to suffering in others, in which one’s focus turns inwards on the distress caused in oneself. See Batson, Fultz, and Schoenrade (1987).

from blaming others to anger and even to aggression and other antisocial behaviors. The dominant position among scientists is currently that being prone to feeling shame is a maladaptive trait.

With respect to empathy, Leith and Baumeister (1998) conducted a series of experiments to investigate the relationships among shame-proneness, guilt-proneness, cognitive empathy (taking another's perspective), personal distress, and conflict resolution. They found that shame-proneness was associated with personal distress, but not with cognitive empathy. Guilt-proneness, on the other hand, was associated with cognitive empathy. Furthermore, it was those participants who scored high on cognitive empathy, and hence were better at perspective-taking, who had the best outcomes when they had disagreements or conflicts with others. As the authors summarized, "Guilt improved relationship outcomes but shame harmed them" (p. 1). In the most recent meta-analysis of the topic, Jolliffe and Farrington (2004) found that lower cognitive empathy (in comparison with affective empathy) was "strongly related to offending" (p. 441).²³ This is an important result, because cognitive empathy is precisely the form of empathy that Leith and Baumeister (1998) studied.

With respect to the defense mechanism associated with shame-proneness, Peters et al. (2014) studied the links among shame, anger, and features of borderline personality disorder (BPD). Individuals with BPD tend to have trouble in relationships with other, have outbursts of and dramatic swings in emotion, and engage in risky behaviors. The authors found that shame tended to lead to BPD symptoms via anger and rumination about anger, illustrating the link between shame and anger. Their data did not support the model that anger tended to lead to

²³ Jolliffe and Farrington (2004) warn, however, that the relationship between cognitive empathy and offending could be driven by intelligence and socioeconomic status, so "More research is needed to investigate the causal links between low SES, low intelligence, low empathy, and offending" (p. 441).

shame and then BPD. This article and others (Stuewig et al., 2010; Wright, GudJonsson, & Young, 2008; Tangney et al., 1992; Thomaes et al., 2011) provide solid evidence that shame-proneness is associated with the defense mechanism of externalization of blame, anger, and aggressive tendencies.

There is further evidence of a link between shame-proneness and problematic behaviors other than aggression, Dearing, Stuewig, and Tangney (2005) investigated how guilt and shame related to the abuse of alcohol and illegal drugs. Two large samples of college students, and one large sample of inmates, completed the Test of Self-Conscious Affect (or TOSCA), which measures guilt-proneness and shame-proneness, along with measures of alcohol and drug use. The authors found a positive relationship between shame and substance use problems in all samples, but found negative or negligible relationships between guilt and substance use. More recent research confirms the relationship among shame-proneness, substance-abuse, and associated problems such as driving while intoxicated (Stuewig et al., 2015).

Tignor and Colvin (2016, January 25) conducted a meta-analysis of shame-proneness and the tendency to act prosocially. The authors found that shame-proneness, across many studies, was *negatively* associated with the tendency to act prosocially. This is an important finding, given that a key role of meta-analyses is to investigate trends in the literature, rather than results from a small number of experiments.

3.3.2 Shame-Proneness and Recidivism among Convicted Criminals

Researchers are beginning to study the relationship between shame-proneness and criminal offending and recidivism. Hosser, Windzio, and Greve (2008) interviewed well over 1,000 incarcerated adolescents and young adults at several timepoints and administered a frequency measure of shame- and guilt-proneness. The measure asked how often the offender had felt a

certain emotion over the last week (from never to very frequently). The authors also followed their participants to determine reoffending after release from incarceration. The authors found that participants who were shame-prone in prison were more likely to reoffend after release, whereas those who were guilt-prone were less likely to reoffend.

Another important study of shame-proneness and criminality was conducted by Tangney, Stuewig, and Martinez (2014), and reported in “Two Faces of Shame: Understanding Shame and Guilt in the Prediction of Inmates’ Recidivism.” In this study, the authors assessed a large sample of felons with the Test of Self-Conscious Affect for Socially Deviant Populations (TOSCA-SD), which measures inmates’ propensities to experience guilt and shame, as well as the propensity to blame someone or something other than themselves for a transgression. To complete the TOSCA-SD, participants read a series of vignettes and rate how likely they would be to respond in a variety of ways to those situations. After baseline assessments, the authors followed-up with their participants around 1 year later. The authors measured whether these participants had reoffended through interviews and by acquiring public arrest records.

All in all, Tangney, Stuewig, and Martinez (2014) were able to include well over 300 participants in their analyses, a substantial number. They found that shame-proneness predicted *increased* rates of reoffending. They also found, however, that this relationship seemed to be due in large part to the tendency to externalize blame. When statistically controlling for this tendency, the relationship between shame-proneness and increased recidivism rates went away. Still, this is not good news for proponents of shame penalties, since at best the results suggest that shame-proneness does not contribute to decreasing reoffending. At worst, the results show that cultivating shame in criminals is a bad idea, since it tends to lead to externalization of blame and then recidivism.

3.3.3 Summary of Recent Empirical Results

The findings of empirical researchers investigating shame-proneness in recent years can be codified into a few statements. First, being prone to feeling shame has, for the general population, negative outcomes. Second, shame-proneness has either negative effects on deterring criminals from reoffending, or counteracting effects such that there is an overall neutral outcome. In the next section, I build upon these findings to provide an updated empirically-based case against shame penalties.

3.3.4 Institutionalizing Shame Penalties Cultivates Shame

As I discussed in the introduction to this paper, there are potentially both narrow and wide deterrent effects of institutionalized criminal penalties. In a narrow sense, the penalties are meant to deter convicted criminal who receive those punishments from committing crimes again. In a wide sense, they are supposed to prevent crime and increase ethical and legal compliance in the general population. I believe that institutionalizing shame penalties would cultivate shame in both convicted criminals and the general population. Thus, I believe that there is a real concern that institutionalizing shame penalties would have negative deterrent effects in both a narrow and a wide sense.

When reviewing single instances of shame punishments, it might be possible to identify deterrent effects for convicted criminals who receive the sentence. The occasional use of such penalties, however, is very different than the institutionalized use of the penalties. Institutionalized penalties create an expectation among convicted criminals that future transgressions will likely be punished with further shame. They also communicate to convicted criminals that shame is the appropriate emotion to experience after transgressing. Furthermore, shame penalties typically invite repeated shaming and exposure, as numerous members of the community are invited to

participate in the punishment. There are also likely to be long-lasting effects of shame penalties, given that transgressions have been publicized to the community who can continue to shame (with no definite end point to the punishment). For all these reasons, institutionalizing shame penalties would make convicted criminals more prone to feeling shame.

Shame penalties not only affect sentenced offenders, but also the community members who participate, willingly or not, in the punishment. By publicly shaming criminals, we continually express to ordinary citizens who witness or participate in the punishment that shame is the consequence of illicit conduct. This effect is heightened by institutionalized shame penalties, which convey that shame is sanctioned by the state. This is very likely to increase one's disposition to feel shame in response to transgressing. Furthermore, it once again conveys that shame is the appropriate response to feel if one transgresses. Thus, even citizens who were not convicted of a crime might come to feel ashamed of transgressions, even when those transgressions did not violate any laws. To institutionalize shame penalties would be to take a significant step towards becoming a shame culture.

The fact that institutionalized shame penalties cultivate shame in both convicted criminals and the population at large is a reason in favor of abandoning those penalties. Cultivating shame results in increased propensities to feel shame, and the evidence suggests that shame-proneness is negatively correlated with prosocial behavior. Far from deterring criminals and others in the community, it appears that institutionalizing shame penalties would create more violations of ethical and legal strictures, not fewer.

3.3.5 Objections

It is important to address a critical series of objections that one might make to the empirically-based argument against the deterrent effects of institutionalized shame penalties presented above.

One could argue that far from showing that we ought not institutionalize shame penalties, the research presented above shows that we must institutionalize shame penalties in a way that avoids certain pitfalls. Is there a way, for example, to ensure that convicted criminals who receive shame penalties are also prone to accepting responsibility for their actions instead of blaming others? What if we used restorative justice conferences as shame penalties, as Braithwaite (1989) proposes, to avoid stigmatization (or disintegrative shaming, as he calls it) and emphasize the reparability of relationships? What if shame penalties were reserved for repeat offenders who were likely to have character flaws that made feeling ashamed a fitting emotional response? Below I address these concerns in turn.

Tangney's research on shame-proneness in convicted criminals suggests that were we able to break the link between shame-proneness and the tendency to externalize blame, institutionalized shame penalties could have deterrent effects for convicted criminals (Tangney, Stuewig, and Martinez, 2014). This suggests that there might be a way to harness the beneficial effects of shame-proneness. It is unclear, however, precisely how one would go about making sure that offenders tended to accept responsibility for their transgressions instead of blaming others. Furthermore, even if we were to break the link between shame-proneness and externalization of blame, that would only address the narrow deterrent effects of shame penalties. Even if we were to reduce recidivism, we would still be moving towards a shame culture by cultivating shame-proneness in the general population. This, the evidence shows, would likely lead to antisocial consequences. Thus, the proposal to break the link between shame-proneness and the tendency to externalize blame is unlikely to remove to the concern that overall, the effects of institutionalized shame penalties on deterrence would be negative.

One might object further that Braithwaite's (1989) restorative justice conferences seem to break the link between shame and externalization of blame, to emphasize reparability, and to avoid cultivating shame in the general population.²⁴ Braithwaite, after all, distinguishes between a damaging, stigmatizing type of shame penalty (disintegrative shaming) and positive, reintegrative type. His favored proposal of restorative justice conferences would limit the exposure associated with shame penalties, as only affected parties invited to the conference would have the opportunity to express moral condemnation. This would tend to lessen the concern that institutionalized shame penalties would cultivate shame in the general population. Furthermore, the emphasis in restorative conferences is on eventually forgiving the offender, in an effort to reintegrate the person into society. This end-point of forgiveness emphasizes reparability, and could encourage offenders to accept responsibility for their transgressions, instead of blaming others.²⁵ One might argue, then, that restorative justice conferences are a type of shame penalty that, if institutionalized, would likely have beneficial deterrent effects and avoid the pitfalls of other types of shame penalty.

The problem with this objection is that restorative justice conferences are not a type of shame penalty.²⁶ As Harris, Walgrave, and Braithwaite (2004) admit, there are a number of emotions or emotional processes that play a role in such conferences, including guilt and empathy. While it is true that restorative conferences expose an offender, in a limited way, to the offender's

²⁴ In a 2006 article, Kahan moves closer to Braithwaite's ideas on shame penalties, but for reasons that have nothing to do with deterrence. Rather, Kahan recognizes that some members of society will feel uncomfortable participating in shame penalties and living in a community that sanctions them. Because of this wider consideration, Kahan suggests that something more like Braithwaite's ideas could be politically acceptable, rather than his original proposal.

²⁵ On reparability, recall the meta-analysis by Leach and Cidam (2015) discussed in Section 3.2.1.

²⁶ Nussbaum (2004) also argues for this point. See also Tangney, Stuewig, and Hafez (2011). Some authors grant this point, but maintain that shame can have a role in restorative conferences (e.g., Rodogno, 2008).

community, the goal of the conferences is not to make an offender feel like a defective person.²⁷

In fact, quite the opposite is true. As Braithwaite (2000) writes, he advocates for “shaming that treats the person as a good person who has done a bad thing,” rather than “shaming that treats the person as bad” (p. 118). Given the empirical evidence presented above, it is likely that the real work being done in restorative justice conferences stems not from shame, but from emotions such as guilt.

To continue the line of objection, an intuitive proposal is only to use shame penalties on repeat offenders, which would increase the probability of applying the penalties to individuals with defective character. After all, if judges have good reason to believe that it is an offender’s character that is the issue, wouldn’t a shame penalty be fitting? Although it is true that in such a case, it might be fitting for an offender to feel ashamed, there is a difference between an emotion being fitting and it being instrumentally valuable to feel (see D’Arms & Jacobson, 2000, on fitting emotion).²⁸ Fear is a fitting emotion when encountering a large, growling dog in an alley, but it would be instrumentally better if one did not feel afraid, and felt calm and dominant instead. Similarly, there are times when it might be fitting for offenders to feel ashamed, but the empirical evidence suggests that it would not be instrumentally valuable.

Perhaps there are other proposals for how to modify institutionalized shame penalties. It is difficult to address every possibility (see, e.g., Brooks, 2008; Book, 1999). I believe that the burden of proof, however, is now on proponents of such modifications to demonstrate, ideally with empirical evidence, that the revised penalties would avoid the pitfalls of institutionalized

²⁷ In addition, the exposure in question only extends to involved parties, who likely would have known about the transgression in any case.

²⁸ I am skeptical that it is fitting to feel ashamed in as many situations as people think it is. See Doris (2002). I would like to thank John Heil for pressing the point that there is a difference between an emotion being fitting (or a belief being epistemically warranted) and it being instrumentally valuable. See Heil (1983).

shame penalties. For now, the string of objections that there are ways to institutionalize shame penalties without causing negative deterrent effects is unsuccessful.

3.4 An All-Things-Considered Assessment of Institutionalizing Shame Penalties

I have argued that we ought to avoid institutionalizing shame penalties if we want to increase ethical and legal compliance. Although deterrence is an important factor to consider when evaluating sentencing guidelines, and one that proponents of shame penalties rely on heavily, it is not the only factor to consider. Given that expressiveness, retribution, and other factors are important, are institutionalized shame penalties an all-things-considered good option? I believe that the deterrence argument presented above, in combination with other arguments and counterarguments against shame penalties discussed below, demonstrate that institutionalized shame penalties should not be considered a viable option for sentencing.

3.4.1 The Expressive Function of Shame Penalties

Shame penalties, aside from anything else, are undeniably expressive. In an interview with the *Sunday Times*, Kahan claims that the public “wants more from criminal punishment. They want a message. They want moral condemnation of the offender” (Allen-Mills, 1997, April 20). Certainly, if the goal of legal penalties is primarily to express moral condemnation of the offender, it is hard to imagine a better punishment than inviting the public repeatedly and forcefully to express that condemnation. Thus, any all-things-considered argument against institutionalized shame penalties must acknowledge the expressiveness of those shame penalties.

3.4.2 Are Shame Penalties Cost-Effective?

In comparison with incarceration, shame penalties are almost certainly more cost-effective (although I hope to have called into question the effectiveness of shame penalties above).

