

# Evils, Wrongs and Dignity: How to Test a Theory of Evil<sup>1</sup>

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Evil acts are not *merely* wrong; they belong to a different moral category. For example, telling a minor lie might be wrong but it is not evil, whereas the worst act of gratuitous torture that you can imagine is evil and not merely wrong. But how do wrongs and evils differ? A theory or conception of evil should, among other things, answer that question. But once a theory of evil has been developed, how do we defend or refute it? The most commonly used method for doing this in the literature has been to, respectively, provide pro-examples or counter-examples. While this method might be sufficient for establishing that a theory is at least a *prima facie* plausible theory of evil, it is often insufficient for making fine-grained distinctions between otherwise plausible theories of evil. To supplement this insufficiency I propose that we also focus on five theoretical virtues that a theory of evil should have. These virtues are: 1) meshing well with important theories of moral wrongdoing; 2) being based on a plausible moral psychology; 3) explaining the basis of our judgments about evil; 4) being able to alter, revise and expand our judgments about evil; and 5) being pitched at the right level of generality.

The outline of this paper is as follows. First we shall contrast the *concept* of evil with a *conception* of evil, before emphasizing the important role that theoretical virtues should play in the process of reflective equilibrium. Next, we shall examine what sort of theories of evil mesh well with three major theories of wrongdoing (act-utilitarianism, Kantian ethics, and virtue theory). Having done that, we shall be in a position to examine directly the five theoretical virtues that a theory of evil should have by looking at a modified version of a theory of evil that I have previously defended and which I further elaborate here. The main result of this paper will be to show that these five theoretical virtues provide a useful

analytical tool for interrogating plausible theories of evil. The secondary result will be to show that my theory of evil has these five virtues. As such, the aim of this paper is not to examine rival theories of evil (which I have done elsewhere), but to ask how we are to test a theory of evil.<sup>2</sup>

## **1. The Concept of Evil and Reflective Equilibrium**

John Rawls makes a helpful distinction between a concept and a conception or theory. A concept is a general term which has its details filled in by a particular conception or interpretation. For example, the concept of justice includes the idea of a proper balance, but it is left open to each conception or theory of justice to interpret what a proper balance is.<sup>3</sup> Rawls' method of reflective equilibrium can then be applied to test proposed theories.<sup>4</sup> The aim of this method is to achieve a reflectively endorsed equilibrium between our theory and our intuitions as the result of a two-way process whereby we modify our intuitions to match our theory and modify our theory to match our intuitions. We can apply this distinction and methodology to evil actions.

An evil action is not just a plain, everyday wrong. It carries more moral weight than everyday wrongs. As such, to call an act evil is, among other things, to condemn it in terms of one of our strongest moral terms. But how can we state the *concept* of evil? Since the concept should be stated in such a way that plausible rival theories of evil can understand themselves as trying to interpret the *same* concept, it follows that the statement of the concept should be as uncontentious as possible in order to avoid begging the question against any plausible theory. But while aiming to be uncontentious, the statement of the concept must still be specific enough to pick out only the concept we are interested in exploring. With this in mind I suggest the following: an *evil action* is an action that is, because of its extreme moral gravity, above and beyond mere moral wrongness. An injustice is another example of an act

that might be conceived of as above and beyond mere moral wrongness, but an injustice (unlike an evil) is not necessarily above and beyond a mere wrong *because* of its extreme moral gravity. Further, I stipulate that the phrase “above and beyond” in this context implies nothing about whether that difference is qualitative (evils are above and beyond mere wrongs because of the presence of an evil-making property or properties that are distinct from wrong-making properties) or quantitative (evils are above and beyond mere wrongs because of the presence of a high degree of wrong-making property or properties).<sup>5</sup> Filling in those details, along with the nature of extreme moral gravity, is the job of a theory or conception of evil actions.

However, there are other *concepts* of evil actions besides this one. These include the concepts of (what we can call) an *evil-w action*, according to which an evil action just is another name for a wrong act, and an *evil-b action*, according to which an evil action is just another name for a bad act or badness in general. For example, when we say that gambling is an evil action we are probably using the concept of an evil-w action, and when we say that an earthquake is an evil we are probably using the concept of an evil-b action. These are clearly different *concepts* of evil since it is false of either evil-w or evil-b acts that, unlike evil actions, they are necessarily above and beyond mere moral wrongness. It is essential to keep these different concepts distinct to avoid talking past, rather than to, one another. This occurs when we think that we are dealing with two or more competing conceptions of the *same concept* of an evil action, when we are really dealing with different conceptions of *different concepts*.

Once a theory of evil is developed the method of reflective equilibrium can be applied to test that theory. However, two general problems have arisen in the way that reflective equilibrium has been applied to theories of evil. First, although reflective equilibrium is a two-way process, there has been a general lack of focus on the theoretical side of this process

and a corresponding overemphasis on the intuition-matching side. This has resulted in, at best, a *lopsided* application of the reflective equilibrium process and, at worst (where the *exclusive* focus is on intuition-matching) a failure to properly apply that process at all. Second, the intuitions or considered judgments about particular cases of evil that are drawn upon to support or reject a particular theory are often only *weak* intuitions. A *hard* intuition is one that is very widely held and very widely held to be essential (or very important) for a theory to be able to accommodate. A hard intuition is one that most people would never drop, or only drop with great resistance, for the sake of reaching reflective equilibrium with a theory, no matter how good that theory otherwise is. In contrast, a weak intuition is one that is not very widely held or not very widely held to be essential (or very important) for a theory to be able to accommodate. A weak intuition is one that, if the theory is otherwise good, some or many people would be willing to drop or modify for the sake of reaching reflective equilibrium with that theory. Therefore counter-examples that consist only of weak intuitions provide, on their own, insufficient grounds for rejecting a theory.

For example, Stephen de Wijze draws on his intuitions about two examples to support his claim that “enormous suffering” is neither sufficient (an uncontentious claim) nor necessary (a more contentious claim) for an act to count as evil. His two examples are: “1. A person who kills his/her spouse and their lover in a fit of jealousy. 2. The Nazi who humiliates a religious Jew by forcing him to spit or urinate on the Torah and other holy artifacts.”<sup>6</sup> The intuitions that de Wijze has about these two examples is that the first act is wrong but not evil, whereas the second is evil. I am not sure, without further details about these examples, whether I share either of these intuitions, but in any case, I do not think these intuitions can count as hard intuitions and therefore they are not by themselves sufficient to support the claims that they are meant to support.

