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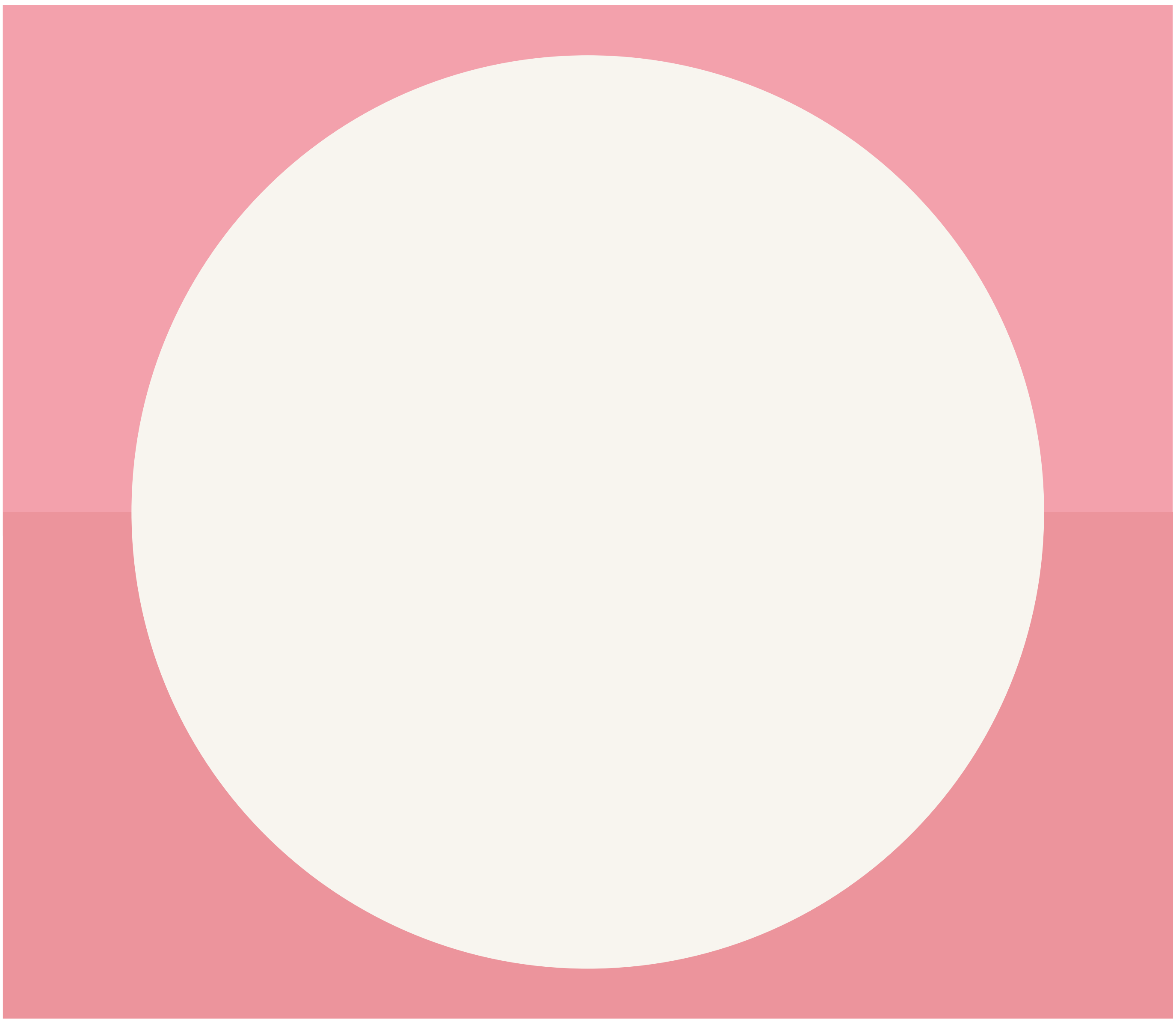

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The Philosophy Club at the University of California, Irvine

UCI DEPARTMENT OF PHILOSOPHY

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Letter from the Department Chair

It is a great pleasure for me to write about the third issue of UCI Philosophy Club's undergraduate journal Falsafa. Like in previous issues, Falsafa confirms its commitment to widening the philosophical canon by considering issues in feminist philosophy – such as how best to respond to sexist criticism of the #MeTooMovement –, or the role that Laozi's Ancient Chinese philosophy could play in the contemporary world. There is as much to learn from these contributions as there is to learn from the ones on monogamy and the epistemic value of fanfiction, particularly for members of the LGBTQ community. As always, the commitment of the editorial team has secured a high-quality issue, which will no doubt stir the interest of Falsafa's readers.

Annalisa Coliva
Professor and Chair
Department of Philosophy
University of California, Irvine

Letter from the Chief Editors

We humbly welcome you to the third issue of Falsafa, an undergraduate journal of philosophy published at the University of California, Irvine. Falsafa (Urdu for 'philosophy') aims to bring awareness to underrepresented philosophical sub-disciplines by sharing intriguing academic writings that are authored by undergraduate students from around the world. In previous issues, our teams have successfully published essays on Islamic Philosophy, Chinese Philosophy, Native American Philosophy, and the Philosophy of Gender and Sexuality. Our primary mission has been to share with our readers an array of qualified essays that encourage critical thought about marginalized ideas and arguments. We believe in diversifying mainstream philosophical discourse to refine and develop ideas that are often harmfully overlooked. By allowing readers to engage with such ideas through our inclusive publications, we believe that a much more comprehensive and nuanced understanding of the world can be created.

Since the founding of Falsafa in Spring 2018, we have striven to publish each issue with great promptness; however, due to the unexpected COVID-19 pandemic, our publication journey was significantly disrupted. Despite the challenging circumstances created by the pandemic, we were determined to overcome and remotely publish the third issue for readers to eventually enjoy and contemplate. We sincerely thank all of our nominated authors and the faculty and staff of the UCI Philosophy Department for their utmost patience, assistance, and understanding throughout the entire publication process. We would also like to thank our contributing authors for their fantastic submissions on various original and relevant topics.

We hope that you enjoy the third issue of Falsafa and find fascination in the unique topics that it introduces. We greatly appreciate your support!

Danilo Escobar, Paulina Guajardo, and Zahrah Kabbara
Chief Editors
***Falsafa*, The Undergraduate Journal of Philosophy**

Sexual Harassment and the Ethics of Care: A Response to Sexist Criticisms of the #MeToo Movement

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ABSTRACT

Feminist care ethics can provide significant insights into the sociocultural dimensions of sexual harassment that are highlighted by the emergence of and responses to the #MeToo movement. In this paper, I examine criticisms of #MeToo in the media to explore how people respond to cases of sexual harassment. In reviewing criticisms of #MeToo, I use a framework of care ethics and Kate Manne's concept of himpathy to investigate how inappropriate affective responses contribute to acts of sexual harassment and negative responses toward it and how sociocultural forces uphold this schema structurally. I use the ethics of care as a framework to argue that there is a systemic inappropriate affective response toward sexual harassment. Critics of the movement fail to see this point and instead provide examples of the affectively inappropriate attitude, which is to extend sympathy and concern to the perpetrators of sexual harassment but not to the actual victims.