Defenders of shame penalties often convey a deep dissatisfaction with the American prison system and sentencing practices emphasizing incarceration (Kahan & Posner, 1999; Moskos in Simon, Moskos, & Turley, 2013, August 24), partly due to the exorbitant cost of housing inmates. The cost of shame penalties, however, depends on the specific nature of the penalty. Sometimes shame penalties cost virtually nothing, for example, when criminals are ordered to purchase ads in local newspapers detailing their transgressions. Other times, however, costs could be relatively high, as when a guard needs to monitor a single person for hours on end, for several days, while the person holds a sign. In addition, for a fully appropriate comparison, one must consider other alternative sentences such as community service or fines. The sort of monitoring necessary for community service is likely to be on a par with that required for shame penalties. And fines cost nothing but administrative overhead. Thus, I believe the purported cost-effectiveness of shame penalties is not a good argument for institutionalizing them.

Furthermore, in arguments of appropriate punishment techniques, considerations of cost-effectiveness should be trumped by other considerations. An unjust punishment, no matter how little money it costs to impose, is unacceptable. Cost-effectiveness is a secondary concern, something that could tip the scales one way or the other if two appropriate sentencing options were available. Several arguments presented below (in 3.4.5 and 3.4.6) question whether shame penalties are appropriate in the first place. Thus, I believe that the cost-effective argument in favor of shame penalties is not a strong reason to support those penalties.

3.4.3 Are Shame Penalties Beautifully Retributive?

The idea that shame penalties are beautifully retributive comes from a few select examples. Certainly, sentencing a landlord to live in one of his own unfit apartments has a quality that one could say is beautifully retributive. Sentencing businessmen convicted of urinating in public to

clean the streets themselves is also beautifully retributive. The majority of shame penalties, however, are not beautifully retributive. Take the most common form, holding a sign in a public place. There is nothing beautifully retributive about this type of shame penalty. Furthermore, other legal penalties can be beautifully retributive—it all depends on the nature of the transgression. If one were to assault a homeless individual, for example, then volunteering in a homeless shelter would be beautifully retributive. If one stole money from a charity, then making a court-ordered donation to the charity would be beautifully retributive. Thus, there is nothing to suggest that there is anything about shame penalties as such that makes them beautifully retributive. Rather, what can make them so is the creativity of the judge who uses them, a creativity that could be exercised in other forms of penalty as well.²⁹

3.4.4 Do Shame Penalties Incapacitate Criminals?

In a model of society as a continual interchange among citizens, shaming penalties are thought to incapacitate criminals and make them unable to commit future crimes. By publicly shaming an individual who did not pay back a debt, for example, we could make sure that those in the community did not do business with the individual. Certainly, shame penalties will incapacitate a convicted criminal to some extent, especially when the examples focus on explicit interchanges like loans. (It is less clear how incapacitation is supposed to work in a case like the urinating businessmen.) It is likely that this effect is overstated, however, given the possibilities for anonymity afforded by our current living conditions. Human beings no longer live in small, isolated communities. Unless transgressions are widely publicized through shame penalties, one

²⁹ See Markel (2001).

has the opportunity to integrate into a new community.³⁰ Thus, there is likely nothing special about the incapacitation afforded by shame penalties.

3.4.5 Human Dignity

One persistent worry about institutionalized shame penalties is that they represent a state-sponsored affront to human dignity (Nussbaum, 2004). Shame penalties are designed, some argue, to make individuals feel less than human. They are also designed to taint an individual's being for the long-term, branding one as a sex offender, thief, drunk driver, and so on, even though they are given in response to an illegal action. It is not a crime, after all, to have a bad character. If part of our commitment as people living in a modern society is to respect the basic dignity of all individuals, and to cultivate an environment where every individual can have and regain self-respect—even those who commit transgressions—then shame penalties are intrinsically problematic. It is even more troubling for these penalties to be sanctioned and administered by the state. Nussbaum writes:

The fact that the state is complicit in the shaming makes a large difference. People will continue to stigmatize other people, and criminals are bound to be among those stigmatized. For the state to participate in this humiliation, however, is profoundly subversive of the ideas of equality and dignity on which liberal society is based. (p. 232)

In addition to worries about human dignity, the stigmatizing tendencies of institutionalized shame penalties suggest that they are a poor choice for reintegrating criminals into society. At the end of a shaming penalty, there is unlikely to be a feeling of forgiveness or re-acceptance by

³⁰ Does the internet afford us the opportunity to publicize transgressions to a large amount of the population? Perhaps, but the use of the internet in shaming penalties brings up a host of other problematic issues (see Levmore & Nussbaum, 2010; Posner, 2015, April 9). Publicizing transgressions on the internet, for example, is likely to prevent the possibility of reintegration into society. The internet leaves a trail that is almost impossible to eradicate. Using the internet to publicly shame also invites anonymous attacks on transgressors, which seems to produce more vitriol.

one's community. Thus, shaming penalties do not satisfy the reintegrative functions that legal penalties can serve.

3.4.6 Mob Justice and Unreliability

Finally, there are two related worries that institutionalizing shame penalties would encourage mob justice and be unreliable, respectively. When judges mete out shame penalties, they signal that the public ought to be involved in the punishment of criminals—that the public has work to do in deterring crime. This is a call for a form of mob justice, and it is a major concern about shame penalties (see Whitman, 1998). Normally, state-sanctioned punishment is administered by trained agents of the state. These agents can be held accountable for violating their training. There is a much reduced opportunity to hold citizens accountable for inappropriate participation in shame penalties. Only citizens who violate laws themselves (for example, assaulting an offender undergoing a shame penalty) could be held accountable. Furthermore, calling upon citizens to participate in state-ordered punishment could lead to citizens policing by themselves, potentially targeting other individuals who have committed no crime. Large sections of the public often disagree with the outcomes of legal proceedings. Encouraging the general public to participate in state-sanctioned penalties could encourage them to participate in penalties whenever there is a perception of guilt, regardless of a conviction.³¹

Relatedly, the outsourcing of punishment to the public makes shame punishments intrinsically unreliable. The same shame penalty, for example, might be very different for a black man than a white man, depending on the attitudes of members of the community towards race. Other things being equal, a black offender in America would face much more vitriol standing outside a government building than a white offender. These are things that a judge cannot control when

³¹ Television programs such as NBC's *To Catch a Predator* illustrate the sort of mob justice and use of shaming that, although captivating to many, are deeply problematic (see, e.g., Walter & Sauer, 2008, June 24).

deciding on a shame penalty, which makes them intrinsically unreliable. If all members of a society are created equal, then all members of a society have a right (within reason) to equal punishment for equal transgressions. Shame penalties fail this requirement, which is an important reason to reject their institutionalization.

3.4.7 Final Assessment

Given the counterarguments and arguments against institutionalized shame penalties presented above, I believe that we must conclude that they are not a viable option. The only undeniable quality of institutionalized shame penalties is that they are powerfully expressive. One will not be able to escape a sentencing without feeling the moral condemnation of a large number of one's peers. This expressive quality of institutionalizes shame penalties, however, is not a sufficient reason to support them, given the numerous downfalls. Institutionalized shame penalties are neither cost-effective nor beautifully retributive. They do not incapacitate convicted criminals as much as some might think. And they are prone to undermining one's basic human dignity, stifling reintegration, encouraging mob justice, and being unreliable. All things considered, institutionalizing shame penalties is not a viable option for legal punishment.

3.5 Conclusion

Can we conclude from the argument presented above that judges ought to stop imposing occasional shame penalties? That is too strong of a conclusion, and one for which I have not argued here. It is likely possible to find exceptional circumstances that warrant shame punishment in an individual case. The target of this paper, instead, has been proposals to institutionalize shame penalties, such as Kahan and Posner's (1999) argument that we ought to institutionalize shame penalties in some fashion for white-collar crime, or Ohio's use of colorful and distinctive license plates for certain DUI offenders.

There is beginning to be concern about the wide effects of institutionalized shame penalties, and it seems that these concerns may be their undoing. Kahan (2006) worries that shame penalties are “deeply partisan: when society picks them, it picks sides, aligning itself with those who subscribe to norms that give pride of place to community and social differentiation rather than to individuality and equality” (p. 2076). Nussbaum’s (2004) original contributions (even though I believe they are unsuccessful) generally center around calling into question the motivations of the judges, politicians, and members of the community that institute shame penalties. There are concerns about using the public to implement legal penalties, because it encourages mob justice and produces unreliable punishments. And in this paper, I have argued that institutionalizing shame penalties would have negative deterrent effects for society. Instead of producing a society that is more ethical and law-abiding, cultivating shame through institutionalized shame penalties would likely increase antisocial behavior. Given these reasons, and the evidence suggesting that shame-prone criminals are not less likely to reoffend, I conclude that calls to institutionalize shame penalties should become a thing of the past.

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Chapter 4: A Critique of Bernard Williams **on the Restoration of Shame, and Wider** **Implications for Virtue Ethics**

Bernard Williams and Jeb Bush seem not to have much in common. The two agree, however, that we ought to recognize a greater role for shame in modern society.

In *Shame and Necessity*, Williams (2008/1993) argues against the view that guilt, in the absence of shame, is a sufficient moral emotion:

In the scheme of Kantian oppositions, shame is on the bad side of all the lines. This is well brought out in its notorious association with the notion of losing or saving face.

“Face” stands for appearance against reality and the outer versus the inner, so its values are superficial; I lose face or save it only in the eyes of others, so the values are heteronomous; it is simply my face to save or lose, so they are egoistic. These conceptions of what shame has to be, and of how ethical relations that are importantly governed by shame have to work, are all incorrect. (pp. 77-78)

According to Williams, the ancient Greeks, with their acceptance and use of shame as an emotion *encompassing* guilt, were in a better situation than we are in modern society.

In *Profiles in Character* (Bush & Yablonski, 1995) and speeches around that time, Jeb Bush argues that our society is regrettably devoid of shame. In a speech in 1995, for example, Bush claims,

There is no shameful behavior anymore in America. You can do just about anything you want to do, and no one minds.... I believe that we need to restore a sense of shame, so

that certain behavior makes you blush. Certain behavior becomes such that you don't accept it. And little by little, perhaps that type of attitude becomes pervasive not just in your family, but in your neighborhood, and perhaps in your community. And over time begin to restore a sense of shame for behavior that is outrageous. (October 11th, 1995)¹

Admittedly, Williams and Bush would likely disagree on which actions or circumstances are shameful. It is difficult to imagine that Jeb Bush would agree with the conclusions of the United Kingdom's Committee on Obscenity and Film Censorship—chaired by Williams and commonly called the Williams Committee—that pornography has a mostly benign effect on society (Williams, 2015/1979). Similarly, it is difficult to imagine that Williams would agree with Bush's (Bush & Yablonski, 1995) belief that abortion should be a deeply shameful behavior, or his belief that we ought to shame young men into marrying their girlfriends if the couple became pregnant. Nevertheless, it is a testament to the current interest in restoring shame that two people as different as Williams and Bush have positive things to say about that emotion.

Both Williams and Bush, however, are wrong about restoring shame. Research over the past several decades has demonstrated that the more one is disposed to feel shame, the worse—and worse off—one is. Led in large part by June Tangney, researchers have shown that being prone to feeling shame is associated with having symptoms of mental illness, blaming others for one's transgressions, and having anger and aggression problems (for a review, see Tangney, Stuewig, & Mashek, 2007). A propensity for guilt, interestingly, has none of these negative associations. For both individuals and society as a whole, then, cultivating shame is a bad prospect.

¹ The speech can be viewed at <http://www.buzzfeed.com/andrewkaczynski/heres-jeb-bush-talking-about-restoring-shame-to-society#.lmZAk6rwR> (accessed 2016, May 15).

This paper is not about Jeb Bush, whose contributions to the field of ethics are questionable. It is first and foremost about Williams (2008/1993), his take on shame, and where he goes wrong. Much of what Williams writes is characteristically insightful, and empirical researchers would be wise to mine its depths. In particular, William's characterization of shame is illuminating. To feel ashamed is indeed to feel naked and exposed. To feel ashamed is indeed to appraise one's character or self as defective. To feel ashamed is indeed to feel a powerful, and motivating, emotion. But to cultivate a propensity to feel shame—to restore this aspect of ancient Greek culture—would not be to cultivate a positive moral change in today's society.

Although Williams (2008/1003) explicitly argues that we ought to restore a sense of shame, some other authors' views seem to imply it. Virtue ethical theories are often characterized as emphasizing character over action. If Williams is right that feeling ashamed involves appraising one's character or self as defective, then virtue ethicists might need to endorse the restoration of shame as well. This would mean that virtue ethicists in addition to Williams would face the *problem of shame*, or the problem of explaining how to avoid the morally counterproductive consequences of cultivating shame.

The structure of this paper is as follows. In Section 4.1, I outline Williams's (2008/1993) characterization of shame and his argument for restoring its place in modern society. In Section 4.2, I summarize the empirical literature on shame, which shows why Williams is wrong about the restoration of shame. In Section 4.3, I respond to two possible concerns: The concern that Williams does not advocate for cultivating "inappropriate" shame, which is what scientists tend to measure, and the concern that appropriate shame-proneness is unlikely to be maladaptive, given that the trait presumptively evolved because it was adaptive. Finally, in Section 4.4, I explore the possibility that the problem of shame extends beyond Williams's work to virtue

ethics more generally. Although virtue ethics is a diverse field, I conclude that a number of virtue ethicists must address the problem of shame.

4.1 Williams on Shame and Its Restoration

Williams's (2008/1993) discussion of shame can be broken into three phases: His characterization of shame, a clarification that he provides, and his final argument, building on the clarification, that we would be better off restoring shame in modern society.

4.1.1 Characterization

Williams's (2008/1993) characterization of shame and his theory of its workings are deep and nuanced. He begins by noting the association between shame and nakedness. "The basic experience connected with shame is that of being seen, inappropriately, by the wrong people, in the wrong condition," he writes. "It is straightforwardly connected with nakedness, particularly in sexual connections" (p. 78). In fact, an ancient Greek word for the genitals, *aidoia*, is linguistically connected with their word for shame, *aidos*, and Williams notes that this pattern holds for other languages as well. Because of its connection with being seen by others, there is a worry that shame is heteronomous—that is, that one feels ashamed not when one judges that one has done something wrong, but merely when others judge that one has done something wrong. This also contributes to the worry that shame is superficial, and concerned only with one's outward appearance or image. In any case, a feeling of exposure to others is a central feature of the phenomenology of shame. To feel ashamed is to feel naked in front of one's peers.