## 2. Theoretical Virtues

To deal with these two general problems with the way that reflective equilibrium has been applied to theories of evil, we need to look at theoretical virtues as an additional way to evaluate theories. To see why, consider Geoffrey Scarre's counter-example against my theory of evil. Scarre argues, drawing on Eve Garrard's work, that the "peculiar nastiness of an act rather than the amount of harm it causes" can be sufficient for judging an act to be evil.<sup>7</sup> His example of this is of someone who "knocks the crutches out of the hands of a disabled elderly man." Such an act could be evil even if "its effects were no more than angry shock and some minor bruises."<sup>8</sup> These effects would not count as a significant harm. Thus, Scarre claims, according to theories such as my own which, details aside for the moment, maintain that evils necessarily inflict significant harm, such an act would (mistakenly) not be judged to be evil. Scarre uses this counter-example to claim that theories such as my own are "probably too strong."<sup>9</sup> Scarre does not, however, claim that a single counter-example of this sort is enough by itself to *refute* an otherwise plausible theory. But his example does raise some doubts about my theory that deserve a response. There are three responses I could offer to this example.

The first response is to agree with the intuition that this act is evil, and then show that my theory can accommodate it. It can accommodate it since kicking the crutches out of the hands of an elderly disabled person is *at least normally* (even assuming, perhaps implausibly, that it isn't in this case) a very significant harm since it will, predictably, often result in broken bones, loss of independence and mobility, anxiety, fear, isolation, and even trauma. And on my view (as will become clear below), that could be a sufficient basis for judging that act to be evil.

The second response is to deny the intuition that this act is evil. This denial can be strengthened by weakening the intuition by filling out Scarre's sketchy example with some real-world details. To do that let's assume that the crutch-knocking assailant is a troubled teenager who grew up in a low socio-economic community. He is bored and angry one afternoon when he sees, while hanging out with a group of his friends, an old man walking down the street. For a lark and without really considering the implications of what he is doing, he runs up to the old man and kicks his crutches out from under him, before running away, laughing, with his friends. The old man, who is strong and sturdy, falls and receives a small bruise on his left side. Let's also further assume, again perhaps implausibly, that this level of harm is all that is at least normally expected to follow from such an act. "Damn kids!", the old man mutters as he gets up and continues on his way. Clearly the teenager's act is morally wrong and very nasty. But so spelled out, I do not have the intuition that his act is evil, that is, an act which deserves to be condemned in terms of our strongest moral language. His act is that of a stupid and thoughtless kid, not that of a perpetrator of evil!

The third response is to admit that some may view my theory as having counter-intuitive implications in this case, but then to argue that, even so (granted that the intuition is not a very hard one) the theory remains otherwise plausible and attractive. If this can be shown then it might give us grounds for revising our conflicting intuitions in order to be able to reach an equilibrium with an otherwise plausible and attractive theory. But other than showing that one's theory matches other intuitions we have or that it matches our intuitions on the whole better than any competing theory, how else can one show that one's theory is otherwise plausible and attractive? The answer to this is, I shall argue, to also focus on whether it has five distinct *theoretical* virtues. Focusing on these theoretical virtues in their own right, as distinct from intuition matching, also helps us to avoid a lopsided application of the reflective equilibrium process. There are certain generic theoretical virtues that any good

theory in moral philosophy should have, such as comprehensiveness, simplicity, explanatory power, and coherence with other relevant theories. By applying these virtues to a theory of evil we can isolate (at least) the following five specific theoretical virtues as particularly important.

The first two virtues both involve assessing how well a theory of evil coheres with our broader moral theorizing. This is particularly important since a theory of evil (as opposed to a theory of the good, the right, or virtue) is not the most basic component of our theorizing about morality. It must therefore fit with our broader moral theorizing. In particular, since moral evils are a subset of moral wrongs, a good theory of evil should mesh well with our theory or theories of wrongdoing and other important moral beliefs. First virtue: a theory of evil that is able to mesh well with an important theory or important theories of wrongdoing is preferable (all else being equal) to a theory that cannot. Further, a theory of evil also needs to fit well with our best accounts of empirically informed moral psychology. Second virtue: a theory of evil that is grounded in a plausible and detailed moral psychology is preferable (all else being equal) to a theory that is not.

The next two virtues focus on the explanatory power of a theory of evil. Since to judge an act to be evil is to condemn that action, due to its extreme moral gravity, in terms of our strongest moral language, a good theory of evil should be able to *explain* or *articulate the basis* of those judgments. Third virtue: a theory of evil that is able to explain in a theoretically cohesive manner *why it is* that we condemn evil acts in the strongest possible moral language is preferable (all else being equal) to a theory that cannot. As an aside, it is worth noting that I am using the phrase the “explanatory power” of a theory of evil here differently to the way that that phrase is usually used in the literature to refer to the power of a theory of evil to explain why a particular evil act was perpetrated by an agent.<sup>10</sup> Next, since the relationship between our theory and our intuitions should be dual directional, a good theory of evil

should, by making sense of the basis of our intuitions, be able to (not merely *match* but also) *modify, expand* and *rearrange* our intuitions. Fourth virtue: a theory of evil that is able to convincingly modify, expand, or rearrange our judgments about evil is preferable (all else being equal) to a theory that cannot. While these two virtues both make reference to our intuitions or judgments about evil, they do not appeal to specific intuitions about particular cases, but rather to more general intuitions about evil's meaning and implications. To assess these virtues, then, we need to remain as far as possible neutral about *which* particular intuitions we have. As such, these remain distinct theoretical virtues since their focus is on the general explanatory power of a theory (as opposed to the theory's ability to match specific intuitions about particular cases).

The fifth virtue aims to capture a theory's comprehensiveness and simplicity. A theory of evil should not be so vague and general that it does not advance us, or advance us very far, beyond the mere concept of evil. For example, a theory of evil that says that evil acts are those acts that are morally worse than mere wrongs does not advance us far (if at all) beyond the concept of an evil act. Such a theory is pitched at too vague and general a level and therefore fails to provide a theoretically helpful elucidation of the concept. Similarly, a theory of evil should not be too specific and fine-grained. For example, a theory of evil that says that an evil act is one in which the perpetrator is motivated by an intense racial hatred for their victim on Wednesdays when the moon is full would not only be an implausible theory of evil (as it would fail to match almost any of our hard intuitions), but (more to the point here) it would also be a theory that is overly specific and too fine-grained. It also seems to contain ad-hoc elements and therefore lacks simplicity. We want, then, a theory without ad-hoc elements that is pitched at neither a too vague and general nor a too specific and fine-grained level. Such a theory combines comprehensiveness and simplicity. Fifth virtue: a

theory of evil pitched at the right level of generality is preferable (all else being equal) to one that is not. We shall now explore each of these five virtues.

