

GIVING RESPONSIBILITY A GUILT-TRIP: VIRTUE, TRAGEDY, AND PRIVILEGE

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ABSTRACT

In this paper, I argue for the ethical importance of the retributive emotion of ‘tragic-guilt,’ namely, the feeling of self-recrimination for doing harm even if it could not be prevented. Drawing on empirical evidence concerning the phenomenology of such guilt, as well as thought-experiments concerning moral responsibility for inherited privilege, I distinguish tragic-guilt from the closely-related retributive emotions of regret, remorse, shame, and non-tragic guilt. I attempt to understand the emotion of tragic-guilt in light of an ethics of virtue, and I argue that sensitivity to tragic-guilt has significant theoretical, ethical, and motivational benefits. The reality of such tragic-responsibility reveals an uncomfortable, but undeniable messiness in the moral domain. The virtuous person is characterized by a deep emotional responsiveness to this messiness.

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'Truly each of us is guilty before everyone and for everyone, only people do not know it and if they knew it the world would at once become paradise.'

Father Zossima, The Brothers Karamazov (Book 6, chapter 2)

1. Introduction

The purpose of this paper essentially is to affirm Zossima's basic sentiment. I do not think, as Zossima thought and as Dostoevsky himself came to think, that this is necessarily or exclusively a religious sentiment. Rather, I argue that it is a deeply entrenched item of even secular moral phenomenology that a unique species of guilt does and should attach to failures to meet moral obligations, even in situations where meeting those obligations is tragically impossible. Specifically, I think this view can be motivated by reflection on the nature of inherited privileges—such as racial privileges—that involve unjust inequality. Despite a long-held conviction that the scope of moral responsibility is tied-down to the venerated 'ought-implies-can' principle, I argue that it is a mark of the virtuous person to take personal responsibility for inherited privileges, even though by definition such privileges may be unavoidable.¹

¹ It should be noted at the outset that I mean to use the term 'responsibility' as a general stand-in for moral 'ought' statements (i.e., involving normative commitments to the appropriateness of assessments of blame or praise), as opposed to a merely causal sense of 'responsibility.' In this way, I wish to remain agnostic about the metaphysics of responsibility vis-à-vis debates about free will. I also do not mean to constrict 'responsibility' to a purely deontic understanding of 'ought'—for, as I shall argue below, I mean to defend the

To contextualize this view, it is necessary first to specify what I will mean in this essay by ‘guilt.’ Guilt is one of the more perplexing of the moral emotions. On the one hand, it is arguably the most familiar retributive emotion outside philosophical circles. Yet, on the other hand, guilt is predominantly depicted in popular culture in an extremely unfavorable light, where self-help treatises enjoin readers to ‘transcend guilt’ and to live ‘guilt-free’ lifestyles ‘with no regrets.’ Such popular eschewals of guilt are reinforced in professional and scholarly venues as well: *The Diagnostic and Statistical Manual of Mental Disorders* (DSM-IV) continues to list ‘guilt’ as a telltale symptom of all sorts of emotional pathologies, with the implication being that experiencing guilt is itself nearly a sufficient condition for mental disorder. How paradoxical that such an otherwise familiar and normal emotion could be viewed at the same time as such an abnormality.

Against the grain of this general cultural resistance, I wish to defend the importance of a particular type of guilt in a healthy moral life. Specifically, I will argue that the recognition of intractable moral dilemmas which necessitate unavoidable wrong-doing does (and should) engender a unique sort of self-regarding retributive emotion called ‘tragic-guilt.’ Not only does tragic-guilt differ significantly from other closely-related moral emotions such as regret, remorse, shame, and non-tragic guilt; but there also are compelling reasons to view the disposition to experience tragic-guilt as a *virtue* with significant motivational, ethical, and theoretical benefits. By exploring both the phenomenology of intractable moral tragedies as well as evidence from empirical moral psychology concerning tragic-guilt, I hope to show that the virtuous person is characterized by responsibility for harmful inherited privileges, even in cases where such harm cannot be forestalled.

coherence and attraction of saying that the virtuous person ought to *feel* certain ways independent from what actions such a person ought to perform.

2. The anatomy of guilt

The thesis that we are responsible for unavoidable wrong-doing might be greeted with a hefty degree of resistance. It is important, therefore, to pay careful preliminary attention to the specific emotion I mean to explore. First and foremost, we must distinguish moral guilt from various quasi-moral senses of the term. For instance, in many formulations of criminal law, the concept of guilt is used in a procedural or epistemological way. In this sense, legal guilt involves satisfying a burden of proof beyond a reasonable doubt. An individual may therefore be ‘found guilty’ procedurally, independently of whether or not she ‘really is’ morally guilty or not. Furthermore, legal guilt is typically conceived as a state or property which the guilty party instantiates, and which is applied to the guilty party externally, i.e., by others or by a system. It need not entail any phenomenological dimension on the part of the guilty person: the convicted criminal ‘is found guilty’ independently of whether or not she ‘feels guilty.’ Although the institution of legality is arguably for the purpose of tracking and enforcing morality (possible objections from legal positivists notwithstanding), legal guilt and moral guilt proper may thus diverge. Someone may be found guilty legally without being guilty morally (let alone without feeling the emotion of guilt), and certainly vice versa.²

We also need to distinguish moral guilt from a technical sense of ‘guilt’ operative in certain psychological theories. Of course, in a generic sense, guilt (perhaps like all emotions) is to a certain degree ‘theory-laden,’ in that the emotion is premised on particular judgments about what is morally right and wrong and how certain behavior is to be

² Indeed, in cases of strict liability, legal guilt is explicitly divorced from moral guilt.

