

## FEMINISM, HONOR AND SELF-DEFENSE: A RESPONSE TO HERETH

Daniel Statman

Sometimes victims cannot defend themselves against the threat posed to them, but they can nevertheless harm or even kill their aggressors. Since they cannot defend themselves, it is unclear how such harming can be justified under the title of self-defense. According to the “Honor Solution,” by violently resisting their aggressors, victims do (partially) defend themselves because they protect their honor. Blake Hereth recently argued that this solution is incompatible with the feminist commitment that sexual assault victims ought not to be shamed or dishonored. The purpose of my paper is to reject Hereth’s criticism and defend the Honor Solution.

Keywords: Honor, self-defense, Avishai Margalit, humiliation, shame

### 1. INTRODUCTION

The right to act in self-defense is the right to act against an aggressor in ways that would otherwise be forbidden, in order to block an unjust attack. This seems a rather uncontroversial understanding of self-defense, yet it leads to a troubling puzzle that I raised in 2008:<sup>1</sup> If the point of self-defense is to block an unjust attack, then, if the victim cannot reasonably assume that their otherwise wrongful act could actually block the attack, they have no right to carry it out, at least not under the title of self-defense. But there are cases in which victims surely do have such a right, for instance, that of a rape victim who cannot prevent the rape but can harm the rapist, or victims of genocide who cannot defend themselves from being murdered but can harm or even kill some of their attackers. In such cases, it is unthinkable that the victims would be morally or legally barred from harming their attackers, but this is what seems to follow from the most elementary understanding of the right to self-defense with which I began.

My own way of solving the puzzle was based on what I called the “Honor Solution.” According to this solution, the otherwise prohibited actions taken against the perpetrators of the above crimes are not really futile because they provide some protection to the *honor* of the victims. The victims of genocide cannot defend themselves from being murdered, but they can make their death less disrespectful; and rape victims who cannot prevent the rape can at least *put up a fight*, conveying the message that they have not completely surrendered, not completely lost their agency.

The Honor Solution has encountered a fair amount of responses,<sup>2</sup> the most recent by Blake Hereth in this journal.<sup>3</sup> Hereth offers an original argument against this solution, which they see as contradicting fundamental feminist commitments. A discussion of this argument will shed light not only on cases of apparently futile self-defense, but also more generally on our understanding of honor, shame, and humiliation. In what follows, I focus mainly on rape victims, in line with Hereth’s concern with feminism, and, at times, I modify the paper’s arguments against the Honor Solution to fit this focus. Nonetheless, all I say applies, *mutatis mutandis*, to the example of genocide victims or to other real or imaginary cases of apparently futile self-defense.

In section 2, I present Hereth’s main argument against my solution. In section 3 I defend the Honor Solution from this argument. Section 4 offers some concluding thoughts.

## 2. FEMINISM, LOSS OF HONOR, AND VIOLENCE

Building on distinctions developed by Stephen Darwall,<sup>4</sup> Hereth proposes two ways to interpret the Honor Solution: “Honor Internalism,” according to which rape victims can preserve their honor in the sense of *maintaining their moral character or reputation* only if they inflict defensive harm on their perpetrators, and “Honor Externalism,” according to which such victims can preserve their honor in the sense of *guaranteeing proper treatment* only if they inflict defensive harm on their oppressors. In Hereth’s view, the Honor Solution does not work in either of these interpretations.

Against the internalist interpretation, Hereth offers a normative argument with two versions. It is a *modus tollens* argument that relies on the assumed absurdity of the premise that rape victims lose their honor if they don’t violently resist their attackers. Once this premise is rejected, what follows is that such violent resistance violates the necessity condition for justified self-defense, which, in turn, entails the failure of the Honor Solution.

The first version starts with the assumption that “persons whose honor is damaged or destroyed ought to feel shame.” It then stipulates, on the basis of what Hereth sees as moral intuition,<sup>5</sup> that it is not the case that rape victims ought to feel shame if they don’t violently resist their attackers. The conclusion is that the honor of rape victims is not damaged or destroyed if they fail to violently resist their attackers.

And this means that if they do opt for such violent resistance, it cannot be covered by the right to self-defense because the necessity condition is not satisfied.

The second version starts with the assumption that “if one’s honor is damaged or destroyed by nonviolent resistance or nonresistance, then we should (or are at least permitted to) view nonviolent and passive rape victims as less worthy of respect.”<sup>66</sup> It then claims, again on the basis of moral intuition, that “we shouldn’t (and are not permitted to) view nonviolent and passive rape victims as less worthy of respect.”<sup>67</sup> The conclusion that follows is that “it’s not the case that one’s honor is damaged or destroyed by nonviolent resistance or nonresistance,”<sup>68</sup> which again implies that violent resistance is unnecessary for the defense of honor, hence unjustified within the framework of self-defense.