The rise of the #MeToo movement in autumn of 2017 has brought discussions and debates about sexual harassment to the forefront of people's minds worldwide. Finally, there seems to be a widespread acceptance of the pervasiveness of sexual harassment. According to a 2018 survey by the non-profit organization Stop Street Harassment, 81% of American women have experienced some form of sexual harassment[1]. However, sexual harassment is often a more hidden and dismissed form of sexual violence. The #MeToo movement, nevertheless, has thousands of women speaking out about experiencing sexual violence, including harassment. Tarana Burke, the founder of #MeToo, originally intended for the movement to foster solidarity amongst survivors of sexual violence and to connect them with resources. However, since the hashtag took off, #MeToo seems to have become more focused on calling out perpetrators and on "raising awareness." Although philosophers have not written much about #MeToo, a few have situated the movement in relation to the epistemology of testimony and epistemic injustice[2]. However, moral philosophy can give

1 Collier Hillstrom, The #MeToo Movement, 1.

2 See Burgess, "Between the Desire for Law" and Stewart, "'Why Didn't She Say Something Sooner?'"

significant insights into the #MeToo movement as well. In this paper, I analyze the discourse of sexist criticisms of the #MeToo movement present in popular media and respond to them using the framework provided by the ethics of care. I reference the literature on care ethics by Nel Nodding and Margaret Olivia Little, as well as Kate Manne's work on misogyny, to outline the framework for responding to these sexist criticisms[3]. I argue that the criticisms of the movement point to inappropriate affect, or lack of affect all together, toward instances and victims of sexual harassment. In short, there is a systemic moral and epistemic failure, as North American culture improperly cares about victims and fails to perceive the salience of sexual harassment.

In this paper, I conceive of sexual harassment as a dignitary harm. In her paper "Recent Thinking about Sexual Harassment," Elizabeth Anderson outlines two categories of theories of sexual harassment: group-based and individual. A group-based theory of sexual harassment, in which women as a group speak out against the injustice of sexual violence and bring attention to how it affects them in virtue of being a member of the group, may seem more appropriate in light of the #MeToo movement. Group-based theories view the wrong of sexual harassment as the inequality it enforces by discriminating against women as a group[4]; however, I find this view unsatisfactory when accounting for the particularity of the pain and harm caused by sexual harassment. Additionally, viewing sexual harassment as an affront to the victim's dignity has the advantage of encompassing all cases of harassment and it has wide normative scope[5]. Nevertheless, the dignity theory of sexual harassment fails to explicitly account for the material harms of harassment and depoliticizes it[6]. Despite this, the dignity theory seems to be the most appropriate account for the post-#MeToo era, as it does account for the diversity of cases presented by women of various intersecting identities; it also accounts for the specific pain of sexual harassment which motivates the sharing of these stories. The material harms, such as the harm of employers and other powerful men pushing women out of the workforce by perpetrating sexual harassment, are a consequence of the dignitary harm. Working with dignity theory, then, the appropriate affective response towards sexual harassment would be disgust towards violations of someone's dignity, and the desire for people to live without experiencing such an affront.

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3 I would like to highlight that the #MeToo movement has also been criticized for a lack of diversity and intersectionality after high-profile white women co-opted Burke's hashtag. Criticisms of this type are valid and worthy of further investigation, but are beyond the scope of the present discussion.

4 Anderson, "Recent Thinking About Sexual Harassment," 290.

5 Ibid, 292.

6 Ibid, 294.

The first criticism of #MeToo I will consider is that some commentators feel that the movement is too broad and unfocused. Particularly, some feel that #MeToo is justified in outing abuses committed by men in positions of power in the workforce but not in its discussion of sexual harassment that women have experienced in the public or social sphere. For instance, Andrew Sullivan, in New York Magazine, writes that “the early exposure of Roger Ailes, Bill O’Reilly, and Harvey Weinstein… quickly extended to more ambiguous and trivial cases.”[7] Although he does not expand on what is meant by ‘ambiguous’ or ‘trivial’ cases, it seems fair to assume that he means harassment committed outside of the workplace without a large power imbalance, and perhaps even cases of street harassment. In addition, some critics have also disparaged #MeToo for becoming a ‘witch-hunt.’ They say that women have become unhinged in accusing men with unsubstantiated stories. Sullivan, for instance, uses the term ‘McCarthyism’ in his piece. He states that he believes women in specific cases, but “nuance, context, and specifics matter.”[8] Writer Laura Kipnis, although more sympathetic toward #MeToo overall, suggests in The Guardian that the movement has “gone too far” in some respects, noting that unsubstantiated accusations can wreck someone’s career.[9] Overall, this group of critiques points to #MeToo as being too broad and not precise enough in focus, thus overreaching in its aims.

The second sexist criticism that I have identified is the notion that #MeToo has problematized interactions between men and women to the point where men cannot navigate relations with women in the workplace or social settings. This sentiment was expressed by French actress Catherine Deneuve and one-hundred other women, who published a letter in Le Monde, which claimed that “rape is a crime. But trying to pick up someone, however persistently or clumsily, is not — nor is gallantry an attack of machismo.”[10] The “freedom to bother” is integral to sexual freedom, the women argue.[11] Interestingly, these women are calling for the maintenance of the traditional norms of heterosexual desire, whereby men pursue women, and it is up to women to accept or decline their advances. They view #MeToo as going too far in challenging these norms, thereby suppressing sexual freedom. In addition, turning from the dating world to the working world, the Harvard Business Review reports on a study in which 21% of men surveyed said “they

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7 Sullivan, “Resist the Excesses.”

8 Ibid.

9 Kipnis, “Has #MeToo Gone Too Far.”

10 Worldcrunch, “Full Translation of French Anti-#MeToo Manifesto.”

11 Ibid.

were reluctant to hire women for jobs involving close interpersonal interactions."[12] Overall, this criticism indicates a sexist backlash through the excessive concern for the problematization of social interactions.

The epistemology of care ethics, as articulated by Noddings and Little, reveals how the two sexist criticisms of #MeToo are unfounded; more specifically, they all rest on an inappropriate, or lack of, affective response. Noddings explains how "caring involves stepping out of one's own personal frame of reference into the other's. When we care, we consider the other's point of view, [their] objective needs, and what [they expect] of us."[13] A key insight from care ethics is the important role of both reason and emotions or affect in morality. In her paper "Seeing and Caring: The Role of Affect in Feminist Moral Epistemology," Little criticizes traditional ethical theories for subsuming emotions under reason. Little elevates the status of affect, claiming that it has two important roles in moral decision making. First, it allows us to pick up on the moral salience of situations. Second, it is necessary for ascertaining the morally relevant properties of a situation.[14] Noddings defines affect as "the conscious subjective aspect of experience."[15] Therefore, along those lines, I take 'affect' to refer to emotional responses or states that do not contain propositional content.

Overall, care ethics provides guidance for how we should respond to women coming forward with stories of sexual harassment. The movement itself can be seen as a coordinated effort to demand a widespread change in the affective response towards this issue. As writer Sarah Jaffe suggests, #MeToo "is a demand for men to do the work of learning."[16] In other words, the movement is a demand for men or other sexual harassment skeptics to cultivate the mindset that Little calls "sympathetic thinking,"[17] which roughly means empathy, so that they may better understand the moral wrong of sexual harassment. Sympathetic thinking is both an epistemic and moral ideal; in fact, Noddings describes it as a "reading of the other that engenders both feeling and understanding."[18] Moreover, Little claims that "to conceptualize a situation in moral terms is to see it

12 "The #MeToo Backlash."