### **3. Evils and Wrongs**

In order to examine the first virtue we need to be clearer about the relationship between evils and wrongs. Evils can differ from wrongs in the following ways.<sup>11</sup> According to *perpetrator* theories it is something about the perpetrator of evil acts, such as their motives, intentions, character, or responses that turn a wrong into an evil. According to *victim harm* theories it is something about the amount or type of harms inflicted on victims that turn a wrong into an evil. According to *audience response* theories it is something about our responses to evil acts, such as our horror or inability to comprehend them, that turn a wrong into an evil. According to *combination* theories it is some combination of two or more of these three factors that together turn a wrong into an evil.

As a subset of wrongs, a theory of evil should be able to mesh well with, or at least be compatible with, one or more of our best theories of moral wrongdoing. A theory of evil is *compatible* (or *consistent*) with a theory of wrongdoing, when there is nothing in that theory of wrongdoing which rules out that theory of evil. For example, if a theory of evil commits one to saying that a particular act is evil, but a theory of wrong commits one to saying that that same act is not even wrong, then it looks as if the two theories are incompatible. A theory of evil can be said to *mesh well* with a theory of wrongdoing when the two theories are, not merely consistent, but also mutually supportive or share deep theoretical links. For example, a theory of evil that said that intentional gross violations of human dignity are evil would mesh well with a theory of wrong that said all violations of human dignity are wrong. Here there is a mutually supportive theoretical focus on the central normative significance of human dignity.

Of course, a theory of evil need not (and probably cannot) mesh well with, or even be compatible with, every important theory of wrong, since theories of wrong clash with one another. There are two options one might take when a theory of evil and a theory of wrong clash. First, argue that this is a problem for the clashing theory of wrongdoing since it is unable to accommodate what is (arguably) our best theory of evil. Second, argue that this is a problem for the clashing theory of evil since it is unable to be accommodated by what is (arguably) our best theory of wrongdoing. Which of these two options in the face of incompatibility one prefers will depend on one's wider set of moral beliefs and for this reason we cannot conclusively adjudicate on any such conflicts here. But, given that evil is not a foundational moral concept, it would seem to be a significant problem for a theory of evil if it is not able to mesh well, or at least be compatible, with at least one major theory of wrongdoing and, all else being equal, the more the better. To explore this point we shall briefly examine simple versions of three important theories of wrongdoing: act-utilitarianism, virtue theory, and Kantian ethics. The point of this examination is to see what sort of theories of evil (victim harm, perpetrator, audience response, and combination theories) might mesh well, or simply be compatible, with these three major theories of wrongdoing.

*Utilitarianism and Evil.* Consider the following simple act-utilitarian theory of wrong: *an act is wrong if it fails to produce the maximum amount of happiness on the whole.*<sup>12</sup> One theory of evil that seems to follow from this would be: *an act is evil if it maximizes unhappiness on the whole.* However, this would be an implausible theory of evil since an act, no matter how much unhappiness it produces, would fail to count as evil if only a tiny amount more unhappiness could have been produced. One way to avoid this difficulty is to opt for a satisficing rather than an optimizing view. According to such a view: *an act is evil if, compared to other available alternatives, it gets at least close to maximizing unhappiness on the whole.* If a wrong act is one that fails to produce the maximum amount of happiness,

then an evil act is one that produces at least close to the maximum amount of unhappiness (or minimum of happiness). For example, suppose that, of the available alternatives, helping a needy person would maximize happiness on the whole. Thus failing to help that person by ignoring them would fail to maximize happiness and therefore would be wrong but not evil. In contrast, stopping to torture that person would produce something close to the maximum amount of unhappiness and therefore would count as not merely wrong but evil.

This implies that, firstly, act-utilitarianism as a theory of wrong seems to mesh best with theories of evil that hold that evils are only *quantitatively* distinct from wrongs. This is because what makes an evil act evil on this view is the presence of lots of the same factor that makes an act wrong, the production of unhappiness on the whole. Evil acts simply produce more unhappiness than mere wrongs. Second, the act-utilitarian theory of evil developed here would seem to have problems in accounting for many of our (arguably hard) intuitions about evil, since these tend to focus on either (or both) the nastiness of the perpetrator or the extreme harm suffered by the victim, and not on unhappiness on the whole. For example, assume that the available options are to eat cake (+one unit of happiness overall), cause minor unhappiness to one billion people by temporarily bringing down a popular social media website (-one billion units of happiness overall), or horribly torture one innocent person (-one million units of happiness overall). Our (or at least my) intuition is that the torture is evil and not merely wrong, whereas the act-utilitarian theory of evil (as presented here) would say that bringing down the website is not merely wrong but evil since of the available options, unlike torture which does not come close, it maximizes unhappiness overall. It might be possible to develop a more complex utilitarian inspired theory of evil that avoids these problems, but attempting to do that would be outside of our scope here. In any case, it remains open to the utilitarian to reject these intuitions about evil on the grounds that they are inconsistent with our best theory of wrongdoing. Third, since an act-utilitarian theory of wrong focuses on the

unhappiness not only of the victim but also of the perpetrator and anyone else affected by the act, it *meshes best* with *combination* theories of evil which have *victim harm*, *perpetrator*, and *audience response* components.

*Virtue theory and evil.* Due to the fact that virtue theory's primary focus is on character rather than acts, it is not easy to develop a simple virtue theory of wrongdoing. Nonetheless, we can work with the following virtue theory of wrongdoing: *an act is wrong if it is an act that a virtuous agent would characteristically not do in the circumstances.*<sup>13</sup> While this virtue theory of wrongdoing is arguably flawed, since it makes *any* act that a virtuous agent would characteristically not do in the circumstances (including seemingly morally neutral acts such as singing Happy Birthday while skipping and chewing gum) morally wrong, it shall suffice for our purposes. One theory of evil that seems to obviously follow from this would be: *an act is evil if it is an act that only a vicious agent would characteristically do in the circumstances.* But what would a vicious agent characteristically do and what vices would he have? These are difficult questions to answer since, as Aristotle argues, "men are good in but one way, but bad in many."<sup>14</sup>

Aristotle's distinction between four different types of injury inflicting wrongs can help us here. The first type occurs when the degree of injury inflicted is "contrary to reasonable expectation," the second when inflicting the injury is a mistake, the third when the injury is inflicted not after deliberation but out of anger or "other passions necessary or natural to man," and the fourth when "a man [who inflicts an injury] acts from choice [that is, as the result of deliberation]." The man in the last case is an "*unjust man* and a vicious man." In contrast, the wrongdoing of the agents in the first three cases does "not imply [that] the doers are unjust or wicked; for the injury is not due to vice."<sup>15</sup> Drawing on this distinction we can say that a *vicious (or wicked) agent is one who characteristically harms others after deliberation.* For example, in the circumstances a virtuous agent would characteristically

materially aid to the right degree and in the right way a needy person. A less than fully virtuous agent would act wrongly by failing to materially aid the needy person, or by aiding her to the wrong degree or in the wrong way. But only a vicious agent would act evilly by, for example, after deliberation choosing to torture the needy person for pleasure.

