

# Against the Yuck Factor: On the Ideal Role of Disgust in Society

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The view we defend is that in virtue of its nature, disgust is not fit to do any moral or social work whatsoever, and that there are no defensible uses for disgust in legal or political institutions. We first describe our favoured empirical theory of the nature of disgust. Turning from descriptive to normative issues, we address the best arguments in favour of granting disgust the power to justify certain judgements, and to serve as a social tool, respectively. Daniel Kahan advances a pair of theses that suggest disgust is indispensable (Moral Indispensability Thesis), and so has an important part to play in the functioning of a just, well-ordered society (Conservation Thesis). We develop responses and show how they rebut the arguments given in support of each thesis. We conclude that any society free of social disgust would be more just, reasonable and compassionate.

## I. INTRODUCTION

The traditional distinction between ‘is’ and ‘ought’ is useful in making sense of the recent surge of scholarly work on the emotion of disgust. On the one hand, psychologists, anthropologists, evolutionary theorists and philosophers have contributed to an increased appreciation of the character of the emotion itself. This work, including the empirical data gathered in experiments and field studies, straightforwardly attempts to shed light on what disgust *is*. Some of the most interesting findings in this vein have documented the often subliminal but surprisingly robust ways in which disgust influences a wide range of evaluative judgements, including intuitive moral judgements – an effect that has been suggestively called the *yuck factor*. Given the picture emerging from these empirical facts about the character and influence of disgust, one can ask, on the other hand, how well or poorly that picture matches the ideal. Is disgust the type of psychological propensity that *ought* to be involved in morality in some way or another? If so, what role should it play, which aspects of society should it be used to help regulate, and how would it ideally be reflected in and employed by legal and political institutions?

In this article, we will be mainly concerned with this second family of questions, and the normative issues they raise.<sup>1</sup> With respect to those

<sup>1</sup> The same descriptive/normative distinction serves as an organizing principle in D. Kahan and M. Nussbaum, ‘Two Conceptions of Emotion in Criminal Law’, *Columbia Law*

issues, we aim to defend a simple but fairly extreme position. On the view we will advance, there are no defensible uses for disgust in legal or political institutions. We think that disgust is ill-suited to do any moral or social work whatsoever, and hold rather that the ideal role for disgust in such contexts is no role at all.

What such a claim amounts to will take some sorting out. Since our normative scepticism stems largely from what recent empirical work has revealed about the character of disgust, section II will provide a brief summary of the view of the emotion's nature that will inform the rest of the article. Turning next to the normative issues, section III will take a quick tour through some of the relevant conceptual landscape, distinguishing a number of separate roles that advocates of disgust have argued the emotion can and should play. Section IV of the article then considers what we take to be the toughest challenge to our normative scepticism, found in the work of legal theorist Daniel Kahan. Kahan offers a pair of theses that suggest disgust is indispensable, and has an important part to play in the functioning of a just, well-ordered society. After describing each thesis and showing where it fits with respect to our taxonomy of possible roles disgust might be granted, we formulate the arguments given in support of it. Then, for each thesis we go on to show where we think the arguments fail, often appealing to relevant features of the emotion itself.

## II. THE NATURE OF DISGUST: THE E&C VIEW

It seems obvious to us that in order to best address normative questions raised by disgust, a rich understanding of the character of the emotion itself is crucial. Indeed, all participants in the relevant ethical debates espouse one account or another of the nature of the emotion, and so at least tacitly regard the following question as a legitimate and important one: what *is* disgust, such that we should or shouldn't give it credence in ethical deliberation, judgement and debate, or such that we should or shouldn't use it as a social tool? At this point, we are in a much better position to answer this type of question than we were even fifteen years ago. Empirical work on disgust has been flourishing, and researchers from different fields continue to gather evidence about its

*Review 96* (1996), pp. 269–374. They diagnose what they see as inconsistencies in the law's prescriptions about emotion, and argue that those inconsistencies stem from the lack of a consistent general theory of what emotions are. We are convinced that the term 'emotion' expresses an extremely heterogeneous category and that there are empirical reasons to doubt that such a unified theory of emotions will be forthcoming; see P. Griffiths, *What Emotions Really Are: The Problem of Psychological Categories* (Chicago, 1997). Rather, we suspect that each emotion will have to be examined and assessed on its own, and in light of its particular character.

nature. Rather than attempt to describe the bulk of that evidence here, we will save detailed discussion for the later sections of the article when specific features of disgust are relevant to our responses to Kahan. Here we quickly outline what we will call the E&C view, an account of the general nature of disgust that was motivated by and designed to explain the empirical evidence.<sup>2</sup>

The E&C view is so-called because it rests largely on two claims, the Entanglement thesis and the Co-opt thesis. The first holds that disgust is a composite emotion whose two main components originally evolved to protect against poisons and parasites, respectively. Counterparts to these two mechanisms can be found in a range of other animals, but only in humans did they become entangled with each other, functionally integrated to form what is now recognized in modern adult humans as this single emotion. Different elements of the characteristic disgust response can be traced to the adaptive problems raised by poisons and those raised by parasites. For instance, elements like the familiar gaping facial expression, the characteristic phenomenology and associated feeling of nausea can be traced to issues related to food intake and potential toxins. Likewise, the reflex-like impulse to move quickly away from the offending entity, along with an inferential signature that includes heightened attention, an evaluative tendency to think of the elicitor as dirty or tainted, and an increased sensitivity to purity and the possibility of contamination, can all be traced to issues related to disease avoidance and potential infection. Widespread elicitors of disgust, including those that may be universal and innate, can be traced to these two adaptive problems as well. Prominent examples include spoiled meat, rotting fruit, and mouldy bread, on the one hand, and common vectors of disease transmission like decomposing organic material and other people who bear typical signs of infection like hacking coughs, profuse sweating, visible sores and other kinds of phenotypic abnormalities, on the other. Disgust also exhibits many features of psychological systems that are encapsulated: it is easily activated, typically without effort, deliberation or conscious intent, and once triggered, it tends to run its course and produce the full response, regardless of the conscious and considered opinions of the person experiencing the emotion. Moreover, in light of the risks involved, when this psychological system errs, it understandably tends toward false positives rather than false negatives.

The second half of the E&C view, the Co-opt thesis, holds that once formed, disgust was also co-opted to play a number of additional roles

<sup>2</sup> For a full defence of the view, see Daniel Kelly, *Yuck! The Nature and Moral Significance of Disgust* (Cambridge, 2011).

in regulating the complex system of human social interactions, most notably roles related to social norms and group membership. The emotion was available to acquire auxiliary functions like these in part because of the flexibility of its acquisition system, which allows both individual and social learning to influence what people find disgusting. This flexibility, in turn, gives rise to the patterns of variation found in what different individuals and groups of people find disgusting. Variation of this sort manifests in the types of cuisine that different people and cultures enjoy and find repulsive, but, more importantly, it also manifests in the types of norms, values and social practices people might find disgusting and reject.