13 Noddings, Caring, 24.

14 Little, "Seeing and Caring," 133.

15 Noddings, Caring, 132.

16 Jaffe, "The Collective Power," 84.

17 Little, "Seeing and Caring," 118.

18 Noddings, "The Language," 55.

as meriting some response."[19] So, #MeToo wants the public to properly conceptualize situations of sexual harassment so that they see that action or some emotional response—particularly outrage or disgust—is warranted. However, as can be seen from the sexist critiques discussed, the inappropriate affective response remains pervasive.

Sexual harassment and the #MeToo movement should not merely be examined in terms of individual acts of harassment in isolation, although one might think that dignity theory and the ethics of care framework might limit them to such an analysis. All of the individual stories of #MeToo add up to a narrative about the structural nature of sexual harassment. Therefore, Manne's concept of 'himpathy' is a useful addition to the conversation. Himpathy is an example of the wrong affective response towards sexual harassment. Manne writes that himpathy is "the excessive sympathy sometimes shown towards male perpetrators of sexual violence. It is frequently extended in contemporary America to men who are white, nondisabled, and otherwise privileged 'golden boys.'"[20] In Manne's view, himpathy is extremely common and entrenched in the history of patriarchal societies. She says we have been collectively overinvested in upholding male dominance and do not notice the lengths we go to for this end.[21] Himpathy's systemic nature indicates that it is one of the structural elements contributing to the prevalence of sexual violence and repressing victims.

Given the considerations on caring and affect from Little, Noddings, and Manne, I argue that the two sexist criticisms of the #MeToo movement exhibit flawed moral reasoning by failing to hold the proper affective response toward the women coming forward and instead showing disproportionate concern for the perpetrators. First, by claiming that the movement is too broad, critics invalidate certain cases of sexual harassment or sexual violence. To invalidate certain #MeToo stories for not conforming to a paradigmatic power imbalance seems to miss the point. For one, a moral evaluation of sexual harassment to hinge upon who committed the offense and in what context is entirely arbitrary. Sexual harassment is not just a workplace issue because it can also occur at school, on public transportation, in public spaces—in other words, it can occur everywhere. Intuitively, most would agree that sexual harassment is wrong no matter the context. Critics, then, demonstrate the improper affective response if they are only moved by cases in the workplace with large power imbalances. However, within the ethics of care framework, stipulating

19 Little, "Seeing and Caring," 126.

20 Manne, Down Girl, 197.

21 Manne, Down Girl, 182.

that we should only care for people in certain paradigmatic scenarios is epistemically and morally unsound. Little elaborates on why affective response is essential for moral knowledge:

> **"A person who never responds at any level to what [they term] cruel or obligatory… does not have autonomous understanding of the concepts [they invoke]. Imagine a person who tries to understand what is meant by "valuable," who suddenly seems to catch on… but persistently tries to destroy what we point to as examples."[22]**

Moral knowledge, for Little, is not merely propositional or rule-based but contains an affective element which is integral to making moral evaluations. The missing affective component is why someone can claim to understand the wrong of sexual harassment but then dismiss clear cases of it. Jaffe points out how "even when [men] are not bosses, when they might have had little tangible power over others, they have had the power of not being required to learn to read people around them."[23] She suggests that patriarchal structures excuse men from cultivating sympathetic thinking or attuning their affective response. In this case, critics are failing to see the moral salience of sexual harassment that occurs outside of the workplace; at worst, this could be read as a himpathetic exoneration of perpetrators of the 'less severe' cases. Concern for the breadth and zeal of #MeToo disguises excessive himpathy towards wrongdoers.

Turning to the second criticism also reveals himpathetic leanings. Recall that the second criticism indicates a greater concern for how men will be able to navigate social situations then for the potential harms caused to women. Manne explains that himpathy causes us to sympathize with men first, "effectively making him into the victim of his own crimes,"[24] or potential crimes, in this discussion. Clearly, this is an issue because there is a greater concern for how men's actions will impact their standing than on how men's actions will impact women. Furthermore, through the care ethics framework, I argue that people would not need to worry about their interactions inadvertently being regarded as harassing if they adopted the proper affective attitude. From a stance of sympathetic thinking, they would have the disposition required to properly assess their interactions and understand appropriate conduct for a particular encounter. Caring eliminates the need to worry about the abstract norms of conduct. Instead, the specifics of the situation and the relation between the people in it is what matters. Consider this example from Little in which she claims that "a person who hears the particular beauty in jazz and the person who hears it

22 Little, "Seeing and Caring," 128.

23 Jaffe, "The Collective Power," 83-84. (emphasis original)

24 Manne, Down Girl, 201.

as plain noise are not experiencing the music in the same way."[25] Thus, someone who lacks the proper affective response will not read a social situation in the same way. To them, a situation may be normal and nonthreatening just like jazz music may be unappealing to the unaccustomed ear. However, from a position of sympathetic thinking, I suggest that it is not difficult to discern the difference between 'clumsy flirting' and harassment.

Considering famous cases and stories that have emerged from #MeToo exemplifies the potency of himpathy at work in responses to the movement. For example, the sexual harassment case of Louis C.K. exposes a deficient affective response towards victims and an excessive amount of concern for the perpetrator. Julia Wolov and Dana Min came forward to the New York Times with the story that C.K. masturbated in front of them. Despite these women coming forward, C.K. is making a comeback; for instance, he performed a sold-out show at the Toronto comedy club Yuk Yuks in October 2019 and is booking gigs worldwide.[26] On the other hand, the women's careers have been shunted since coming forward. Wolov believes that she has not been hired for writing jobs due to broaching C.K's misconduct.[27] The reasoning underlying the two criticisms of #MeToo that I discuss in this paper can be seen in C.K.'s comeback. Related to the criticism that the movement is too broad and unfocused, the 'witch-hunt' fear emerges in the excessive concern for C.K.'s career prospects. Moreover, the founder of Yuk Yuk's has stated that the victims actually 'consented' to the behaviours, thus upholding the traditional narrative suggesting that men will act on sexual desires until women reject the advances. C.K.'s comeback denotes the power of himpathy in which public opinion has excessively extended sympathetic thinking towards him. Manne suggests that sympathy flows up the social hierarchy, bolstered by conventional power relations.[28] This does seem to work in C.K.'s favour: the women have been punished for publicizing his behaviour while he escapes without any severe consequences. The inappropriate affective response toward the victims manifests structurally in the comedy world's facilitation of C.K.'s comeback and simultaneous rejection of Wolov and Min, and in the public's embracing of C.K.'s comeback shows.

An issue implicit in this paper is whether or not people do not know about sexual harassment or whether or not they simply do not care about it. The criticisms of #MeToo and the handling of

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25 Little, "Seeing and Caring," 126.

26 Szklarski, "Louis C.K. Accuser 'Infuriated'."

27 Ibid.

28 Manne, Down Girl, 248.

famous cases such as C.K.'s illustrate how caring is central to moral knowledge of sexual harassment. Practicing sympathetic thinking toward perpetrators and not victims obscures the harm of sexual harassment, which leads to insufficient recourse for victims. In her examination of #MeToo, Kipnis posits that the central question of the movement is "where to draw the lines – and whether there should be lines drawn at all."[29] She writes that "what used to be liminal is getting co-opted and redefined; that makes us nervous."[30] Knowing where the lines are drawn, memorizing objective rules and norms for social situations, or using the lines to create a template that all cases of sexual harassment can be evaluated against are all not enough. Sympathetic thinking toward victims must be practiced to affirm their pain and put an end to practices that punish them for coming forward, such as in the cases of Wolov and Min. Manne describes how himpathy "affects our habits of moral attention: their operation may hence feel, from the inside, like simply being fair to the men who stand accused, rather than being unfair to the women who are making these accusations."[31] To make adequate moral judgements toward sexual harassment cases, thus, requires having the proper affect of caring for the victims. Without the affective element of caring about sexual harassment, judgements will exonerate the perpetrators.