It is the second premise in these arguments that, in Hereth’s view, expresses “pivotal feminist commitments”: that sexual assault survivors ought not to be shamed and that they ought not to be treated with disrespect. The acceptance of these commitments assumingly forces us to give up the Honor Solution.

Let’s turn to the argument against the Honor Solution understood in terms of Honor Externalism, which, to recall, embraces a conception of honor as recognition or proper treatment. The argument starts with the assumption that if rape victims could defend their honor by violent resistance, “they could ensure proper treatment by either . . . *themselves*, . . . *their perpetrators*, or . . . *third parties*.”<sup>69</sup> It then rules out all three possibilities: (a) Violent resistance is not necessary for the victims’ *self-honor* because proper self-treatment remains possible “irrespective of whether they inflicted defensive harm.”<sup>70</sup> (b) Violent resistance is unnecessary to ensure proper treatment by the perpetrators because perpetrators will not treat their victims properly irrespective of whether defensive harm is inflicted upon them or not. (c) The violent resistance can’t be seen as intended for third parties because “third parties neither mistreat nor would look down upon” rape victims, again irrespective of whether the victims inflicted defensive harm.<sup>71</sup> Therefore, it is not the case that rape victims can defend their honor—in the sense of ensuring proper treatment from the relevant parties—only by violent resistance; hence, the Honor Solution fails.

These three points require further elaboration. With regard to (a), Hereth concedes that some people “will prove unable to view themselves as honorable unless they violently defend themselves,”<sup>72</sup> and such people are probably permitted to use violence in their attempt to harm their attackers. However, this is “a rather esoteric inability”;<sup>73</sup> hence, it cannot serve as a basis for a general right to violently resist attackers, as assumed by the Honor Solution.

As for (b), in Hereth’s view, it entails that if a victim violently resisted her rapist, the rapist would treat her properly, that is, honorably, which means that he would stop raping her. But if he stopped raping her, there would be no reason for self-defensive acts of any sort, and the Honor Solution would become irrelevant.

Finally, regarding (c), the goal of the defensive harm at hand can be interpreted either empirically or normatively, yet neither seems to work. As an empirical claim,

the current version of the Honor Solution would say that violent resistance is necessary because otherwise, third parties would look down upon the victims. This seems false to Hereth who argues that “most of us do not look askance at sexual assault survivors or Holocaust survivors who never violently resisted their oppression.”<sup>14</sup> As a normative claim, the Honor Solution in its present interpretation would say that violent resistance is necessary because otherwise third parties would be *justified* in looking down at the victims. But this again seems false because “we should not look askance at survivors, and those who do are irrational or indecent.”<sup>15</sup>

Hereth’s feminist critique of the Honor Solution is original and powerful. Nonetheless, I believe it does not work. In the next section, I explain why.

### 3. DEFENDING THE HONOR SOLUTION

Let me start by suggesting a slight modification to Hereth’s argument. As explained above, the argument is based on the Honor Solution’s assumed failure to satisfy the necessity condition for justified self-defense. However, it seems that most of the arguments put forward by Hereth don’t target the necessity condition but the success condition. They purport to show that violent resistance simply achieves nothing and is therefore futile.<sup>16</sup> To see this, look, in particular, at what Hereth calls the feminist arguments against Honor Internalism. According to these arguments, the honor of rape victims is neither damaged nor destroyed by being raped or by their failure to resist it, because victims of sexual assault ought not to be shamed and ought not to be treated with disrespect. But if it is false that the honor of such victims stands at risk of being damaged or destroyed, then they obviously cannot justify harming their perpetrators on the basis of the claim that doing so would protect their honor. Their honor simply needs no protection. The same conclusion follows from the argument against Honor Externalism. If third parties don’t think less of rape victims when they fail to violently—or nonviolently—resist their attackers, violently attacking the perpetrators would again achieve nothing. *Ex hypothesi*, it would not prevent the rape, and, on Hereth’s argument, it would make no difference in terms of honor either.<sup>17</sup>

Note that this modification of Hereth’s argument does not in itself amount to an objection to it. To the contrary, it helps to present it in its best, feminist light. What drives Hereth is the conviction that sexual assault victims should not be seen as less honorable due to the crimes meted out to them. And this conviction undermines the Honor Solution because if no threat to the victims’ honor exists, they cannot justify taking otherwise prohibited acts against their perpetrators as a way of *defending* it.

Let me turn to some critical comments. The first thing I’d like to note is that Hereth offers no alternative to the Honor Solution that can explain how victims of aggression have the right to violently resist their aggressors when doing so appears futile. Neither does Hereth rely on solutions proposed by others, for instance, that

the violence is a form of protest,<sup>18</sup> that it is an imposition of retribution,<sup>19</sup> or that it is grounded in the lesser claim for protection of the aggressors.<sup>20</sup> But rejecting the Honor Solution without offering an alternative leaves us with a conclusion that even Hereth concedes might be “repugnant,”<sup>21</sup> namely, that the Jews in the Warsaw Ghetto were acting impermissibly when they shot at the Germans, or that rape victims who cannot prevent the rape act wrongfully when they wound their attackers or kill them. Yet repugnant as this conclusion is, for Hereth, it is less repugnant than the possibility that Holocaust victims or victims of sexual assault lose their honor as a result of not violently resisting their aggressors.