Though disgust primarily evolved to protect against poisons and parasites, the E&C view holds that disgust has been brought to bear on a variety of social issues, in some cases providing the motivation to comply with certain social norms and to punish those who violate them, and in other cases providing the motivation to avoid interactions with members of other social groups, who engage in different practices and subscribe to a different set of values and norms. In virtue of its flexibility and susceptibility to learning, a given individual's disgust system will be calibrated by her own personal experience, her family and peers, and her cultural in-group. Thus, her disgust will be directed not just at 'exotic' cuisines and locally salient markers of disease and infection, but also at those practices, norms and values that the cultural in-group deems wrong and disgusting, as well as at those people, including members of cultural out-groups, who embrace them.<sup>3</sup> Since these vary from group to group and culture to culture, a given individual's set of disgust elicitors will be in part a reflection of her social environment, with its parochial norms and local social divisions, some of which may be perfectly legitimate and justified, some of which may be odd but innocuous artefacts of an idiosyncratic past, others of which may be deeply entrenched but unjust and unreasonable nevertheless.

Finally, the E&C view holds that though disgust acquired these new social functions, it did not lose its old ones, or those features that allow it to protect effectively against poisons and parasites. Norms, values and sensitivities to group membership that are informed by this particular

<sup>3</sup> Joseph Henrich, Steven Heine and Ara Norenzayan begin an important article on human psychological variation and diversity with a memorable example: 'In the tropical forests of New Guinea, the Etoro believe that for a boy to achieve manhood he must ingest the semen of his elders. This is accomplished through ritualized rites of passage that require young male initiates to fellate a senior member. In contrast, the nearby Kaluli maintain that male initiation is only properly done by ritually delivering the semen through the initiate's anus, not his mouth. The Etoro revile these Kaluli practices, finding them disgusting' (Joseph Henrich, Steven Heine and Ara Norenzayan, 'The Weirdest People in the World', *Behavioral and Brain Sciences* 33 (2010), pp. 61–135, at 61).

emotion will be infused with the full cluster of elements comprising the disgust response, including the vivid phenomenology and elements of the disgust inferential signature. Thus, like other triggers of disgust, they will be intuitively experienced and conceptualized as if they were revolting, dirty, impure and contaminating, whatever their actual character.

### III. A BRIEF FIELD GUIDE TO YUCK-RELEVANT NORMATIVE ISSUES

Setting aside the descriptive for now, recent debates over the proper, or merely acceptable, social uses of disgust were sparked by the work of Leon Kass<sup>4</sup> and Martha Nussbaum,<sup>5</sup> but the discussion has fanned out to include a number of others, who have staked out many interesting positions on subtly different normative issues.<sup>6</sup> To get a grip on the variety of questions that can be asked about the proper social and political uses of disgust, we will divide them into two main families, and locate different positions in the conceptual space by reference to how a theorist might answer each question. While Nussbaum's

<sup>4</sup> L. Kass, 'The Wisdom of Repugnance', *The New Republic* 216.2 (1997), <[http://www.catholiceducation.org/articles/medical\\_ethics/me0006.html](http://www.catholiceducation.org/articles/medical_ethics/me0006.html)>; L. Kass, *Life, Liberty, and the Defense of Dignity: The Challenge to Bioethics* (New York, 2002).

<sup>5</sup> M. Nussbaum, "'Secret Sewers of Vice": Disgust, Bodies, and the Law', *The Passions of the Law*, ed. Susan Bandes (New York, 1999), pp. 19–63; *Hiding from Humanity: Disgust, Shame, and the Law* (Princeton, 2004); 'Danger to Human Dignity: The Revival of Disgust and Shame in the Law', *The Chronicle of Higher Education* 50.48 (2004), p. B6; 'Replies', *Journal of Ethics* 10 (2006), pp. 463–506; *From Disgust to Humanity: Sexual Orientation and Constitutional Law* (Oxford, 2010).

<sup>6</sup> For instance, see J. Kekes, 'Disgust and Moral Taboos', *Philosophy*, 67 (1992), pp. 431–46; K. Abrams, 'Fighting Fire with Fire: Rethinking the Role of Disgust in Hate Crimes', *California Law Review* 90 (2002), pp. 1423–64; K. Kulinowski, 'Nanotechnology: From "Wow" to "Yuck"', *Bulletin of Science, Technology & Society* 24 (2004), pp. 13–20; J. Raikka and K. Rossi, 'Bioethics and The Moral Significance of "Gut Feelings"', *Türkiye Klinikleri Journal of Medical Ethics, Law and History* 12 (2004), pp. 79–82; L. Turner, 'Is Repugnance Wise? Visceral Responses to Biotechnology', *Nature Biotechnology* 22 (2004), pp. 269–70; A. D. N. J. de Grey, 'Life Extension, Human Rights, and the Rational Refinement of Repugnance', *Journal of Medical Ethics*, 31 (2005), pp. 659–63; J. Deigh, 'The Politics of Disgust and Shame', *Journal of Ethics* 10 (2006), pp. 383–418; M. Hauskeller, 'Moral Disgust', *Ethical Perspectives: Journal of European Ethics Network* 13 (2006), pp. 571–602; R. Arneson, 'Shame, Stigma, and Disgust in the Decent Society', *The Journal of Ethics* 11 (2007), pp. 31–63; J. Douard, 'Loathing the Sinner, Medicalizing the Sin: Why Sexually Violent Predator Statutes are Unjust', *International Journal of Law and Psychiatry* 30 (2007), pp. 36–48; G. Kaebnick, 'Reasons of the Heart Emotion, Rationality, and the "Wisdom of Repugnance"', *Hastings Center Report* 38 (2008), pp. 36–45; J. Niemela, 'What put the "Yuck" in the Yuck Factor?', *Bioethics* 25 (2010), pp. 267–79. As many of these authors point out, the interest in disgust has deeper historical roots; for instance see P. Devlin, *The Enforcement of Morals* (Oxford, 1965). In this article, we focus on Kahan not just for clarity and ease of exposition, but because we think he has given the best and most worked out arguments in favour of the normative value of disgust.

work approaches comprehensiveness, not every participant in the conversation explicitly states a view on every normative issue, and an individual theorist might take a position on one question while remaining silent or agnostic on others.

The first is what we will call the *Justification question*: should feelings of disgust, in and of themselves, be taken to help justify the judgements that they influence? What sort of role should feelings of disgust play in debate, deliberation and considered social and moral judgements, and how should yuck-influenced attitudes be reflected in explicit social norms and handled by formalized institutions? These questions about the moral epistemology of disgust focus on the question of what, if any, justificatory value the emotion should be granted, and have loomed large in a number of recent debates in different areas of applied ethics, including environmental ethics, sexual morality and bioethics.<sup>7</sup> Some, most prominently Kass, have strongly advocated disgust, claiming that the emotion is (perhaps uniquely) sensitive to ethically important boundaries, and argued that feelings of disgust can and should help justify the moral condemnation of practices that elicit them. On this view, the law ought to prohibit practices that elicit widespread disgust. Others are equally as sceptical, arguing that in systematically assessing the moral status of various practices or the norms that govern them, feelings of disgust are irrelevant at best, distracting and misleading at worst.<sup>8</sup>

The second is what we will call the *Admissible Social Tool question*. This question has a slightly different emphasis than the first. The Justification question takes the feelings of disgust it is concerned with as *given*; the presence of those feelings is what raises the question in the first place. For instance, a version of the Justification question would begin with an assumption that there is widespread disgust towards a social practice like human cloning, and go on to ask how different institutions should react to or take account of the presence of those feelings, whether and how the deliberative machinery of the law should be sensitive to them, or whether they should be granted the power to justify judgements influenced by them. The Admissible Social Tool question, on the other hand, asks whether and when disgust towards certain objects should be actively cultivated. If disgust is not just tractable, but an acceptable response to certain practices and attitudes, then social institutions might take a more active hand in

<sup>7</sup> See e.g. M. Midgley, 'Biotechnology and Monstrosity: Why We Should Pay Attention to the "Yuk Factor"', *The Hastings Center Report* 30 (2000), pp. 7–15; Kass, *Life, Liberty, and the Defense of Dignity*; A. Salles and de Melo-Martin, 'Disgust in Bioethics', *Cambridge Quarterly of Healthcare Ethics* 21 (2012), pp. 267–80.