Ultimately, the epistemology of care ethics reveals how a moral evaluation of sexual harassment hinges on both reason and affect with #MeToo calling for the adoption of the proper affective response. The criticisms, however, demonstrate a stubborn epistemic stance that is resistant to fine-tuning one's moral perceptions; as Little suggests, this may be because we are often resistant to what is unique and often apprehend others' experiences within our own generalizations or templates.[32] After centuries of patriarchally enforced norms, #MeToo qualifies as unique in the sense that it brings greater awareness toward the prevalence of previously overlooked situations. With norms of the protection of men and the domination of women being overturned, 'himpathetic' inclinations have emerged in a full-force defense. Little proposes that listening from a stance of caring and sympathetic thinking is one of the few antidotes that we have for these stubborn tendencies of our preconceived templates that inform our moral perceptions.[33] Sympathetic thinking is needed toward women in the post-#MeToo era so that women may be extended the unconditional

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29 Kipnis, "Has #MeToo Gone Too Far."

30 Ibid.

31 Manne, Down Girl, 219.

32 Little, "Seeing and Caring," 124.

33 Ibid.

care and sympathy that has historically been overextended toward men. Observers or listeners of the #MeToo movement should be moved by the desire for all people to navigate the world without fear of affronts to their dignity by sexual harassment.

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Friendship, Sexual Promises, and the Moral Permissibility of Monogamy

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ABSTRACT

In his paper, "Is Monogamy Morally Permissible?", Harry Chalmers attempts to convince us that monogamy is not morally permissible by arguing that it is wrong to hold someone to a commitment to be monogamous when they would rather not be. He does this largely by arguing through analogy and asking us to imagine the wrongness of two friends holding each other to a promise not to have any other friends. In this essay, I will rebut Chalmers claimsby first arguing that there are—at least for some individuals—positive benefits to monogamy that outweigh the harm of restricting one's liberty and then by challenging the claim that friends should not hold each other to a 'friendship monogamous' commitment. I challenge this claim on the basis of personal liberty and the commonly held assumption that freely consenting adults should not be prevented from pursuing the relationships they desire. I consider and address the objection that unjust social pressures damage this libertarian conception of relationships.

In his paper, "Is Monogamy Morally Permissible?", Harry Chalmers asks whether monogamy is morally permissible and answers with a resounding denial; he reasons that (1) obliging one's partner to keep a monogamous commitment imposes significant costs on them (i.e., that they are no longer able to perform sexual or romantic activities with others), and (2) this cost is not outweighed by any positive outcome that can only come about through a monogamous commitment. Because imposing costs on one's partner that are not outweighed by benefits is wrong, Chalmers concludes that monogamy—or at least, holding one's partner to a monogamous commitment—is wrong. He then proceeds to spend the bulk of his paper addressing potential objections to (2) by offering reasons people might give in favour of monogamous obligations and tearing them down. I believe that both of his claims are suspect for the following reasons: premise (1) seems untrue because refraining from having sex and being romantic with more than one person, strikes me as a relatively minor cross to bear, and premise (2) seems untrue because there does appear to be genuine and significant positive benefits that, for many people at least, can only occur within the context of a relationship bound by monogamous commitment. In this paper, I will focus on

(2) since (1) seems to be more of a matter of opinion than of philosophy, and I will attempt to offer a positive account of how holding one's partner to a monogamous commitment can be beneficial; I will do this by first recreating Chalmers' argument along with the most salient counterarguments that he poses; then, I will rebut some of the arguments that he gives against the benefits of monogamous commitments as well as offer my own arguments for monogamy's positive aspects; afterwards, I will argue for the permissibility of monogamy based on individual liberty as well as address Hallie Liberto's argument that monogamous commitments are impermissible because they strip individuals of their autonomy through 'over-extensive' promises; and finally, I will consider the criticism that unjust social pressures make entering monogamous relationships less of a free choice than it should be.

THE MORAL IMPERMISSIBILITY OF MONOGAMY

Chalmers begins his argument by attempting to show through analogy why holding someone to a monogamous commitment is wrong. He asks us to imagine a pair of 'monogamous friends.' By this, he means two people who are friends only in a platonic sense, but have a commitment to keep that friendship exclusively between them in the same way a monogamous romantic couple chooses to keep their romantic relationship exclusively between them. These 'monogamous friends' have agreed to refrain from being friends with any person aside from each other. Neither is allowed to act in ways that might constitute or promote friendship with another person. If one does so, the other would feel mortified and betrayed and perhaps would even end their friendship altogether. Each of them knows that this reaction is expected should their unwavering commitment lapse. According to Chalmers, this is clearly not a good situation since friendship is an "important human good," and it is wrong to try to prevent someone from attaining such things.[1] We should be happy when our friends make new friends, and we should probably even encourage it because friendship generally contributes a great deal to a person's wellbeing. Of course, one might not want new friends for oneself, and one's friend might also express a desire to not have any extra friends;because of this, the two might form a 'de facto' monogamy without any promise of commitment, but this type of situation is not Chalmers' concern. His real concern is the willful forbidding of another from pursuing friendship with others; this is what he believes constitutes the wrong in friendship monogamy.

1 Harry Chalmers, "Is Monogamy Morally Permissible?" The Journal of Value Inquiry vol. 53, no. 2, (2018): 225.

With romantic relationships, seeing much of a difference is difficult. In monogamous romantic relationships, couples agree to refrain from being romantically or sexually involved with any person aside from each other. When a member of the couple breaches this agreement, the other generally feels mortified and betrayed; this is more or less expected and accepted, since this arrangement should seem more acceptable than friendship monogamy is curious. After all, if friendship should not be limited because it is an 'important human good,' then why should we limit sex and romance, which are also 'important human goods,' to a single person? Sexual and romantic relationships provide us with many amazing things; for instance, Chalmers cites that they provide us with intimacy, pleasure, and self-knowledge.[2] If a person would experience more of these goods from being with multiple people, preventing them from taking that route seems cruel. We should instead hope that our partner(s) feel free to enjoy themselves sexually and romantically with however many people it would take for them to feel satisfied, whether it be one person or one hundred.

Chalmers grants that this is a controversial argument, and he anticipates that many critics will attempt to offer reasons that justify the forbidding of one's partner from searching elsewhere for sex and romance. He lists several arguments of varying strengths that people might use to defend monogamy and picks them apart one-by-one. I will focus on his 'specialness defense,' 'practicality defense,' and 'jealousy defense,' as they seem to be the strongest. I will state each of these defenses, offer Chalmers' criticisms of them, and then attempt to defend each by appealing to the value in monogamy.

SPECIALNESS DEFENSE

The Specialness Defense of monogamy claims that holding one's partner to a monogamy commitment is justifiable because being in a relationship with just one person contributes to making that relationship 'special'. More specifically, there is a specific value in "choosing and being chosen by" only one other person, and this value outweighs the wrong in denying one's partner the value of sexual and romantic relationships with others.[3] Chalmers finds this argument unconvincing largely because it fails to create a disanalogy between romantic relationships and friendship. A monogamous friendship as described above may appear 'special' in the relevant sense, but we should still find it wrong to hold someone to a commitment to have no other friends.

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2 Chalmers, "Monogamy": 225.