For me, if the question on the table was which of these possibilities is more repugnant, I’d say the former. But this is not the question actually because, *contra* Hereth, the honor of the above victims is threatened and hence in need of defense. Substantiating this point will be crucial in my criticism of Hereth.

Let me start by clarifying that, according to the Honor Solution, having honor, being honorable, and *protecting* one’s honor is not a matter of yes or no, but a matter of degree. I made this point quite clearly in “On the Success Condition,” saying that “the protection of honor in the kind of cases we are discussing is almost always only partial.”<sup>22</sup> Precisely because in the cases under discussion, the victims ultimately fall prey to the perpetrators’ plan to sexually exploit or to kill them, they are obviously *dishonored*; they are shown to be or *made* to be helpless creatures, treated as means only. Nonetheless, according to the Honor Solution, if they manage to stand up against their aggressors, they are not totally reduced to such helpless and pathetic creatures. When they harm their perpetrators, they do not restore their honor to the way it was prior to the aggression, but they do make their fate less disrespectful than it would have been had they been completely submissive. What a victim achieves in her violent resistance is not a complete removal of the dishonoring message, but a partial tempering of it.<sup>23</sup>

I, therefore, agree with Hereth that one’s honor is not *destroyed* by nonviolent resistance or nonresistance.<sup>24</sup> The question is whether it is *damaged*. In my view, by not resisting at all, or by only nonviolently resisting, victims suffer a more severe damage to their honor than the damage they would suffer if they violently resisted their aggressors. By contrast, for Hereth, the honor of rape victims is not *at all* damaged by actions or omissions related to the rape, be it the very fact of being raped, the failure to exercise self-defense, the belated report to the police, the hiding of the trauma from family and friends, and so on.<sup>25</sup> According to Hereth, none of these omissions/failures is a reason to look down upon such women, to view them as less worthy of respect. Hence, to recap, there is no need for violent resistance to defend their honor. In fact, there is no need for *any* resistance with this aim in mind.

This is a morally attractive picture. Indeed, why should anybody’s honor and self-respect be damaged by what other people do to her or think about her? This question has a long philosophical pedigree. As is well-known, according to the Stoics, it is irrational for a person to regard what others do to her as a reason to

think any less of herself. It is in this vein that Hereth assumes that “proper self-treatment remains possible irrespective of whether they inflict defensive harm.”<sup>26</sup> Victims are not to feel dishonored or to be blamed for the crimes they suffered, nor for their failure to defend themselves.

Avishai Margalit invested significant effort in the first part of *The Decent Society* to deal with the Stoic challenge and to show that humiliation can be rational; that what others do to a person can provide her with a sound reason to regard herself as less worthy. After exploring various paths, he concludes as follows:

The attempt to find a general justification for this fact is ludicrous. *That’s the way it is, that’s life. . . .* To ask why the Jews in the Viennese square considered themselves degraded when their Nazi tormentors forced them to scrub the pavement is absurd. If that is not humiliation, then what is?<sup>27</sup>

As I explain elsewhere,<sup>28</sup> when Margalit refers to the Nazi behavior as self-evidently humiliating, he is referring not only to the psychological sense of humiliation, but to the normative sense too. He wishes to say that the Jews in this dreadful situation had a sound *reason* to feel humiliated, that having this feeling was *rational* for them. And to say that the Jews had a sound reason to feel humiliated—or *dishonored*, to fit the terms of the present discussion—is to say that they *were* humiliated.<sup>29</sup>

Margalit’s view about “the way it is” applies to cases of sexual assault as well. To rephrase his words above: “To ask why women consider themselves degraded when they are raped is absurd. If that is not humiliation, then what is?” Or, again, in the language of the current discussion, if the honor of such women is not damaged, whose honor ever *is*?

It now becomes clear that Hereth’s central argument against the Honor Solution is much more a Stoic one than a feminist one. Hereth himself applies it to a context that has nothing to do with feminism, that is, that of Holocaust victims, and indeed the logic of the argument would apply to all victims. Removing Hereth’s reference to rape leaves us with a general claim to the effect that “it is both cruel and pointless to compound the harms to already traumatized victims by viewing them as less worthy of respect, particularly after they were horrifically disrespected.”<sup>30</sup>

Hereth might be unimpressed by Margalit’s approach and might insist that rape victims ought not to feel shame, disrespect, or dishonor. Since, despite appearances, their attackers don’t have the power to dishonor them, the victims’ honor is not genuinely threatened; hence, the harm that victims cause to the rapists cannot be conceptualized as defending their honor.