<sup>8</sup> See e.g. Nussbaum, *Hiding from Humanity* and Kelly, *Yuck!*.

doing that cultivating, intervening to *direct* people's disgust at specific social objects, with the ultimate aim of realizing certain morally and socially desirable ends.

For instance, policies and other resources might be designed to mobilize and direct widespread feelings of disgust towards unwanted practices, in an attempt to influence public opinion, affect behaviour, and ultimately reduce or eliminate the relevant practices. Paul Rozin calls this phenomenon *moralization*, and claims that practices like smoking, taking drugs, and even unhealthy eating have become moralized in this sense, and thus objects of disgust, for many segments of the population. Rozin argues that this, in turn, has played a role in the gradual decline of those practices.<sup>9</sup> Given the yuck factor's non-trivial effects on judgement and behaviour, together with disgust's flexibility and sensitivity to social influence, theorists or policymakers could be tempted to go a step further, seeing the emotion as a potent tool that can and should be harnessed to help shape a society, and used to bring about targeted social change. The basic normative question at issue for the Admissible Social Tool question is whether or not this is correct. Should disgust be used like this? Should it be cultivated and aimed at objects in the social domain? Is disgust *ever* an appropriate response to moral wrongdoing, or is there something about disgust itself, independent of the moral status of its potential uses, and apart from the types of social, legal or political ends that it might be used to serve, which renders it problematic as a response to transgressions, and thus unfit as a tool to sway public opinion and influence practices in this way?

An affirmative answer to this question, it should be noted, presumes that disgust is a morally acceptable response to some range of practices or transgressions. Imagine Sasha, who is disgusted when she witnesses an episode of flagrant sexism, and loudly and correctly condemns it. One issue is whether Sasha's judgement that the sexism was morally wrong is all or in part justified by her feelings of disgust. (Someone sceptical about disgust's justificatory value could accept that the judgement is indeed justified, but still deny that Sasha's disgust reaction has any part to play in its justification.) Another issue is whether Sasha's reaction of disgust is an acceptable way to respond to the episode of sexism. Even granting that the sexist himself exhibits a serious moral failing, some *responses* to that episode will be morally acceptable (loudly condemning it, for instance), while others will clearly not be (perpetrating immediate and devastating physical violence on the offender, for instance). But what should we make of Sasha's disgust at the episode? Does it belong to the former or latter category? Is it

<sup>9</sup> P. Rozin, 'The Process of Moralization', *Psychological Science* 10 (1999), pp. 218–21.

something of which she should be proud, something to be celebrated and emulated, or something that a moral exemplar would see as a lapse or shortcoming, and rightly aspire to overcome?

This issue also has ramifications for how formalized legal mechanisms of punishment are assessed. A theorist who holds that disgust is a morally acceptable response could argue that the emotion can and should be used by the law as a tool for certain retributive purposes. Different kinds of transgressions elicit different types of reactions, and deserve different kinds of punishments. Perhaps an acceptable reaction to some of the most extreme kinds of transgressions is disgust, and perhaps a society and its institutions can justifiably impose punishments that purposefully invoke the emotion. By way of analogy, shame-based punishments are designed to use a specific emotion for retributive purposes;<sup>10</sup> perhaps an analogous class of disgust-based punishments that operate by actively making transgressors into objects of the public's disgust should be available as well. Indeed, the threat of punishments that invoke this specific emotion could serve as an effective deterrent, helping to fortify the legal arsenal. Once again, the question at issue is: should a society put disgust to such uses? Is there anything about the character of *this* emotion in particular, as opposed to others such as shame, guilt or compassion, that renders it an ill-suited or unacceptable tool for rendering such psychologically potent punishments?

#### IV. CHALLENGES TO DISGUST SCEPTICISM

In this section, we focus on the view of Daniel Kahan, in whose work we find the clearest and most forceful challenge to our scepticism. Kahan's view draws on the account of the nature of disgust set out by legal scholar and cultural historian William Miller in his book *The Anatomy of Disgust*,<sup>11</sup> about which we will say more below. In general, Kahan believes this account helps to 'vindicate the normative value of disgust in criminal law'.<sup>12</sup> He defends two main claims, which he dubs the Conservation thesis and the Moral Indispensability thesis, respectively. In what follows we describe each thesis, locate it in the conceptual landscape we sketched in section III, and go on to spell out the argumentative strategy that Kahan uses to support it. We then say why we reject the thesis, and show where we think the associated arguments go wrong.

<sup>10</sup> See e.g. Joseph Tybor, 'Unusually Creative Judges Now Believe Some Punishments Can Fit', *Chicago Tribune*, 3 July 1988.

<sup>11</sup> W. Miller, *The Anatomy of Disgust* (Cambridge, 1997).

<sup>12</sup> D. Kahan, 'The Progressive Appropriation of Disgust', *The Passions of the Law*, ed. Susan Bandes (New York, 1999), pp. 63–79, at 64.



*Kahan's Conservation thesis*

The first important claim defended by Kahan concerns the usefulness of disgust in a just, well-ordered society. The basic idea behind the thesis is that we are 'stuck' with disgust: the emotion is a practically ineliminable part of human nature, and it is also irrepressibly social in its orientation. It is here to stay, and it will inevitably be directed at *someone*. In light of this, we should stop chasing the unattainable, potentially damaging ideal of a completely disgust-free society, and stop kidding ourselves about the prospects for totally eradicating the emotion from the realm of politics and law. Attempts at full removal will backfire, pushing disgust below the surface of more rational, formalized institutions. This, in turn, will allow disgust to thrash around unsupervised and uncontrolled by society, and inadvertently cedes a powerful tool to those shadowy forces that operate outside institutions and public scrutiny. Instead, society should cultivate, direct and use disgust to help achieve well-thought out, just social goals.

For instance, Kahan writes that 'disgust inevitably persists, notwithstanding shifts in social norms',<sup>13</sup> and so whether we explicitly accept or reject it, it will always somehow inform the way we respond to criminal action. However high minded and well-intentioned, efforts to eradicate the emotion 'don't genuinely purge the law of disgust. They only push disgust down below the surface of law, where its influence is harder to detect.'<sup>14</sup> Instead of fighting against an emotion we cannot get rid of, we would be better off to use it as a tool in the service of whatever legitimate ends we ultimately settle upon. He recommends that we press the emotion into service, and 'make disgust a progressive rather than a reactionary force'<sup>15</sup> in order to help us 'come to value what is *genuinely* high and to despise what is *genuinely* low'.<sup>16</sup> Since they cannot be completely eradicated, feelings of disgust should be controlled, shaped and directed.

