Introduction

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Introduction

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In this special issue of *Hypatia*, feminist philosophers analyze, critically engage, and extend several predominant ideas in the work of Claudia Card. Renowned for her influence in feminist philosophy, ethics, and social theory, Card is one of the most prominent and provocative philosophers living today. She has written prolifically on evils including war rape, genocide, and terrorism, and on gender and morality, moral agency within gray zones, same-sex marriage, hate speech, moral luck, and social oppression. She has also helped shape the field of feminist ethics by editing such key collections as *Feminist Ethics* (Card 1991), *On Feminist Ethics and Politics* (Card 1999), and *The Cambridge Companion to Simone de Beauvoir* (Card 2003a). Recently, her comprehensive theory of evil in *The Atrocity Paradigm* (Card 2002) has been described as a benchmark contribution to the philosophy of evil; in this treatise, Card presents a compelling account of the nature of evils, drawn not from theological reflections on evil, nor from reflections on evildoers' motives or deficient characters, but from the perspectives of victims who suffer grave harms and losses from culpable wrongdoing.

Card once noted, somewhat ruefully, that the directions in which her research interests take her are "gruesome," moving as they have over the years through such issues as criminal punishment, domestic violence, environmental devastation, torture, war rape, and genocide. In reflecting on her interest in evils in *The Atrocity Paradigm*, she writes that "concern about large-scale and in some cases unprecedented atrocities during my lifetime motivates my own interest in evil" (2002, 8). If her research interests are often gruesome, they are inspired by vexing ethical issues surrounding real evils and experiences of oppression. It is characteristic of Card that her work emerges not from musings on hypothetical ideal circumstances but from reflection on historical and contemporary situations of evil and oppression. Whereas *The Atrocity Paradigm* explores several severe manifestations of oppression, including the oppression of gray zones (in which agents are at once victims and perpetrators of evil), in *The Unnatural Lottery* (1996a) and other works. Card examines moral agency under a broad umbrella of social oppressions, including gender, race, class, sexual identity, disability, and infirmity. In examining moral agency in these contexts, Card often focuses on forward-looking moral responses, resisting complicity, and the moral powers of victims.

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In *The Unnatural Lottery*, Card not only enriches philosophical discussions of moral luck by drawing attention to bad moral luck often experienced by the oppressed; she also adds to feminist discourses on oppression by using the language of moral luck to make sense of constricted agency. Distinguished from chance and from fate, moral luck designates the luck of circumstantial starting points and significant life incidences that influence the development of character, the ability to do what is right, or the justification of moral decisions. Survivors of domestic violence or childhood abuse, for example, may sustain moral damage that constricts possibilities for character development and complicates moral responsibility. In contrast to philosophers who maintain that luck confounds moral responsibility (Nagel 1979; Williams 1981), Card shows that appreciating the impact of moral luck on our lives can deepen our understanding of responsibility and heighten the significance of moral agency. Oppressed social groups can partly overcome unfavorable circumstances and repair moral damage by consciously developing virtues such as integrity, reliability, and self-esteem—often through strong, supportive interpersonal relationships—and by taking responsibility for themselves and for social institutions.

Card grants that luck is ubiquitous, and all moral agents' choices are constrained by less than perfect freedom to determine options. The element of choices constrained by luck runs through much of her work, but Card attends primarily to institutional luck rather than the external constraints of natural or inherited characteristics. What makes her insights especially feminist? Card has noted more than once that luck tends to be more readily appreciated by those who have experienced some *bad* luck (1996a, 2). Bad luck springing from misogyny, in particular, "is often an element that complicates women's choices, presenting special possibilities and temptations" (2002, 228). Card explores women's experiences and moral luck in inseparable ways, proceeding from feminist methods "influenced by long habits of attending to emotional response, relationships ... and the significance of the concrete particular" (2003b, 64).