The discussion touches upon a fundamental question in ethics and in political philosophy, namely, whether moral/political rules should be designed in accordance to what people ought to feel by some conception of rationality, or in accordance with how most people—“normal” people—tend to feel in given circumstances. Grief might be irrational because it is both painful and futile (it will not bring back the deceased),<sup>31</sup> yet since almost all people grieve the death

of their beloved relatives and friends, we are morally required to take grief into consideration in the way we treat mourners.

The same goes for humiliation and for other emotions involving a sense of threat to or fall in one's self-respect. Maybe a handful of people in the history of humankind would remain indifferent if they were subject to humiliating experiences like the one to which the Jews of Vienna were subject, or much worse ones down the road in the ghettos and death camps. But for almost all of humanity, such indifference is not an option. Furthermore, most people would be willing to pay a high price to avoid humiliation. In extreme cases, they would rather die than undergo some deeply degrading experience. For almost all human beings, threats to their honor and self-respect are very real, and are often more disturbing than threats to their property or liberty. Moreover, at times, the reason people are troubled by threats to their property or liberty has to do precisely with a sense of threat to their *honor*: a sense of not being counted, of being exploited, of not being treated as fully equal human beings. That's why people are often ready to undertake some risk in attempts to protect their property from a mugger even if they are wealthy and would hardly notice the financial loss, or if the threatened property is fully insured. In *some* sense, this is irrational,<sup>32</sup> but, as Margalit would say, "that's life."

Sexual assaults provide a particularly powerful illustration of Margalit's point. While in some cases, such assaults involve physical injury, in other cases, they do not; hence, the best way to make sense of their moral wrongness is in terms of the disrespect manifested toward the victims. The language used by victims of such crimes confirms this point, describing the experience of being touched sexually against their will in terms of being tainted, dirtied, degraded, and dishonored. Hereth's insistence that the honor of such victims is not at all damaged makes it hard to understand what is so morally wrong in cases of sexual assault that don't involve physical injury, or in which the physical (or psychological) injury is not that severe. The answer is that sexual assaults are not only painful, physically and psychologically (as they usually are), but are also deeply degrading, dishonoring, and shameful.<sup>33</sup>

Contrary to Hereth, the appropriateness of emotions like humiliation and shame has nothing to do with moral responsibility.<sup>34</sup> The humiliation felt by the Jews in Vienna was appropriate even though they were, of course, not blameworthy in any relevant sense, and rape victims are similarly degraded and humiliated although they bear no responsibility for the rape. As for shame, think of a speaker standing in front of a large audience who fails to control himself because of a combination of anxiety and some medical problem and wets his pants. That would be a terribly shameful experience, although he would obviously bear no moral responsibility for it. Or think of the recent case of a runner whose genitals were exposed during a race and who had to slow down considerably because of his attempts to cover himself.<sup>35</sup> Surely, in some sense, he ought not to have been ashamed by what happened to him, and he ought not to have allowed himself to lose the race as a result. But most runners would have probably responded the same way.

I suspect that what led Hereth to create a link between moral responsibility and “negative moral feelings”<sup>36</sup> is the language of “ought” used in their normative argument against the Honor Solution, for instance, when saying: “Neither Fran [a rape victim] nor the Warsaw Jews ought to have felt shame had they not violently resisted.”<sup>37</sup> Yet this deontic language is inapt with regard to shame, as it is with regard to most emotions in most circumstances. This has to do, *inter alia*, with the fact that “emotions cannot be turned on or off like an electric light.”<sup>38</sup> Since “ought” implies “can,” and since one cannot simply *decide* to feel shame, it is not the case that one ought to. Thus, the fitting adjectives to use in evaluating shame are *appropriate* or *inappropriate*—and the same for humiliation and dishonor. The question, then, with rape victims is not whether they *ought* to feel dishonored, but whether they *will*, and whether such feeling would be *apt* in the circumstances. In my view, the answer to both questions is affirmative.

All the above applies not only to the dishonor and shame involved in being sexually attacked, but also to the dishonor involved in being attacked and exploited *without being able to resist it*. Again, it is not a matter of yes or no, but a matter of degree. When victims fight back, they are more honorable than they would be if they had failed to do so. Contrary to the way Hereth describes the situation, it’s not that victims “cannot live with themselves”<sup>39</sup> unless they violently resist their perpetrators, but rather that many—probably most—of them would live with themselves *better*, more proudly, and with more self-respect if they managed to put up such resistance. If that’s how the situation is understood, the link between such resistance and a partial reaffirmation of honor becomes evident. I surmise that most people very much hope that if they have to face such a test, they’ll find the physical and mental strength to put up a fight and not surrender passively to their attackers. The importance of breaking out from such passivity has to do with the tight connection between humiliation and powerlessness.<sup>40</sup> Humiliation, especially the intense humiliation of prisoners as in the Nazi death camps or the Gulags,<sup>41</sup> seeks to strip its objects from their humanity by controlling all aspects of their lives and by making them totally dependent on the whims of their tormentors. When a rape victim violently resists her attacker, she denies this humiliating message. It’s as if she says to him that she’s not a sex toy with no agency that anybody can use, but an *agent* who respects herself and will not yield without a fight.