Cast within our taxonomy of normative issues, we understand the Conservation thesis as expressing a position on what we called the Admissible Social Tool question. The thesis provides a straightforward answer: yes, disgust is a morally acceptable response to certain practices, attitudes and extreme transgressions, and is a powerful tool that a just, well-ordered society can and should put to use. We interpret the argumentative structure offered in support of the Conservation

<sup>13</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 69.

<sup>14</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 72. Kahan suggests that a historical analysis would show that '*all* societies inevitably make use of disgust to inform their judgments of high and low, worthy and unworthy' (p. 64).

<sup>15</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 73.

<sup>16</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 71 (*italics in original*).

thesis as follows. It begins with a description of disgust and some of its more relevant features, i.e. that it is a component of human nature, an element of the species-typical psychological repertoire, and that the emotion is not completely malleable, but is rather resistant to radical change in important ways. Most significantly, we cannot, via act of individual will or reorganization of social arrangements or institutional structure, completely turn off our disgust, eradicate the emotion from the human motivational pallet altogether, or even just hermetically seal it off from the social arena. From this description, Kahan draws the normative conclusion that we should not completely ignore or abandon disgust, reject it as a political tool, or aspire to construct our institutions such that they have no grip or purchase on it. Since it will tend to force itself into the social arena, we should aspire to cultivate and control it, and control it in a specific way, namely by using it to make targeted types of social change, and strategically directing feelings of disgust towards unwanted attitudes and practices, as well as the people associated with them.

*A sceptical response to the Conservation thesis*

Our primary concern is with normative issues, with what is ideal, rather than what actually is, but we also acknowledge that at anything but the most abstract theoretical level, the relationship between the ideal and the actual is complicated (perhaps no ‘ought’ can be derived from an ‘is’, but perhaps ‘ought’ also implies ‘can’<sup>17</sup>). However, we do think that even if it is not within our power fully or immediately to meet some ideal, it does not straightforwardly follow that the ideal itself is misguided, or should be discarded, or that we should not try to get as close as we can to achieving it.

That said, we simply concede that, in broad strokes, we agree with many of the empirical claims, and speculative modal claims, on which Kahan rests his Conservation thesis.<sup>18</sup> We find it plausible, based on a wealth of recent work and our own experience, that disgust certainly influences a variety of normative judgements and social dynamics, including the sorts on which Kahan focuses.<sup>19</sup> We also find plausible the idea that, for better or for worse, we are simply stuck with the emotion,

<sup>17</sup> See, e.g. W. S. Armstrong, “‘Ought’ conversationally implies ‘can’”, *The Philosophical Review* 93 (1984), pp. 249–61.

<sup>18</sup> Since Kahan is working with a different and generally more plausible account of the character of disgust, different arguments than those made against advocates like Kass are needed to rebut Kahan’s normative conclusions. See, Kelly, *Yuck!*, pp. 137–52.

<sup>19</sup> See e.g. H. Chapman and A. Anderson, ‘Things Rank and Gross in Nature: A Review and Synthesis of Moral Disgust’, *Psychological Bulletin* 139.2 (2013), pp. 300–27. See also May, ‘Does Disgust Influence Moral Judgment?’, *Australasian Journal of Philosophy* (DOI: 10.1080/00048402.2013.797476) for some doubts about a few of the earliest and most cited experiments, though.

and Kahan is right to call attention to its irrepressibly social character. Finally, for the sake of argument we will grant a presumption of both the Admissible Social Tool question and Kahan's Conservation thesis, namely that disgust's flexibility and susceptibility to social influence make it tractable enough to be considered a potential *tool*, something that can be harnessed, directed at specific social targets, put to our considered purposes.<sup>20</sup>

Even so, we remain unconvinced of the normative conclusions Kahan draws from these claims. While he recommends disgust as an admissible social tool, we remain sceptical: we do not think that disgust is ever a morally acceptable response to practices, attitudes or people, and so we do not think the emotion is ever the right kind of tool for formalized use in social or legal institutions, nor should it be cultivated by a society or actively directed at anybody.

We have two arguments against Kahan's Conservation thesis. The first is that disgust *dehumanizes*. Nussbaum has stressed this point, emphasizing the long history of this particular emotion's role in stigmatization, prejudice and oppression. For the purposes of this article, we make the same hopefully uncontroversial assumption that dehumanization is morally wrong. Moreover, we believe recent empirical research on disgust provides the materials for a stronger argument. This research shows that in addition to the horrible ends to which it has been put in the past, the connection between disgust and dehumanization is not merely an artefact or historical accident, but flows from the nature and operation of the emotion itself. For instance, psychological studies have shown how people in the grip of disgust are much less responsive to other people's intentions and to their very agency.<sup>21</sup> Evidence from cognitive neuroscience supports this and fills in details, revealing a link between disgust and dehumanization at a neural level. The psychology of prejudice can take many forms, but in those cases where disgust was involved, and only in those cases, higher brain areas associated with social cognition and the recognition of agency in others (the medial prefrontal cortex or MPFC) show

<sup>20</sup> Which is not to say we are without reservations about this claim. Our worries stem from the fact that disgusting things are naturally conceived as contaminated and contaminating, and so polluting to anything with which they come into physical (or even symbolic) contact. Because of this, we suspect disgust will be difficult to contain, or aim with any degree of precision. In light of this, we think it a dubious idea to put so unreliable an instrument at anyone's disposal: a tool that cannot be controlled is a bad tool.

<sup>21</sup> L. Young and R. Saxe, 'When Ignorance is no Excuse: Different Roles for Intent across Moral Domains', *Cognition* 120 (2011), pp. 202–14; P. Russell and R. Giner-Sorolla, 'Moral Anger, but Not Moral Disgust, Responds to Intentionality', *Emotion* 11 (2011), pp. 233–40. See also, G. Hodson and K. Costello, 'Interpersonal Disgust, Ideological Orientations, and Dehumanization as Predictors of Intergroup Attitude', *Psychological Science* 18 (2007), pp. 691–8 for more on disgust and dehumanization.

dramatically reduced activity.<sup>22</sup> An individual who becomes an object of disgust is difficult to conceive of and treat as fully human, and may even be denied status as a person.<sup>23</sup>

This evidence fits comfortably with the E&C view of the nature of disgust, which can also provide some illuminating context. Recall that according to the E&C view, though it easily gets pulled in social dynamics, disgust is not a typical ‘social’ emotion like, for instance, love, sympathy, envy or guilt. It did not originate in the face of adaptive problems connected to reciprocity, commitment or cooperation, or to help navigate Machiavellian social dynamics of defection and deceit. In light of this, it is not completely surprising that disgust is not as intrinsically attuned to social cues that carry information about motivation, intentionality and agency as those more typically social emotions. The E&C view depicts disgust as having evolved to deal with poisons and parasites, and when it was co-opted into the social domain it retained much of its original character. That character is evident not just in the emotion’s lack of sensitivity to agency-relevant cues, but also in the elements of the disgust response, whose core is relatively constant across different kinds of elicitors. The elements of the response – the gape face, the instinctive withdrawal, the motivation to avoid, the flash of nausea, the inferential signature that creates a sense of offensiveness and worries about contamination and taint – are activated by whatever triggers a genuine disgust response, be that refuse on a hot humid day, a vivid description of a grotesque murder, or the members of a particular out-group like the strident adherents of a political ideology antithetical to your own.