This view has a number of implications. First, that a virtue theory of wrong is only compatible with theories of evil that hold that evils are *qualitatively* distinct from wrong acts. This is because evil acts, on this view, require the presence of extra evil making properties, such as a vicious character, harm and deliberation, which need not be present in mere wrongs. Second, since a virtue theory of wrong focuses on the perpetrator's character and motives, it follows that it meshes well with *perpetrator* theories of evil that focus on the perpetrator's character and motives. However, since this theory also includes in its analysis of a vicious agent the infliction of harm, it also meshes well with combination theories of evil that include both *perpetrator* and *victim harm* components.

*Kantian ethics and evil.* For Kant, we act wrongly when we fail to act in accordance with the categorical imperative. For our purposes we shall focus on only one formulation of the categorical imperative, the Formula of Humanity (FH).<sup>16</sup> Drawing on FH, consider the following version of a Kantian theory of wrong: *an act is wrong if it treats the humanity (that is, the rational capacity for autonomous choice) in any person as a mere means or fails to treat it as an end in itself.*<sup>17</sup> When we act wrongly we express disrespect towards the dignity of the wronged person. The moral focus of this theory is on the dignity-endowing worth of our rational capacities for autonomous choice. Keeping this moral focus in mind allows us to understand how an act could disrespect the dignity of others to a greater or lesser extent. Roughly, wrongful acts that do very great damage to an agent's rational capacities for autonomous choice or very greatly interfere with a significant exercise of those capacities are morally graver, and thereby express greater disrespect, than wrongful acts that do not do

this.<sup>18</sup> For example, if John intentionally makes a false promise to Mary to meet her later for coffee then he uses Mary as a mere means. But this is not a very grave wrong. In contrast, if John abducts and tortures Mary for a lengthy period of time then he again uses her as a mere means, but this is a far graver wrong. It is far graver since it greatly damages Mary's capacities for autonomous choice (for reasons that will be made clear in section five).

This seems to imply the following simple Kantian theory of evil: *an act is evil if it is a wrongful act that does very great damage to an agent's rational capacities for autonomous choice or very greatly interferes with a significant exercise of those capacities or in some other way expresses a very high degree of disrespect*. The "in some other way" clause is needed since it is at least conceptually possible (although I shall later question whether it is also psychologically possible) for an act to express a very high degree of disrespect without also doing very great damage to, or very greatly interfering with, a person's rational capacities for autonomous choice. This covers the purely expressive wrongs of disrespect that Kant lists, such as arrogance, defamation, and ridicule.<sup>19</sup> According to this simple theory an evil act just is a very wrong act, and therefore evils are only *quantitatively* different to wrongs.

However, this simple theory is implausible since it focuses only on the harm done to victims. To see why this is a problem, consider the following example. I act wrongly when I kill a faultless pedestrian as the result of driving negligently after getting fired from my job. But while this wrongful act completely destroys the pedestrian's rational capacities for autonomous choice, it is arguably not an evil act. What would be needed to make this act evil is, for example, the presence of an intention to kill the pedestrian for fun. However, there is no reason why Kantians couldn't include a consideration of other relevant factors, such as the perpetrator's general policies (or maxims), intentions, and motives as part of a more complex and plausible theory of evil. After all, these factors do play important roles in Kant's broader

moral theory. If they did so and thereby broadened their theory (and the details would need to be supplied), then this would have the implications that evils are *qualitatively* different from wrongs, since an evil is not just a very wrong act but one that also involves the presence of other relevant factors, such as malicious motivation. This implies that a Kantian theory of wrong would plausibly *mesh best* with *combination* theories of evil that focus on the significant harm done to victims' rational capacities for autonomous choice (*victim harm* component) as well as the way the perpetrator acts (*perpetrator* component).

#### **4. The Combination Theory of Evil**

Having seen what sorts of theories of evil mesh well with major theories of wrongdoing, we are now in a position to directly examine what it would require for a theory of evil to possess the five theoretical virtues. We shall do that by examining one theory in depth. For this purpose I shall present a significantly revised version of a theory of evil that I have previously defended and argue that it has the five virtues. We shall not, therefore, assess here whether this theory matches our intuitions better than any other theory – that is a task for another paper. Rather, we shall focus here on using this theory to illustrate in depth what these five virtues are and what it would require for a theory of evil to have each of these five virtues.

Before stating that theory I want to formulate, for illustrative purposes, a new preliminary theory of evil. This theory says: *an evil act is an act of wrongdoing in which the perpetrator acts very badly and the victim suffers, or would likely suffer, a significant harm.* The problem with this preliminary theory is that it is pitched at too general a level since it fails to explain what counts as the perpetrator acting very badly or what makes a harm significant and these, presumably, can't be basic and unanalyzable components of the theory. My proposed theory, which for ease of reference I shall call *the combination theory of evil*, is

broadly compatible with this preliminary theory, but it tries to pitch itself at the right level of generality. This theory says: *an evil act is an act of wrongdoing 1) in which the perpetrator of the act is morally responsible for 2) one or more others suffering what would at least normally be a very significant harm (including life-ending and significantly autonomy impairing harms) and 3) where we judge in terms of the presence of all the relevant factors (including deliberativeness, reprehensibility of the motive, and the degree, type, and gratuitousness of the inflicted harm) that the perpetrator acts very badly.*<sup>20</sup> However, to avoid still being pitched at too general a level I need to further explicate the theory's *responsibility* clause and its *perpetrator* and *victim harm* components.