conceptualized vis-à-vis this distinction.³ But in a more specific sense, certain usages of ‘guilt’ operate as technical terms within theories, distinct from the pedestrian meaning of the word. Most notably, Freud analyzed guilt as a conflict between the Ego and Superego, the unconscious friction of which may generate a cognitive dissonance experienced by an individual as ‘guilt.’⁴ Despite being steeped in commitments to the special terms of Freudian psychology, it seems fair to say that this notion of guilt has become a dominant one in popular consciousness. The injunctions about the dangers and the pathology of guilt noted above seem to presuppose some generic version of such Freudian guilt. This essay is not the place to weigh-in on the arguments for or against Freudianism. Regardless of the merits of Freudianism, however, we can recognize that not all guilt need arise exclusively from tension between Egos and Superegos. In an early influential essay on this contrast, Martin Buber differentiated Freudian guilt from what he called ‘existential guilt,’ i.e., the recognition of having ‘injured an order of the human world whose foundations [the agent] knows and recognizes as those of his or her own existence and of all common human existence’

³ Cf. Barrett (1995, pp. 39-40) and Doris (2002, p. 159). Though still somewhat controversial, the assumption that emotions involve ineliminable cognitive dimensions goes back at least to classical Stoicism, and is an axiom of psychoanalysis. For a more recent defense of emotional cognitivism, see Neu (2000). I also mean to use ‘judgment’ in a very broad way, remaining neutral about debates amongst cognitivists as to whether the requisite cognitive component is best understood as a propositional attitude, a belief, or some other thing.

⁴ Freud (1907) first applies the notion of ‘unconscious guilt’ in his essay ‘Obsessive Actions and Religious Practices,’ where he postulates it as a motivating force underlying certain obsessive religious rituals. Obviously, a full exegetical exploration of Freud’s understanding of guilt goes outside the scope and intent of this paper.

(1957, p.127). One need not agree with the all the rest of Buber's religious psychology concerning the 'saving grace' of guilt and its place in 'human greatness,' in order to appreciate his basic division between guilt as a technical term in Freudian psychoanalysis versus good old-fashioned everyday guilt which simply involves the recognition of a harm inflicted on a moral subject. It is this latter, existential or 'everyday' sense of guilt that we will be utilizing in our subsequent discussion of tragic moral responsibility.⁵

Thus, having insulated moral guilt proper from its other legal and Freudian senses, we can proceed to unpack the unique type of tragic-guilt I shall argue is operative in responsibility for unavoidable harms. Like other retributive emotions such as vengeance, resentment, or indignation, moral guilt involves a negative or unpleasant affective response (typically experienced as sorrow, rather than anger) that is predicated on certain cognitive judgments about having done wrong. Unlike those other retributive emotions, however, guilt is specifically self-regarding: one may feel vengeful, resentful or indignant at another, but one can only feel guilty with oneself. Furthermore, guilt is also a normative emotion: someone who has done something morally wrong *should* feel guilty and, reciprocally, someone should only appropriately feel guilty for having done something morally wrong.⁶ Indeed, it is this normativity that seems

⁵ There is a related question concerning the extent to which moral guilt is cross-culturally universal, but this outstrips the scope of our present analysis. For an excellent overview of the alleged anthropological distinction between cultures oriented around shame or honor, rather than guilt, cf. Piers and Singer (1953). For a more universalist position on guilt, cf. Haidt (1993), who identifies guilt as one of the few cross-culturally universal 'modules' of human emotion.

⁶ It might sound implausible to claim that someone *should* experience an emotion since it is not clear that emotions are the sorts of things over which we have cognitive or deliberative control (although see footnote above for a possible cognitivist response). Regardless of this issue, however, all I mean is that we

to connect self-regarding moral emotions such as guilt with other-regarding moral emotions such as vengeance, resentment or indignation: when I cause a moral violation, not only should I feel guilty, but you also would be justified in feeling vengeance, resentment or indignation toward me as a result of my violation. Thus, in a certain sense, the reflexivity or inwardness of guilt ‘completes’ the outwardness of the other-regarding moral emotions: indignation at someone who feels no guilt is frustratingly incomplete; just as the retraction of another’s indignation can serve to ameliorate one’s own guilt (i.e., ‘forgiveness’).

Thus far, we have attempted to analyze specifically *moral* guilt as a self-regarding normative emotion characterized by an affective response of sorrow and a cognitive judgment about having inflicted a harm on a moral subject. Note that this understanding of moral guilt does not necessitate any epistemological awareness of *when* we ought to feel guilty. We may not be aware that someone else (or even ourselves) has committed a moral wrong, and so we do not know that they (or we) ought to feel correspondingly guilty—but still they (or we) *ought* to feel it. It may be objected that if an agent is herself unaware of having inflicted a harm, then *a fortiori* she did not act deliberately and so did not properly commit a wrong at all. Note, however, that although the normativity of guilt is generally thought to be defused in situations in which a harm is brought about under complete ignorance, we must be cautious in assessing how the ignorance itself arose. Aristotle’s discussion of the relationship between wrong-doing and voluntary action in book three of *Nicomachean Ethics* is useful here. Aristotle distinguishes genuinely voluntary (*hekousion*) actions which are characterized as having ‘proceeded from the agent,’ from not only involuntary (*akousion*) actions,

would properly view an agent as lacking something if she fails to experience the appropriate emotion; a claim I take to be compatible with the psychological question of whether or not we can actually deliberately control our emotions.

but also from what he calls ‘non-voluntary’ (*ouk hekousion*) actions. Non-voluntary actions refer to those actions in which the agent is ignorant of the particulars of a given situation,⁷ as when former U.S. Vice President Dick Cheney shot his friend Harry Whittington in the face (February 11, 2006), having apparently mistaken him for a bird. Aristotle maintains that such non-voluntary actions exist in a state of sheer ethical potentiality: they become retrospectively viewed as akin to either voluntary actions (in which case the agent is morally responsible for them) or involuntary actions (in which case the agent is not held responsible) depending on whether the agent, upon coming to understand the particulars of which she was previously unaware, forms the proper self-regarding retributive emotion. Thus, if Cheney genuinely felt guilty after realizing he shot Whittington, his otherwise non-voluntary act of ignorance would transmute into a quasi-involuntary action; since, counterfactually, he would not have shot Whittington if he had not been so ignorant. The retroactive rendering of his action as involuntary would thereby exculpate him.⁸ Furthermore, Aristotle requires that the ignorance of particulars which conditions a non-voluntary action must not have been brought about through negligence, recklessness or foreknowledge.⁹

⁷ If an agent, by contrast, were to act while ignorant of moral universals, such a person would be more properly characterized as a psychopath.