3 Chalmers, "Monogamy": 228.

Moreover, Chalmers doubts that relationships of this type really are 'special' unless by special we simply mean 'exclusive.' A parent's relationship to their first child does not become less 'special' if they have a second, unless one means that they cease having exclusively one parent-child relationship. There are two relationships where there was just one, but that does not mean that each child receives only a half-portion of love. Rather, the parent develops another equally 'special' relationship with the second child. There is no in-principle reason that this cannot be the case with romantic relationships as well.

In reply to Chalmers, I would argue that in some types of relationships, exclusivity can be a positive factor. For example, take the relationship between a confidant and confider, which are roles that members of monogamous relationships often find themselves in. Being the first—or only—person someone comes to in order to confide in means something significant for that relationship. A situation with one speaker and one listener of sensitive information is a level of intimacy unique to that of two people. If one confides the same sensitive information in two,three, or more people, it necessarily becomes less of an intimate secret as the number shifts from more private to more public. People in non-monogamous relationships will, of course, find themselves in intimate two-person conversations wherein one is a confidant and the other is a confider; however, what distinguishes the specialness of monogamy in this type of situation is that—in a good relationship, at least—the most important confidant and confider for each person is each other. One's partner is usually the first to know of amazing or tragic news as well as the first person one goes to in order to get something off one's chest. One knows that one's secrets are safe with one's partner, one makes clear to their partner that their secrets are safe as well, and each knows that the secrets of those outside the relationship are not nearly as important.

Similarly, one's partner is usually the first and most important person one considers in making a big life-choice, such as moving cities or buying a house. Thus, one type of 'specialness' that monogamy provides is the primacy of importance in one's thoughts and actions and the safety of knowing that that primacy will not change. One can have only one first consideration, and one's monogamous partner will generally be it.

THE PRACTICALITY DEFENSE

The Practicality Defence of monogamy claims that though in an ideal world in which we had unlimited time, energy, and emotional resources, it might be true that monogamy is unjustifiable; unfortunately, these things are scarce in our world, being a good partner to just one person is difficult enough, and being a good partner to several individuals would be a Herculean task. Monogamy is, thus, justified simply on the basis of the infeasibility of organizing our relationships in any other way. Chalmers finds this argument to be poor on the grounds that it fails to provide a disanalogy between relationship and friendship monogamy. Having more than one friend means we have less time and energy to spend with each friend. We only have a limited amount of resources and, therefore, cannot support a limitless number of partners, whether they are relationship partners or partners in friendship; nevertheless, this does not mean that we are limited to only one partner nor does it mean that all people must have the same limit. If one has an extraordinarily large amount of free time, energy, and emotional resilience, then one should be able to maintain several more intimate relationships than, for example, a busy executive working twelve-hour days. There is no principled reason that only one of these relationships can be romantic. Likewise, if the concern about having more than one romantic partner is that it would be difficult to devote enough time and energy to each, then we should be equally concerned about having time-consuming hobbies.

I believe that Chalmers' argument here is stronger than his argument against the specialness defense, but it still seems like he is too easily dismissing a legitimate concern. A lack of free time seems like a poor justification for holding someone to a monogamous commitment, but there are other practical reasons as to why non-monogamous relationships could be unfeasible for some. To reiterate my argument on behalf of the specialness defense, a benefit of monogamy is that it allows one's partner to always be one's first consideration in important matters, and it allows one to know that they are the first consideration of their partner. That one cannot have two 'first priorities' is practically the case, and if having and being a first priority is important to a person, they will have a tough time in a non-monogamous relationship regardless of how much free time they have. We might imagine a man in a non-monogamous relationship with two girlfriends, each of whom he has an equally deep and intimate relationship with. One of his girlfriends just got offered her dream job in another city, and now he is faced with the decision of whether or not to join her. If he was in a monogamous relationship with her, ceteris paribus it would be a no-brainer that he should move with her, especially if he loves her and wants to support her in having a fulfilling career. However, since he has two equally loving and intimate relationships, he must choose one girlfriend to say goodbye to, thus causing great pain and hardship to those involved. We have to make decisions about who we spend our time and life with is simply a practicality of life; for some, the desire to have a single person to make these decisions with and about and the desire to know that that person reciprocates that desire is a strong enough pull to make monogamy worth it.

THE JEALOUSY DEFENSE

The Jealousy Defense is what Chalmers believes to be the most popular and persuasive defense of monogamy, for it comes from the intuitive appeal that the very thought of our partners being sexually or romantically involved with someone other than ourselves fills us with an overwhelming sense of fear, rage, and jealousy. We want our partners all to ourselves, and we feel betrayed when they want someone other than us. Regardless of the reason behind these feelings, many people feel a great aversion to their partner being romantically or sexually involved with another, and this reason alone is enough to justify monogamy. Monogamy allows one to hold their partner to a commitment to refrain from committing this jealous-making behaviour in return for binding oneself to this same agreement; this allows one to worry less about infidelity because an agreement about its impermissibility is implied or explicit in a monogamous relationship.

Chalmers rebuts the Jealousy Defense by reframing its focus. Although it might make one jealous if one's partner becomes romantically or sexually involved with another, the fact that we feel jealousy is less important than the reason why we feel jealous. We do not feel jealous out of concern for our partner, because if they wish to sleep with or be romantic with other people, doing so probably brings them some degree of happiness anyway. Therefore, we feel jealous due to our own selfish concerns. We may think that we are not 'enough' for our partners, fear that our partners will leave us for better matches, and have a possessive and controlling desire to have our partners all to ourselves; these are reasons that reflect our own insecurities and unhealthy desires, and we should attempt to combat them rather than 'capitulate' to them by submitting to monogamy.[4] If we are afraid we are not 'enough' for our partners, the more selfless and loving action would be to allow them to see other people who fulfill those desires that we cannot, rather than vainly hope that we can be everything our partner needs. If there is a better match for our partners, the mature action would likewise be not to stand in their way of finding that match. If we simply want our partners all to ourselves regardless of what would be best for them, then we should re-examine our unhealthy views about relationships. We cannot simply become un-jealous, of course, and it is unlikely that anybody wanted to feel jealousy in the first place. What we can do, however, is attempt to work on changing these attitudes to foster a healthier and less jealous view of relationships; part of this includes being more open to non-monogamous conceptions of

4 Chalmers, "Monogamy": 236.

relationships.

This reply to the Jealousy defense is, I believe, is Chalmers strongest. It does seem true that jealousy should not function as a justification of holding people to monogamous commitments. That being said, I do think that Chalmers goes too far in asserting that jealousy is a wholly immature and unjustifiable feeling. Often, jealousy arises not from an infantile desire to possess someone but rather from a feeling of hurt, disappointment, and fear about one's partner not wanting the same things out of a relationship as oneself. If one genuinely thinks that a monogamous relationship provides something valuable, such as being someone's first priority, then it seems justifiable for one to be jealous or at least unhappy if the person that one wanted to share this value with does not reciprocate that desire. In other words, while jealousy cannot successfully serve as a justification for monogamy, monogamy may serve as a justification for some jealousy. The fact that we feel jealous when one spurns our desire for monogamy seems to indicate that we place some value in it. Though in an ideal world we would feel happy for our partners if they found that they are better off with someone other than us or someone in addition to us, that a person might feel somewhat angry, jealous, or depressed for losing or failing to attain something valuable that they saw in a monogamous relationship is not indicative of a moral flaw in their character. Rather, it is a natural, albeit unpleasant, response to disagreeable circumstances.