The *responsibility* clause states that an evil act is an act of wrongdoing for which the perpetrator is morally responsible. The reason for this clause is that if we are to condemn a perpetrator's act in the strongest possible *moral* language, then it is necessary that he is morally responsible for that act. But what about the case of a perpetrator who inflicts very significant harms on others but is not morally responsible for doing so (because, for example, she is insane)? Might we not be tempted to say that the *act* is still evil (even if the perpetrator is not)? However, we cannot make the former claim on my view since the perpetrator is not morally responsible for her act. Is this a problem? I argue that it is not, since such an act, while clearly horrifying, should not be judged as deserving to be condemned in our harshest possible *moral* language because no one is *morally* responsible for it. Instead, it should be viewed as akin to a horrible natural disaster, whom no one is morally responsible for, that kills many people (an evil-b event).

The benefit of stating the clause in this way is that it does not commit the theory to any particular view about moral responsibility. That way it avoids being too specific by committing the theory to controversial claims about moral responsibility (such as its relationship to autonomy and socialization) that there is no need for it to commit to.<sup>21</sup>

However, even while remaining (relatively) neutral in regard to substantive theories of moral responsibility, we can say more specifically that for perpetrators of evil to count as morally responsible for what they do it is necessary (but not sufficient) that they act intentionally. And a perpetrator acting intentionally can purposely (the harm is the goal), knowingly (the harm is not the goal but is foreseen), recklessly or negligently (the harm is reasonably foreseeable and risking that harm is unjustifiable) inflict very significant harm on others.<sup>22</sup> So stated and analyzed, it should be clear that this clause is neither too general nor too specific and therefore gets the level of theoretical generality about right.

The *perpetrator* component states that an evil act is one where we judge the perpetrator to have acted very badly in terms of all the relevant factors. But what are these relevant factors? They include at least the following three. The *deliberativeness* factor, which is inspired by Aristotle and Kant, focuses on the degree of foresight, prior knowledge, deliberation and planning involved in an act.<sup>23</sup> This factor is relevant since we are more likely to judge that an act is deserving of condemnation in terms of our strongest moral language when the perpetrator of that act acts with a high degree of foresight, prior (and accurate) knowledge, careful planning and deliberation, as opposed to when these factors are present to a lesser degree or absent altogether. The reason for this is that the presence of a high degree of deliberativeness indicates that the perpetrator really knew and thought about what she was doing and yet *still* inflicted very significant harm on others. Thus while it might be possible to perpetrate evil by recklessly or negligently inflicting very significant harm on others, we are more likely (all else being equal) to judge an act to be evil where the perpetrator knowingly, and even more likely again when the perpetrator purposely, inflicts very significant harm on others.

The *reprehensibility of motive* factor focuses on the degree of reprehensibility of the perpetrator's motive. This factor is relevant since we are more likely to judge that an act is

deserving of condemnation in terms of our strongest moral language when the perpetrator of that act acts from highly reprehensible motives, such as racism or sadism, as opposed to less reprehensible motives, such as anger. Even so, it is still possible (but less likely) that we judge an act to be evil where the perpetrator of that act acts from less reprehensible motives, such as a (misguided) sense of justice. But how do we spell out degrees of reprehensibility? One way of doing this, drawing on Aristotle, is to claim that the less “necessary or natural” the motive (or motivating passion), the more reprehensible it is.<sup>24</sup> An alternative is to draw on Kant, and to measure the reprehensibility of the motivating emotion or desire in terms of what it implies about one’s attitude toward the dignity and worth of those affected by the act. Anger, for example, doesn’t imply that one views the person one is angry with as lacking in dignity. In contrast, racist motives do imply that one views the other as having less than equal dignity and such an attitude is, on this view, highly reprehensible.

The *degree, type, and gratuitousness* factor focus on the nature of the harm inflicted by the perpetrator. While to count as an evil act on my view, at least what would normally be a very significant harm must be inflicted, above that threshold there are still extra degrees and types of harm that can be inflicted and that harm can be more or less gratuitous. A harm is gratuitous (at least) when that harm is itself the goal of the act (as in sadism) or when the degree of harm inflicted is excessive compared to what was required to achieve the perpetrator’s own goals. For example, if knocking me unconscious would suffice for achieving your goal of escaping, but you knock me unconscious and chop off all my limbs, then your act inflicts a high degree of gratuitous harm.<sup>25</sup> This factor is relevant since we are more likely to judge that an act is deserving of condemnation in terms of our strongest moral language when the perpetrator of that act inflicts an extremely high degree of harm or gratuitous harm, as opposed to a lesser (but still very significant) harm or non-gratuitous

harm. I include this factor here because of the presence of the perpetrator's goals in the statement of gratuitousness.

While none of these three factors are, by themselves, either necessary or sufficient for judging an act to be evil, all are relevant to that judgment. How relevant each factor is and how much weight each factor should have relative to the others is itself a case by case matter of judgment. No further rule or analysis can be supplied to supplement or prejudge the basic positive work that judgment needs to do here. But it is important when making such judgments to base them only on relevant factors and to seek to avoid common cognitive errors that can distort judgment. In particular, we should seek to avoid the common tendency to overestimate the reprehensibility of the motives of, and underestimate the influence of situation on, the actions of others.<sup>26</sup> But could the statement of the perpetrator component be made more specific? One way to make this component more specific would be to list particular motives that must be present in the perpetrator, such as sadism, racism, cruelty, malevolence, envy, ruthlessness, hatred, vindictiveness, spite, indifference, boredom, heartlessness, (misguided) senses of justice or honor, vengefulness, greed, pride and so on. However, any such list will arguably be incomplete or unhelpfully lengthy (and potentially ad-hoc), given the enormous number of different motivations, as even this short list indicates, that people can have for perpetrating evil.<sup>27</sup> For this reason the statement of this component is neither too vague nor too specific, and therefore it gets the level of theoretical generality about right.

The victim harm component states that an evil act is one that inflicts what would at least normally be a very significant harm. The "at least normally" clause is needed since an act that would at least normally inflict a very significant harm on a victim, such as torture, but which in fact doesn't inflict a very significant harm in some particular case due, for example, to the extraordinary resilience of the victim, should still count as an evil act. But as stated,

this component leaves what counts as a very significant harm unanalyzed. This means that this component is, as stated, pitched at too general and vague a level unless, as seems unlikely, “very significant harm” is a basic term which cannot be further analyzed. Overcoming this shortcoming will be the task of the next section.