⁸ Aristotle’s specific word for the requisite retributive emotion here is *lype*, which is commonly translated as ‘regret’ (e.g., by Rackham; Ross; Irwin and Fine). *Lype*, however, more literally means ‘pain of the body’ (and is related to *lypros*, meaning ‘wretched’ or ‘sorry,’ and from which we get the word *leprosy*) and its usages in Xenophon, Sophocles and Herodotus, for instance, make it clear that this emotion involves pain and grief. As discussed in the next section, mere regret seems too impersonal to accommodate these meanings. Thus, I contend that ‘guilt’ or ‘remorse’ is the more accurate rendering.

⁹ Specifically, Aristotle (*Nicomachean Ethics*, 3.1.13-14; 1110b15-1110b25) distinguishes actions performed ‘in ignorance’ (*alla agnoön*) from those

Thus, even if Cheney felt the right sort of guilt after realizing he shot Whittington, his action would not count as a voluntary wrong if he had conditioned his own ignorance by, say, getting himself intoxicated before shooting, aiming wildly, or not adequately checking his weapon beforehand.

It will be observed that the discussion thus far has utilized largely deontic language to understand the emotion of moral guilt. For example, we have been speaking of the fact that, under appropriate circumstances, a person *ought* to feel guilt as if she were under an obligation or duty to feel it. An analysis of guilt based exclusively on an ethics of duty, however, would threaten to revert to the procedural sense of ‘guilt’ jettisoned above. Instead, understanding guilt as a retributive emotion *qua emotion*, rather than as a state or property, is much more at home in the context of an ethics of virtue. The broader framework of virtue ethics, according to which moral predicates are applied to longitudinal clusters of character traits rather than to discrete action-types, accommodates the normativity of a retributive emotion such as guilt by judging an agent not merely according to what she does, but how she feels when she does it. Thus, the normative injunction that an agent ought to feel moral guilt is best understood as the hypothetical imperative, ‘if you want to live a flourishing human life, you should strive to be the sort of person who feels guilty in response to wrong-doing.’

performed ‘*through ignorance*’ (*di agnoian*). Actions performed through ignorance are part of the class of those performed in ignorance. But some actions done in ignorance are not thereby done through ignorance; and only those done through ignorance are exculpating. Thus, in our example above, if Cheney shot Whittington after having recklessly drunk too much alcohol, Aristotle would recognize that his action was done in ignorance, but not through ignorance itself; the ignorance, rather, was brought about by his own voluntary intoxication, and is therefore still blameworthy.

To sum up, we have distinguished moral guilt proper from legal and Freudian notions of guilt. We have also unpacked guilt as a normative emotion which we think should (in the sense of the hypothetical imperatives of virtue ethics) be experienced by moral agents who inflict harms voluntarily or through culpable ignorance, recklessness or negligence. In the next section, I attempt to parse a distinction internal to the emotion of moral guilt, drawing attention to a specific type of ‘tragic-guilt’ and the unique variety of responsibility it entails.

3. The tragedy of inherited privilege

The retributive emotion I shall call ‘tragic-guilt’ exists in a tight constellation with several other closely-related moral emotions. To understand the uniqueness of tragic-guilt, therefore, let us position it against its neighbors. In particular, regret, remorse and shame appear prominently on lists of the ‘usual suspects’ for self-regarding retributive emotions in addition to guilt, but there are subtle conceptual and phenomenological differences between each of these. First, although regret shares with guilt a feeling of sorrow, it differs in that it need not be exclusively self-regarding. Nor, for that matter, need it even be moral. When I regret something, I desire counterfactually that it would have been different. In this way, I can regret something morally trivial and impersonal, e.g., I regret that my favorite contestant was eliminated from a television game-show. After all, note that we can say of any given state of affairs that ‘*it* is regrettable that P’ in a manner in which we cannot formulate guilt (i.e., we do not say ‘*it* is guilty that P’). Of course, some regret *can* be personal, as when I regret (every time...) having had that sixth glass of wine. Following the popularizing discussion by Williams (1981, pp. 20-39), let us call regret which is personal, ‘agent-regret.’ Furthermore, of those things which are personally regrettable, some are in

addition morally significant, e.g., I regret having called someone a mean name in order to humiliate her publicly. Let us call those acts which are morally significant and about which I (ought to) feel agent-regret, 'remorse.' Thus, all remorse is a type of agent-regret, which in turn is a type of general regret, which in turn is one of the retributive emotions involving sorrow.

How does remorse (i.e., morally significant agent-regret) differ from guilt? For one thing, as Taylor (1987) points out, whereas guilt is an emotion of general self-assessment, remorse attaches more to a specific wrong action. As Taylor puts it,

“The important feature of guilt is that the thought of the guilty concentrates on herself as the doer of the deed. Having brought about what is forbidden she has harmed herself... That, in the agent's view, reparation is required is due to her conception of herself as disfigured and the consequent need to do something about it.” (1987, pp. 97-98)

In other words, feeling guilty involves turning inward and regarding with sorrow one's own *character*; feeling remorseful involves regarding with sorrow one's particular *actions*. Remorse may be obviated by redressing the wrong for which one feels the remorse. But ameliorating guilt, internalized and attached as it is to one's whole character, requires more extensive redemption, atonement, or forgiveness. This is not the place to enter into discussion concerning the various ways of redressing guilt; the point is merely to differentiate guilt from remorse by noting that the former seems to require a significantly broader or more holistic means of recompense. This way of drawing the distinction between guilt and remorse also fits with our discussion above concerning the importance of understanding guilt within the framework of an ethics of virtue (which accommodates emotional dispositions) rather than a narrower ethics of duty.