Paradoxically, in an attempt to release victims of sexual assault from the burden of negative emotions, Hereth ends up making things worse for them. This is because while Hereth assumes that such victims ought not to feel shame or dishonor, in reality almost all of them do, which means that almost all of them respond not as they ought to do (à la Hereth) in the situations in which they find themselves. True, they have an excuse for their failure to have the proper emotional response (= not to feel shame), but having an excuse is not the same as being innocent.

My main point so far has been that, in the face of serious threats that they cannot neutralize, normal persons will inevitably feel dishonor, and at times also shame,

both for being victims of unjust attacks and for their inability to defend themselves from them. Hereth might still protest that this is a case of blaming the victim and that, for the sake of the victims, we should avoid making this move. But, as argued at length by Sharon Lamb,<sup>42</sup> the psychological picture is more complex. While there is no doubt a danger of blaming victims too much, there is also the danger of blaming them too little, thereby denying their agency and confirming the precise image that is the source of their anguish, namely, the image of being powerless victims with no responsibility for what happens to them. As Lamb puts it, “when we blame victims too little, we make them too small as individuals and reinforce the passivity that was inherent in the experience of victimization.”<sup>43</sup>

The strategy I used to deal with what Hereth calls “Honor Internalism” can also help to deal with their objections to Honor Externalism. As you recall, according to Hereth, this understanding of the Honor Solution assumes that when victims violently resist their attackers, then even when that cannot block the primary threat (for example, the rape), the resistance ensures proper treatment from the victims themselves, from their perpetrators, or from third parties. But, argues Hereth, the solution works for none of these cases; hence, it must be rejected. Let me explain why I think Hereth is wrong here.

Regarding themselves, Hereth argues that “proper self-treatment remains possible irrespective of whether they inflict defensive harm.”<sup>44</sup> But, to follow my arguments above, although logically possible, given human psychology, a person’s self-respect would almost always be enhanced if they managed to resist their attackers instead of yielding passively to them. Hence, in the real world, resisting their attackers *would* usually lead to a more positive self-image among victims.<sup>45</sup>

Regarding their perpetrators, Hereth argues that if, by resisting the rapist, the victim would ensure receiving proper treatment from him, he would stop raping her. But then no defensive means would be called for in the first place, and the Honor Solution would become irrelevant. Yet, again, respect is not a binary notion, but a matter of degree. The fact that the victims stand up against their perpetrators hardly ever turns the hearts of their perpetrators and makes them abandon their evil plans. To the contrary, such refusal to accept the attack tends to infuriate the perpetrators and make them even more cruel. But, paradoxically, this harsh response grows out of the painful recognition—from the perpetrators’ perspective—of the victims’ agency and strength. Whether they admit it or not, the resistance against them often forces perpetrators to see their victims not as powerless creatures to be trodden upon, but as courageous, determined, self-respecting individuals.<sup>46</sup>

Regarding third parties, Hereth estimates that “most of us do not look askance at sexual assault survivors or Holocaust survivors who never violently resisted their oppression.”<sup>47</sup> Here, again, I suspect that the psychological and social realities are different. Let me start with the example of the speaker who wet his pants in front of an audience. He would probably feel awkward and uncomfortable when talking with people who witnessed the event. He would feel a need

to show that he is “the same person,” the person he once was, not “the person who wet his pants,” precisely because he would suspect that his image has been seriously tainted. Thus, contrary to what Hereth assumes, when people undergo significantly shaming experiences, this often affects how others view them.

This applies also to the shame or dishonor of not resisting one’s attackers. While Hereth contends that we do not look askance at Holocaust victims for failing to resist their deportation and killing, in fact, for several decades, they were looked down upon in Israel precisely because of that; they were perceived as going passively and cowardly to their death “as sheep to their slaughter.”<sup>48</sup> Given the horrific circumstances in the ghettos and the death camps, this attitude toward the Holocaust victims was callous and totally unjustified, but it remains true that, even in the eyes of the victims, if only they *could* have put up some resistance against the Nazis, that would have made their deaths less degrading. And for the few who could rebel, for instance, in the Warsaw ghetto uprising, the goal of reaffirming their honor was explicit.<sup>49</sup>

Contrary to Hereth’s estimate, then, victims of aggression *are* often considered less honorable if they fail to stand up against their aggressors. As indicated earlier, since we all know that, we very much hope to have the mental and physical strength to resist our aggressors if we ever face such a test, and we frequently kick ourselves after the event for failing to do so, or for not doing enough. This applies not only to extreme circumstances like being in a Gulag, but also to mundane examples like being humiliated mildly in public and then kicking ourselves for not standing up for ourselves. We know that third parties witnessing or hearing about our powerlessness would find it hard to disregard it when they determine their attitudes toward us. We realize that even extreme duress will provide only partial remedy. That’s precisely why it is so important for us to rise up against our oppressors in order to at least partially reaffirm our honor.<sup>50</sup> According to the Honor Solution, the victims’ interest in doing so is so important that it sometimes even justifies them in *killing* their perpetrators.<sup>51</sup> Needless to say, making the victims feel better is not sufficient to justify such killing. The perpetrators must also be culpable for the unjust aggression. Innocent aggressors pose a much lighter threat—if any—to the victim’s honor than do culpable ones. As Benbaji put it, “when one defends oneself against an innocent threat, one avoids (more or less) harmful death. In defending oneself against a villainous threat, one avoids disrespectful death. This is why culpability matters.”<sup>52</sup>