Given shame's connection with nakedness, the characteristic action tendency involved with shame is, unsurprisingly, to cover-up or hide in self-protection.² Shamed individuals often hide their faces from sight or try to escape situations altogether. Williams (2008/1993) goes even further:

In my experience of shame, the other sees all of me and all through me... and the expression of shame... is not just the desire to hide, or to hide my face, but the desire to disappear, not to be there. It is not even the wish, as people say, to sink through the floor, but rather the wish that the space occupied by me should be instantaneously empty. (p. 89)

Because of its connection with self-protection, there is a worry that shame is egoistic. The concern after a transgression is not with others, but with oneself. In any case, the behavioral tendencies of avoidance stand in contrast to those of guilt. People feeling guilt have a tendency to approach others, not avoid them. Although it can be painful, guilt motivates apology and attempts at reparation. Shame, on the other hand, motivates withdrawal and self-preservation.

A final difference between shame and guilt, according to Williams (2008/1993), is that shame affects someone's core being, whereas guilt focuses on action and harm done to others.³ Shame is closely connected with defects in character, whereas we feel guilty about what we have done. "*What I have done*," Williams notes, "points in one direction towards what has happened to others, in another direction to what I am" (p. 92). Guilt points in the first direction, outwards

² Williams (2008/1993) nods approvingly towards Gabriel Taylor's (1985) work on shame and self-protection.

³ Williams (2008/1993) discusses two other relatively minor differences between shame and guilt, which I do not discuss in detail here. First, he mentions in passing a proposal that guilt is connected with the voice, whereas shame is connected with sight. Second, he claims that "What arouses guilt in an agent is an act or omission of a sort that typically elicits from other people anger, resentment, or indignation.... What arouses shame, on the other hand, is something that typically elicits from others contempt or derision or avoidance" (pp. 89-90).

towards the harm done to others. “Shame,” in contrast, “looks to what I am” (p. 93). In this respect, shame once again seems to be problematically egoistic. When feeling shame, one’s attention is often focused inward (perhaps superficially, as well) on one’s own image. Potential problems aside, although guilt and shame alike are typically triggered by transgressions, when experiencing shame, one tends to feel as if one’s whole being or character is called into question.

4.1.2 Clarification

In an attempt to head off confusion, Williams (2008/1993) contends that although shame is connected with being evaluated negatively by another entity (be it an individual or a group), it would be wrong to think that shame requires a real audience in any straightforward sense. An imagined or internalized other will do—but not just *any* imagined other. The imagined other is one whose ethical opinions matter and are respected. “The internalised other is indeed abstracted and generalised and idealised, but he is potentially somebody rather than nobody, and somebody other than me,” Williams writes. “He can provide the focus of real social expectations, of how I shall live if I act in one way rather than another, of how my actions and reactions will alter my relations to the world about me” (p. 84). In short, the internalized ethical other can serve as the audience that appropriately governs one’s shame responses.

Through this clarification, Williams (2008/1993) challenges whether shame is superficial, heteronomous, and egoistic. Shame is not perniciously superficial—merely about external appearances and image—because there is an internalized other governing shame responses even in the absence of publicly-known transgressions; there are, despite what some authors seem to suggest (Benedict, 1946), such things as private shame responses. It is not perniciously heteronomous—or only a response to public opinion—because the other is not merely an internalization of one’s own ethical views. It reflects the views of respected community

members, and so can serve a substantive ethical role. And it is not accurate to characterize shame as perniciously egoistic—concerned about oneself exclusively rather than others—because the internalized other binds us to the ethical community at large. Shame spurs one to benefit one’s community by improving one’s ethical self and relationships with others.

4.1.3 Restoration

Building on his clarification, Williams (2008/1993) argues that shame ought to have priority over guilt in our ethical experience. Guilt can spur us to apologize for a transgression or right a harm, but it cannot spur us to improve our character and make lasting changes in relationships. He writes:

[Guilt] can direct one towards those who have been wronged or damaged, and demand reparation in the name, simply, of what has happened to them. But it cannot by itself help one to understand one’s relations to those happenings, or to rebuild the self that has done these things and the world in which that self has to live. Only shame can do that, because it embodies conceptions of what one is and of how one is related to others. (p. 94)

Shame, Williams argues, should encompass guilt. In this respect, the ancient Greeks were better off than we are, given their culture of shame. “The discussion in this chapter,” Williams writes, “as elsewhere in this study, is directed to an historical interpretation from which we can ethically learn something...” (p. 90). “If we come to understand our shame,” he writes, “we may also better understand our guilt. The structures of shame contain the possibility of controlling and

learning from guilt, because they give a conception of one's ethical identity, in relation to which guilt can make sense. Shame can understand guilt, but guilt cannot understand itself" (p. 93).⁴

The importance of shame comes from its close connection with character, identity, and relationships with others. This focus reverses what Williams (2008/1993) sees as a trend in modern ethics. "If guilt seems to many people morally self-sufficient, it is probably because they have a distinctive and false picture of the moral life, according to which the truly moral self is characterless" (p. 94). Williams sees this picture as deriving from Kant (and perhaps from Plato), although the historical point is not particularly relevant here. What is important is to see what shame can do for us.

But if we now think, plausibly enough, that the power of reason is not enough by itself to distinguish good and bad; if we think, yet more plausibly, that even if it is, it is not very good at making its effects indubitably obvious, then we should hope that there is some limit to these people's autonomy, that there is an internalised other in them that carries some genuine social weight. (p. 100)

4.1.4 Summary

Williams (2008/1993) characterizes shame as an emotion of exposure, which motivates avoidance and affects the whole self or one's character. It reflects the workings of an internalized other or audience, which reflects community values. Furthermore, it should be a more encompassing and, Williams thinks, more central emotion than guilt. "By giving through the emotions a sense of who one is and of what one hopes to be," Williams writes, "[shame]

⁴ For Williams (2008/1993), it is not a disadvantage of shame that it seems less connected with what we typically think of as morality than guilt. In both *Shame and Necessity* and in other works, Williams questions whether we can really make that demarcation of the moral realm in the first place. He writes, "It is said that we make a lot of the distinction between the moral and the nonmoral and emphasize the importance of the moral. But how far, and in what ways, is this really true of our life, as opposed to what moralists say about our life? Do we even understand what the distinction is, or how deep it really goes?" (2008/1993, p. 92).

mediates between act, character, and consequence, and also between ethical demands and the rest of life” (p. 102).

4.2 Against Restoring Shame

According to Williams’s (2008/1993) analysis, shame ought to be an emotion that causes one to improve oneself and to become a better ethical citizen. Thus, Williams contends that we would be better off cultivating shame. Scientific research, however, paints a different picture of shame-proneness. Research suggests that by cultivating shame, we would be worse off both as individuals and as an ethical community.

4.2.1 The Leading Scientific Characterization of Shame

The psychologist June Tangney’s characterization of shame is, at present, widely accepted by both scientists and philosophers alike. According to Tangney (see, e.g., Tangney & Dearing, 2002), the central characteristic of shame is that it focuses on the self or one’s character. The focus of guilt, in contrast, is behavior. To borrow a slogan from Walter Sinnott-Armstrong (2005), “people feel guilty for what they do, and they feel ashamed of what they are” (p. 200). Tangney contends that this central feature of shame helps to explain its other features. When feeling ashamed, for example, one feels like avoiding others, instead of making reparations, because reparations do not fix a fundamentally flawed self. Also, shame feels more painful than guilt, because a failure of the self is more significant than a failure of behavior. Finally, one feels a sense of exposure during shame, but not guilt, because one’s self has been (or is apt to be) revealed as flawed.

Support for Tangney’s characterization comes via several avenues. First, it accords with the analyses of many philosophers, even if emphases sometimes differ.⁵ Heidi Maibom (2010), for example, writes, “Shame is a painful emotion concerned with failure to live up to certain standards, norms, or ideals. The subject feels that she falls in the regard of others; she feels watched and exposed. As a result, she feels bad about the person that she is” (p. 566). Martha Nussbaum (2004) also agrees with Tangney’s basic distinction: “whereas shame focuses on defect or imperfection, and thus on some aspect of the very being of the person who feels it, guilt focuses on an action (or a wish to act), but need not extend to the entirety of the agent, seeing the agent as utterly inadequate” (p. 207). Most importantly for this paper, Tangney and Williams clearly share very similar notions of shame—so similar, in fact, that we may presume that they are referencing the same phenomenon, even if their characterizations have slightly different emphases. Like Maibom, Williams (2008/1993) might see exposure as more central to shame than does Tangney. But this is more of a factual dispute about the genesis and workings of shame, rather than a conceptual dispute that might lead us to think that psychologists like Tangney and philosophers like Maibom and Williams are discussing different phenomena.

Second, Tangney’s characterization of shame accords with the intuitions of large samples of research participants. In a pair of studies (1a & 1b), for instance, Niedenthal, Tangney, and Gavanski (1994) had undergraduates imagine themselves in two situations, one picked to induce more shame than guilt (answering a question incorrectly in class and being rebuked by the professor), and the other more guilt than shame (being responsible for the death of bird they were pet-sitting). The students then recorded four ways in which the situation and the negative

⁵ These philosophers include, among others, May (1992, 1996), Manion (2002), Sinnott-Armstrong (2005), and Miller (2010).

emotion could have been avoided, starting with the prompt “if only....” The authors coded whether these responses referenced the self, one’s behavior, or the situation. Collapsing across both studies, for the shame-inducing situation, participants referenced an aspect of the self 47% of the time, and behavior only 26% of the time. For the guilt-inducing situation, the finding was reversed: Participants referenced behavior 46% of the time, but an aspect of the self only 20% of the time.⁶ The authors concluded that the results favor the proposal that shame focuses on the self, because participants tended to undo aspects of the self to avoid feeling it.

Lastly, Tangney's characterization of shame is captured by a validated and widely-used measure, the Test of Self Conscious Affect (or TOSCA; see Tangney & Dearing, 2002). The robust and theory-supporting empirical results stemming from the TOSCA support Tangney's characterization. To give an example, Tangney, Wagner, and Gramzow (1992) investigated the role of shame-proneness in psychological disturbances. Shame, according to Tangney, is a more damaging emotion than guilt, and hence ought to be more associated with psychological disturbances. The authors found that this held across the board. Shame correlated with all 9 domains they investigated—including paranoid ideation, anxiety, and depression—even after controlling for the overlapping effects of guilt. Guilt, on the other hand, correlated only with the hostility-anger domain after controlling for the effects of shame.

4.2.2 The Empirical Case Against Shame

Empirical research on shame comes in two flavors. Some researchers focus on the state of feeling ashamed, whereas others focus on the trait of being shame-prone. Research on the state of shame, or shame felt in-the-moment, tends to report beneficial/prosocial effects, although

⁶ Niedenthal, Tangney, and Gavanski (1994) divided references to the self even further into those referencing temporary and more permanent features of the self. For ease of presentation, I have collapsed those categories here.

some research reports negative or ambivalent effects. A good example of this is a pair of articles by de Hooge and colleagues. In “Moral sentiments and cooperation: Differential influences of shame and guilt,” de Hooge, Zeelenberg, and Breugelmans (2007) investigated whether there were differential effects of feeling guilt or shame on cooperation, and whether these effects might depend on one’s general prosocial orientation. To begin with, the experimenters induced guilt or shame in their participants by asking them to recall in great detail a time when they felt guilty or ashamed, respectively. Then the experimenters had the participants play an economic game or fill out a questionnaire that allowed them to measure cooperation. Afterwards, they gave participants a questionnaire to make sure that the emotion manipulation worked. The authors also measured whether their participants had an existing tendency to act selfishly (that is, a “proself” orientation) versus socially (that is, a prosocial orientation). The authors found that feeling guilty contributed to cooperation, but there was no such effect for feeling ashamed (if anything, the results for shame showed decreased cooperation). This relationship appeared among those with a proself orientation, presumably because those with a prosocial orientation were already motivated to cooperate.

In a later article entitled “Not so ugly after all: When shame acts as a commitment device,” however, de Hooge, Breugelmans, and Zeelenberg (2008) found limited circumstances in which the state of shame seemed to be beneficial. In the experiments reported in this article, the authors investigated the difference between what they termed exogenous and endogenous influences of shame. Exogenous influences of shame are those that do not pertain directly to the situation in which the shame was induced. If one were ashamed about treating a friend poorly, say, which caused one to give food to a homeless person on the way home, it would be an exogenous influence of shame. If one were ashamed because one scowled at the homeless

person before giving food, however, then that would be an endogenous influence of shame—it would relate directly to the situation that induced the shame. The authors performed a series of experiments that were similar to that described in the previous paragraph, containing a guilt/shame induction, an economic game or cooperation measure, a manipulation check, and a measure of proself/prosocial orientation. The authors found that among those with a proself orientation and when considering endogenous influences, feeling ashamed shame increased cooperation. Thus, under limited circumstances, the authors were able to find benefits to the experience of shame.

Moving to the trait of being shame-prone, a substantial amount of research inspired by Tangney's characterization of shame shows that it would be both personally and morally counterproductive to make people more prone to feeling shame. In their review "Moral Emotions and Moral Behavior," Tangney, Stuewig, and Mashek (2007) write:

One of the consistent themes emerging from empirical research is that shame and guilt are not equally "moral" emotions. On balance, guilt appears to be the more adaptive emotion, benefiting individuals and their relationships in a variety of ways..., but there is growing evidence that shame is a moral emotion that can easily go awry.... (p. 350)

Instead of becoming better people, those who have a propensity for feeling shame also tend to blame others for their transgressions, have anger issues, be more aggressive, and have many other behavior problems. Even de Hooge, Breugelmans, and Zeelenberg (2008) agree that "[research on shame-proneness] convincingly shows that people who are likely to experience shame... are also prone to feelings of inferiority, anxiety, lessened empathy, shyness, interpersonal distrust, and depression" (p. 934).