This illustrates another way in which disgust dehumanizes, and so lends further support to our scepticism that disgust is ever a laudable response to a transgression, or that it should be admissible as a social tool. Disgust does indeed provide strong avoidance motivation, and can infuse moral condemnation with a singular kind of vividness and urgency. However, these potential virtues are not sold separately from the rest of the elements of the response. Disgust, by its very nature, inevitably brings other psychological components to bear as well: the propensity to project contamination, pollution, taint and dirtiness. As noted above, many of these features of the response are

<sup>22</sup> L. T. Harris and S. T. Fiske, ‘Dehumanizing the Lowest of the Low: Neuro-imaging Responses to Extreme Out-groups’, *Psychological Science* 14 (2006), pp. 847–53 and L. T. Harris and S. T. Fiske, ‘Social Groups that Elicit Disgust are Differentially Processed in MPFC’, *Scan* 2 (2007), pp. 45–51.

<sup>23</sup> Adding to the worries about the dehumanizing stigma associated with disgust is that the emotion has been connected to dogmatism, see e.g. P. Russell and R. Giner-Sorolla, ‘Social Justifications for Moral Emotions: When Reasons for Disgust are Less Elaborated than for Anger’, *Emotion* 11 (2011), pp. 637–46.

understandable: the E&C view can demystify moral disgust by tracing those puzzling elements to the evolutionary problems associated with poisons and parasites, and indicate how they are then brought to bear on a fundamentally different set of problems when disgust is recruited into the social realm. This explanation also shows that in the social domain, these puzzling elements are a bug rather than a feature, another of the flaws that render disgust unqualified to be a morally acceptable social tool. Since it intrinsically invites the dehumanization and stigmatization of its objects, we maintain that disgust is ill-suited to be directed at any entity or organism that is a member of the moral circle. The emotion is simply the wrong tool for the job – in the social domain, any job, retributive, punitive or otherwise. Where Kahan approves of efforts to fight disgust fire with disgust fire, we think that to do so is too risky: it would be playing with fire.<sup>24</sup>

Our second argument against Kahan's Conservation thesis is that his presentation of options for how to deal with disgust is overly narrow. Since we are disgust sceptics, we hold that ideally disgust would be barred from the social arena entirely. We also agree that this would be a tall order indeed, since the emotion appears to be a piece of human nature that we are stuck with, and one that is irrepressibly social. However, we think there are more alternatives to choose between than either taking no account of it at all, and so risk pushing it underground where it can exert its dark influence unsupervised, on the one hand, or trying to control it by being deliberate about which people and practices we direct it at, on the other. Rather, we favour a third option of eternal and explicit vigilance that seems to us neither incoherent nor unrealistic. Disgust's presence should be acknowledged, its character should be kept well in mind, and its unsavoury potential to dehumanize should be recognized and guarded against – and concerted efforts to use disgust to demonize should be publicly denounced. In short, public institutions should be alert to the social potential of disgust, but rather than celebrate or exploit the emotion, they should do what they can to minimize its use and impact.

We also submit that this is not naively idealistic, nor would it be as difficult as it may initially appear. Everyone is familiar with the fact that human psychology is replete with urges and drives that are not eradicable and that do indeed seem difficult completely to escape or repress: cravings for junk food, lustful desires, reckless tendencies,

<sup>24</sup> It is important to distinguish disgust from other related emotions like shame or guilt, since our arguments turn on features specific to this emotion. We are not making claims about any other emotions. Nor do we make any claim about the different *ends* that disgust's advocates have recommended it be used to achieve; we are arguing that in virtue of this particular emotion's nature, it is a bad social tool.

nepotistic impulses, just to name a few. No one is hopelessly at the mercy of these, however, and personal experience and folk wisdom yield any number of tricks and techniques individuals can use to keep them out of the driver's seat, or at least maintain the upper hand in managing them. Another analogous case that we think is particularly apt, and so potentially fruitful, comes from recent psychological work showing that many people harbour implicit social biases of various forms (racial biases, gender biases, age biases, etc.).<sup>25</sup> These biases are likewise irrepressibly social, they can be diametrically opposed to a person's explicit attitudes, they operate subliminally, they appear difficult to eliminate completely, and they resist direct control. Of course, none of this entails that we are hopelessly at their mercy, either. Indeed, many suggestions have been made about how best to deal with them, and empirical research continues to investigate the most effective ways to curb and contain their influence.<sup>26</sup> None of those suggestions proposes that we simply ignore the existence of biases or categorically refuse to take account of them as a solution to implicit bias-driven prejudice. This kind of ostrich response is still depressingly widespread, and it is part of the problem. More to the point here, perhaps, is that neither do any of those ameliorative proposals involve *redirecting* implicit biases, pointing them at some *other* unfortunate group more deserving of our prejudice or bias (let alone dehumanizing stigma).

We see no reason why disgust should be any different. Better to take a page (or several) from the work on implicit bias, and acknowledge disgust's existence and troubling tendency to dehumanize, but rather than ignore it or strategically direct it, focus our efforts on minimizing its social influence. Even if the ideal of completely purging disgust from the social realm is beyond our reach, it is still the ideal to which we should aspire, and to which we should try to get as close as possible. Moreover, we suspect that the most reasonable and effective attempts to handle disgust in the social domain will be based on the model emerging from work on implicit biases. As in that case, empirical work will be key, and more specific proposals about how to deal with disgust – proposals that do not ignore it or require that *some* group of people be made into its object – might be tailored to this particular emotion and the details of its character.

<sup>25</sup> K. Lane, M. Banaji, B. Nosek and A. Greenwald, 'Understanding and Using the Implicit Association Test: IV: Procedures and Validity', *Implicit Measures of Attitudes: Procedures and Controversies*, ed. B. Wittenbrink and N. Schwarz (New York, 2007), pp. 59–102.

<sup>26</sup> D. Kelly, L. Faucher and E. Machery, 'Getting Rid of Racism: Assessing Three Proposals in Light of Psychological Evidence', *The Journal of Social Philosophy* 41 (2010), pp. 293–322.

In any event, we hold that due to the nature of the disgust, the way it affects those in the grip of it and the way it conceives of its object, the emotion is not admissible as any sort of social tool. Disgust dehumanizes and stigmatizes, and so is never a morally acceptable response to transgressions, even if they are straightforwardly or even egregiously wrong. Since the arguments Kahan gives fail to appreciate how disgust is intrinsically ill-suited to be used as a social tool, and since he overlooks a more promising and reasonable third route for dealing with social disgust, we conclude that the Conservation thesis does not undermine our sceptical answer to the Admissible Social Tool question.