Something also needs to be said about how guilt differs from *shame*. These two terms have been subject to a plethora of differing analyses, and linguistic intuitions about their respective usages vary widely, including debate about whether they are even different concepts in the first place. Ellsworth (1994), for instance, has found that the distinction is not drawn as commonly outside the Anglo-American world. Nussbaum (1986) has also argued that such a distinction is alien to ancient Greek.¹⁰ Doris (2002, p. 219n19) further draws attention to the fact that, in a majority of the psychological as well as anthropological literature, entries on either shame or guilt commonly redirect to the other.

Of course, as Joseph Butler famously opined, ‘Everyone is at liberty to use words as he pleases.’ For our purposes, shame may be differentiated from guilt by drawing attention to the fact that, whereas guilt may only properly be experienced in response to something morally relevant, shame need not.¹¹ One may properly feel guilt only in response to a belief that one has done something morally wrong; but it seems clear that one may feel shame, depending on one’s cultural identification, in response to all sorts of non-moral behaviors, e.g., belching loudly,

¹⁰ The word *aischros* is commonly translated as ‘shame,’ leading some scholars to suggest that the classical Hellenes were dominated by a thick, community-based ethic of *honor*, rather than appealing to more abstract ethical principles, the violation of which leads to guilt proper. While this cultural characterization is surely warranted, we should resist undue simplifications. Classical Greek, after all, did differentiate *aischros* from *aidos* (meaning ‘modesty,’ ‘honor,’ or ‘sense of shame’).

¹¹ Even if the object of shame need not be morally relevant, the shame itself might nevertheless be highly morally significant. See Appiah (2010) for a sustained defense of the pivotal role that shame (and the related concept of *honor*) has played in historical ‘moral revolutions’ such as the end of the aristocratic duel, Chinese foot-binding, and Trans-Atlantic slavery.

wearing dirty clothes, masturbating, etc.¹² The importance of the cultural context of shame highlights an additional feature of this retributive emotion that differentiates it from guilt. Shame is inherently social and interpersonal in a way that guilt need not be. As Maibom (2010) has expressed it, shame is best understood as heteronomous, rather than autonomous: ‘shame concerns failure to live up to norms, ideals, and standards that are primarily *public*; shame concerns our lives with others’ (2010, p. 568). In this way, much shame seems to be an essentially *second-order* self-regarding retributive emotion: I may feel remorseful for something bad I did, or guilty for something bad about myself; but I feel shame in response to an anxiety about *others* viewing me as deserving of feeling remorse or guilt. Thus, shame can be seen as a kind of regret about other retributive emotions: I feel ashamed about being perceived by others as having done something for which I should feel remorseful or guilty. In this way, it is possible to experience shame without actually feeling the guilt or remorse first-hand.¹³

¹² Cf. Wollheim (1999, p. 159) for a fuller discussion of these non-moral varieties of shame. Following Keltner et al. (1997), we may also thus distinguish shame from embarrassment: although shame and embarrassment may share the same contextual inputs as well as the same phenomenology, they seem to have importantly different social effects: whereas shame targets pity or sympathy in others, embarrassment often serves to activate comedy, if not full-blown *Schadenfreude*.

¹³ If this characterization is correct, such a derivative role for shame might be thought unimportant to morality. Indeed, it might be argued that a culture obsessed with social shame, but which does not also affirm the first-order guilt or remorse that tracks actual wrong-doing is not properly a ‘morality’ at all (cf. Dodds 1951). Such a distinction between the sociality of shame versus the inner soul of remorse and guilt, however, seems to implausibly divorce morality from the social milieu in which it is instantiated (cf. Calhoun 2004). Furthermore, it seems plausible that shame serves morality by providing a public reinforcement for guilt and remorse. And, again, see Appiah (2010) for a discussion of how

So far, I have urged the distinction between guilt and other retributive emotions such as regret, agent-regret, remorse and shame. Now I want to turn to an internal division within the concept of guilt itself—guilt proper versus what I shall dub ‘tragic-guilt.’¹⁴ To appreciate the uniqueness of tragic-guilt, consider the following scenario, adapted from the famous example in Blum (1991). A roving taxi is driving down a relatively deserted street somewhere in South Carolina and a black man, named Michael, raises his hand to wave it down. Despite being closer and having raised his hand with equal alacrity and obviousness, the taxi quietly bypasses Michael in favor of a white man, named Tim, farther up the street, for whom the taxi stops and opens its door. Tim rushes happily into the taxi and, as he looks back out the rear window, he clearly sees Michael’s frustration as rain begins to pour down, soaking him to the bone.

Clearly a lot may be going on in this thought-experiment. It has the advantage, however, at least of being common enough (sadly so) that it has reliable ‘ecological validity’ and can elicit reasonable intuitions. Whatever else might be going on in this thought-experiment, let us constrain our analysis just to the most plausible interpretation: Tim’s

appeals to shame have historically been *more* efficacious than appeals to guilt alone in bringing about moral revolutions.

¹⁴ De Wijze (2004) has offered a similar defense of what he calls ‘tragic-remorse.’ The difference between his view and mine, however, is that, qua remorse, his discussion focuses on the moral assessment of discrete actions of wrong-doing, rather than broader considerations of tragedy vis-à-vis global virtue. Furthermore, de Wijze’s argument is largely constrained to scenarios of ‘dirty hands’ in which wrong-doing is unavoidable, but still intentional (e.g., in situations of choosing the lesser of two evils). By contrast, my discussion below will explore moral guilt as an active retributive emotion even in situations of unavoidable, unintentional wrong-doing, e.g., inherited racial privilege.

apparent ‘good luck’ in getting the taxi to stop for him instead of Michael is actually a straight-forward instance of racial injustice, of which Tim reaps privilege solely on the basis of the taxi driver’s perception and differential valuation of his skin color. We may add to this contextual interpretation the following (hopefully uncontroversial) axioms: first, there is a history of racial discrimination by whites against blacks in the American South, of which whites benefit materially, politically and socially; second, racial discrimination is morally wrong. Given these contextual understandings of the thought-experiment, what retributive emotions might it make sense for Tim to feel? Assuming that Tim feels bad in the first place about what happens to Michael, which of the moral emotions introduced above is the most warranted expression of his sorrow?¹⁵