#### 4. SUMMARY

1. Sometimes victims cannot defend themselves against the threat posed to their life, property, or sexual integrity, but they can nevertheless harm or even kill their aggressors. The natural rationale for this permission is self-defense, but since, *ex hypothesi*, the harm they inflict cannot block the threat, it is unclear how it can be justified. The reply I offered to this puzzle was that such

victims *would* be defending themselves because, by standing up against their aggressors, they would be protecting or reaffirming their honor.

2. Hereth rightly notices that, according to this reply, victims who fail to violently resist their aggressors (when they have the opportunity to do so) are for that reason less honorable than those who put up such resistance. In Hereth's view, this outcome is repugnant and inconsistent with a fundamental feminist commitment according to which victims ought not to be disrespected or shamed, not for their very victimhood or their non-resistance. Therefore, harming the aggressors in the cases under discussion achieves nothing for the victims and cannot be conceptualized as self-defensive.
3. I agree that there is something morally frustrating and irrational in people being dishonored or shamed due to factors beyond their control: being crushed by powerful aggressors, like in the cases of rape victims, or being unlucky in one's circumstances, like in the cases of the speaker who wet his pants, or the runner whose genitals were exposed. But this unfairness or irrationality doesn't change the fact that, for almost all people, such experiences *are* deeply disturbing. Most people would be willing to give a lot of money in order to avoid serious shame or degradation and, in extreme cases, would be willing to risk their lives for that purpose.<sup>53</sup> Given that avoiding dishonor is such a fundamental human interest, people have a right to use force against their perpetrators in order to at least partially protect their honor.
4. In Hereth's view, neither the victim nor the perpetrators or third parties will think more highly of the victim as a result of her violently resisting the aggression. I see things differently. For good or for bad, the fact is that victims think more highly of themselves if they manage to stand up against their aggressors, and the aggressors, as well as third parties, also tend to see them in a more honorable light.
5. What I have shown in this response is that, *contra* Hereth, the honor of victims *is* threatened when they are, for instance, sexually attacked, and that violently resisting the aggressors can partially protect their honor. Whether such violent resistance is *necessary* for such protection is a question I dealt with briefly in my original article,<sup>54</sup> but which will have to wait for some other occasion.

*University of Haifa, Israel*  
*Daniel Statman*  
*Department of Philosophy*  
*University of Haifa*  
*199 Aba Khoushy Ave.*  
*Mt. Carmel, Haifa 3498838*  
*ISRAEL*  
*dstatman@research.haifa.ac.il*

## NOTES

Thanks to Saul Smilansky for his helpful comments on an earlier draft.

1. Statman, “On the Success Condition.”
2. See, for instance, Bowen (“Necessity and Liability”); Mark Dsouza (“Retreat, Submission”); Ferzan (“Defending Honor”); Husak (“Vindication of Good”); and Øverland (“On Disproportionate Force”).
3. Hereth, “Honorable Survivors.”
4. Darwall, Honor, History, and Relationship.
5. See premises #2 in the arguments on p. 127 (Hereth, “Honorable Survivors”).
6. Hereth, “Honorable Survivors,” 127.
7. Hereth, “Honorable Survivors,” 127.
8. Hereth, “Honorable Survivors,” 127.
9. Hereth, “Honorable Survivors,” 128.
10. Hereth, “Honorable Survivors,” 128.
11. Hereth, “Honorable Survivors,” 128.
12. Hereth, “Honorable Survivors,” 129.
13. Hereth, “Honorable Survivors,” 128.
14. Hereth, “Honorable Survivors,” 128.
15. Hereth, “Honorable Survivors,” 128.
16. At some point, the paper formulates its objection to the Honor Solution disjunctively as based either on its failure to satisfy the necessity condition *or* on its repugnant implication that victims who don’t resist have diminished honor. But to establish a failure to satisfy the necessity condition, one needs the repugnant assumption, and once this assumption is made, the claim regarding the necessity condition becomes redundant. If an alleged self-defensive act fails to satisfy the success condition, it trivially fails the necessity condition as well.
17. For criticisms of the Honor Solution that do rely on its assumed violation of the necessity condition, see Bowen (“Necessity and Liability”), who argues that I have failed to show why harming threateners is the only, or the most effective way to affirm the victim’s honor; Arneson (“Self-Defense,” 260), who wonders “why honor could not be regained by a calm assertion, in thought or speech, that the aggressor is wrong and that one is a person with equal dignity and worth, and why reclaiming honor in that way—if honor is ever at stake in such proceedings—is not the morally required stance”; and Rodin (“Justifying Harm,” 93n25), who argues that my solution “depends on accepting an overly narrow conception of honor that is implausibly restricted to violent resistance to offense.”
18. See Flanigan (“From Self-Defense”).
19. See Arneson (“Self-Defense,” 261), who notes that “if we were to accept a retributivist view of punishment, in some cases, what looks like futile resistance, serves the cause of retributive justice in a rough and ready way.”
20. Øverland, “On Disproportionate Force.”