## **5. Trauma, Dignity and Very Significant Harms**

In the previous version of my theory I explicated the idea of a very significant harm in terms of life-wrecking and life-ending harms. A life-ending harm is a harm that ends someone’s life. This is needed since victims of evil acts do not always survive. However, my previous analysis of a life-wrecking harm was left overly vague, which means that it was not pitched at the right level of generality. I shall attempt to overcome that vagueness here. But first I shall revise my terms. I no longer use the term “life-wrecking” harm, since this term seems to imply that the lives of victims of evil are completely wrecked, and this is an implication that many victims will (rightly) want to resist. To avoid this unwanted implication, I now speak in neutral terms of very significant harms and state that to count as such a harm it is sufficient (but not necessary) that the harm is either life-ending or significantly autonomy impairing. The former harms destroy a person and their dignity, whereas the latter constitute a significant assault on a person’s dignity.

While being life-ending or significantly autonomy impairing is sufficient for a harm to count as very significant, it is not necessary. It is not necessary since there are other ways that a harm can count as very significant without being either a life-ending or a significantly autonomy impairing harm. For example, acts of great cruelty to animals or infants cannot (assuming the victims survive) plausibly be understood as either a life-ending or a significantly autonomy impairing harm. But even so, the harm may still be very significant in the relevant sense. Similarly, acts of extreme disrespect and humiliation which are not also

either life-ending or significantly autonomy impairing harms (if such cases are psychologically possible), might nonetheless constitute very significant harms in the relevant sense. However, for reasons of space we shall not discuss such cases here, and we shall instead focus only on significantly autonomy impairing harms. As such, the analysis given here of a very significant harm is illustrative but not exhaustive.

A harm counts as a significantly autonomy impairing harm if, for a significant period of time, it significantly interferes with a person's capacities and abilities to function as a fully autonomous agent. But what is required for a person to be able to function as a fully autonomous agent?<sup>28</sup> We shall plug in here a broadly Kantian answer to this question, although other answers could probably serve equally as well.<sup>29</sup> Briefly, from a Kantian perspective to be able to function as a fully autonomous agent a person needs to be able to regard herself as an equal co-lawgiver of the moral law and be able to govern herself in accordance with that law and her own conception of the good. This in turn requires and depends on certain cognitive powers (such as reason, judgment, concentration, and memory), emotional propensities (such as love of others, conscience, and moral feeling), imaginative powers (such as the ability to imagine alternative choices, outcomes and perspectives), and the attitudes required if one is to respond rationally to one's own dignity (such as self-respect, self-love, and self-esteem). However, all of these powers, propensities and attitudes are vulnerable to, for example, injuries, the inappropriate attitudes of others, and failures of development. As such, harms count as significantly autonomy impairing when, for a significant period of time, they significantly disrupt, destroy, or interfere with these capacities. But how do evils do that?

To answer this question I shall turn to some real-world examples and a psychological account of trauma. Such real-world examples, backed up by empirical evidence of the impacts of harms, carry much more weight than merely hypothetical or imaginary examples,

since only in the former case is there strong evidence for the claim that the psychological impacts of such acts really are (or are not) at least significantly autonomy impairing. One very important way in which a harm can be significantly autonomy impairing is by inducing severe *trauma*. To see why this is we shall look at the important example of rape.

Rape victims *predictably* (that is, at least normally) suffer a series of symptoms known as *Rape Trauma Syndrome* (RTS), which is a common form of *Post-Traumatic Stress Disorder* (PTSD).<sup>30</sup> For example, one 1992 study claims that close to 50% of women who have been raped suffer from PTSD according to the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) which, in DSM-IV, requires suffering re-experiencing, numbing, avoidance, and arousal symptoms for at least one month.<sup>31</sup> RTS is diagnosed by the presence of a series of symptoms post-rape. Some of these symptoms, such as shock, will likely disappear in the hours or days after the rape, others may persist for a few months or years, whereas still others may never be completely overcome and may permanently scar the victim. But while the exact set of symptoms and the force and duration of those symptoms will typically differ for each rape victim, we can reasonably say that *at least normally* the victim of rape will experience some significant symptoms for a significant period of time.

We can roughly classify the symptoms of RTS into the following (non-exhaustive) list of cognitive, physical, behavioral and affective symptoms.<sup>32</sup> *Cognitive*: flashbacks; forceful "intrusive" memories of the rape; memory loss; pretending that it never happened; decreased concentration and memory; speech problems, such as stuttering or stammering; indecisiveness; and difficulties problem solving. 2. *Physical*: shock; nightmares; violent fantasies; and disturbances in sleep patterns. 3. *Behavioral*: excessive crying; increased washing or bathing; substance abuse; neglecting themselves or other people; not socializing; becoming overly dependent on others or becoming overly independent; fear of strangers; venturing out only in the company of friends; and reduced social and sexual functioning. 4.

*Affective*: self-blame; fear of being alone; being unusually irritable, argumentative or easily upset; numbness or lack of emotion; increased alertness and startle response; rapid, inexplicable mood changes; shame; guilt; feeling dirty; fear; anxiety; nervousness; feelings of powerlessness; lack of self-esteem; depression; and suicidal feelings (according to one study, about 1 in 5 rape victims attempt suicide).<sup>33</sup>

One victim of rape wrote in a blog, “I had had my autonomy taken away from me [by the rape].”<sup>34</sup> Looking at the symptoms of RTS (and PTSD more generally) we can see why this is. RTS can lead to *hindered autonomy competencies* through leading to diminished self-esteem, self-respect and self-love, cognitive problems (including poor concentration and problem solving abilities), depression, fear and anxiety. Suffering from these symptoms significantly interferes with and undermines the capacities that a person needs to be a fully-fledged or autonomous agent. RTS can lead to a *hindered space to exercise autonomy* by, for example, leading to feelings of powerlessness and loss of control and by making it difficult for the victim to feel safe and to go out alone or be by herself. This significantly impacts on the range of important choices available to victims, such as the choice to go outside by oneself at night without suffering feelings of fear and anxiety, and thereby greatly interferes with the victim’s ability to live out her conception of the good. RTS can also lead to *impaired social relationships* by making it more difficult for victims to form, maintain, and develop intimate interpersonal relationships. This negatively impacts on the victim’s autonomy competencies by making it more difficult for her to develop and maintain the necessary self-attitudes of self-respect, self-love and self-esteem. This is because without intimate others expressing a high degree of respect, love and esteem for an agent, it can be difficult for that agent, especially a vulnerable agent dealing with trauma, to develop and maintain the attitudes of self-respect, self-love, and self-esteem. Since rape predictably has these lengthy

and significant impacts on victims, it is reasonable to claim that rape is at least normally a significantly autonomy impairing harm.