If Tim is a minimally decent person, he ought to look back at Michael’s plight with regret at the very least—‘that is too bad, I wish that guy had been able to get a ride too.’ The problem with this minimal moral response is that Tim’s regret need not be self-regarding.¹⁶ Certainly it is

¹⁵ Note that our present purpose is not to unpack how precisely Tim becomes perceptually cognizant of Michael’s having been passed over. Nor is our goal to explore whatever conceptual relationships there may be between Tim’s visually perceiving Michael’s plight, ‘morally perceiving’ Michael’s plight, justifying a knowledge-claim about Michael’s plight being morally wrong on the basis of his perception, or being sufficiently motivated to act on the basis of his judgment or perception. These are important issues, but we may bracket such epistemological and metaethical questions while we concern ourselves exclusively with Tim’s response vis-à-vis his own feelings of responsibility. Cf. DeLapp (2007) for an analysis of these separate epistemological and metaethical dimensions of Tim’s situation.

¹⁶ In this way, it is not merely that Tim does not experience *enough* regret, but that regret, no matter how extensive or profoundly felt, does not entail the self-regarding dimension which he ought to experience as well.

Tim himself who *experiences* the regret; but the object to which the regret is referred is not any action, decision or character trait of Tim personally. Tim might simply experience his regret as a kind of generic cosmic lament. To put it another way, Tim's mere regret might make him feel sorry *for* Michael, without necessarily feeling sorry *to* Michael. And yet, *ex hypothesi*, it is something about Tim personally (*viz.*, his racial privilege) that caused him to benefit and Michael to suffer. Yet, if mere regret is too minimal or weak to accommodate Tim's personal role in Michael's plight, full-blown remorse or guilt seem much too strong. Of course, if Tim, for instance, had viciously pushed Michael out of the way to get to the taxi first, then we would say appropriately that Tim ought to feel remorse (for the action) and perhaps guilty (as a reflection on his character). But if we assume that, at the time, Tim was unaware of the taxi having passed over Michael due to racial injustice, such that Tim did not intentionally or deliberately take advantage of the situation, then Tim did nothing for which he should feel personally remorseful or guilty. Yet something about him personally has nonetheless caused a harm.

For whites who are similarly privileged, the difficulty about how to respond appropriately in Tim's situation may be called the 'tragedy of racial privilege.' This tragedy is not the fact that historic racial inequality and privilege exist—that is not a 'tragedy' at all *per se*, but simply abhorrent. The specific tragedy of racial privilege refers to the fact that neither regret on the one hand, nor remorse/guilt on the other hand, seem to accommodate the appropriate retributive attitude in response to such privilege. It is this tragedy that makes many whites, even those who do find racial injustice to be morally abhorrent and who recognize racial injustice when they see it, nonetheless uncomfortable with the idea of inherited racial privilege. Such discomfort, I contend, may be the result of a failure to parse the relevant retributive emotions with sufficient nuance. The horns of the dilemma of racial privilege would seem to require that the morally conscientious white person ought to feel either regret (which seems too impersonal and detached) *or* remorse/guilt (which seems

inapplicable if the person is herself not prejudicial). Indeed, faced with just these two available retributive emotions, morally conscientious whites seem often to default toward regret for historical injustices. After all, like Tim, they *personally* did not cause the racism of which Michael is a victim and of which they are beneficiaries: they did not create such injustice, they do not condone it, and, indeed, they may feel and act vehemently against it. Since Tim's inherited racial privilege made him personally responsible for Michael's plight, Tim should feel guilt; but, based on our analysis in the previous section, the fact that Tim acted unintentionally and with moral agent-regret would seem to obviate his guilt. Thus, Tim seems faced by a tragic dilemma regarding his retributive emotions: *somehow he both should and should not feel guilty at the same time for the same situation*. What is Tim to do?

To answer this question, we need a more sophisticated understanding of Tim's racial privilege. In particular, we must recognize that such privilege operates at a broad social-systematic level, independent of Tim's individual biases or prejudices (or even his lack thereof). It is in this systemic sense that we may define 'racism,' viz. the systematic relegation of one race to positions of inferiority (economically, politically, representationally, etc.). In the broader context of our thought-experiment, it is Southern whites who historically relegated Southern blacks to inferior positions. Once established, this system may be perpetuated at institutional levels without requiring explicit endorsement by the whites who benefit from it. Systemic racism, in other words, has its own historical inertia. Tatum (1997) has described this phenomenon by likening racism to a *moving sidewalk*: the sidewalk moves in an established direction even if those standing upon it are not themselves walking, i.e., the system establishes their relative frame of motion, moving them along despite themselves. In this way, a white individual who benefits from racial privilege may be said to be 'racist' in the systemic sense (racist_{systemic}), even if she is not racist in the everyday sense of holding individual biases or acting in prejudicial ways (racist

individual).¹⁷ A hard pill to swallow for those living in contexts characterized by a moving-sidewalk of racial inequality, in which whites benefit at the expense of non-whites, is that all whites by definition are racists systemic, though they might not be racists individual; just as no non-whites can technically be racists systemic, though they might still be racists individual.