A substantial amount of research shows that blaming others (i.e., externalizing blame) is the first step in a defense mechanism associated with being prone to feeling ashamed of oneself (see, e.g., Tangney et al., 1992, and the data presented in Chapter 2). By blaming others, one can ameliorate the painful and damaging effects of feeling ashamed. Anger follows externalization of blame in the aforementioned defense mechanism (Tangney et al., 1992; Wright, GudJonsson, & Young, 2008; Thomaes et al., 2011; Peters et al., 2014). A final step in the defense mechanism can be increased aggression (Stuewig et al., 2010), if externalization of blame and anger are not dealt with appropriately.

In addition to aggression, shame-proneness is associated with other less-than-moral tendencies. Peters et al. (2014) investigated the role of shame, anger, and rumination over anger in symptoms of borderline personality disorder (BPD). People with BPD tend to have drastic swings in mood and emotion, problematic impulsivity, and unstable relationships with others, among other things. The authors hypothesized that “shame triggers the anger and anger rumination that contribute to BPD features” (p. 1). They found that shame did indeed predict most symptoms of BPD, and along the hypothesized route. To give another example, Stuewig et al. (2015) measured shame-proneness in children aged 10-12, and investigated its effects when those children were aged 18-21. Even when the researchers controlled for the participants' socioeconomic statuses and for their teachers' reports of aggression, shame-proneness in childhood predicted several troublesome, even immoral behaviors in young adulthood. Proneness to shame predicted the number of times a participant had unprotected sex, a younger age at which he or she started drinking, the number of types of drug a participant had used, and DUIs.

There is additional evidence that over time, guilt-proneness tends to lead to prosocial behavior, whereas shame-proneness tends to decrease prosocial behavior. Roos, Hodges, and Salmivalli (2014) studied a large sample of 5th and 6th graders using the TOSCA for children and peer reports of social behaviors. They found that over an approximately 6-month period, children who were more prone to feeling shame at Time 1 were rated as less prosocial by their peers at Time 2. Prosocial behaviors were identified with items such as “Helps others” and “Does nice things for others” (p. 943). The authors conclude as follows: “our study supports the theoretical predictions [of Tangney] of guilt-proneness, supporting reparative actions and reducing the likelihood of engagement in maladaptive behavior, whereas shame-proneness suggests more negative prospects by reducing prosocial behavior” (p. 943).

After decades of research, meta-analyses of shame-proneness are beginning to appear. Tignor and Colvin (2016, January 25), for example, performed a meta-analysis of dispositional guilt, dispositional shame, and prosocial orientation. They found that across two different types of measures (scenario-based measures like the TOSCA, and checklist measures that investigate frequency), dispositional shame was significantly negatively correlated with prosocial orientation. This is a strong result. It suggests that findings associating dispositional shame with antisocial behaviors are not unusual or likely to be chance findings; not all of the findings come from a single sample, from experiments run by a single lab, or from experiments using a single measure. Although there is reason to be skeptical of drawing conclusions from single research studies (see Ioannidis, 2005), there is a strong and clear pattern of evidence in the case of dispositional shame and prosocial behavior. Being disposed to feel shame does not make people more prosocial, and appears in fact to make people less prosocial.

4.2.3 Conclusion: We Ought Not Restore Shame

When viewed as a whole, the empirical literature on shame does not support the hypothesis that cultivating propensities to feel shame makes people more moral. In fact, it supports the opposite hypothesis. By cultivating or prioritizing shame, as Williams (2008/1993) wants to do, we would make people less moral than they currently are. Again, that is not to say that there are occasions on which feeling shame is beneficial. It may be the case that it is beneficial for an individual, who is not prone to feeling shame, to feel it in limited and appropriate circumstances. But were we to cultivate shame, the effects for individuals and for society would on the whole be negative. I conclude that based on this evidence, we ought not follow Williams in calling for a restoration of shame.

4.3 Objections: Appropriate Shame-Proneness and Its Evolution

I have argued that empirical research supports the view that we ought not cultivate shame among members of our society, contrary to what Williams (2008/1993) claims. One might respond to my argument, however, in at least two ways. First, one might object that of course an emotion felt inappropriately—that is, excessively or in unfitting situations—would be maladaptive, but that Williams's advocates for appropriate shame in a now shameless society. Second, one might be concerned about how it could plausibly be maladaptive to be prone to feeling appropriate shame. After all, the trait of being shame-prone presumably evolved because it was adaptive. If it is not adaptive when felt in reasonable doses at reasonable times, then there ought to be an explanation why.

4.3.1 Appropriate Shame

Williams (2008/1993) argues against a progressivist reading of morality, according to which the Ancient Greeks were premoral—concerned more about things like saving face—whereas under the influence of later ethics, such as Christian ethics and Kantian ethics, human beings have reached moral maturity. “In this picture,” Williams writes, “I am provided by reason, or perhaps by religious illumination (the picture owes much to Christianity), with a knowledge of the moral law, and I need only the will to obey it. The structures most typical of shame then fall away: what I am, so far as it affects the moral, is already given, and there is only the matter of discerning among temptations and distractions what I ought to do” (pp. 94-95). Guilt takes over. According to the progressivist, “It is accepted that the world of Homer embodies a shame culture, and that shame was later *replaced*, in its crucial ethical role, by guilt” (Williams, 2008/1993, p. 5; emphasis added). With this background in mind, one might object that Williams is not advocating for a robust shame culture, but for a culture in which shame plays an appropriate role in our ethical lives alongside other emotions like guilt. And if Williams is only advocating for restoring a semblance of shame—or, we might say, proportionate levels of shame in fitting situations—then perhaps the research cited above is not enough to show that cultivating shame would be bad.

Researchers investigating shame-proneness and its effects, however, have not concluded that there is a level of shame-proneness that is beneficial. One might think, for example, that an inverted u-shape relationship holds between shame-proneness and adaptiveness, such that very low levels and very high levels of shame-proneness are damaging, whereas levels in the middle are a good thing. Researchers, however, have not reported such a relationship. Although it might be an effect of failing to test models such as these, the more likely explanation is that this

hypothesized relationship does not exist.⁷ In any case, it is doubtful that Williams (2008/1993) views our culture as shameless. Certainly, it is rhetorically effective to lament the lack of shame in our society, as Jeb Bush does in the quotation that opens this chapter, but Williams never suggests that shame is absent from our society. Nor is it plausible to think that it is. Participants in dozens of studies report tendencies to feel ashamed, and they are able to recall times when they felt ashamed. Thus, the issue at hand is not about restoring a semblance of shame, but about cultivating greater levels of shame in a society that already feels it.

One might continue the objection, however, by arguing that the TOSCA, Tangney's preferred measure of shame-proneness, measures inappropriate (unfitting or disproportionate) shame. Some of the TOSCA's scenarios state that an unfortunate event occurred (e.g., you threw a ball and it hit someone in the face).⁸ One might think that in such a situation, guilt would be appropriate, but shame might or might not be, depending on whether the event reflected poor character. Many people would feel an impulse to apologize in such a situation, after all. So the TOSCA might be biased towards identifying appropriate guilt, but inappropriate shame. While such concerns are occasionally expressed (Luyten, Fontaine, & Corveleyn, 2002; Sanchez, 2014), they are mitigated by the meta-analysis discussed above (Tignor & Colvin, 2016, January 25), which included multiple measures of dispositional shame.

4.3.2 The Evolution of Shame-Proneness

The former concern leads into another. For if we grant that Williams is talking about cultivating proportionate amounts of shame in fitting situations, then it is difficult to understand how that

⁷ This is not to say that being shameless in the sense of being *unable* to be shamed would be a good thing. There is a difference between not tending to feel shame, and not being able to feel shame.

⁸ This particular example is from the 3rd version of the TOSCA (or TOSCA-3; Tangney & Dearing, 2002).

could possibly be maladaptive. Sometimes this worry is put in terms of the evolution or function of shame. de Hooge, Breugelmans, and Zeelenberg (2008) state the worry as follows:

Many psychologists tend to think of shame as a painful emotion that has profound negative psychological and behavioral consequences (see Tangney & Dearing, 2002). These negative consequences raise questions with respect to the function of shame, because emotion theorists generally assume that emotions are functional in the sense that they promote behavior that has beneficial consequences for the individual or community.... As such, the current psychological knowledge of shame poses a kind of paradox: How could shame be a functional emotion when it has only negative psychological consequences? (p. 933)

Traits that evolved and were adaptive in the past, however, may or may not be adaptive in the present. Take a propensity to consume sugary foods. In our evolutionary past when food was scarce and exercise was a way of life, consuming sugary foods gave essential boosts of energy and provided much needed calories. But in industrialized societies, this way of life is far from typical, and a propensity to consume sugary foods now has negative health consequences. Something analogous might be true for shame. Many authors (among others, Fessler, 1999, Gilbert, 1992, and Maibom, 2010) suggest that shame was a beneficial emotion, serving a crucial function related to appeasement, when human beings (or their evolutionary ancestors) lived in small communities. Although many of these authors believe that shame continues to be an adaptive emotion in modern society, some also recognize that there have been critical changes since human beings lived as hunter-gatherers. We live in a much more fluid society, where people can enter different communities relatively easily. The boundaries that kept people in their small communities are gone, so the threats of disrepute or exile are not as great as they once

were. These sorts of lifestyle changes could make shame a much less effective emotion, morally speaking, than it was in the past. Thus, it is possible that the positive effects of shame no longer outweigh the negative effects.

There are other plausible explanations for how shame-proneness evolved. It might, for example, have evolved in a similar way to disgust, which is another moral emotion that some have found suspect (Nussbaum, 2004; Kelly, 2011; Kelly & Morar, 2014). Disgust is almost certainly a co-opted moral emotion, an emotion that evolved to play a role in a domain other than morality. Kelly and Morar (2014; see also Kelly, 2011) argue that disgust evolved to help animals cope with “poisons and parasites” (p. 155). We have an urge to vomit, for example, to expel potential poisons, and we physically recoil from sources of parasites like rotting food to avoid infection. Thus, disgust evolved to keep illness at bay, by causing us to avoid or respond appropriately to toxic substances and potential contamination. Subsequently, disgust has been co-opted to function in the sociomoral domain. The sorts of things that make people disgusted has expanded considerably. People find those who hold certain political views disgusting, for example, or those who profit from others’ misfortune. These examples do not involve physical toxins or contamination, but we respond to them as such.

Building on their evolutionary story, Kelly and Morar (2014) defend the thesis that “disgust is ill-suited to do any moral or social work whatsoever” (p. 154). More specifically, they address two separate ideas: whether feelings of disgust can justify a moral claim, and whether feelings of disgust can be cultivated as an “Admissible Social Tool” (p. 158). The authors answer no to both questions. In part, this is because disgust did not evolve to be sensitive to ethical issues.

[...] disgust is not a typical ‘social’ emotion like, for instance, love, sympathy, envy or guilt. It did not originate in the face of adaptive problems connected to reciprocity,

commitment or cooperation, or to help navigate Machiavellian social dynamics of defection and deceit. In light of this, it is not completely surprising that disgust is not as intrinsically attuned to social cues that carry information about motivation, intentionality and agency as those more typically social emotions. (p. 164)

Shame is also a good candidate for a co-opted moral emotion. We appear to feel shame in cases that have little or nothing to do with morality. Most notably, as Williams (2008/1993) himself emphasizes, people feel ashamed of their body and being physically uncovered—of nakedness. On a co-option view of the emotion, shame evolved to function in the physical domain of exposure and protection from the elements, but was co-opted, like disgust, to function in the moral domain.⁹ After all, human beings are noticeably lacking in protection, having no fur, feathers, or scales. It seems logical that we would have a mechanism for protecting ourselves, and shame could have filled this role, causing us to seek shelter and protection, and causing our least coverable feature, our faces, to flush with blood in protection. If shame evolved for exposure, then it might not be a perfect fit in the moral domain. It satisfied sometime in our evolutionary past, but it is not an optimal solution. This plausibly explains why when shame is felt occasionally, it can be seen to have good effects. But the overuse or overexposure to shame brings out its negative consequences. Tangney, Stuewig, and Mashek (2007) put it exactly right: “shame is a moral emotion that can easily go awry” (p. 350).

All in all, there are a host of reasons why the trait of being shame-prone might exist, but not be adaptive or functional. Thus, the objection that shame-proneness would have been unlikely to

⁹ Another possibility for a co-option account is Darwin’s (1872) own suggestion in *The Expressions of the Emotions in Man and Animals* that shame evolved with respect to physical deformities and shortcomings, and was co-opted for moral deformities and shortcomings.

have evolved were it not adaptive is inconclusive. It does not overturn the conclusions of careful empirical research on shame-proneness in the modern day. The main argument in this paper, then, still stands: Counter to what Williams (2008/1993) proposes, we ought not cultivate shame in modern society, because it would have counterproductive effects, both at an individual and a social level.

4.4 The Problem of Shame: A Wider Problem for Virtue Ethics?

Williams (2008/1993) recognizes that character evaluations and shame go hand-in-hand, and argues that this is a reason to restore a sense of shame in our society. Other authors in the virtue ethics tradition, however, have been silent on shame. Nevertheless, because shame and character are linked, others in the virtue ethical tradition might be compelled to endorse shame as a desirable moral emotion. The purpose of this section is to explore whether a similar argument against shame to that presented above affects virtue ethicists more broadly. If so, then virtue ethicists face the problem of shame, the problem of explaining how to avoid the morally counterproductive consequences of cultivating shame.

Virtue ethicists advance significantly different theories, however, which hang together loosely. It is quite difficult to identify core principles that all virtue ethicists adopt (Trianosky, 1990). Consequently, there are some theories that are seen as forms of virtue ethics that do not face the problem of shame. A prime example is Michael Slote's ethics of empathic care (see his 2001, 2007, and 2010 works). Slote stresses the importance of ethical motivation, specifically motivation that expresses empathic caring. According to Tangney's theory, focusing evaluation on motivation probably would not lead to a propensity to feel shame. Motivation in a particular instance is distinct from more long-lasting character traits. Thus, it is open to Slote to explain

that a prominent moral emotion in his theory would be guilt, but not shame. And guilt does not appear to have any of the negative effects that shame does (Tangney, Stuewig, & Mashek, 2007).

Which virtue ethical theories, then, might face the problem of shame? To the extent that a theory emphasizes the evaluation of character over individual actions or in-the-moment motivation, that theory faces the problem of shame. Because of the lack of attention to shame, examples are not always straightforward to find. One example, however, comes from Rosalind Hursthouse.