We can strengthen this analysis by turning to other real-world examples involving the “systematic, repetitive infliction of psychological trauma.”<sup>35</sup> Many evil acts take this form, such as cases involving long term sexual abuse (including of children), battered spouses (usually women), wrongful imprisonment and captivity, prolonged torture, coerced prostitution, and the conditions in the camps and prisons of various genocidal programs. The persistent and repeated infliction of traumas can lead to symptoms even more extreme than those associated with RTS and PTSD. For ease of reference we will refer to such cases as DESNOS (Disorders of Extreme Stress Not Otherwise Specified).<sup>36</sup> Although these cases vary, there is a common method involved in many of these cases through which the “perpetrator seeks to destroy the victim's sense of autonomy.”<sup>37</sup> This method involves instilling terror and helplessness in the victim, destroying the victim's sense of self, and (often) fostering a pathologic attachment to the perpetrator.<sup>38</sup> This is achieved through the threat and often random use of violence, controlling the victim’s body and bodily functions (for example, by controlling the provision and deprivation of food, water, medication, shelter, sleep, privacy, light, sound, company, and opportunities for movement), isolating the victim from other important social contacts, and often getting the victim to betray their most important external social attachments. Once control is established over the victim through this method, the perpetrator becomes both the sole source of humiliation and solace which can lead to the victim’s pathological attachment to the perpetrator. This explains why chronically traumatized people are often described as passive or helpless since they may view any independent action as insubordination which carries the risk of punishment. Self-mutilation is also very common among chronically traumatized people and self-mutilation is, obviously, not an indicator of a high degree of self-respect, self-love and self-esteem.

It should be clear that, for reasons similar to those that we looked at in the discussion of RTS, that victims suffering from DESNOS symptoms will have significantly reduced autonomy competencies, a significantly hindered space to exercise their autonomy, and significantly impaired abilities to form and maintain positive social relationships that can support their autonomy competencies. Such harms therefore clearly count as significantly autonomy impairing. Indeed, impairing their victim's capacities for autonomous agency is often the perpetrator's very aim (and when it is, they act purposely and with a high degree of deliberativeness). While we could continue to examine other important cases, this is sufficient for our purposes of illustrating what is needed for a harm to count as significantly autonomy impairing. This allows us to say that this theory's *victim harm* component is pitched at about the right level of generality. It doesn't leave the theory at an overly general level by leaving what counts as a significant harm unanalyzed, and it doesn't pitch itself at too specific a level by trying to, for example, enumerate all the acts that might count as inflicting very significant harms.

## **6. The Five Theoretical Virtues of the Combination Theory of Evil**

In the previous two sections I argued that my combination theory of evil is pitched at the right level of generality. It therefore has the fifth theoretical virtue. I shall now argue in this section that it has the other four virtues as well. In regard to the first virtue, being able to mesh well with an important theory or theories of wrongdoing, my combination theory of evil will mesh well with both Kantian ethics and virtue theory. This is because both of these theories, as shown above, mesh well with theories (such as my own) with perpetrator and victim harm components. Further, the integration with Kantian ethics is especially deep, given my theory's strong emphasis on dignity and its utilization of a Kantian account of autonomy competencies. However, it also integrates very well with other theories that

emphasize the importance of dignity and the vulnerability of autonomy competencies, such as Martha Nussbaum's Aristotelian-inspired capabilities approach, and some versions of virtue theory.<sup>39</sup> This theory's broad compatibility and deep integration with at least two important theories of wrongdoing is highly theoretically appealing.

My theory also has the second virtue, being grounded in a plausible and robust moral psychology. This is because it builds its account of a very significant harm on a modern and empirically informed understanding of the psychological effects that trauma has on a person's capacities to be a fully autonomous agent. Further, rather than relying on mere speculation about the psychological effects of evil acts on victims or relying on mere intuitions about fanciful imaginary examples, this theory draws upon established psychological diagnostic tools. The theory also builds on a plausible moral psychology that holds that the attitudes of self-respect, self-love and self-esteem that are required for the capacity to be a fully autonomous agent are vulnerable to the sorts of expressions of extreme disrespect that evil acts constitute. As an aside, it is because of this that I am doubtful that it is psychologically possible that very extreme expressions of disrespect and humiliation would fail to also constitute significantly autonomy impairing harms, since at least normally such acts would greatly undermine the self-respect of their victims. In summary, this theory's deep integration with, and reliance on, a plausible moral psychology, empirical diagnostic techniques, and real-world examples is highly theoretically appealing.

In regard to the third virtue, this theory has the explanatory power to articulate in a theoretically rich manner the nature of the moral gravity of evils and the basis of our condemnation of evil acts in terms of our strongest moral language. Evil acts have extreme moral gravity and are condemned in terms of our strongest moral language because they are acts that involve perpetrators who are morally responsible for acting very badly and inflicting very significant harms on victims. Inflicting very significant harms in such morally

reprehensible ways has such moral significance just because such harms are often life-ending or significantly autonomy inhibiting, and we know from the examples of RTS, PTSD, and DESNOS just how negatively impactful such harms can be. Connecting these various points, we can say that it is because dignity and the associated capacities for autonomy are so morally important (as the first virtue makes clear) that evil acts which destroy or significantly impair them (which the second virtue documents) are judged to deserve to be condemned in our strongest moral language. This explanatory power is highly theoretically appealing.

In regard to the fourth virtue, we can draw on this theory's explanatory power to, in a theoretically robust way, convincingly alter, expand and rearrange our intuitions (whatever precisely those are). As we saw in the discussion of RTS, PTSD and DESNOS, persistent and long term projects of gaining pathological degrees of control over others are extremely harmful and greatly disrupt their victims' autonomy competencies. This should direct our attention to cases such as those involving battered spouses, highly abusive domestic relationships, rape and sexual abuse (especially of children), and coerced prostitution. These and other similar cases should be central examples of evil acts both because they are very harmful and because they are relatively common (especially rape and the sexual abuse of children). However, such cases are not usually considered to be central examples of evil. This should lead to a refocusing on these (what we might call) everyday domestic evils, which are too often ignored or under emphasized in comparison to the more commonly focused on grandiose cases of evil, such as genocide and those involving famous mass murderers. By directing our attention forcibly towards the often neglected everyday domestic evils, this theory is able to convincingly alter, expand and rearrange our intuitions. This ability is highly theoretically appealing.