At least, this is the understanding of the systemic dimension of racism that represents what has been called ‘the cozy left consensus’ on the matter (Mills 2003, p. 30). Yet, although the acknowledgment of racism systemic is certainly predominant in the literature, it is not universally shared. In particular, it has been subject to fierce critique by Garcia (1996). Thus, before continuing our examination of what I regard as Tim’s ‘tragic responsibility’ to Michael, let me say more about why Garcia’s individualistic understanding of racism is problematic. One of the primary reasons Garcia seems to wish to constrain all racism exclusively to racism individual is that he believes this exclusion to be in-line with our pretheoretical discourse about racism, which he takes to constitute a methodological constraint on any acceptable conceptual analysis of the term. Of course, it is not clear why consonance with our pretheoretical discourse *must* be the starting point for legitimate philosophical analyses. But, even granting this starting point, it is highly suspicious to invoke any tacit agreement amongst ‘our’ pretheoretical discourse about something as contested as race and racism, since

¹⁷ MacIntosh (1988) defines ‘racism’ exclusively in the systemic sense, which has the benefit of drawing attention to white privilege. Such pedagogical utility comes with a trade-off, however, since it runs deeply against the grain of the common understanding of the term. Thus, informing a well-meaning white individual (who, for that matter, might feel disenfranchised in many other ways, e.g., economically, physically, sexually, educationally, etc.) that he or she is racist *tout court* will likely cause whatever ‘teachable moment’ might have existed to end abruptly there. For a delicate treatment of these pedagogical challenges inherent in confronting white privilege, cf. Derman-Sparks (1997).

presumably ‘our’ pretheoretical discourse will vary a great deal if one of ‘us’ is a racist (or the beneficiary of racism), and one of ‘us’ is not. Furthermore, it is unclear that there really is such a thing as ‘pretheoretical’ discourse about racism in the first place, since it is arguable that the very notion of ‘race’ is itself a theoretical and historical construction.¹⁸ Most importantly, however, the ‘cozy left consensus’ about racism_{systemic} does not seem, upon scrutiny, to entail the ‘unacceptable implications’ which Garcia puts forward as a criterion for when a conceptual analysis has run afoul of our pretheoretical commitments. In particular, if racism_{systemic} allows us to make better sense of Tim’s phenomenology (as well as our phenomenology toward Tim and his situation), then this itself is an important benefit of the theory. It is not the ‘cozy left consensus’ *theory* of racism that is ‘unacceptable,’ but the *racism itself*. Furthermore, as ‘cozy’ as the theory of racism_{systemic} may be at the political and abstract level, insufficient attention has been devoted to how truly un-cozy such a theory requires us to feel at the psychological and normative levels.

Equipped with the conceptual distinction between racism_{systemic} and racism_{individual}, let us return to Tim’s situation. As a white individual benefiting from inherited racial privilege, Tim is *ipso facto* racist_{systemic}. If Tim were himself racially prejudicial as well (and if this prejudice were operative in his taking the taxi at the expense of Michael), he would also be racist_{individual}. If this were the case, then he should properly feel remorse or guilt for his prejudice. But let us assume that Tim is not at all prejudicial, i.e., he is not racist_{individual}. Does his involuntary (indeed, unwanted) inheritance of racial privilege require that he ought to feel a particular retributive emotion toward himself and his privilege? I argue that Tim should respond to awareness of his racism_{systemic} not with

¹⁸ Calling something such as race a ‘construction’ need not entail that race is not thereby ‘real,’ just that the way we conceptualize, talk about, and ‘see’ race is socially and historically conditioned.

remorse or regular guilt, nor with mere regret, but with the emotion of *tragic-guilt*. Tragic-guilt is the self-regarding retributive emotion that is properly experienced in response to unavoidable, unintentional and even involuntary infliction of harm.¹⁹ Tim's ability to hail the taxi inflicted a harm on Michael, despite being out of Tim's deliberative control. Thus, Tim ought to feel bad, though not bad in the impersonal sense of merely abstractly regretting that racism *systemic* exists. On the contrary, Tim must take moral responsibility for the very personal fact that he himself benefits from such a system.

Garcia, of course, with his narrow focus on exclusively racism *individual*, would be unable to make sense of the fact that something about Tim personally (not his choice, but his privilege) has inflicted an unjustified harm. By contrast, Garcia would claim that Tim has discharged whatever moral responsibility he might have toward Michael merely by feeling impersonal regret about the taxi driver's prejudice. Garcia might even argue that Tim ought to actively oppose the taxi driver's prejudice, perhaps by refusing the ride. But, as far as the attendant retributive emotion Tim should feel alongside this action, Garcia's account could only countenance a sort of righteous indignation on Tim's part, i.e., an other-regarding emotional response, not a self-regarding emotion. This is much more of an 'unacceptable implication' than any from which the cozy left theory of racism *systemic* might suffer; for, Garcia's theory would be compatible with massive institutions of racial inequality persisting within a society, so long as no individual within that society were racially discriminatory. This is a dangerous, escapist form of moral responsibility,

¹⁹ Following our peripheral discussion of Greek words for the retributive emotions, the term *hamartia* might be thought to be the most appropriate to designate what I have in mind by 'tragic-guilt.' *Hamartia* is often translated as 'sin,' 'error,' or 'tragic flaw' and is the specific term used throughout Greek tragic plays to refer to character traits that lead various actors to a ruin which is fated, but for which they feel morally responsible at the same time.

capable perhaps of changing individuals, but blind to the larger contexts in which those individuals interact.

One deeply-entrenched objection to the notion of tragic-guilt is, of course, the hallowed ‘ought-implies-can’ precept, which states that normative claims only properly apply to agents in situations where the agents had some deliberative control over alternatives. According to this objection, if Tim cannot help but be racist *systemic*, it seems unfair to hold him morally accountable for it, i.e., to claim that he *ought* to feel tragic-guilt. It is worth noting, however, that an emotional response to the recognition that life is not always morally fair is in fact precisely one of the qualities we look for in our moral exemplars and role-models. Faced with a genuine dilemma between two incompatible moral obligations, we admire those people who nonetheless experience each obligation as binding, rather than abdicating responsibility for one because the satisfaction of the other necessitated its impossibility.²⁰ We want our moral heroes, leaders and role-models to *feel* the fact that they, personally, were affected by the inability to perform a duty or prevent a harm.

²⁰ There is of course significant controversy concerning whether such intractable moral dilemmas really ever exist in the first place. One of the reasons for this resistance, however, seems to be a worry that the ought-implies-can precept would be obviated in such dilemmas, resulting in unavoidable guilt and a threat to the practicality of ethical theories whose *raison d'être* is envisioned as being the articulation and defense of some singular algorithm to provide singular guidance in moral matters (cf. Weber 2000). But this seems to beg the question. If tragic-guilt can be seen as not only phenomenologically plausible, but attractive for its benefits as well (as discussed in section four below), it is not clear any longer why we should be averse to the existence of intractable moral dilemmas. For a good overview of the debate for and against moral dilemmas, cf. Gowans (1987).