Hursthouse (1999) objects to the idea that virtue ethics is somehow under-formulated or vague when compared to theories in other traditions. To demonstrate this, she formulates virtue ethics in a way similar to other types of theories, that is, with principles. She defines right action by appealing to character: "An action is right iff it is what a virtuous agent would characteristically (i.e., acting in character) do in the circumstances" (p. 28), where "A virtuous agent is one who has, and exercises, certain character traits, namely, the virtues" (p. 29). And virtues, for Hursthouse, are deep-seated and reliably lead to action. Evaluations of character, then, are more fundamental in Hursthouse's theory than evaluations of action. If one transgresses, it hints that one has a defect in character, even if it does not conclusively prove it. Thus, Hursthouse emphasizes the evaluation of character, and as a result must face the problem that shame poses for her theory.

McDowell is another virtue ethicist who, although he does not discuss shame explicitly, formulates a theory that likely faces the problem of shame. McDowell (1979) argues that living a moral life is not about following a set of rules, but about "being a certain kind of person: one who sees situations in a certain distinctive way" (p. 347). This suggests that if one does something morally wrong, then there is a defect in one's person. Certainly, there could be exceptions to this. Perhaps someone sees situations in the right way, and hence knows how to

act morally, but cannot overcome the countervailing power of coercion or drug addiction. In such a case, acting unethically might not reflect a defect in character. Still, if being moral is about being a person of certain sort, then McDowell's ethics points us toward the evaluation of character over action or motivation.

More recently, Julia Annas presents a theory that appears to face the problem of shame.¹⁰ Annas (2011) compares being virtuous to learning and exercising a skill, such as playing a sport.

According to Annas, being virtuous is about being a good practical reasoner. If one transgresses, however, then it suggests a defect in one's practical reasoning ability. It suggests that one is not excellent in a way that they should be, which is a judgment that is likely to lead to shame. It is telling, to continue the sport analogy, that people tend not to feel guilty about poor athletic performances, but ashamed of themselves. Furthermore, Annas proposes that the virtues are unified: Having one virtue means that one is likely to have other virtues. They come, so to speak, as a package. This is another feature that is likely to lead to shame, for it implicates the person as a whole, rather than something isolated. Thus, I believe that Annas is another example of an author who needs to address the role of shame in her ethical theory.

These examples show that the problem of shame that Williams (2008/1993) faces might extend to others in the virtue ethical tradition. At the very least, this argument shows that virtue ethicists ought to address the psychological consequences of their theories and whether they, like Williams, endorse shame.

¹⁰ Nussbaum (2004, 2005) cites a manuscript prepared by Julia Annas in 2000 entitled "Shame and shaming punishments" for the Workshop on Law and Social Control, but the manuscript has never been published (Annas, 2016, August 3, personal communication) and a copy was unavailable upon completion of this paper. Interestingly, according to Nussbaum (2005), Annas argues that shaming organizations might be an acceptable use of shame punishment, but not shaming individuals due to concerns about human dignity.

4.5 Conclusion

Williams (2008/1993) argues that we can learn something important from studying the functioning of shame and guilt in ancient Greece. According to his analysis, the ancient Greeks experienced shame as an emotion that encompassed guilt. Shame focuses our attention on our character, our identity, and our ethical interrelationships with others. Guilt, he argues, does none of these things. For this reason, Williams advocates returning to a culture in which shame plays a central role in our moral lives. I contend, however, that Williams is wrong in thinking that cultivating shame in our society would have ethically beneficial consequences. Recent empirical analyses show that cultivating shame would likely lead to undesirable consequences for both individuals and for society as a whole. In this instance, we have made ethical progress with a shift to a guilt culture, and we should not retrogress.

Several other authors in the modern virtue ethical tradition, besides Williams, appear to focus our evaluative attention on character. Hursthouse (1999) suggests that right action flows from good character. McDowell (1979) suggests that living a moral life amounts to being a certain sort of person, one who sees situations in a distinctive way. And Annas (2011) suggests that being virtuous is like having the ability to play a sport. Each of these authors implies, I believe, that we ought to emphasize the evaluation character. Cultivating a focus on character, however, has a strong tendency to be morally counterproductive. To emphasize the evaluation of character is to make people more prone to feeling shame. Shame-proneness, in turn, leads to negative outcomes such as misdirected blame, anger, aggression, and impulsive and illicit behavior. These would seem to be unwanted consequences of an ethical theory.

I conclude that virtue ethicists need to address the problem of shame. Ideally, adopting an ethical theory ought to make one's community better, not worse. One way to circumvent this

problem might be to argue that the outwardly facing content of virtue ethics need not reflect the inwardly facing content. Inwardly, all that matters is whether the theory is true.¹¹ Along these lines, one might argue that we must raise our children to be good in character, but we ought not explicitly reveal to them that this is our moral aim. We should in general conform to virtue ethical theory to be morally good—not consciously adopt it.

This response is certainly an option, but I believe that it would signify a shift in the spirit of virtue ethics, one that many virtue ethicists might not be willing to adopt. Stocker (1976), for example, critiques utilitarian and deontological theories on the grounds that they are *schizophrenic*: The reasons that justify an action are not the same as what motivates the agent. The outward/inward difference seems to be similarly schizophrenic, at least in an extended sense. Thus, even if some found it amenable to address the problem of shame by supporting an outward/inward distinction, it would be a significant alteration to virtue ethical theory. This simply underscores the need for virtue ethicists to address shame in the formulation of their positions.

Will virtue ethicists stand with Jeb Bush and call for the restoration of shame? This paper, hopefully, will spur an answer.

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¹¹ The analogy comes from information technology, where organizations often have an outwardly facing, publicly viewable website (on the internet), along with an inwardly facing, private site (or intranet), which is only viewable by those within the organization.

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Chapter 5: There Should Not Be Shame in Sharing Responsibility: An Alternative to May's Social Existentialist Vision¹

The Israeli-Palestinian conflict is almost 50 years old, and dozens if not hundreds of civilians are killed or injured each year.² Although only a small number of Israelis and Palestinians are directly responsible for civilian casualties in the conflict, many have strikingly negative attitudes about the other group. These attitudes contribute to a culture in which the conflict can continue, with little hope of sustained peace. According to Larry May (1992), Israelis and Palestinians who harbor these negative attitudes ought to share responsibility for the transgressions of their associates. This does not mean that we should blame non-combatants for the casualties caused by their peers. But we should encourage them to feel ashamed of themselves when they choose to be associated in attitude with those who directly cause harm.

The empirical evidence, I will argue, should make us reconsider the appropriateness of cultivating shame to promote morality. Over the last few decades, psychological research spearheaded by June Tangney has established that being disposed to feel shame has many negative outcomes (see, for example, Tangney et al., 1992; Barrett, Zahn-Waxler, & Cole, 1993; Wright, GudJonsson, & Young, 2008; Stuewig et al., 2010; Thomaes et al., 2011; Peters et al., 2014). Although feeling shame can be effective in isolated situations (Schmader & Lickel, 2006; de Hooge, Breugelmans, & Zeelenberg, 2008; Bryan, Adams, & Monin, 2013), being disposed to feel shame leads to avoidance of scrutiny by concealing oneself and one's transgressions,

¹ The chapter was published in June of 2016, with minor changes in formatting, in *Ethical Theory and Moral Practice*, 19, 755-772.

² For detailed information on casualties, see the statistics compiled by the human rights group B'Tselem at www.btselem.org

blaming others for one's problems instead of taking responsibility for them, failing to manage anger productively, and having character issues including a propensity for aggression. When it comes to shame, a little is good, but more is not better.

In section 1, I present May's (1992) proposal for sharing responsibility in more detail. In particular, I aim to demonstrate that May would have us develop heightened senses of shame. In section 2, I explain why psychological research on shame poses a problem for May's vision, focusing on several negative outcomes of a heightened sense of shame: avoidance of scrutiny, misattribution of blame, anger, and aggression. In section 3, I address four potential objections to my argument. Finally, in section 4, I outline a way to retain May's claim that we ought to hold one another more responsible for indirect contributions to harm. Instead of cultivating shame, we ought to cultivate other-oriented emotions such as empathic care and guilt.

5.1 May's Vision of Sharing Responsibility

May's (1992) central thesis in *Sharing Responsibility* is that we should broaden the realm of moral responsibility by increasing the extent to which we share responsibility for transgressions that we do not directly commit. We should be held more responsible for having harmful attitudes, for example, even if it is not our own attitudes in particular that directly cause harm (see May, 1992, Part One). Employees who have sexist attitudes should be held more responsible for preventing the advancement of women in their company, even if those employees do not directly make the hiring decisions that cause harm. To give another example, we should be held more responsible for personal omissions that contribute to a group's transgression (see May, 1992, Part Two). No individual has a duty to relieve a food shortage, even though a collective does. Nevertheless, individuals should be held more responsible for failing to organize hunger relief, which should combat the well-known phenomenon of diffusion of

responsibility.

May (1992) calls the view of moral responsibility that underpins his central thesis *social existentialism*. It is existentialist because it focuses on one's choice of an identity, not merely on one's choice of actions. He writes, "The underlying principle of existentialist ethics is that one is always morally *responsible* for who one chooses to be, that is, for choices of attitude, disposition, and character, as well as for one's behavior" (p. 150; italics in original). It is a social version of existentialism because it emphasizes that one's identity is to a significant extent determined by the associations one has with others. "It is social experience or existence," May writes, "as well as individual choosing, that constructs the self" (p. 3). Thus, according to social existentialism, to be more responsible for one's identity is thereby to be more responsible for others and one's associations with them—it is to share responsibility.

Adopting social existentialism entails a greater focus on moral emotions other than guilt, most notably shame.³ According to May (1992) and many others (for example, Williams, 1993; Nussbaum, 2004; Sinnott-Armstrong, 2005; Tangney, Stuewig, & Mashek, 2007), a basic difference between guilt and shame is that guilt focuses on one's behavior, whereas shame focuses on one's identity or character. To use a common slogan, we feel guilty about how we behave, but ashamed of who we are.⁴ Thus, shame is fundamental to May's vision of sharing responsibility because the self is fundamental to social existentialism, his underlying view of

³ Another term that May (1992) regularly uses is "moral taint," but it is unclear whether he uses the term as a near synonym of "shame," in reference to a type of shame, or in reference to a distinct phenomenon. I will not take a stance on this issue, and use the more familiar term "shame" exclusively.

⁴ May does not explicitly define shame in *Sharing Responsibility* (1992), but he does in *The Socially Responsive Self* (1996): "Shame is best understood as the response that people feel when they believe that others (an anticipated audience) would judge them to have a particular failing or character defect. Shame has its origins in the feeling of wanting to hide from someone whose gaze betrays some sort of disapproval of one's person" (p. 81). This quotation clearly illustrates that May accepts the standard definition of shame, favored by most philosophers and psychologists.

responsibility. Consider, for instance, what May says about groups that transgress by failing to act. In such a case, “in which the failure of many people to act is involved, shared responsibility normally does not entail guilt” (p. 120). He continues,

Shame, though, is directly related to a person’s conception of herself or himself, rather than to explicit behavior (which is what guilt most commonly attaches to). Because shame concerns the self’s identity, it is more appropriately felt than guilt when one’s group fails to prevent a harm, since it is the association between the group’s identity and one’s own that generates the moral feelings, rather than what one has directly done. (p. 120)

To combat the ability of groups to cause harm, May (1992) envisions cultivating what psychologists call *group-based shame* (Lickel, Steele, & Schmader, 2011).⁵ To experience group-based shame is to feel ashamed of oneself because of one’s associations with others who transgress. It is the type of shame one might feel when a family member acts disgracefully. It is not, therefore, the standard form of shame—or what I will call *personal shame*—in which one feels ashamed of oneself for transgressing. It is also conceptually distinct from *other-directed shame*, in which one feels ashamed of another who transgresses (or another group that transgresses). Nevertheless, to cultivate group-based shame, according to May’s vision, is also to cultivate both other-directed shame and personal shame. It is to cultivate other-directed shame, because in feeling group-based shame, we feel that others’ acts are shameful. It is to cultivate personal shame, in turn, because other-directed shame cultivates personal shame in those who transgress. At the most basic level, however, the existentialist component of social

⁵ It is worth noting explicitly that May (1992) does not base his argument for greater shared responsibility on a mechanism of guilt-by-association, even though it can seem that he collapses the notions on occasion. Whereas guilt-by-association is a troublesome notion, the sorts of shame that May describes are meant to do a similar job, without the impropriety.

existentialism requires focusing evaluation on oneself just as much as on one's behavior—it requires having a propensity for personal shame. Thus, May does not merely envision a culture of group-based shame, but a culture of shame in general.

By cultivating group-based shame in particular, May (1992) believes that we can reduce the amount of harm caused by groups.⁶ The experience or anticipation of group-based shame should cause us to disassociate ourselves—or, as May sometimes says, distance ourselves—from transgressions and the people who cause them. The threat of shame, for example, should spur us to take more interest in what our companions are doing. If we think that it is harmful, then we ought to disassociate ourselves from the harm by acting to stop it. And if we cannot immediately influence the actions of others, then at least shame can make us distance ourselves in attitude from actions that are harmful. Most Americans cannot immediately influence the use of torture in interrogations, but they can at least strongly disapprove of it, and to that extent disassociate themselves from the practice. In more extreme cases, shame can lead us to resign from a group that persistently transgresses. Such withdrawal lessens the group's ability to do harm.

To give a concrete example of May's (1992) vision, consider politicians in Ireland during the Great Famine, who could have organized to stop exporting food to other countries, but did not.

May writes,

In my account of collective inaction, shame is what people should feel when groups to which they belong have failed to prevent harm that should have been prevented. These people should feel shame literally, in the sense that they should want to hide their faces,

⁶ Sharing responsibility with others does not mean that one should feel a significantly weaker form of shame: “When a person is assigned less than full responsibility for a harm, that person still is subject to blame, punishment, or shame for what has occurred, and should feel motivated to choose differently in the future, just as in a case of full individual responsibility” (May, 1992, p. 38).

to regret that they are members of the groups in question. [...] such feelings of shame or moral taint should cause people to seek to change the behavior of their groups or to disassociate themselves from their groups. (p. 121)

Thus, on May's vision, the politicians during the Great Famine should have been profoundly ashamed of themselves for belonging to a group that caused famine-related deaths. Facing this shame, the politicians should have disassociated themselves from the group by changing their attitudes toward exporting and stopping the food shortage, or else by resigning their positions and letting others do the job in their place.