LIBERTY AND THE MORAL PERMISSIBILITY OF FREELY ENTERED ARRANGEMENTS

In addition to the above rebuttals of Chalmers, I pose one further argument for the moral permissibility of monogamy that is centred around the belief that relationships between informed and freely consenting adults are generally morally permissible regardless of what those outside of the relationship may think of it. To be able to pursue happiness in whatever way one sees fit so long as nobody is harmed is a fundamental right. If two people believe that they will be happiest in an exclusive two-person relationship, then they should be able to pursue that relationship with moral impunity. We may call this argument The Libertarian Defense of Monogamy.

THE LIBERTARIAN DEFENSE

My Libertarian Defense of Monogamy aims to strip Chalmers' argument of its analogical force at the start by denying his original premise that it would be wrong to hold someone to a 'friendship monogamy' commitment. For example, we can imagine two people named Bill and Greg who voluntarily and consensually agree to be friends with no other people and promise to hold each other to that commitment by threatening to end the friendship if one of them lapses. They do not harm anyone at all outside of their arrangement. Although their arrangement may be odd, it would be a moralistic intrusion to call such a relationship 'impermissible.' The relationship is indeed a restriction of each party's liberty to pursue what generally constitute 'important human goods' (i.e., other friendships). However, assuming that each party is a rational actor, each must believe that the value provided by the relationship, whether it is the thought about priority or some other value, outweighs the cost to their liberty required to pursue it. Perhaps Bill and Greg each believe that their happiness could be maximized by devoting all of their friendly attention toward each other and without having the distraction of other less devoted friends. They may each think that the best way to ensure that this arrangement stays in place is through the potential for punitive action. Regardless of the reason, they each must agree to the arrangement because it seems like it is in their interests.

One may object, in the vein of Hallie Liberto, that even if such an arrangement is in each person's best interests, it would be wrong for one partner to hold the other to it because it is based on an 'over-extensive promise' (i.e., a promise in which the promisee ought not accept because it grants them too much authority over the promisor's decision-making power).[5] The promise in Bill and Greg's case, which is that each of them promises to have no other friends, may be over-extensive because it gives each person too much authority over how the other conducts his social life. Perhaps one should always have the final say over who they can be friends with, regardless of whether or not they would give up that say; because of this, one may have a moral obligation to free anyone from promises made granting authority over their social life. If Bill decides after the start of the relationship that he, on second thought, would rather have more than one friend, Greg having the ability to act against this due to Bill's original promise would seem unjust. Greg possibly attempting to restrain Bill by threatening to end their friendship if Bill sees other people would seem unfair, though it would be warranted under the promise that each of them made. Bill would lose something meaningful by losing Greg's friendship, especially since they were close enough at one point to agree on such a commitment. The fear of loss may prevent Bill from pursuing what he truly wants because of the value that he places on this friendship. Bill and Greg's arrangement works out fine when each wants to exclusively be each other's friend (i.e., a 'de facto' friendship monogamy). But when Bill wants more friends, the promissory arrangement becomes

5 Liberto, Hallie. "The Problem with Sexual Promises." Ethics, vol. 127, no. 2, (2017): 385.

too restrictive of his liberty for it to be just. Greg wrongs Bill simply by keeping him bound by his promise.

In reply, I question why Greg should feel obligated to stay in this relationship if its terms have changed and he no longer receives the value that he desired from a monogamous friendship. As I stated earlier, the two of them must have found some value in this restrictive relationship in the beginning, otherwise neither would have entered it. If they maintain a relationship but that value is no longer present under the new arrangement that Bill desires, Greg would find himself in a rather unpleasant situation similar to the one that Bill finds himself in if the friendship terms are not changed. If Greg believes that he is morally unable to end his friendship with Bill, then he is trapped in an unpleasant non-monogamous relationship and is unable to pursue a different monogamous relationship, even though he knows that that is what he wants. His right to pursue happiness is denied. That Bill's desire to have more friends should entail any sort of obligation for Greg to change his lifestyle to one that is less desirable for him seems doubtful in the same way that Bill should not have any moral obligation to maintain a monogamous relationship with Greg (though he may feel that maintaining one is his best option). Moreover, the claim that Greg wrongs Bill by holding him to his promise should be tempered by the fact that the only way Greg binds Bill to this arrangement is by agreeing to be his friend. There is a relatively low exit-cost for Bill since he has promised to be friends with only Greg but can renege on this promise at any time with the understanding that he may also be ending his friendship. The threat of losing a friend because of one's desires or actions is undoubtedly tough but that alone does not constitute wrongful coercion. One is not owed friendship unconditionally, and it would be absurd to think that one must maintain one's friendship if one ceases to find value in it. To claim that Greg must maintain his friendship with Bill regardless of the changes that Bill wants to make to it is to claim that Greg's autonomy should be limited by Bill's desires, which is an unjust twist on the original worry that Bill's autonomy is hampered by Greg's threat to leave the relationship if it ceases to be monogamous.

LIBERTARIANISM IN ROMANCE

One might say that this is all well and good for Bill and Greg, but friendship monogamy is only meant as an analogy—sexual and romantic relationships are importantly different in kind. Liberto's claims about over-extensive promises are meant to pertain to sex. Sexual promises of any kind are over-extensive because they grant too much authority over one's sexual decision-making to another; this is why one should not accept someone's promise to have sex at some later date, as it robs them of necessary sexual decision-making power when the time comes. Liberto believes that this over-extensivity applies in both the positive (i.e., promises to have sex) as well as the negative (i.e., promises to not have sex) cases. If Liberto's claims about over-extensitivity are true, it must be immoral to hold someone to a monogamy commitment, since a monogamy commitment is a negative promise not to have sex except with the person one is in a relationship with.

Though I believe Liberto's claims about the over-extensivity of positive sexual promises are true, negative sexual promises seem to be subject to the same objections to the Bill and Greg example mentioned above. Namely, if a couple enters a monogamous relationship and promises not to be romantically or sexually involved with any other person, each must have believed that there was some value in the arrangement. If one partner becomes unsatisfied and wishes to be sexually or romantically involved with other people, the only thing that binds them to their promise is their relationship with the other partner. They may leave the arrangement if they are fine with likely ending the relationship. Similarly, the partner desiring non-monogamy attempting to oblige the partner desiring monogamy to remain in the relationship despite the genuine value they see in monogamy would be acting unjustly. In both the case of friendship and the case of sexual or romantic relationships, the 'over-extensivity' argument seems to aim at increasing the liberty of one party by unjustly decreasing the liberty of the other. Nobody should ever be obliged to participate in monogamy; likewise, nobody should be obliged to abandon it.

THE TROUBLE WITH 'FREE' CHOICE

Though I believe that I have strongly argued that relationships between informed and freely consenting adults should generally not be thought of as morally impermissible, there is some room for one to debate about how 'free' of a choice it is to enter the types of relationships that I have been describing in the first place. In her paper "Does Anyone Have the Right to Sex?", Feminist scholar Amia Srinivasan describes the conflict between two seemingly true positions. The first position argues that people should be free to engage in whatever sexual activity they like and be free from 'authoritarian moralism.' On the other hand, the second position argues that sexual desires cannot be detached from the larger social and political landscape that influences them and that landscape may lead many people to have harmful, problematic, and overly exclusive desires worthy of criticism.[6] Srinivasan gives the example of racial prejudices harming the prospects of

6 Amia Srinivasan, "Does Anyone Have the Right to Sex?" London Review of Books, vol. 40, no. 6, (2018).

Asian men on Grindr, which leaves them with fewer potential matches to pick from.[7] Nobody is entitled to sex or to a commitment to a relationship from anyone, but something is clearly going askew morally if one's ethnicity is the reason for one's rejection. Such reasoning is self-evidently racist. Talking about 'personal preference' when it comes to sex and relationships is important, but this should not be the end of the discussion lest we allow potentially harmful social norms to remain unchecked.