*Kahan's Moral Indispensability thesis*

The basic idea behind Kahan's Moral Indispensability thesis is that disgust is vital to the full and proper moral functioning of a society. It is indispensable, that is, because refusing to countenance this emotion as normatively relevant would result in an important kind of moral failure, and leave us and our institutions ill-equipped to deal with the most appalling crimes and 'harms that sicken us in telling'.<sup>27</sup> A (hypothetical) society that was blind to disgust and whose institutions and laws were completely insensitive to the emotion would be unable to justify universally shared intuitions about certain legal cases, and unable properly to condemn obvious wrongs.

Within our taxonomy of normative issues, we understand the Moral Indispensability thesis as expressing a position on the Justification question. This thesis also provides a straightforwardly affirmative answer to its associated normative issue, holding that feelings of disgust should sometimes be taken to justify the considered moral judgements and legal decisions they inform, and that our legal institutions should formally recognize and reflect their ability to do so. So here we interpret the claim that disgust is vital to morality not as a descriptive thesis about the facts of human moral nature or disgust's recalcitrance (as we interpreted the initial premise in Kahan's argument for the Conservation thesis), but rather as the normative claim that disgust is a 'moral instinct'<sup>28</sup> essential to *proper* moral functioning, and that we, and our institutions, *should* rely on it, at least in certain cases. The argument for this claim turns on a carefully selected example that, he claims, shows that feelings of disgust by themselves are sometimes *sufficient* to justify judgements about cases that elicit those feelings, and that sometimes they are *all* that can

<sup>27</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 64, quoting from Miller, *The Anatomy of Disgust*, p. 36.

<sup>28</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 69.

justify judgements that seem obviously correct. Since his discussion of that example is coloured by a more theoretical account of disgust and its relation to moral perception, we will begin with a discussion of the relevant components of that account.

*Moral commitment and moral perception*

The account of disgust that Kahan relies on 'is the one identified by William Miller in his masterful book, *The Anatomy of Disgust*',<sup>29</sup> which he cites enthusiastically and at some length:

[disgust] is not an instinctive and unthinking aversion but rather a thought-pervaded evaluative sentiment . . . It embodies the appraisal that its object is low and contaminating, and the judgment that we must isolate ourselves from it (the object) lest it compromise our own status . . . Disgust, according to Miller, gets its distinctive content from hierarchic social norms, which are themselves reinforced by our feelings and expressions of disgust.<sup>30</sup>

In addition to this general characterization, Kahan draws on several more specific components of Miller's account of disgust to buttress his normative conclusion. He holds that the emotion sustains and signals deep moral commitments, that it provides an essential type of response to the most egregious forms of cruelty, and that it is crucial for morally accurate perception. We will address each of these in turn, and attempt to reconstruct rationally the argument it provides in favour of the Moral Indispensability thesis.

First is the idea that disgust plays a crucial role in signalling and sustaining moral commitments. Some actions and practices are so abhorrent and reprehensible, so the line of thought seems to go, that condemning them requires no justification beyond appreciation of their utter disgustingness. Even to ask for further justification is perhaps suspect. Expressions of disgust, in this sense, act as *conversation stoppers* in moral debates. Signalling disgust indicates to one's interlocutors or opponents that you are unwilling to compromise on your condemnation of the action or practice, that the topic is not up for discussion, that you will not even dignify the possibility that the action or practice is not morally repugnant, and so will not deign to entertain arguments to the contrary. When one is attempting to work out one's own views, and get oneself into reflective equilibrium via intrapersonal deliberation, such yuck-based assessments and the values associated with them are those that are not up for grabs; they are the fixed points that are not candidates to be revised, altered

<sup>29</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 64.

<sup>30</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 64.



or jettisoned. In Miller's words once again, disgust 'marks out moral matters for which we can have no compromise'.<sup>31</sup>

It is clear that Kahan holds that these conversation stoppers are crucial to morality in some way, and that since disgust both sustains and expresses this type of unflagging commitment to certain principles and judgements, it is crucial to morality in virtue of this. However, we are unable to construct an explicit line of argument that connects this first component of Miller's view to Kahan's Moral Indispensability thesis, or at least to our main concern of how the Moral Indispensability thesis speaks to the question of what role disgust should be granted in moral and legal justification. For instance, leaving the emotion of disgust to the side, we see no argument that such conversation stoppers *qua* conversation stoppers are crucial to moral *justification*. We happily acknowledge that such conversation stoppers (whether or not they involve the emotion of disgust) can serve an important *pragmatic* function in debate and deliberation, since, practically speaking, not every moral assessment, value or principle can be called in to question at the same time. As far as we can see, this is perfectly consistent with our view that disgust does not *justify* any of those moral assessments, values or principles. Indeed, we are far from convinced that refusal to engage in debate or provide any rationale beyond appeal to yuck-feelings in support of some judgement or norm is praiseworthy or desirable at all – it actually strikes us as fairly dogmatic. This is not to say we are against being deeply committed to one's most profound values, or that some principles and assessments might ultimately be non-negotiable and beyond compromise. But being deeply committed to or unwilling to compromise on a principle is quite compatible with being able to articulate, even eloquently and at length, *why* one is committed to and unwilling to compromise on it. Indeed, it does not seem unreasonable to us to think that one should be able to articulate especially good reasons – perhaps many overlapping and mutually reinforcing types of considerations – for exactly those issues to which one is so deeply committed. Be that as it may, our main concern is with the Justification question, and how the Moral Indispensability thesis provides an answer to that. Therefore, our sceptical response to that thesis will not address this component of Miller's account in any more detail.<sup>32</sup>

A second, distinct component of Miller's view that Kahan appeals to is the idea that disgust provides an essential type of response to the most egregious forms of immoral behaviour, especially to extreme forms of

<sup>31</sup> W. Miller, *The Anatomy of Disgust*, p. 197.

<sup>32</sup> For a different take on the role of disgust in signalling and commitment, see Kelly, *Yuck!*, esp. chs. 3 and 4.

cruelty. Kahan, perhaps simply following Miller, often mentions this response aspect of disgust in the context of discussions about how disgust enables morally accurate perception. However, we think this is misleading, in that it conflates perception and reaction. Especially with disgust, it is important to distinguish the disgust response from disgust elicitors. Because of the inferential signature and vivid phenomenology associated with the experience of this emotion, it is easy to confuse the two, but we want to stress that features of the response are different from the features of disgust elicitors, the sorts of things that activate the emotion, and whose range is remarkably diverse and exhibits individual and cultural variation. This is a specific instance of a distinction that may be more obvious when made at the more general level of perceptual inputs and behavioural outputs: perceiving some thing X – the colour red, a threatening predator, a potential mate, an instance of cruelty, etc. – and responding to X in some way – approaching it, avoiding it, smiling at it, condemning it, etc. – are different and distinguishable achievements, with the latter typically presupposing the former. With this distinction in mind, we think that to the extent this second ‘essential response’ component of Miller’s view is relevant to Kahan’s position, it is relevant to the Conservation thesis rather than the Moral Indispensability thesis. Since we have already laid out our reasons for rejecting the Conservation thesis, we will set this component of Miller’s view aside.<sup>33</sup>