In summary, May (1992) envisions a society in which people take greater moral responsibility for whom they are and recognize that whom they are is a function of those with whom they associate. This means that one will be disposed to share responsibility with associates when one indirectly contributes to a transgression that they commit. The appropriate emotion to feel in such cases is characteristically shame, since shame relates to one's identity. Our increased propensity to feel group-based shame will spur us to disassociate ourselves from the harm done by bettering others, withdrawing from them, or changing our attitudes. And this, ultimately, will reduce the profound ability of groups to cause harm.

5.2 The Problem of Shame

May (1992) believes that by cultivating shame, we can motivate people to improve both themselves and society. Yet this suggestion flies in the face of decades of empirical evidence concerning the antisocial consequences of a disposition to feel shame. Contrary to May's suggestion, people with greater senses of shame tend to become less, not more, virtuous members of their moral communities. In this section, I review a selection of evidence that reveals dispositional shame's association with avoidance tendencies and with a defense mechanism that

leads to blaming others, anger, and aggression.

5.2.1 Avoidance of Scrutiny

Virtually all authors, both those in the humanities and those in the social sciences, agree that shame is associated with avoiding scrutiny by concealing oneself and one's transgressions.

Barrett, Zahn-Waxler, and Cole (1993), for example, investigated the reactions of toddlers to a mishap that the toddlers were led to believe they caused. An experimenter introduced each child to one of the experimenter's favorite dolls, which was rigged to break shortly after the experimenter exited the room and the child began to play with it. The authors coded the children's reactions when the doll broke and when the sad experimenter re-entered the room. Even at such a young age, Barrett, Zahn-Waxler, and Cole were able to identify a group of children who responded to the transgression primarily with avoidance. This group of children displayed a cluster of other shame-related behaviors, which lead the authors to conclude that this "avoiders" group was prone to feeling shame.

One might contend that avoidance of scrutiny, in the form of withdrawing from others, is precisely what May (1992) is advocating when associates transgress. As noted in section 1, May often writes of the need to distance or disassociate oneself from a group or group member that does harm. Withdrawing from a group is not equivalent, however, to concealing oneself from the disapproving gaze of others. Furthermore, distancing is not equivalent to withdrawing from a group. Discussing Appiah's (1987) case of a university that holds shares in a company that supports apartheid, May (1992) writes,

From my social existentialist viewpoint, in order to avoid the responsibility associated with taint it is necessary to take reasonable steps to distance oneself from the harm caused by one's group. What counts as "reasonable steps" will vary according to the

context. In the case of South African apartheid, it is clear that one should do more than merely disapprove of one's university for not divesting. But it is unclear to me whether one needs to march on the president's office in order fully to avoid sharing in responsibility for the harms of apartheid. The question that each person needs to ask is: Have I done all that can reasonably be expected of me to distance myself from this harm? (p. 159)

Distancing often requires action to remedy the situation or, if action is impossible, a change in attitude. It does not require removing oneself from view, which is one avoidance tendency associated with shame.

The fact that shame causes one to conceal transgressions is also problematic for May's (1992) proposal. Increasing individuals' propensities to feel ashamed of themselves for their associates' wrongdoings, for example, would make institutional cover-ups more likely. Just as shame motivates hiding one's own transgressions, it can motivate hiding others' transgressions, if those are what trigger shame. Consider the sex abuse scandal in the Catholic Church. Members of the Church who did not commit acts of sexual misconduct nevertheless felt compelled to cover-up the misconduct of their peers to avoid shame for the Church. Because of this, harms continued to multiply, and the scale of the tragedy became massive. This sort of institutional cover-up can be devastating, and increasing one's tendency to feel shame for indirect contributions to harm would increase one's tendency to contribute to such an effort to prevent very real problems from coming to light.

In short, the avoidance tendencies associated with group-based shame are not the positive tendencies that May (1992) envisions. May thinks we should distance ourselves from group-based harm by trying to change the group's behavior, by disapproving of the harm, or by

withdrawing from the group. The tendencies associated with shame, however, are merely to shirk scrutiny and responsibility.

5.2.2 Misdirecting Blame

A propensity for shame has been found to be associated with a propensity for externalizing blame, that is, a propensity for blaming others instead of assuming responsibility oneself.

Tangney et al. (1992) asked university students to read scenarios involving potential transgressions. For each scenario, participants rated how likely they would be to behave, think, or feel in ways indicative of shame. They also rated how likely they would be to blame others in the scenarios.⁷ The authors found that “the tendency to experience shame across a range of situations was strongly correlated with a tendency to externalize cause or blame” (p. 672).

Again, blaming others might seem to be desirable for the sorts of case that interest May (1992), because others have transgressed and should be held responsible. Such a response, however, is apt to produce scapegoating, where one person or group assumes a disproportionate amount of the blame for a transgression. Consider the Abu Ghraib prison scandal, where a large number of people indirectly contributed (to varying degrees) to the acts of torture that occurred at the prison. Cultivating shame would have increased the likelihood of externalizing blame, and the salient targets of this blame would have been the soldiers who directly carried out the torture (not the administration officials who encouraged, legitimized, or even indirectly ordered it). In fact, only a small group of soldiers ever received punishment for the crime, and shame could have magnified this instance of scapegoating considerably. The focus in such a case needs to remain

⁷ An example of a scenario from Tangney's most current measure (the Test of Self-Conscious Affect 3, or TOSCA-3) is, "You make plans to meet a friend for lunch. At 5 o'clock, you realize you stood your friend up" (Tangney & Dearing, 2002, p. 207). Participants rate how likely they would be to respond in certain ways, from 1 (not likely) to 5 (very likely). They rate, for example, whether they would think "I'm inconsiderate" (p. 207), an indication of shame, and whether they would think "My boss distracted me just before lunch" (p. 208), an indication of externalization of blame.

as much on the vast number of indirect contributors to harm as on the direct perpetrators, to combat the sort of institutional evil that can result in harm. Shame is not a good tool to produce that effect.

There is also a danger that the tendency to externalize blame would cause blame to be misdirected towards an out-group. This could lead to the phenomenon known as *blaming the victim*, a type of exonerating cognition. As Lickel, Steele, and Schmader (2011) note in their review of group-based moral emotions, strong group identification “can lead people to have moral blinders with regard to their group’s wrongdoing and also be motivated to find ways of exonerating their group from wrongdoing” (p. 158). An individual who strongly identifies with members of his own race, for example, might be inclined to blame out-group victims of racial prejudice, instead of the members of his in-group who perpetrated the harm. Members of racial minorities are often pinned as lazy, untrustworthy, criminal, unintelligent—the list could go on and on. This helps justify violence and prejudice against them.

A culture of shame can also lead to blaming the victim when the victim is a member of the in-group (Piff, Martinez, & Keltner, 2012). Shocking instances of this phenomenon occur in Pakistan and India surrounding rape. In an op-ed for *The New York Times*, Salman Rushdie (2005, July 10) writes, “In honor-and-shame cultures like those of India and Pakistan, male honor resides in the sexual probity of women, and the ‘shaming’ of women dishonors all men.” The deep dishonor (or shame) that men feel when women with whom they are associated are “shamed” leads to blaming the victims of rape alongside of—or even worse, instead of—the perpetrators. The example might seem distant to Western readers, but it should not. Women who are raped or sexually assaulted on college campuses often report being blamed themselves

when they report the crimes to administrators.⁸ It seems likely that part of the explanation for this commonplace occurrence involves the shame that administrators feel when they are faced with assault cases on their own campuses, campuses for which they are supposed to be responsible. Instead of taking responsibility for their indirect roles in the astonishing number of rape and sexual assaults on campuses, shamed administrators externalize blame on an easy target—the victims themselves.

All in all, shame's association with directing blame towards others, instead of towards oneself, makes it unsuitable as a tool for sharing responsibility. Through focusing blame on others, individuals who indirectly contribute to a harm deny—rather than acknowledge—their own role in the harm. Misdirected blame can also take the form of scapegoating and blaming the victim, which are phenomena that we ought to avoid.

5.2.3 Anger

Being prone to feel shame is associated with heightened feelings of anger and with maladaptive ways of managing that anger. To give just one example, Wright, GudJonsson, and Young (2008) studied male criminal offenders in a psychiatric evaluation unit. They measured how much shame the offenders felt about committing their crime, and how much anger they felt. After statistically controlling for the effect of guilt, the amount of shame that offenders felt was significantly correlated with higher levels of anger. Furthermore, this finding is not limited to this admittedly narrow population, but extends to populations such as undergraduates and young adolescents as well (Tangney et al., 1992; Thomaes et al., 2011; Peters et al., 2014).

Shame-related anger, which likely stems from externalization of blame, can lead to what

⁸ This has led the White House Task Force to Protect Students From Sexual Assault (2014) to recommend training university administrators on how to avoid blaming the victims of sexual assault.

psychologists call *shame-rage cycles*. This phenomenon is often seen in marital conflicts (Scheff & Retzinger, 1991). A wife (for example) accuses her husband of not being a good parent, which causes him to feel ashamed. This causes the husband to get angry and defensive, whereby he attacks his wife's parenting abilities in turn, leading to further shame and a sustained back-and-forth argument. Shame-rage cycles are not, however, limited to the sphere of interpersonal relationships. They can occur in intergroup contexts as well. Consider, for example, the shame-rage cycles that are often evident in ethnic conflict. An increased sense of shame for the transgressions of one's in-group leads to more widespread externalization of blame and anger towards the out-group (that is, victim blaming). Attacking and diminishing the out-group, in turn, leads to shame and externalization of blame in that group, and the cycle begins. Cultivating shame for indirect contributions to harm, then, could intensify ethnic conflicts by polarizing the groups and intensifying the anger in shame-rage cycles.

5.2.4 Aggression

Finally, the empirical evidence suggests that a propensity to feel shame is associated with aggression, which follows on the heels of misdirected blame and anger. In a recent article, for example, Stuewig et al. (2010) investigated whether shame causes externalization of blame, which in turn causes aggression. The authors studied four different populations: undergraduate students, adolescents, inmates, and adolescents considered "at risk." Each participant filled out an appropriate version of the TOSCA (or a measure modeled on the TOSCA), and a measure of aggression. For three of the four populations, a third-party also reported on a participant's aggressive tendencies. The authors found that in most cases, shame was positively correlated with externalization of blame, which was in turn correlated with aggression (although the latter relationship held best for self reported aggression). Although Stuewig et al. did not include a

measure of anger in their studies, there is additional evidence that anger mediates the relationship between shame and undesirable character traits. Peters et al. (2014), for example, studied the links among shame, anger, and borderline personality disorder (BPD) in a large sample of college students. Individuals with BPD tend to have trouble in relationships with others, have outbursts of and dramatic swings in emotion, and engage in risky behaviors. The authors found that shame tended to lead to BPD symptoms via anger and rumination about anger, illustrating the link between shame and anger.

Social existentialism focuses on the way in which our relationships and interactions with others shape our own identities. When an associate's identity is challenged, so is our own. This can easily lead to a widening sphere of aggression. James Gilligan (2003) has spent his career studying violent individuals in prisons and prison psychiatric units. In "Shame, guilt, and violence," he writes,

[...] I have been struck by the frequency with which I received the same answer when I asked prisoners, or mental patients, why they assaulted or even killed someone. Time after time, they would reply "because he disrespected me" or "he disrespected my visitor [or wife, mother, sister, girl-friend, daughter, etc.]." In fact, they used that phrase so often that they abbreviated it into a slang phrase, "He dis'ed me." (p. 1149)

To be "dis'ed" is to be shamed, and as Gilligan's quotation makes clear, we can feel "dis'ed" by association. If social existentialism directs us to view our own identities as linked with others, then the result would be a greater likelihood of shame-based aggression.

In summary, the empirical record demonstrates that shame is not the right tool for sharing responsibility. Shame makes us avoid scrutiny, rather than address associates' transgressions. It leads to denying one's role in harm, rather than accepting it and making reparations. Shame also

can initiate a defense mechanism of externalizing blame, which increases scapegoating and blaming the victim. Anger follows on the heels of externalization of blame, and can lead to intergroup shame-range cycles. Finally, anger leads to aggression, the ultimate negative consequence of cultivating shame. For all of these reasons, we should reject May's (1992) vision of sharing responsibility that is founded on social existentialism.

5.3 Concerns and Objections

One might have several concerns or objections related to the argument presented above, which concludes that we ought to dismiss May's (1992) vision of sharing responsibility. My aim here is to address what I believe are four important concerns or objections.⁹ First, one might be concerned that an empirically based argument is highly unlikely to affect May's normative vision. Second, one might object that group-based shame is less damaging than personal shame. Third, one might be concerned that I have mischaracterized group-based shame, which weakens my argument. Finally, one might object that we can cultivate shame without cultivating its negative, merely contingent, effects.

5.3.1 May Does Not Need to Take Empirical Challenges Seriously

One might be concerned that May (1992) can justifiably overlook an empirically based challenge to his vision of sharing responsibility. For one thing, philosophers often overstate empirical findings. Empirically based criticisms should not be based on one or two generously interpreted findings, but on a pattern of robust results. But in any case, it is not at all clear that empirical facts can bear on a normative vision. Attempts to bridge the fact-value gap are, at best, contentious. Thus, May need not take an empirical challenge seriously.

⁹ I would like to thank two anonymous reviewers for their thoughtful comments and for encouraging me to address several of these objections.

To begin with, empirical facts about shame of the sort presented above are not value-free. To give an example, consider the research linking shame-proneness with BPD symptoms (Peters et al., 2014). To classify something as a mental disorder is already to make a value judgment, a judgment about what is normal or what is good for a person. Thus, claims that link shame-proneness with symptoms of BPD are not value-free. The same goes for claims that link shame-proneness with misdirected blame and with increased anger and aggression. Since these claims incorporate value judgments, they do, in fact, bear on normative ethical claims.