Consider any version of the infamous trolley-problem, where the operator of the trolley must choose between the forced options of bringing about the deaths of people on one of two tracks. The typical theoretical approaches to dealing with trolley-problems miss the significant role that self-regarding moral emotions play in our assessment of the trolley operator herself. For, regardless of whether a trolley-problem allows us to distinguish ‘active killing’ from ‘passive letting-die,’ and regardless of how the application of certain abstract rules such as the Categorical Imperative or the Principle of Utility might adjudicate the operator’s response; we still do not think that such abstract *de dicto* considerations thereby settle the case about how to respond emotionally. Imagine a trolley operator, faced with such a tragic dilemma, making a decision on the basis of, say, warranted Utilitarian calculations, but then not feeling any personal, self-regarding retributive emotion. No matter how legitimate her decision procedure was for responding to the dilemma, it would still be ethically insufficient if she were simply to throw up her hands and claim that the deaths were ‘regrettable,’ citing the ought-implies-can precept as an excuse for not feeling a more personal retributive emotion. Were those unavoidable deaths the operator’s ‘fault’? Perhaps not technically (i.e., she should not feel remorse or *regular* guilt), but to a certain extent we still think it appropriate that she feel *as if* she were responsible anyway.²¹ Indeed, those recognized as moral exemplars *do* in fact seem to experience powerful guilt even for their failures to have transcended the ought-implies-can precept. Oliner and Oliner (1988), for example, found that one of the few common denominators

²¹ This may reveal a fascinating potential asymmetry between actors and their evaluators. We often want others to be morally harder on themselves (or rather *we* are morally harder on *ourselves*) than we want to be toward them. After all, even the most forgiving person still expects contrition on the part of the forgiven; and, as the popular wisdom has it, it may be (*should* be?) much harder to forgive oneself than to forgive others.

amongst those who heroically sheltered Jews during the Holocaust was that they seemed to experience their actions as obligatory, such that they would have felt guilty if they had acted otherwise. Similar feelings about otherwise supererogatory actions being experienced as instead mandatory (in such a way that their omission is thought to engender guilt) are rife within the phenomenology of almost all those who are regarded as moral exemplars or heroes. To deny the existence of legitimate tragic-guilt would therefore require that we treat all such phenomenology as pathologically misplaced. But if we are willing to regard such individuals as moral exemplars at all, we must grant to them a concomitant expertise concerning the veracity of how they characterize their own actions.²² In this way, moral dilemmas—whether trolley-scenarios or instances of systemic racial privilege—*stain* the agent who is involved, leaving a moral ‘residue’ or ‘remainder’ on her character despite her inability to have controlled the situation.²³ And tragic-guilt is the self-regarding retributive emotion that properly activates in response to such residues and remainders.²⁴

²² Hale (1991) has advanced a version of this argument about the theoretical need to preserve the status of moral exemplars as accurate characterizers of their own actions.

²³ The *locus classicus* for the idea that moral dilemmas leave an emotional ‘remainder’ in their wake is Williams (1965).

²⁴ Tragic-guilt, as I have unpacked so far, might also be thought to share a significant conceptual overlap with ‘sympathy.’ Yet, while I think this is a useful comparison, sympathy seems disanalogous with tragic-guilt in several ways. In much everyday usage, ‘sympathy’ seems to involve feeling bad for another person’s suffering—as when I send a card to my uncle expressing my sympathy for his recent ailment. In this way, however, sympathy need not involve any self-regarding attribution: just because I feel sympathy for my uncle’s ailment does not mean that I think I played any causal role in the ailment (i.e., condolence cards are not the same as apology letters). ‘Empathy’ does not seem to work any better as a possible substitute for tragic-guilt, since the former involves feeling *as*

4. Benefits of tragic-responsibility

I have argued that the unique retributive emotion of tragic-guilt is not only distinct from regret, remorse, shame and other species of guilt, but also that tragic-guilt best accommodates the phenomenology of moral dilemmas such as inherited racial privilege. In this section, I consider several potential benefits of tragic-guilt and the form of moral responsibility to which it gives rise. Despite the general cultural suspicions concerning guilt, it seems obvious that even regular, non-tragic guilt also has many practical benefits. First, guilt in general may have significant evolutionary benefits. Gibbard (1990), for example, speaks about the ‘fitness’ and ‘mesh’ between norms governing guilt and those governing anger: ‘The things it makes sense to feel angry about in others are the things it makes sense to feel guilty about in oneself. If it makes sense for someone to be angry at me for something, it makes sense for me to feel guilty about it’ (1990, p. 294). Gibbard goes on to argue that, because anger seems to be ineliminable in human nature (pace the optimism of various religions and psychological movements), we require a social norm capable of discharging, directing, or otherwise sublimating it effectively. Gibbard believes that guilt is wonderfully adapted to this function:

or *with* the other person; whereas in the case of tragic-guilt in response to racial privilege, the very nature of Tim’s privilege is that he benefits from it, so he cannot by definition feel the same as someone who, by contrast, is injured by it. Of course, ‘sympathy’ and ‘empathy’ may themselves be vague concepts in ordinary usage, not to mention the variety of specific roles they might play in particular moral theories, viz., Adam Smith’s account of the ‘Impartial Spectator.’ My thanks to an anonymous reviewer for the journal for thoughtful suggestions concerning this point.

“Guilt can placate anger, and norms for guilt and anger can help shape the feelings so they mesh... which fosters peace and cooperation. That requires norms that call for guilt on one’s own part when they call for anger on the part of others.” (1990, p. 299)

Noddings (1984, p. 39) makes a similar point about the psychology of interpersonal relationships when she observes that the potential for guilt is at the very core of *caring*. Guilt is not a comfortable emotion, and so Noddings points out that it takes moral ‘courage’ (instead of a cowardly retreat to abstract, emotionless ethical principles) in order to embrace guilt as a prerequisite for re-establishing relationships that have been severed or threatened by the infliction of harm.