This leaves us with the third component of Miller’s view, and the one that most informs his discussion of the Beldotti case, namely the core of the idea that disgust allows for morally accurate perception. He makes the general statement that:

It would certainly be a mistake – a horrible one – accepting the guidance of disgust uncritically. But it would be just as big an error to discount it in all contexts. Even more important, disavowing even properly directed disgust cedes the powerful rhetorical capital of that sentiment to political reactionaries who’ll happily make use of improperly directed disgust.<sup>34</sup>

This aspect of disgust more naturally speaks to the Justification question, and suggests why those feelings should sometimes be granted the power to justify the moral judgements that they accompany. Since

<sup>33</sup> In other words, here are two distinct claims that one could make about a hypothetical society devoid of disgust. The first is that the society would still perceive moral outrages, but would lack the resources needed to remark or react to them suitably; the society would be alert but disarmed, impotent. The second, stronger claim is that without the emotion of disgust, the society would not even be aware or alert to those transgressions; its members would not even be able to perceive those outrages *as such* in the first place, let alone respond to them with the passionate condemnation they deserve. We unpack the way Kahan makes the second kind of claim in the main text presently.

<sup>34</sup> Kahan, ‘The Progressive Appropriation of Disgust’, p. 63.

the emotion allows the perception of certain things like extreme forms of cruelty and moral wrongdoing, the yuck-feelings produced when the emotion is activated are what alert us to the wrongness of the transgression. This, in turn, supports the claim that disgust can be both necessary and sufficient for justification. It can be necessary because we would be unable to perceive, would be blind to, certain immoral actions and practices (perhaps *qua* immoral) without properly oriented disgust, and so appeal to the resulting feelings of disgust would be unavoidable in justifying the condemnation of them. It can be sufficient because in those cases where nothing but properly directed disgust allows us to perceive the illicitness of an action, the 'yuck!' felt in the face of it could be all there is, the only consideration available to point to in justifying its condemnation. In such cases, disgust, and disgust alone, must suffice. While this rational reconstruction states, as best we can tell, the line of argumentation in the abstract, Kahan most convincingly illustrates it in his discussion of a concrete example.

*The Beldotti case and the argument from yuck-based justification*

In his own words, 'What we need to test the indispensability thesis, then, is a noncapital case in which disgust seems both necessary and sufficient to remark the cruelty of an offender's behavior.'<sup>35</sup> He finds this in the case of Dennis Beldotti. In January 1989, Beldotti was found guilty of committing a gruesome, sadistic murder and of sexually molesting the body of his victim. The convicting jury judged the crime to be 'extremely atrocious and cruel', and Beldotti was sentenced to a life sentence without parole. While serving out that sentence in prison, Beldotti submitted what, on the surface, might look like a rather innocent request: he asked that some of his personal items be returned to him, or at least to his representative outside prison. The specifics of those 'personal items' were far from innocuous, however. Among the requested things were: bondage paraphernalia; a photograph of his victim; pornographic magazines, some of which depicted naked children; and even some of the instruments he used to violate his victim. The court rejected Beldotti's request 'on the ground that surrendering these items would justifiably spark outrage, *disgust*, and incredulity on the part of the general public'.<sup>36</sup>

After describing the case, Kahan poses the question whether the court made the right decision in denying Beldotti's request, and, if it did, how that decision is justified. The issue is worth raising because

<sup>35</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 66.

<sup>36</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 67 (*italics added*).

there appears to be a straightforward tension between this particular decision and a plausible principle that applies to it. In general, a person, even an incarcerated person, should not have to forfeit his private property, even if, or simply because, others find it disgusting or otherwise offensive. Against this, there is strong intuitive support for the particular decision the court reached in this case; the denial of Beldotti's request for this specific private property strikes most people, claims Kahan, as correct.

Kahan agrees, and so thinks the court's decision was, in fact, justified. Since it cuts against a plausible and relevant principle, he is left wondering what, exactly, justifies the decision, what supports the strong intuition that it was correct. He considers and rejects a number of rationales that might be invoked. Since Beldotti has a lifetime sentence without parole, worries that the requested items could derail his rehabilitation or prevent him from ever being fit to re-enter society get no purchase. It would also be unconvincing to reject his request because such items have no place in prison – Beldotti did not request to have them returned to him, but to his representative outside the prison. Kahan also rejects the possible rationale that keeping the items from Beldotti's possession would serve as a deterrent of some sort. He concludes that, since other options are not up to the task, the presence of disgust must be what justifies the court's decision. He claims that only appeal to disgust 'can really explain the perception that granting [Beldotti] his request would have been wrong'.<sup>37</sup> He also states: 'what I want to argue is that there is in fact no viable basis for that intuition [that the court's denial was correct] other than the one the court gave – namely, the disgustingness of Beldotti's request'.<sup>38</sup>

The line of reasoning suggested by Kahan's discussion can be cast in premise/conclusion form:

- (1) Beldotti's request elicits feelings of disgust.
  - (2) The court's denial of the request was clearly justified.
  - (3) Other than the disgustingness of the request, there is no other plausible justification for the court's denial.
- 
- (4) Therefore, the fact that the request elicits disgust – and that fact alone – must be what justifies the court's denial.

Kahan uses this case study to argue for a conclusion that applies more broadly than just this one case, of course. He holds that the

<sup>37</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 69.

<sup>38</sup> Kahan, 'The Progressive Appropriation of Disgust', p. 67.

Beldotti decision vividly demonstrates the crucial role of disgust in morality and the law in general, and thus provides support for his Moral Indispensability thesis. He takes the example to illustrate two ways in which such yuck-based justification is indispensable. First, in cases like this, feelings of disgust in and of themselves are *sufficient* to justify the judgements that they inform. In the Beldotti case, nothing else appeared up to the task of justifying the denial, so the appeal to disgust was enough. Second, apart from this type of sufficiency, for some judgements the only type of justification available is yuck-based. When it comes to subject matter like that of the Beldotti case, Kahan holds that disgust is *necessary* because no other sentiment is up to ‘the task of condemning such singular abominations’.<sup>39</sup> In sum, the emotion is indispensable to morality and the law because such appeal to feelings of disgust is sometimes necessary, and sometimes necessary and sufficient, to justify the intuitively or self-evidently correct judgements about the cases that elicit them.

*A sceptical response to the Moral Indispensability thesis*

While we adopt Kelly’s more up-to-date and empirically grounded E&C view of disgust, there is much common ground between it and the account on which Kahan’s relies. Both reject the view that sees disgust as a default moral authority, a supra-rational sensitivity that attunes us to moral properties and significant social boundaries, and that expresses deep, ineffable ethical wisdom. Rather, both agree we need to be attentive to and critical of disgust’s involvement in the social and moral realm. Finally, both views appreciate that disgust is flexible, and appreciate how it allows for considerable variation in the types of things that trigger disgust in different people and in different cultures.