This concern, then, hinges upon whether Tangney and her colleagues' findings constitute a reliable pattern of robust results. At first glance, we must conclude that they do. Tangney's work is influential enough to have garnered a summary in *The Annual Review of Psychology* (Tangney, Stuewig, & Mashek, 2007). Her measure of shame-proneness, the TOSCA, has by now been used in hundreds of studies and translated into several languages (Tangney & Dearing, 2002). Even researchers who disagree with Tangney cite her view as established (de Hooge, Breugelmans, & Zeelenberg, 2008). None of this is to say, of course, that Tangney's evidence is flawless. Rather, it is to say that one cannot dismiss this body of research without sustained, detailed argument.

5.3.2 Group-Based Shame is Less Damaging than Personal Shame

The primary difference between group-based shame and personal shame is that we experience group-based shame based on our associations with others who transgress. It is open to a person feeling group-based shame, then, to disassociate from the source of shame—something that is not intuitively available to an individual feeling personal shame. Thus, one might grant that dispositional personal shame is harmful, yet argue that dispositional group-based shame, for which May (1992) advocates, is less damaging than dispositional personal shame. Instead of

avoiding scrutiny and getting defensive, perhaps those who feel group-based shame tend to turn to strategies of disassociation that are favorable to May's position, such as making an effort to better others or withdrawing from harmful groups.

Admittedly, the criticism of dispositional group-based shame leveled above is based on an extrapolation from data concerning dispositional personal shame. Unfortunately, little if any empirical research has investigated dispositional group-based shame. This extrapolation is justified, however, because dispositional group-based shame and dispositional personal shame share two properties that account for the harmfulness of the latter. First, both forms of shame focus on the self, rather than on behavior. It is more difficult to fix a flawed self than it is to repair an isolated action. Second, both forms of shame are dispositional. Research on isolated feelings of personal shame, or *situational* personal shame, sometimes reveals a positive side to that experience (Schmader & Lickel, 2006; de Hooge, Breugelmans, & Zeelenberg, 2008; Bryan, Adams, & Monin, 2013). But that does not mean that we ought to cultivate shame. Shame is a particularly painful emotion. When cultivated, it quickly becomes counterproductive. As Tangney, Stuewig, and Mashek (2007) note, "shame is a moral emotion that can easily go awry" (p. 350).

Furthermore, research on situational group-based shame does not paint that experience as wholly adaptive to begin with. Scarnier, Schmader, and Lickel (2009, Study 2), for example, asked parents to read a scenario that instructed them to imagine being the parent of a child who transgressed (hit another child with a toy truck). They measured how ashamed the parents imagined feeling about the event. They also asked parents to complete a questionnaire about their style of parenting, including which discipline techniques they used. The authors found that parents who reported feeling more ashamed also tended to have a negative parenting style.

These parents tended to rely on love withdrawal and overreacted to transgressions.

As noted above, Lickel, Steele, and Schmader (2011) suggest that the adaptiveness of group-based shame hinges on the degree to which one identifies with the group (or person) that transgresses. When one's identity is intimately connected with a group, disassociation is less likely, and one is more likely to find ways of exonerating the group. Shepherd, Spears, and Manstead (2013, Study 3), for instance, investigated participants' willingness to act against the possibility of a group-based transgression, namely, resorting to military force to limit Iran's nuclear capabilities.¹⁰ They found that participants who strongly identified with their country were less likely to anticipate feeling group-based shame for this transgression, presumably due to exonerating cognitions, and hence less willing to act to prevent it. Thus, cultivating group-based shame would at the very least have effects that counteracted one another: better effects when identification were weaker, and worse effects when identification were stronger.

In addition, recall that the position that underpins May's (1992) proposal, social existentialism, fundamentally entails an increase in dispositional shame of all types, including dispositional personal shame. The fundamental principle of existentialist ethics, according to May, is that one is responsible for one's identity and character, not merely what one does. Again, any benefits that might accrue from an enriched sense of group-based shame would likely be offset by the costs of an enriched sense of personal shame.

Finally, the choice we face is not between adopting May's (1992) shame-based vision of sharing responsibility or not, but between adopting it or an alternative vision. The purpose of section 4

¹⁰ This study was conducted in the United Kingdom when the unjustified military incursion into Iraq was salient to participants. Americans might have been less likely to agree that military action would have constituted a transgression.

of this paper is to argue that we can ground a more productive vision of sharing responsibility on the ethics of empathic care. For all of these reasons, the objection that May advocates for a less damaging form of shame is unsuccessful. We still ought to reject his vision.

5.3.3 A Mischaracterization of Group-Based Shame?

To feel group-based shame, as I have characterized it, is to feel ashamed of oneself for being associated in some way with another individual or group that transgresses. Thus, one would count as feeling group-based shame if one felt ashamed of being a Boy Scout because of the group's discrimination against homosexuals. One might be concerned, however, that this is to mischaracterize group-based shame. To feel group-based shame could, for instance, be to feel ashamed primarily of the Boy Scouts of America's poor character, rather than one's own character. This would be to challenge the object of group-based shame. Alternatively, one might argue that to feel group-based shame is for the Boy Scouts of America, not an individual, to feel ashamed of itself. This would be to challenge the subject of group-based shame. In either case, group-based shame would not share a seemingly crucial feature of personal shame, thus challenging the applicability of my argument presented above.

To begin with, it is worth noting that May (1992) does not characterize group-based shame in either of these ways. May is clear that according to his vision, it is individuals who undergo shame. Likewise, he is clear that it is individuals who are the primary objects of negative appraisal, although "it is the association between the group's identity and one's own that generates the moral feelings, rather than what one has directly done" (p. 120).

Furthermore, there are reasons to question a vision of sharing responsibility based on either alternative characterization. First, consider a vision of sharing responsibility founded on shame directed at the character of groups. As noted previously in this paper, this is still a method of

cultivating shame. Members of the group in question—to the extent that they identify with the group—will feel as if their own identity is under attack, and hence feel shame. Feeling ashamed of the Boy Scouts, for example, is associated with characteristic behaviors and facial expressions (shaming practices) that aim to induce shame in others. Thus, this alternative characterization does not escape the argument presented in section 2.

Second, a vision of sharing responsibility based on groups undergoing shame faces a dilemma: Either it incorporates a controversial ontological view concerning groups and emotion, or it collapses into a vision that is akin to May's (1992). On the one hand, if one took a strong ontological stance on groups undergoing an emotion, one would need to claim, for example, that the Boy Scouts of America—as an organization distinct from or something over-and-above its constituents—ought to experience shame for its views on homosexuality. Pettigrove and Parsons (2012) explain what is wrong with this view:

One reason, perhaps the primary reason, philosophers have been skeptical of collective emotions is because they appear metaphysically dubious. Talk of collective emotions often conjures an image like the one that appears on the 1651 Head edition of Hobbes's *Leviathan*, where a giant crowned head sits atop a body made up of ordinary human persons. Collective emotions on such a picture are thought to presuppose a super-agent with a mind more or less like ours.... Such a picture, insofar as it fails to square with our experiences, would indeed be incredible. (p. 504)

On the other hand, as a group-as-subject vision steers away from a controversial ontological view, it steers closer to May's (1992) own vision. Consider, for example, Pettigrove and

Parsons's (2012) favored explication of collective emotion, the *network conception*.¹¹ According to this conception, the network of connections among people, policies, institutions, physical locations, and so on, enables the collective experience of an emotion. These connections can be, among other things, normative and causal. When the network is activated and responds in the right way, the collective—for example, the Palestinian state—can be said to feel a certain emotion. The shame felt by the Palestinian state is not straightforwardly reducible to the shame felt by individual Palestinians. Nevertheless, “Typically these responses will involve a significant percentage of persons who make up the collective experiencing affects of a particular sort” (p. 513). And that is the key. On a view like that of Pettigrove and Parsons, cultivating collective shame would still be to cultivate individual shame, and the argument presented in section 2 would still apply.

Pettigrove and Parsons (2012) have a more optimistic outlook on collective shame than I have espoused in this paper. They argue, for example, that collective shame played a formative and positive role in the collective pride that Palestinians now feel. Even Pettigrove and Parsons (2012), however, acknowledge that shame and its associated defense mechanisms “construct obstacles to forgiveness and reconciliation” (p. 504). When looking at the broader picture of the Israeli-Palestinian conflict, shame-proneness still plays a role in sustaining the conflict.

5.3.4 We Can Cultivate Shame without Its Negative Effects

Even if one agrees with the characterization of group-based shame that May (1992) and I adopt, one might contend that the negative effects of dispositional shame are merely contingent effects. If to perceive the sorts of situation in which May is interested as shameful is the correct way to

¹¹ Mikko Salmela (2012) is another author, I would argue, whose view of collectively experienced emotions fails to distinguish itself sufficiently from May's (1992) to sustain the concern in question. Those moved by this concern might explore von Scheve and Salmela (2013), Huebner (2011), and Gilbert (2002).

perceive them, then perhaps it is best to retain shame, but to change the way that we respond to it. This would be to cultivate a better form of shame.

This objection hinges on an empirical question: Whether we could cultivate shame without cultivating its negative effects. This is a question that has not been adequately addressed in the empirical literature. The small amount of research that bears on the question is inconclusive. Tangney, Stuewig, and Martinez (2014), for example, found that the damaging effects of being shame-prone depended on the subsequent tendency to externalize blame. Without the latter tendency, shame-proneness did not have negative effects, as previous studies have shown. This research, however, does not settle the key question at issue. On the one hand, this research could signify that we could cultivate a better form a shame, by breaking the causal link between shame and externalization of blame. On the other hand, it could merely reflect the fact that externalization of blame is probabilistically engaged, and appears to be a main reason why shame-proneness is damaging. More research is needed to determine which is the case.

One might look to the literature on reintegrative shaming, however, for a model of how to cultivate shame without cultivating its negative effects. What is the difference between reintegrative shaming and the sorts of shaming practice that would engender negative effects?

According to Braithwaite (2000),

The key distinctions seem to be between shaming that is respectful versus shaming that is disrespectful of the person or humiliating; between shaming that treats the person as a good person who has done a bad thing and shaming that treats the person as bad; between shaming that is terminated by repentance and forgiveness and shaming that permanently ruptures social bonds. These are the key dimensions of the difference between reintegrative shaming and stigmatization. (p. 118)

What Braithwaite is describing, however, is not shame (or shame-induction) at all. It is what I and other researchers know as guilt.¹²

To reiterate a previous point, the choice we face is not between May's (1992) social existentialist vision of sharing responsibility and none at all, but between his vision and another, more positive vision. I outline such a vision, which reserves a substantial place for guilt, in the next and final section of this paper.

5.4 An Alternative Vision of Sharing Responsibility

May (1992) envisions a world in which we take greater responsibility for our associates' transgressions because we take greater responsibility for our own identities and for the social connections that partly construct them. To cultivate a greater sense of responsibility for one's identity, however, is to cultivate a propensity for shame. Given the negative consequences of cultivating shame, we ought to reject the social existentialist grounding for May's vision. But we need not reject the thesis that it grounds, namely, that people ought to take greater responsibility for their indirect contributions to harm. There are other ways to ground such an increase in moral responsibility besides social existentialism. The purpose of this final section is to argue that we can build a more positive vision of sharing responsibility by founding it on Michael Slote's (2007) ethics of empathic care.

According to the ethics of empathic care, an action or omission is morally flawed to the extent that it reflects a lack of empathically caring motivation (Slote, 2007).¹³ Slote's notion of empathic care is very close to Dan Batson's (1991) notion of empathy or empathic concern.

Empathic concern is an emotion that responds to another's well-being (hence it is empathic), but

¹² Nussbaum (2004), for example, who clearly distinguishes between shame and guilt, cites many of the same reasons as Braithwaite for rejecting shame in favor of guilt.

¹³ See also Slote (2001, 2010).

it is not distressing to the person feeling it. Rather, it is a warm-hearted response, most akin to “sympathy, compassion, tenderness, and the like” (Batson & Ahmad, 2009, p. 146). Although we tend to feel empathy more for those who are near and dear to us than for those who are distant and hardly known, an action that reflects empathic concern for one individual or group, but a notable lack of empathic concern for another, is still morally flawed. Thus, diverting medical supplies to one’s in-group, even if motivated by empathic concern, is morally wrong. It clearly reflects a lack of empathic concern for members of one’s out-group.

In most all of the cases that interest May (1992), agents who indirectly contribute to a transgression appear to reflect a lack of empathically caring motivation, and hence should be held morally responsible for their actions or omissions. Employees of a company that engages in sexism, for example, often have the opportunity to speak out against the company’s harmful policies, but choose to remain silent. This often reflects a lack of empathic caring towards their female colleagues, and those who say nothing ought to be held partially responsible for preventing the promotion and equal pay of women.¹⁴ Individuals who fail to donate a small amount to famine relief often do not show appropriate balance in their empathic caring for others, ignoring the plight of some entirely. University administrators who promote a culture of sexual assault and rape by dismissing or blaming women who report assaults show a clear lack of empathy for the victims. And in cases of intergroup conflict, those involved regularly show an overall lack of empathic care by feeling for members of their in-group, but not members of their out-group. The examples could continue.

Empathy is well suited for sharing responsibility because we can empathize with people even if

¹⁴ In this example and others, one might be sufficiently empathic, but choose to act (or not to act, as the case might be) for other reasons, for example, a justified fear of retribution. In such a case, the action (or omission) would not be morally flawed.

we have not harmed them directly. Imagine a doctor who publishes an important, but potentially harmful, finding in a reputable medical journal. If other individuals come upon that research and use it to cause harm, then the doctor ought to feel partially responsible for the harm done. Given the doctor's special link with the victims, she ought to empathize more than others with their pain. This deep feeling of empathic concern is the emotion by which the doctor can accept partial responsibility for the harms caused by others.

Guilt plays virtually no role in May's (1992) social existentialist vision of sharing responsibility, but it would play a role in a vision based on the ethics of empathic care. Empathy and guilt go hand in hand.¹⁵ Martin Hoffman (2000) theorizes that empathizing with others is a critical mechanism for coming to feel bad about harming them—in other words, for feeling guilt. There is empirical evidence to support Hoffman's theorizing. Leith and Baumeister (1998), for example, had participants relate a story in which they had a conflict with another person, once from their own point of view and once from the other's point of view. The authors examined whether the two versions contained different information as a way to measure the perspective taking component of empathy. They also coded the stories for themes relating to guilt, themes relating to shame, and positive or negative resolution. Leith and Baumeister found that participants who scored highest on empathy also tended to express themes of guilt in their stories. Furthermore, those who expressed themes of guilt in their stories also tended to describe positive resolutions to the conflict.