21. Hereth, "Honorable Survivors," 131.
22. Statman, "On the Success Condition," 680.
23. In a conflict between states, the defeated party might opt for "an honorable surrender," which would be one where "having left no doubt as to its resolve to defend its self-determination, a state acting on behalf of its population nonetheless decides that its duties to protect bare life ultimately trump, in the moment, its other obligations" (Mégret, "To Surrender"). But this seems unhelpful in the present discussion. For victims of the kind discussed here, like victims of sexual assault, to leave no doubt as to their resolve to defend themselves, they would already have to violently resist their perpetrators, the basis of which is precisely what is in dispute.
24. Hereth, "Honorable Survivors," 127.
25. Hereth, "Honorable Survivors," 127.
26. Hereth, "Honorable Survivors," 128.
27. Margalit, *Decent Society*, 127; emphasis added.
28. Statman, "Humiliation, Dignity."
29. See Margalit (*Decent Society*, 9): "Humiliation is any sort of behavior or condition that constitutes a sound reason for a person to consider his or her self-respect injured."
30. Hereth, "Honorable Survivors," 127.
31. For other reasons to think that grief is irrational, see Gustafson ("Grief").
32. For senses in which it is not, see Statman ("Humiliation, Dignity," section 3).
33. Such assaults violate the victim's dignity even when she is not aware of the assault. See Gardner and Shute ("Wrongness of Rape," 32). Hereth is willing to concede ("Honorable Survivors," 133n29) that "when others unjustly dishonor/mistreat you, they misappraise you and thus deprive you of honor-as-appraisal." But since honor-as-appraisal refers only to how others in fact evaluate you, this would mean that if nobody else witnesses the rape or knows about it, the rape victim suffers no damage to her honor.
34. Hereth, "Honorable Survivors," 130.
35. <https://www.dailyrecord.co.uk/newsletter/newsletter-sport/athlete-finishes-last-no-pants-27671179>.
36. Hereth, "Honorable Survivors," 130.
37. Hereth, "Honorable Survivors," 127.
38. Scherer, "On the Rationality of Emotions," 343.
39. Hereth, "Honorable Survivors," 128.
40. See, for instance, Silver et al. ("Humiliation"). See also Lamb (*Trouble with Blame*, 41–42): "It is not the physical harm that makes victimization feel so demeaning but the powerlessness. The powerlessness is exactly what victims chide themselves for."
41. Silver et al., "Humiliation," 279–80.
42. Lamb, *Trouble with Blame*.
43. Lamb, *Trouble with Blame*, 181.
44. Hereth, "Honorable Survivors," 128.

45. Victims might realize that if they resist, they will only be harmed more and, hence, decide not to. They would be compromising their honor for the sake of reducing harm.

46. Much of the literature on dehumanization contends that serious crimes like genocide are made possible thanks to the fact that their perpetrators genuinely perceive their victims as not fully human (see, for instance, Smith, *Making Monsters*). Such a perception is somewhat harder to hold if the victims stand up against their oppressors.

47. Hereth, "Honorable Survivors," 128.

48. For a brief history of the Jewish-Israeli attitude to Holocaust survivors, including the rise and fall of the "as sheep to their slaughter" metaphor, see Yablonka ("Development of Holocaust").

49. For references, see Rachel L. Einwohner ("Opportunity, Honor," esp. pp. 663–65).

50. According to Kuo ("Success and the Aftermath," 111–12), if the very standing up against one's aggressor reaffirms one's honor, then every act of self-defense necessarily satisfies the success requirement: "Whenever the victims fight back, they succeed. . . . The Honor Solution solves the problem by removing the problem." This is a powerful objection that is different to that raised by Hereth. Maybe the way to deal with it is to rely on Ohlin's deontological understanding of the right to resist aggression, which, like other rights, does not depend on its consequences. According to Ohlin ("Right to Exist," 90), the rationale for using defensive force in the cases under discussion "has nothing to do with the Success Condition. Rather, the victim has the right to resist force . . . because doing so is an expression of the defender's autonomy as both a moral agent and a legitimate object of moral concern. The right to meet force with force is a natural right that all agents are endowed with, and to succumb to force just because the defense will be ineffectual is to passively accept the unjustified aggression."