Several authors in this collection draw upon Card's discussion of moral luck in their own feminist explorations of systemic oppression, flourishing, abortion, and motherhood. The first two essays take up questions of flourishing in the presence of bad moral luck and oppression. Can male dominators flourish? Should the oppressed hold an ideal of flourishing when the constraints of the unnatural lottery are severe? In "Expecting Bad Luck," Lisa Tessman considers the latter question in exploring the situation of pessimists who are acutely aware of the systemic bad luck of oppression but who remain actively engaged in resisting and changing oppressive social conditions. She argues that pessimistic agents of social change, sustained by values of self-respect, integrity, and freedom, should maintain a claim upon idealized human flourishing, rather

than learn to live with possibilities for conditioned flourishing presented by oppressive conditions.

In exploring whether male dominators can flourish, Marilyn Friedman gives new life to the classic question of Plato's *Republic*: can the unjust live happily? Feminists may be tempted to believe or hope that male dominators cannot flourish; Friedman, however, draws attention to the empirical vulnerability of this belief and its more general variant, belief in a just world. Whereas Friedman focuses on what she terms the "welfare luck" of oppressors who lack virtue, in our third selection Hilde Lindemann examines constitutive, incidental, and circumstantial moral luck in the context of pregnancy and abortion. Provocatively, Lindemann argues that terminating a pregnancy involves a negative moral valence in sufficiently privileged conditions but a positive moral valence in circumstances of bad moral luck. Despite the moral permissibility of abortion in many circumstances, Lindemann maintains, pregnancies are morally valuable and fundamentally agential, as pregnant women actively welcome fetuses into personhood within a network of social and personal relationships.

In "Raising Responsibility," Sheryl Tuttle Ross examines raising responsible human beings when one is fully aware of the role that luck plays in their moral development. Ross extends Card's arguments concerning moral agency and responsibility to the activity of mothering while also drawing upon experiences of mothers to question her suggestion that "one may become responsible in moderately favorable environments without much self-consciousness" (Card 1996a, 47). In several pieces, Card argues against the institutions of marriage and motherhood on the grounds that these institutions shelter violence and create obstacles to escaping bad partnerships; consequently, she favors creating alternative forms of durable intimate partnerships, rather than including gay and lesbian unions in state-sanctioned marriage (1996b, 2002, and 2007). In critically examining Card's arguments on same-sex marriage, Joan Callahan argues that as the institution of marriage remains unlikely to disintegrate in the foreseeable future, the non-recognition of same-sex unions on the part of the state (1) reflects and perpetuates homophobia and heterosexism and (2) inflicts substantial harms upon sexual and gender minorities. In contrast to Card, Callahan suggests that on this issue feminist political theorists should aim for the best of achievable outcomes rather than idealized states of affairs; she provides powerful reasons for prioritizing access to the benefits of marriage through coalition politics in an unjust meantime.

In both these pieces on marriage and motherhood, women face gray choices when they are in decision-making positions of power to perpetuate the oppressive features of institutions of which they are also victims, and when the choices open to them involve harm to themselves or others. Not all the choices involve inflicting evil, but gray choices all involve moral compromise.

Even the choice to decline participation in institutions may come at heavy cost to oneself; retaining integrity can involve rejecting relationships with those invested in compromising institutions.

In these investigations of systemic bad moral luck, Card's observation recurs that the luck of one person often entangles with the agency of another, and culpable wrongdoing on the part of some can make it difficult for those wronged to retain integrity or to respond well. This observation is central to the development of Card's definition of evil as "harm that is (1) reasonably foreseeable (or appreciable) and (2) culpably inflicted (or tolerated, aggravated, or maintained), and that (3) deprives, or seriously risks depriving, others of the basics that are necessary to make a life possible and tolerable or decent (or to make a death decent)" (2002, 16). A decent life entails moral agency, including the ability to respond to oppression and evils, even as options for response are constrained. In her accounts of moral luck and evil, Card focuses significantly on the effects of luck and evil on character, integrity, and victims' "moral powers." Against a philosophical tradition of excusing victims from agency and responsibility, and all too often assuming victims retain few or no abilities to respond, Card emphasizes that victim testimonies illuminate ways in which victims take responsibility even in the absence of control.