In addition, moral guilt appears to have significant motivational benefits. For instance, Regan et al. (1972) found that people who had been told (falsely) that they had broken a stranger’s camera became more likely to help another stranger with dropped grocery items.²⁵ Such benefits extend to tragic-guilt as well: Amodio et al. (2007) found that, when presented with disingenuous brain-scans indicating unconscious racial bias, white participants chose to engage in anti-bias activities and education with greater than normal alacrity. Far from being motivationally-crippled or rendered morose by awareness of their white

²⁵ Hoffman’s (1982) influential analysis builds increased moral motivation and ‘prosocial behavior’ into the definition of guilt. Certain studies (DePalma et al. 1995), however, suggest that the motivational efficacy of guilt may be gender-sensitive, with women more likely to engage in subsequent helping behavior after a transgression than men. For a more comprehensive overview of the empirical evidence concerning the motivational role of (non-tragic) guilt, see Dovidio (1984, pp. 391-6).

privilege, findings such as these suggest that tragic-guilt can indeed be an important component of the emotional makeup of virtuous characters.²⁶

Recognizing tragic-guilt as an essential retributive emotion may also have important theoretical benefits as well. Rescher (1987) and Hurka (1993), for example, have both argued for the importance of normative categories such as perfectionism and unattainable ideals; tragic-guilt, concerning as it does the emotional response to failures to be morally perfect or to live up to impossible ideals, helps supply a psychological and phenomenological dimension to Hurka's and Rescher's theories. Greenspan (1995) has also suggested that personal emotional responses to moral dilemmas provide a conceptual bridge connecting virtue ethics and the ethics of duty. Thus, where duties impossibly conflict, the virtuous person is able to maintain her good character by at least feeling the full weight of the tragedy.

Finally, as part of the emotional makeup of the virtuous person, tragic-guilt may have the additional benefit of alleviating worries about the potentially harsh moralism of such a perfected character. In response to the famous worries raised by Wolf (1982) about the undesirability of keeping company with 'moral saints,' the person sensitive to tragic-guilt would seem, by contrast, especially non-judgmental and forgiving. After all, part of tragic-guilt is the recognition that culpable wrong-doing can often be unavoidable and that nobody is morally perfect or wholly without moral stain. In this way, the agent who has experienced tragic-

²⁶ Note that the context in which such privilege is verbalized might be a factor. Recalling our earlier discussion on the public nature of shame, the articulation of white privilege may be affected by the racial makeup of the audience to whom one is articulating it. Thus, Katz (1978) argues that anti-bias education geared toward the recognition of white privilege is facilitated by exclusively white audiences; amongst blacks, whites can either bite their tongue in fear of shame or else disingenuously overstate their anti-racism in an attempt to seek black approval.

guilt, and who assumes tragic-responsibility for whatever inheritances grant her the privileges about which she feels the tragic-guilt, might be expected to express greater empathy and solidarity with others since she would be sensitive to the ‘moral luck’ that can affect our moral assessments.

Even granting these theoretic, motivational, and ethical benefits, however, one might still be worried about the potential to flood the reservoir of moral responsibility with a tidal wave of guilt. After all, an individual may well be the beneficiary of myriad inherited privileges other than racial ones (e.g., privileges due to gender, body type, sexual orientation, mental capacities, etc.) and, if so, then the worry might be that such an individual would be confronted with such enormous responsibility that surely she would be crippled by the overwhelming onslaught of it all. This is a serious worry about the scope of self-regarding retributive emotions (not to mention the fact that it is largely an empirical, psychological question, probably idiosyncratic to different individuals), but it seems to conflate tragic-guilt with the more straightforward kind of moral guilt from which I have urged a distinction. Insofar as an individual may be the nexus for multiple privileges, so long as the privileges are inherited (i.e., involuntary) no guilt in the traditional sense is warranted. Tragic-guilt (i.e., the poignant recognition of inherited, involuntary moral ‘stains’ on one’s identity) is still self-regarding and normative in response to a harm inflicted; but it need not involve the same degree of direct condemnation that traditional moral guilt should entail. Tragic guilt is, as it were, guilt without blame.

5. Conclusions

To summarize, I have argued for the existence and importance of a unique moral emotion which I have called ‘tragic-guilt.’ Unlike regret, remorse, shame or regular varieties of guilt, tragic-guilt is a normative

response to situations of unavoidable, unintentional wrong-doing. Specifically, we examined the phenomenon of inherited racial privilege as a kind of intractable ‘moral dilemma’ and saw that emotional responses of regret, remorse or regular guilt are insufficient to accommodate the wrong-doing attributed to beneficiaries of such privilege. Only the self-regarding retributive emotion of tragic-guilt accommodates the recognition of the harm of *systemic* inequality. Furthermore, sensitivity to tragic-guilt was explored as an admirable quality of the virtuous person’s emotional makeup, with significant motivational, theoretical and ethical benefits; even if not quite the ‘paradise’ envisioned by Father Zossima. Of course, the truly virtuous person will need to do much more than merely *feel* tragically responsible for unjust inheritances.²⁷ Feeling without correspondent action runs the risk of allowing the beneficiary of such inheritances to escape into a self-absorbed wallowing.²⁸ The point in this essay, however, has been that the feeling part is at least necessary (even if not sufficient), lest the beneficiaries of inherited privileges fight righteously against the problems of systemic inequalities, while failing to recognize that these are also *their* problems too.

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²⁷ In the scenario about Tim and the taxi, for example, at the very least one of the things Tim ought to do is confront the taxi-driver about her neglect of Michael (whether perceptual, prejudicial, or both). Perhaps Tim even has a duty to refuse the ride. But, regardless, these would all be moral considerations about Tim’s responsibility vis-à-vis the taxi-driver, distinct from the responsibility Tim should feel about being the sort of person who benefits from privilege in the first place.

²⁸ For an influential discussion of possible, positive strategies to avoid such wallowing, cf. Alcoff (1998).

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