## **7. Conclusion**

My aim in this paper has been to explore some of the issues that arise when we engage in the process of defending or rejecting theories of evil acts. I have argued that rather than *only* focusing on alleged pro-examples and counter-examples, more progress could be made by *also* focusing on whether, and to what degree, theories of evil have five key theoretical virtues. Focusing on these five key theoretical virtues provides an additional analytical tool for assessing theories of evil. Finally I argued, as a way of illustrating these virtues in depth, that my combination theory of evil has these five virtues to a high degree. This strengthens its plausibility as a theory of evil.

## Notes

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  2. See Paul Formosa, "A Conception of Evil," *The Journal of Value Inquiry*, Vol. 42, No. 2 (2008): 217-239. For rival theories see Todd Calder, "Is Evil Just Very Wrong?", *Philosophical Studies*, Vol 143 (2013): 177-196, Claudia Card, *The Atrocity Paradigm* (Oxford: Oxford University Press, 2002), Eve Garrard, "Evil as an Explanatory Concept," *The Monist*, Vol. 85 (2002): 320-336, John Kekes, *Facing Evil* (Princeton: Princeton University Press, 1990), Adam Morton, *On Evil* (New York: Routledge, 2004), Marcus Singer, "The Concept of Evil," *Philosophy*, Vol. 79 (2004): 185-214, Laurence Thomas, *Vessels of Evil* (Philadelphia: Temple University Press, 1993), Arne Johan Vetlesen, *Evil and Human Agency* (Cambridge: Cambridge

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- University Press, 2005), Stephen de Wijze, "Defining Evil," *The Monist*, Vol. 85 (2002): 210-238.
3. See John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1999), p. 5.
  4. See *Ibid.*, p. 18.
  5. See Luke Russell, "Is Evil Action Qualitatively Distinct from Ordinary Wrongdoing?", *Australasian Journal of Philosophy*, Vol. 85 (2007): 659-677.
  6. de Wijze, *op. cit.*, p. 231.
  7. See Eve Garrard, "The Nature of Evil," *Philosophical Explorations*, Vol. 1, No. 1 (1998): 46-60.
  8. Geoffery Scarre, "Evil Collectives," *Midwest Studies in Philosophy*, Vol. 36 (2012): 74-92, p. 75.
  9. *Ibid.*
  10. See Garrard, "Evil as an Explanatory Concept."
  11. See Formosa, "A Conception of Evil."
  12. This is modelled on the definition of right in Henry Sidgwick, *The Methods of Ethics* (Indianapolis: Hackett, 1981), p. 411.
  13. This is modelled on the definition of right action in Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999), p. 28.
  14. Aristotle, "Ethica Nicomachea", in *The Basic Works of Aristotle* (New York: Modern Library, 2001), p. 1106b.
  15. Aristotle, *op. cit.*, p. 1135b.
  16. See Immanuel Kant, "Groundwork of the Metaphysics of Morals," in *Practical Philosophy* (Cambridge: Cambridge University Press, 1996), p. 4:429, Calder, "Is Evil Just Very Wrong?".

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17. See Paul Formosa, "Dignity and Respect: How to Apply Kant's Formula of Humanity," *The Philosophical Forum* (2013): forthcoming.
  18. See also Todd Calder, "Kant and Degrees of Wrongness," *Journal of Value Inquiry*, Vol. 39 (2005): 229-244.
  19. See Kant, "The Metaphysics of Morals," in *Practical Philosophy* (Cambridge: Cambridge University Press, 1996), pp. 6:465-468.
  20. The previous version ran: "an evil act is an act of wrongdoing in which the perpetrator of the act is at least partly responsible for other individuals suffering what would at least normally be a life-wrecking or ending harm, and where in so acting we judge the perpetrator, in the light of all the relevant details, to be deserving of our very strongest moral condemnations" - Formosa, "A Conception of Evil," p. 230.
  21. See Susan Wolf, *Freedom within Reason* (Oxford: Oxford University Press, 1990).
  22. See L A Zaibert, "Intentionality and Wickedness," in Daniel M Haybron, ed., *Earth's Abominations: Philosophical Studies of Evil* (Amsterdam: Rodopi, 2002).
  23. See Paul Formosa, "A Life without Affects and Passions: Kant on the Duty of Apathy," *Parrhesia: A Journal of Critical Philosophy*, Vol. 13 (2011): 96-111.
  24. Aristotle, *op. cit.*, p. 1135b.
  25. See John Kekes, *The Roots of Evil* (Cornell: Cornell University Press, 2005), p. 2.
  26. See Morton, *op. cit.*
  27. See Formosa, "A Conception of Evil."
  28. See Catriona Mackenzie and Natalie Stoljar, eds., *Relational Autonomy* (New York: Oxford University Press, 2000).
  29. See Paul Formosa, "Kant's Conception of Personal Autonomy," *Journal of Social Philosophy* (2013): forthcoming.

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30. See Patricia Frazier and Eugene Borgida, "Rape Trauma Syndrome: A Review of Case Law and Psychological Research," *Law and Human Behavior*, Vol. 16, No. 3 (1992): 293-311.
  31. See Edna Foa and Barbara Rothbaum, *Treating the Trauma of Rape* (New York: Guilford Press, 2001), p. 8.
  32. See UASA of Sonoma County, *Rape Trauma Syndrome (RTS) is a Form of Post-Traumatic Stress Disorder (PTSD) that often affects Rape Survivors* (2004 [cited 6th of November 2012]), available from <http://uasasonoma.org/services/rts.html>, Foa and Rothbaum, *op. cit.*, Frazier and Borgida, *op. cit.*, Judith Lewis Herman, "Complex PTSD: A Syndrome in Survivors of Prolonged and Repeated Trauma," *Journal of Traumatic Stress*, Vol. 5, No. 3 (1992): 377-391, Gail Steketee and Edna Foa, "Rape Victims," *Journal of Anxiety Disorders*, Vol. 1 (1987): 66-86.
  33. See Steketee and Foa, *op. cit.*, p. 69.
  34. *One Womans Experience of Rape*, (2008 [cited 6th of November 2012]), available from <https://rapetrial.wordpress.com/>.
  35. Herman, *op. cit.*, p. 383.
  36. See Barbara Błaż-Kapusta, "Disorders of Extreme Stress Not Otherwise Specified (DESNOS) – a Case Study," *Archives of Psychiatry and Psychotherapy*, Vol. 2 (2008): 5-11, Herman, *op. cit.*
  37. Herman, *op. cit.*, p. 383.
  38. See *Ibid.*
  39. Martha C Nussbaum, *Frontiers of Justice* (Cambridge, Mass.: Harvard University Press, 2006).