Victim testimony shapes the contribution by David Concepción, "Overcoming Oppressive Self-Blame: Gray Agency in Underground Railroads." In this essay, Concepción employs Card's analysis of moral agency in gray zones to reflect on the account of one woman who escapes domestic abuse, and to reflect on his own experiences as one of her "conductors." The survivor's sense of her own agency, and her choices during and after abuse, provide her with resources for liberation and also with occasions for self-blame. Concepción attends to self-blame, deception, and related moral powers that exhibit the agency of the oppressed in order to locate possibilities for self-forgiveness and for blaming others. In the contribution that follows, Kathryn Norlock and Jean Rumsey contextualize and extend Card's discussion of forgiveness as a moral power, considering whether it is ever the best response to evils. The authors conclude that for women, in contexts in which women are expected to be forgiving yet do not receive recognition as victims of evils, forgiveness is less important than other moral powers. Yet like Concepción, Norlock and Rumsey draw attention to neglected responses to atrocities that assert the agency of victims, even victims with whose responses one may disagree as best suited to dealing with evil.

In our final three essays, Linda Bell, Samantha Brennan, and Victoria Davion examine Card's account of evil in *The Atrocity Paradigm*, focusing on her suggestion that feminists and other social activists prioritize addressing evils over unjust inequalities. Inequities in salary compensation, hiring, promotion, or college admission, for example, are moral defects but not intolerable harms;

evils like rape, domestic violence, trafficking in women and girls, homelessness, and severely hazardous working conditions merit priority over inequalities, in the sense that social theorists and activists should give significant attention to evils, whatever else we may do. When feminism becomes preoccupied with equality and equal rights, it risks trivialization and diverts attention from the worst manifestations of gender oppression (Card 2002, 96ff.). Yet, Card maintains, prioritizing evils does not require responding to evils on every possible occasion, nor does it imply a lexical or chronological ordering, which would prevent theorists and activists from moving on to other concerns until we have completely solved those we prioritize.. Instead, she directs us to analogies such as the ways in which many prioritize family over work, items on a meeting agenda, or research over teaching.

Linda Bell and Samantha Brennan contest the principle of prioritizing evils over inequities partly by attending to theoretical and practical connections between evils and inequities. Bell suggests that discriminatory attitudes and practices that exist *prima facie* at a distance from atrocities help provide fertile ground for the emergence of evils by creating sympathetic onlookers and willing participants in evil practices. Atrocities not only shed light on racist and sexist behaviors but, conversely, everyday machinations of anti-Semitism, other racisms, and sexism also directly and indirectly buttress their most devastating exemplifications. In "Feminist Ethics and Everyday Inequalities," Brennan highlights possibilities for ending some evils by remedying everyday inequalities. She further argues that although the actual damage of some gendered inequalities is minor, the message delivered by unequal treatment of women and men—that women are of lesser worth than men—is harsher. In discussing influences and directions in contemporary feminist theorizing, Brennan also shows that linkages between evils and inequalities illuminate the commonalities between liberal and radical feminisms.

Finally, Victoria Davion applies the principle of prioritizing evils to ethical issues raised by global warming, focusing on specific villages in the Alaskan sub-Arctic whose residents must abandon their communities owing to extreme erosion, melting sea ice, and rising water levels. Davion employs Card's discussion of genocide as social death (2003b) to argue that the disintegration of the unique cultural identities of these groups can be thought of as genocidal, despite the lack of mass murder involved in this cultural disintegration. Davion shares Card's insight that prioritizing evils is ethically compelling and wise. As several of our contributors recognize, evils are sometimes those things about which we can do the least, and Davion grants that what it means to prioritize them is not perfectly elucidated in *The Atrocity Paradigm*. She concludes that those with affluence and highly tolerable lives should find Card's theory useful without finding it perfect. Davion challenges us to act to remedy cases of severe suffering, rather than to acquiesce to a sense that moral responsibility requires

too much of us, or that we cannot act consistently given the existence of hard cases. Card demands more of us.

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