Kahan acknowledges this type of variation when he very explicitly emphasizes that we should not trust the emotion blindly:

It would certainly be a mistake – a horrible one – accepting the guidance of disgust *uncritically*. But it would be just as big an error to discount it *in all contexts*. Even more important, disavowing even *properly directed* disgust cedes the powerful rhetorical capital of that sentiment to political reactionaries who’ll happily make use of *improperly directed* disgust.<sup>40</sup>

We cite this passage again, this time italicizing the several qualifiers Kahan uses; similar qualifiers appear throughout his discussion. We hold that they correctly recognize the variation in disgust. But we

<sup>39</sup> Kahan, ‘The Progressive Appropriation of Disgust’, p. 64.

<sup>40</sup> Kahan, ‘The Progressive Appropriation of Disgust’, p. 63 (italics added).

also hold that they undermine the normative conclusion Kahan wants to draw. The relevance of these types of qualifiers to what we are calling the Justification question is that disgust does not *always* justify those judgements that it influences. Rather it only justifies in *some* cases: only in judgements where disgust is *properly* directed, only for a person whose disgust is *properly* oriented. But this raises an important family of questions, mostly immediately: Which cases are those? Given that there is a difference, what distinguishes those cases in which disgust justifies its associated moral judgement from those in which it does not? How do we separate out instances of the ‘good’ kind of moral disgust that might be granted justificatory value (say revulsion at a racially motivated murder) from the ‘bad’ kind of moral disgust that is not properly oriented and should be denied justificatory value (say revulsion at interracial marriage or towards women who achieve positions of power)?

Some independent criterion is required to tell the difference, above and beyond the brute presence of feelings of disgust.<sup>41</sup> Indeed, Kahan even acknowledges this not just with his emphasis on ‘properly directed’ disgust, but also by suggesting that it would be a mistake ‘to accept the guidance of disgust uncritically’.<sup>42</sup> The appeal to critical faculties or this kind of *proper* orientation is an appeal to exactly the kind of independent criterion that we agree is required. But this appeal and Kahan’s apparent acceptance of the need for it defeats his argument for the Moral Indispensability thesis. When push comes to shove, it is always an independent criterion, like the reference point provided by the ‘proper orientation’ that is calling the shots, and doing the real justification work, rather than the feelings of disgust themselves. We conclude that it is not disgust that is crucial, but rather the independent criterion, the ‘proper orientation’, that is in fact indispensable. It is not difficult to imagine a person from another culture, burdened with what we would consider an ‘improperly’ calibrated moral sensibility, failing to be disgusted by some practice that we find repulsive and consider ‘genuinely’ immoral, and being revolted by another activity that we consider permissible or even praiseworthy. In arguing about such disagreements, bald assertion of disgust or lack thereof by disputants on either side of the debate, without further justification,

<sup>41</sup> Adding to the trouble here is that a large number of cues that have nothing to do with highfaluting moral issues also activate disgust, namely those associated with poisons and parasites, and the emotion has a propensity to yield false negatives even in those primary domains. On the reasonable assumption that disgust in the face of these kinds of cues is irrelevant to moral justification, some independent criterion is needed to rule them out as well.

<sup>42</sup> Kahan, ‘The Progressive Appropriation of Disgust’, p. 63.

begs the question of whose disgust is properly directed and whose is not. Appreciating the scope, fallibility and range of variation possible for disgust in general also makes clear the need for an independent criterion when trying to justify one's own individual social and moral judgements that have been influenced by the emotion. The mere activation of this psychological system is best treated as superfluous, otiose to the final justification, a ladder that can be kicked away once ascended. When yuck-feelings are involved at all, they function as a mere intermediary, and when it comes to justification, a very dispensable intermediary at that.

Returning to the Beldotti example, our view suggests a different response to the case than Kahan's. Kahan's argument is that once all possible alternative explanations for the denial of Beldotti's request have been shown to be inadequate, we see that nothing but disgust could possibly justify the decision, so disgust must be what does the job.

We have a couple of things to say about this argument, and the way we formalized it above. Since our position is that the conclusion is false, we have to reject a premise or show that the conclusion does not follow. First, we can accept the first premise, and the idea that appeal to feelings of disgust can indeed *explain* why most people are so outraged by cases like Beldotti's request. Appeal to the psychology of disgust in such cases may be part of the true explanation of that outrage, and indispensable to it. But of course, the larger issue at stake here is not explanation, but justification, and explanation and justification are importantly different.<sup>43</sup>

Second, we are not authorities on the case or well versed in the legal manoeuvres that might be possible, but the third premise strikes us as dubious. However, rather than mount a challenge against it, for the sake of argument we will accept it in order to make a different point. If the third premise is in fact true, we are willing to reject the second premise: our view would then be that the court's decision was unjustified, and that it was wrong to deny Beldotti his request. To be clear: we hold that disgust is unable to provide justification on its own, and that, to the extent that 'properly oriented' disgust is involved in the justification of a considered judgement or norm, it is the 'proper orientation' that does all of the work, rather than the disgust itself. So, in cases where, even upon reflection, the only thing that can be said

<sup>43</sup> Of course: one might give a detailed, accurate explanation of the establishment and operation of the institution of slavery in North America without ever making the mistake of thinking that the explanation of the institution also justified the institution.

in support of a judgement is that it is supported by one's revulsion, or the only thing that can be said against violations of some law or social norm is that they elicit widespread feelings of disgust, then the judgement or law is indeed unjustified. In the Beldotti case, allowing brute feelings of disgust to carry the day seems especially worrisome because the decision cuts against a reasonable and relevant principle (a principle of a sort that, one might think, is there in part to protect citizens against emotional swells or unreasoned outrage excited by the specifics of individual cases). Indeed, by endorsing the decision without any established or articulated independent criterion to ground it in, Kahan seems to be doing exactly what he warns against doing: trusting disgust uncritically.

One might see our scepticism as opening up the floodgates to all manner of degeneracy, but we prefer to see our stance as throwing the challenge back on those who made it: find a better way to justify those judgements, norms and laws in question – perhaps trying to make explicit what is packed into ‘critical’ or ‘proper’ orientation – or admit they have yet to be convincingly justified. This may seem unpalatable at first, especially in something like the Beldotti case, but perhaps less so in a wide range of other examples. Other yuck-relevant areas of morality, as mentioned earlier, involve issues such as civil rights, abortion, same-sex marriage, homosexuality, stem cell research, cloning, genetic engineering and so forth. In any of these cases, we would also hold that if it really is the case that the *only consideration* that can be cited in the case against some practice is that it is apt to provoke a yuck reaction, we are convinced it would be more reasonable to reconsider one's resistance to the practice than to continue clinging to the deliverances of disgust.

## V. CONCLUSION

A rough but interesting way to express what is at issue in this article, and in the recent normative debates about disgust more generally, is with a thought experiment: image a society comprised of people just like us, except that no one possesses disgust at all, the emotion is simply absent. Now ask: would such a society, from a legal and moral point of view, be better or worse off than our own?

Kahan and others who advocate the emotion think, in broad strokes, that such a society would be worse off than we are. It would be morally deficient or impoverished in an important sense, unable to respond to certain ethical atrocities with the kind of intense, passionate outrage that they merit, and left without the resources to justify a range of legal and moral judgements that strike many people as transparently correct. We disagree, and think that such a society is something like the



ideal to which we should aspire, and that a world free of social disgust would be more just, reasonable and compassionate.<sup>44</sup>

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