In this vein, we should not simply state that monogamy is unproblematic so long as it is consensually chosen by each party, but we should also probe deeper and ask whether there are harmful social and political factors that make other options seem unviable. That the world is practically built around the romantic couple indicates that there are. Every book, movie, and TV show seems to center around a man and a woman falling in love and becoming exclusive. The idea of 'settling down' before one becomes an old maid or a desperate bachelor can be so culturally ingrained that many people feel forced to submit to monogamy before it is too late. People are even institutionally pressured into conforming to monogamous society; for instance, many places (e.g., Canada) have tax breaks that apply only to couples, which creates a financial incentive toward pursuing monogamy.[8] In our society, the push toward monogamy is ubiquitous and potentially harmful for those who would prefer a different type of relationship.

Though the above may be true, this is a far cry from claiming that monogamy itself is morally impermissible. Rather, the difficulty in pursuing any relationship besides a monogamous one points to the need for a shift in societal attitudes to make the choice of one's relationship-type more of a free one. The desire to be in a monogamous relationship is not analogous to the problematic desire to avoid relationships with Asian men as described in Srinivasan's paper. There are beneficial reasons as to why one might want to be in a monogamous relationship, as described above, while one's distaste for Asians can come only from racism. Monogamous relationships, as I have argued, have distinct virtues that many people value highly, such as exclusive intimacy and being and having a 'first priority'; this is not to say they are the only type of valuable relationship. Non-monogamous relationships also have distinct virtues, such as openness, freedom, and variety, which are also highly valued qualities. Preferring the former set of virtues should not be thought of as immoral just as preferring the latter should not be. Perhaps if our social, religious, and political institutions did not put pressure on people to conform to monogamous relationships,

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7 Srinivasan, "Right to Sex?".

8 Financial Consumer Agency of Canada. "Couples and Taxes." canada.ca (2017).

more people would feel free to form their relationships around their own personal values and preferences rather than the values that they are told to have. Perhaps more people would form non-monogamous relationships, more people would be single, or little would change. I do not attempt to guess at an answer or at how this change could come about. Rather, I restate what I believe is self-evident, which is that nobody should feel pressured to enter into a type of relationship that they are not comfortable with, feel forced to remain in a relationship whose demands have become too much to bear, or feel that their consensual relationship is immoral; this is true for monogamous relationships as well as all other types.

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Is There Room for Laozi's Ancient Chinese Philosophy in the Contemporary World?

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ABSTRACT

Despite its origins in ancient philosophy, modern science has asserted itself as a distinct species of knowledge. This assertion has led to an ignorance in our understanding, whereby we instinctively favour contemporary Western philosophies over Eastern ones. While it is understandable that Western philosophers are more likely to favour a Western approach, it is apparent that this preference has extended itself to a prejudice in which Eastern philosophies have been unfairly contested or read without appropriate engagement. This is taken to be a reasonable observation and will not be the subject of analysis in this paper. In order to overcome this bias, we might re-investigate Eastern philosophies with an open mindset by accounting for the complexity of cultural differences and refraining from interrogating non-Western philosophies in a strictly Western fashion, for instance, by responding with culturally-biased counterarguments, such as that scientific realism provides a more valid account of reality than ancient Chinese philosophy.

The following paper offers a comparative analysis of two approaches to metaphysical and meta-ethical questions: ancient Chinese Daoism, and Western scientific realism. Analysis of Laozi's thoughts in the Tao Te Ching (Daodejing) pertains to the possibility of consistency between ancient Chinese philosophy and contemporary Western philosophical views. Simultaneously, scientific realism is viewed as a main point of tension and, as such, an obstacle in the way of our openness toward the insights available in ancient Chinese Daoism.

Providing the possibility of coherence between Chinese Daoism and Western scientific realism, contemporary philosophy might benefit from further implementing a more general degree of openness in future investigations of Eastern philosophy and a more general degree of skepticism toward Western philosophy. We might then begin to broaden our understanding beyond the assumed distinctions between science and philosophy, the East and the West, and the ancient and the modern to welcome a more inclusive and comprehensive understanding of metaphysics and meta-ethics.

In the contemporary world, the significance of eastern philosophy has been shadowed by the rise in acceptance of Western scientific realism. The scientific acquisition of knowledge, which adheres to reasoned and objective analysis through observation and experimentation, is thought to be the most valid account of our reality. Given such, it is unsurprising that ancient Eastern philosophies have come to be almost entirely removed from contemporary mainstream discussion surrounding metaphysical and meta-ethical queries.

The following analysis seeks to show that the Chinese philosophy of Daoism can, in theory, coincide with much of our contemporary understanding. The main obstacle in our openness toward ancient Eastern philosophies is the assumption of scientific realism, which is that science 'can and does discover' truth at the level of un-observable reality.[1] With focus on Laozi's teachings, which are apparent in the Daodejing, we might see how the Daoist metaphysics and meta-ethics, intertwined by linguistic scepticism, challenge the ultimate truth of scientific realism; it also offers a valuable insight into the nature of our reality and the limits of our knowledge, thus rendering Laozi's philosophy potentially as being as profound as it was in ancient China.

Inherent to Daoism is the multifaceted concept of 'Dao' (道). The meaning of the term, which is used divergently throughout Chinese thought, is contestable. While scholars have attempted to define 'dao' in relation to a single, consistent subject (e.g., either as a metaphysics, an ethical doctrine, or a critique of language), a thorough reading of the Daodejing reveals the eminence of all three subjects. Dao is first presented as the fundamental metaphysical reality: that which gives rise to both heaven and earth. Derivative of this, is the Daoist meta-ethics, which demands conformity with fundamental reality. Moreover, we encounter Laozi's linguistic scepticism throughout; for instance, the opening line initiates that "the dao that can be named, is not the constant dao".[2] While all three themes are inextricably linked, the following analysis will appear in this succession since it is the most accessible route toward understanding Daoism.

DAO AS METAPHYSICAL REALITY

In its initial passages, the Daodejing speaks of the nature of fundamental metaphysical reality. Laozi states, "The myriad creatures rise from it yet it claims no authority; It gives them life yet claims no possession; It benefits them yet exacts no gratitude."[3] In describing the origin of our world, Laozi moves away from his predecessors' religious inferences.[4] Fundamental reality is seen not as the product of divine creation but as the Nothing by which Something (i.e., conventional reality) comes to be.

That which gives rise to our world of objects and all its myriad creatures is forbearing of God;

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1 T. Honderich (ed). The Oxford Companion to Philosophy (Oxford: Oxford University Press, 1995), p.809.

2 Laozi and D. Lau, Tao Te Ching (London: Penguin Books, 2012), p.3.

3 Laozi and Lau, Tao Te Ching, p.4.

4 M. Zhang, "The Religious Thought of Confucius: Explaining the place of Heaven, Destiny and Spirits in The Analects", in Reconceptualizing Confucian Philosophy in the 21st Century, ed. X. Yao (Singapore: Springer, 2017), p.76.

it is devoid of something-ness and, thus, beyond the realm of subjective or heavenly values. In accordance with the Western worldview of metaphysics, this can be equated to the assertion that there is ’an absence of value judgement’[5] at the level of fundamental and unobservable reality.