51. According to Øverland ("On Disproportionate Force"), the ground for self-defense in such cases rests not in the interests of the victims (the Jews or the sexually assaulted women), but in the fact that because of their aggression, aggressors have a lesser right to protection. For a close move, see Husak ("Vindication of Good"), who argues that the good achieved by self-defense need not be personal, namely, a good for the victim, as assumed by proponents of the Honor Solution, but may be impersonal. For criticism of Øverland's approach, see Benbaji and Statman ("Against Moral Taint"), whose main line of argument might apply, *mutatis mutandis*, to Husak as well.

52. Benbaji, "Culpable Bystanders," 586.

53. See Silver et al. ("Humiliation," 269).

54. Statman, "On the Success Condition," 680.

## REFERENCES

- Arneson, Richard J. "Self-Defense and Culpability: Fault Forfeits First." *San Diego Law Review* 55 (2018): 231–64.
- Benbaji, Yitzhak. "Culpable Bystanders, Innocent Threats and the Ethics of Self-Defense." *Canadian Journal of Philosophy* 35, no. 4 (2005): 585–622.
- Benbaji, Yitzhak, and Daniel Statman. "Against Moral Taint." *Ethical Theory and Moral Practice* 24, no. 1 (2021): 5–18.

- Bowen, Joseph. "Necessity and Liability: On an Honor-Based Justification for Defensive Harming." *Journal of Practical Ethics* 4, no. 2 (2016): 79–93.
- Darwall, Stephen. *Honor, History, and Relationship: Essays in Second-Personal Ethics II*. New York: Oxford University Press, 2013.
- Dsouza, Mark. "Retreat, Submission, and the Private Use of Force." *Oxford Journal of Legal Studies* 35, no. 4 (2015): 727–53.
- Einwohner, Rachel L. "Opportunity, Honor, and Action in the Warsaw Ghetto Uprising of 1943." *American Journal of Sociology* 109, no. 3 (2003): 650–75.
- Ferzan, Kimberly Kessler. "Defending Honor and Beyond: Reconsidering the Relationship between Seemingly Futile Defense and Permissible Harming." *Journal of Moral Philosophy* 15 (2018): 683–705.
- Flanigan, Edmund Tweedy. "From Self-Defense to Violent Protest." *Critical Review of International Social and Political Philosophy* (forthcoming).
- Gardner, John, and Stephen Shute. "The Wrongness of Rape." In *Oxford Essays in Jurisprudence*, edited by Jeremy Horder, 1–42. Fourth Series. Oxford, UK: Clarendon Press, 2000.
- Gustafson, Donald. "Grief." *Noûs* 23, no. 4 (1989): 457–79.
- Hereth, Blake. "Honorable Survivors: A Feminist Reply to Statman." *Public Affairs Quarterly* 36, no. 2 (2022): 121–35.
- Husak, Douglas. "The Vindication of Good over Evil: Futile Self-Defense." *San Diego Law Review* 55 (2018): 291–314.
- Kuo, Yuchun. "Success and the Aftermath of Surrender." *Journal of Global Ethics* 10, no. 1 (2014): 101–13.
- Lamb, Sharon. *The Trouble with Blame*. Cambridge, MA: Harvard University Press, 1996.
- Margalit, Avishai. *The Decent Society*. Cambridge, MA: Harvard University Press, 1996.
- Mégret, Frédéric. "To Surrender or to Fight On?" *Jus Cogens* 4 (forthcoming).
- Ohlin, Jens David. "The Right to Exist and the Right to Resist." In *The Theory of Self-Determination*, edited by Fernando R. Teson, 70–93. Cambridge, UK: Cambridge University Press, 2015.
- Øverland, Gerhard. "On Disproportionate Force and Fighting in Vain." *Canadian Journal of Philosophy* 41, no. 2 (2011): 235–62.
- Rodin, David. "Justifying Harm." *Ethics* 122, no. 1 (2011): 74–110.
- Scherer, Klaus R. "On the Rationality of Emotions: Or, When Are Emotions Rational?" *Social Science Information* 50, nos. 3–4 (2011): 330–50.
- Silver, Maury, Rosaria Conte, Maria Miceli, and Isabella Poggi. "Humiliation: Feeling, Social Control and the Construction of Identity." *Journal for the Theory of Social Behavior* 16, no. 3 (1986): 269–83.
- Smith, David Livingstone. *Making Monsters: The Uncanny Power of Dehumanization*. Cambridge, MA: Harvard University Press, 2021.
- Statman, Daniel. "Humiliation, Dignity and Self-Respect." *Philosophical Psychology* 13, no. 4 (2000): 523–40.
- . "On the Success Condition for Legitimate Self-Defense." *Ethics* 118, no. 4 (2008): 659–86.
- Yablonka, Hanna. "The Development of Holocaust Consciousness in Israel: The Nuremberg, Kapos, Kastner, and Eichmann Trials." *Israel Studies* 8, no. 3 (2003): 1–24.