May (1992) contends that guilt is not an appropriate emotion for sharing responsibility because it is too closely connected with directly causing a transgression and with blame. Researchers who

¹⁵ This is in contrast to shame and empathy, which usually are not correlated or are anti-correlated with one another (Tangney, Stuewig, & Mashek, 2007). This could be because shame is self-oriented, whereas empathy and guilt are other-oriented.

study group-based moral emotions, however, suggest otherwise.¹⁶ In their review of group-based moral emotions, Lickel, Steele, and Schmader (2011) write that we tend to feel group-based guilt “when the negative actions of others bring to mind some way in which we feel personally or collectively complicit in their blameworthy actions” (p. 154). In other words, we tend to feel group-based guilt when we focus on our indirect contributions to transgressions.¹⁷ And group-based guilt can be effective. Brown et al. (2008), for example, found that non-indigenous Chileans who felt group-based guilt concerning treatment of indigenous Chileans also tended to have the most positive stance on reparation.

Unlike shame, empathy and guilt have been shown to be largely positive emotions. Dan Batson (1991), for instance, has spent decades researching the link between empathy and altruism. His research indicates that warm, empathic concern for others motivates altruistic behavior.¹⁸ Also, many of the empirical studies discussed above in section 2 also investigated guilt, and none found guilt to be harmful—in fact, often quite the opposite. To give just one example, in the article by Stuewig et al. (2010) reporting on four diverse populations, the authors found that “There was consistent evidence that guilt is directly related to low levels of aggression, whether using self-report or other reports of aggression” (p. 99).

Furthermore, there is evidence that by cultivating warm empathic care, we can cultivate guilt without cultivating shame. Stuewig and McCloskey (2005) studied a large sample of mother-child dyads over many years as the children progressed from school-age into adolescence and then late adolescence. Children who faced early maltreatment were more likely to face rejection

¹⁶ Cassie Striblen (2007) also argues that guilt can be an appropriate response to a group-based harm.

¹⁷ Note that this is not a classic (and problematic) mechanism of guilt-by-association, by which, for example, merely riding in a car during a transgression means that one is guilty oneself.

¹⁸ For a different take on empathy, however, see Prinz (2011).

and a lack of warmth—that is, a lack of care—in adolescence. Lack of care, in turn, predicted higher levels of shame and lower levels of guilt, and was a link between early maltreatment and adolescent shame and guilt.

Cultivating empathic care is a realistic prospect. At a basic level, we can cultivate empathy for others by putting ourselves in their situations. A host of empirical evidence (including Batson's) testifies to the positive outcomes of imagining being in another's situation, but we can also take the injunction to experience another's life more literally. Clore and Jeffery (1972) asked able-bodied students to spend an hour either in a wheelchair, with a person in a wheelchair, or walking around campus. They found that both the students who experienced being in a wheelchair and the students who observed another in a wheelchair adopted more positive attitudes towards those with disabilities. And the changes were long-lasting. In a follow up four months later, these students still showed a change in attitude towards those with whom they empathized.

In summary, we can retain May's (1992) proposal that we ought to take greater responsibility for our indirect contributions to harm by grounding this increase in the ethics of empathic care, not social existentialism. According to this revised vision of sharing responsibility, we ought to cultivate empathic care for others, as well as empathy-based guilt. An increase in our tendency to feel such emotions would lead to taking a greater share of responsibility for transgressions that we do not directly commit.

5.5 Conclusion

Groups of people have the potential to do great harm in the world, much more harm than individuals acting alone. In many cases, such as genocide, a relatively small number of group

members directly cause harm, but many others indirectly contribute in some fashion. Perhaps if we could hold group members more responsible for harms to which they indirectly contribute—that is, perhaps if we could promote sharing responsibility—then we could limit the power of groups to cause harm.

Larry May (1992) argues that social existentialism provides a foundation for such an increase in sharing responsibility. According to social existentialism, one is morally responsible for one's identity, not merely one's actions, and one's identity is constructed in large part through interactions and relationships with others. Thus, to be responsible for one's own identity, one must be responsible for the identities and actions of associates as well. Social existentialism's focus on who one is, however, also leads to a focus on the generally harmful emotion of shame. A disposition to feel shame tends to have antisocial consequences such as avoidance of others, avoidance of responsibility, misdirected blame, anger, and aggression. Thus, we should favor a vision of sharing responsibility that does not rely on shame.

We can base such a shame-free vision of sharing responsibility on the ethics of empathic care (Slote, 2007). According to the ethics of empathic care, an action is morally deficient when it reflects a lack of empathically caring motivation on the part of the agent. Many of the actions or omissions that indirectly contribute to group-based harm fall within this category. Such contributions typically reflect a deficient concern for members of an out-group or a deficient appreciation of their perspective. Instead of shame, other-oriented emotions such as empathic care and guilt are central to this alternative vision. And the empirical record shows that these emotions are much more positive than shame.

Recall the opening example of the Israeli-Palestinian conflict. Numerous Israelis and

Palestinians indirectly contribute to this conflict by holding harmful attitudes towards the other group, and hence should share responsibility for the hundreds of casualties per year that are associated with it. May (1992) argues that to instill a sense of shared responsibility in these individuals, we need to cultivate shame in them. Given the empirical research on shame, however, this would likely have counterproductive effects. Israelis and Palestinians would be more likely to get defensive and blame the other group for the conflict, leading to increased anger and aggression. If my revision of his position is correct, however, then we ought to cultivate empathy in these individuals for the plight of their fellows, and we ought to cultivate guilt in them for their indirect contributions to harm. These emotions, not shame, are the most likely to lead to a peaceful society.

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Chapter 6: Conclusion

Recall the opening of this dissertation, a picture of Auguste Rodin's sculpture *Eve*. We can easily see that shame is on study. The ease with which we can identify shame when we see it, however, belies the complexities of the emotion. It is odd that some see shame as a good thing, something to be cultivated, while others see it as something to be avoided. Jeb Bush (Bush & Yablonski, 1995), for example, laments the fact that people do not feel shame anymore. Monica Lewinsky, on the other hand—who knows a thing or two about shame—notes that it “sticks to you like tar” (see Ronson, 2016, April 22). What are we to make of shame? What role should it play in our lives? These are the questions that I term the *normative problem of shame*, the problem of explaining how shame should fit into our lives and what uses we should make of it.

In Part I of this dissertation, I investigated the science of shame. When examining the empirical literature, the complexities of shame becomes especially apparent. Research on the state of shame often highlights its positive consequences, such as its ability to prevent lying and cheating. Research on the trait of shame, in contrast, almost exclusively highlights its negative consequences, such as anger and aggression. I do not believe that there is a contradiction in these findings. Rather, they suggest that in small doses, shame can be a good thing, but that we ought to avoid any practices that cultivate shame in a more general way. This is my general answer to the normative problem of shame.

Subsequently, in Part II, I expanded my answer to the normative problem of shame by exploring the implications for ethics and the law. The devil is in the details, and it is necessary to see whether this answer to the normative problem of shame has a real impact on these fields. I believe that it does. Kahan and Posner (1999), among others, propose that we ought to institutionalize shame penalties. To do so, however, would be to cultivate shame-proneness, so it would likely be counterproductive. Williams (2008/1993) argues that we ought to experience shame as an emotion encompassing guilt. We ought to return to something more like a shame culture. Once again, however, this would be to make a morally counterproductive change. Finally, May (1992) proposes that shame is a suitable tool to encourage people to share responsibility with their associates. May believes that this will cause a positive ethical change in society, but the empirical evidence suggests otherwise.

There is much more to be said about shame. Although I discussed three proposals that identify a role for shame in our lives, many others exist (see, e.g., Morgan, 2008; Manion, 2002). I hope that my position on these other proposals will be clear from the arguments I have presented here. I am deeply skeptical of shame, not as an occasional tool, but as a more widespread tool for social and ethical change. Other authors, both scientists and philosophers alike, will hopefully continue to challenge and refine ideas about shame and morality. We can only be excited about the scholarship that is to come.

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Appendix A

The Test of Self-Conscious Affect-3 (TOSCA-3)¹

For each numbered scenario, a participant rates each lettered statement beneath it from 1 (not likely) to 5 (very likely). The participant's rating for each lettered statement contributes to the scale listed in square brackets after it, for example, to the scale that measures shame.

1. *You make plans to meet a friend for lunch. At 5 o'clock, you realize you stood your friend up.*

A) You would think: "I'm inconsiderate." [Shame]

B) You would think: "Well, my friend will understand." [Detached]

C) You'd think you should make it up to your friend as soon as possible. [Guilt]

D) You would think: "My boss distracted me just before lunch." [Externalization]

2. *You break something at work and then hide it.*

A) You would think: "This is making me anxious. I need to either fix it or get someone else to." [Guilt]

B) You would think about quitting. [Shame]

C) You would think: "A lot of things aren't made very well these days."
[Externalization]

D) You would think: "It was only an accident." [Detached]

3. *You are out with friends one evening, and you're feeling especially witty and attractive.*

Your best friend's spouse seems to particularly enjoy your company.

¹ Reproduced without changes in content from Tangney, J.P. & Dearing, R.L. (2002). *Shame and guilt*. New York, NY: The Guilford Press.

A) You would think: "I should have been aware of what my best friend was feeling."

[Guilt]

B) You would feel happy with your appearance and personality. [Alpha pride]

C) You would feel pleased to have made such a good impression. [Beta pride]

D) You would think your best friend should pay attention to his/her spouse.

[Externalization]

E) You would probably avoid eye contact for a long time. [Shame]

4. *At work, you wait until the last minute to plan a project, and it turns out badly.*

A) You would feel incompetent. [Shame]

B) You would think: "There are never enough hours in the day." [Externalization]

C) You would feel: "I deserve to be reprimanded for mismanaging the project." [Guilt]

D) You would think: "What's done is done." [Detached]

5. *You make a mistake at work and find out a coworker is blamed for the error.*

A) You would think the company did not like the coworker. [Externalization]

B) You would think: "Life is not fair." [Detached]

C) You would keep quiet and avoid the coworker. [Shame]

D) You would feel unhappy and eager to correct the situation. [Guilt]

6. *For several days you put off making a difficult phone call. At the last minute you make the call and are able to manipulate the conversation so that all goes well.*

A) You would think: "I guess I'm more persuasive than I thought." [Alpha pride]

B) You would regret that you put it off. [Guilt]

C) You would feel like a coward. [Shame]

D) You would think: "I did a good job." [Beta pride]

E) You would think you shouldn't have to make calls you feel pressured into.

[Externalization]

7. *While playing around, you throw a ball and it hits your friend in the face.*

A) You would feel inadequate that you can't even throw a ball. [Shame]

B) You would think maybe your friend needs more practice at catching. [Externalization]

C) You would think: "It was just an accident." [Detached]

D) You would apologize and make sure your friend feels better. [Guilt]

8. *You have recently moved away from your family, and everyone has been very helpful. A few times you needed to borrow money, but you paid it back as soon as you could.*

A) You would feel immature. [Shame]

B) You would think: "I sure ran into some bad luck." [Externalization]

C) You would return the favor as quickly as you could. [Guilt]

D) You would think: "I am a trustworthy person." [Alpha pride]

E) You would be proud that you repaid your debts. [Beta pride]

9. *You are driving down the road, and you hit a small animal.*

A) You would think the animal shouldn't have been on the road. [Externalization]

B) You would think: "I'm terrible." [Shame]

C) You would feel: "Well, it was an accident." [Detached]

D) You'd feel bad you hadn't been more alert driving down the road. [Guilt]

10. *You walk out of an exam thinking you did extremely well. Then you find out you did poorly.*

A) You would think: "Well, it's just a test." [Detached]

B) You would think: “The instructor doesn’t like me.” [Externalization]

C) You would think: “I should have studied harder.” [Guilt]

D) You would feel stupid. [Shame]

11. *You and a group of coworkers worked very hard on a project. Your boss singles you out for a bonus because the project was such a success.*

A) You would feel the boss is rather short-sighted. [Externalization]

B) You would feel alone and apart from your colleagues. [Shame]

C) You would feel your hard work had paid off. [Beta pride]

D) You would feel competent and proud of yourself. [Alpha pride]

E) You would feel you should not accept it. [Guilt]

12. *While out with a group of friends, you make fun of a friend who’s not there.*

A) You would think: “It was all in fun; it’s harmless.” [Detached]

B) You would feel small... like a rat. [Shame]

C) You would think that perhaps that friend should have been there to defend him/herself. [Externalization]

D) You would apologize and talk about that person’s good points. [Guilt]

13. *You make a big mistake on an important project at work. People were depending on you, and your boss criticizes you.*

A) You would think your boss should have been more clear about what was expected of you. [Externalization]

B) You would feel like you wanted to hide. [Shame]

C) You would think: “ I should have recognized the problem and done a better job.”

[Guilt]

D) You would think: “Well, nobody’s perfect.” [Detached]

14. *You volunteer to help with the local Special Olympics for handicapped children. It turns out to be frustrating and time-consuming work. You think seriously about quitting, but then you see how happy the kids are.*

A) You would feel selfish, and you’d think you are basically lazy. [Shame]

B) You would feel you were forced into doing something you did not want to do.

[Externalization]

C) You would think: “I should be more concerned about people who are less fortunate.”

[Guilt]

D) You would feel great that you had helped others. [Beta pride]

E) You would feel very satisfied with yourself. [Alpha pride]

15. *You are taking care of your friend’s dog while your friend is on vacation, and the dog runs away.*

A) You would think: “I am irresponsible and incompetent.” [Shame]

B) You would think your friend must not take very good care of the dog or it wouldn’t have run away. [Externalization]

C) You would vow to be more careful next time. [Guilt]

D) You would think your friend could just get a new dog. [Detached]

16. *You attend your coworker’s housewarming party and you spill red wine on a new cream-colored carpet, but you think no one notices.*

A) You think your coworker should have expected some accidents at such a big party.

[Detached]

B) You would stay late to help clean up the stain after the party. [Guilt]

C) You would wish you were anywhere but at the party. [Shame]

D) You would wonder why your coworker chose to serve red wine with the new light carpet. [Externalization]