What distinguishes Laozi’s metaphysics from the contemporary world is its association with ‘the mysterious’.[6] The Daodejing considers an underlying reality to be inexpressible and a thing that we can never truly understand; moreover, it’s objective and value-neutral status makes it inaccessible to the inherently subjective and value-bound human experience. Finally, the Daodejing follows that we cannot accurately account for the exact nature of fundamental reality, which hence remains a mystery and beyond the limits of human understanding.

Reactively, the Daoist metaphysics might be interpreted as mysticism and hence an illegitimate account of fundamental reality. Such a criticism is likely to be made by contemporaries of the scientific realist tradition who insist that we can accurately measure and understand metaphysical reality. This is due to the belief that because the scientific method is as objective and value-free as is reality, it is hence able to offer the most valid representation of reality itself. Furthermore, the investigative process of measurement and observation is taken to be more legitimate than the ‘unwarranted speculation’[7] of mystics or, in this case, ancient philosophers.

Yet, on further inspection, we see that the scientific realist approach is similarly susceptible to the mysticism critique, as it too relies on the ‘willingness to see some essential Truth’[8] beyond us. The ‘Truth’ being that scientific and mathematical principles exist as part of an unobservable reality. By asserting the a priori existence and objective truth of mathematics, scientific-realists propose some unobservable fundamental force, which precedes and gives rise to the world that we experience. Has not mathematics, in this instance, replaced God?

Indeed, the possibility of knowledge of unobservables has been historically recognized as a substantial problem within the epistemology of science.[9] Attempts made to solve it have been victim to the presupposition that scientific principles, formulae, and properties bear a ‘likeness to truth’ while failing to provide a coherent explanation for why or how it is clearly possible to

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5 B. Schwartz, The World of Thought in Ancient China (Cambridge, Mass: Harvard University Press, 1985), p.202.

6 Laozi ad Lau, Tao Te Ching, p.12.

7 P. Veer, “Spirituality in Modern Society in Social Research” in An International Quarterly 76, (2009), p.1101.

8 Veer, “Spirituality”, p.1105.

9 Honderich (ed.), The Oxford Companion to Philosophy, p.810.

obtain such knowledge.[10]

Following the mysticism critique to its extreme, we might be inclined to believe that assuming the a priori existence of scientific principles is no more justified than it is to believe in God. In either case, whether scientific, religious, or mysticist, the fundamental origin of the world exists within the unobservable reality and beyond our knowledgeable experience; as such, its nature remains speculative. In this light, Laozi's unwillingness to describe the nature of objective reality and his subsequent surrender to the limits of knowledge might be seen less of as a fault and more of as a 'correction'[11] to the hidden mystical presumptions underlying scientific realism.

DAO AS META-ETHICS

The idea that the human mind cannot truly grasp objective reality occurs within the multiple facets of dao (道); this is particularly true of ethical considerations. When speaking of the ethical, Laozi refers again to dao as the fundamental origin of reality and refrains from giving strict instructions for ethical action or the delineation of personal duties. While the Daodejing signifies that there is an ethical way of living, its exact nature—as in the case of metaphysical reality—is left as a mystery. Nonetheless, ethical behavior is encouraged, as Laozi speaks of 'the man of great virtue [who] follows the way and the way only.'[12] We hereby see dao (i.e., way) as a meta-ethics wherein ethical objectivity mirrors metaphysical objectivity and exists beyond the limits of subjective and conventional reality.

Laozi rejects the objective legitimacy of subjective ethical doctrines again

in his statement, "the way that can be spoken of is not the constant way."[13] This idea may be synonymous with Western contemporary thought through its increased rejection of subjective doctrines—notably those of religious inference—as the most legitimate providers of morality. Contemporary ethics, instead, moves toward rationality and attempts to formulate objective moral principles[14] and universal utility calculations.[15]

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10 Ibid

11 M. Carnogurska, "Chinese philosophy through the prism of its classical ontological conception in the future global context" Filozofia 59, (2004), p.8.

12 Laozi and Lau, Tao Te Ching, p.23.

13 Ibid, p.3.

14 E. Kant, Critique of Practical Reason, trans. L.W. Beck. Indianapolis: Bobbs-Merrill, (1956).

15 J. S. Mill, Utilitariansim (1861), Oxford University Press, (1998).

The rationalist approach to ethics is, however, not without criticism. Many critics of the utilitarian (i.e., consequentialist) approach have appealed to the complexity of human morality by suggesting that what makes for ethical behavior is irreducible to mathematical formulae. We have seen the rise of existentialism by which ethical doctrines have come to be viewed as subjective and conventional creations. If ethics were to exist objectively, they would do so in the absence of God and, thus, in a form 'beyond good and evil'[16]; its essence inequivalent to subjective human values.

Hence, there is a contemporary understanding that if there exists an objective or universal form of ethics, it is beyond our grasp. To harbor a certain degree of skepticism toward the legitimacy of precise ethical doctrines is not unreasonable then. Such an understanding bears similarity to the skeptical approach of Daoism. Perhaps, we might derive some insight from Laozi's hesitance to construct a 'linguistic'[17] formulation of a conventional ethical doctrine.

Yet to begin with, it is an obstacle in our acceptance of Daoism. At surface-level, we see an ambivalence toward moral action that is expressed most clearly by the following question: 'what is the Daoist sage to do?'[18]. Laozi's absence of ethical instruction lands us in the dark and leaves us blind to the way of moral enlightenment. Critics have gone as far as to even equate this absence of ethical instruction with the non-existence of ethics, presenting either a rejection or indifference toward morality. For some, Laozi's principle of no action (i.e., wuwei) has rendered the Daoist ethics as a form of egoism wherein the moral agent retires to a passive ideological state, justifying ethical inaction.

Again, this is not a necessary evolution, nor does it appear the most likely account for the absence of direct moral instruction. The idea that Laozi is proposing ethical indifference seems contradictory to his encouragement of moral virtue, which appears in the form of via negativa motives: 'Do that which consists in taking no action; pursue that which is not meddlesome.'[19] Here, the principle of no action does not seek to evade moral responsibility; rather, it intends to cultivate morality in a negative manner. Given Laozi's consistent linguistic skepticism, it is not unreasonable to assume that Laozi places the significance of moral action beyond the conventional distinction of activity/passivity.

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16 F. Nietzsche, Beyond Good and Evil: Prelude to a Philosophy of the Future (1844), London: Penguin Books, (1990).

17 M. N. Forster, "Forms of Reasoning in Western and Chinese Philosophy" in Journal of Chinese Philosophy 44, (1-2), (2017), p.67.

18 J. Liu, An Introduction to Chinese Philosophy, Oxford: Blackwell Publishing, (2006), p.100.

19 Laozi and Lau, Tao Te Ching, p.68

The Daoist principle of wuwei might then be understood as follows: do not actively affirm one's ideology onto another, nor actively accept the ideology of another as one's own. We see the Daoist sage as one who seeks moral cultivation and who lives ethically. But in his doing so that he does not follow another's way nor pull others along with him, he simply follows the way as he, himself, discovers it. The Daoist way to moral enlightenment, hence, avoids the dogmatic belief in subjective and conventionally created ethical doctrines. In abstaining from delivering direct moral rules, Laozi encourages the moral agent to discover the right way by oneself.

Thus, Laozi's meta-ethics can be seen as one that asserts the existence of an ethical path albeit one that manifests from the internal rather than the external world. Reclaiming the ethical quietude of the Daodejing as an intentional restraint from the deliverance of direct moral instructions is possible then. In its place, we are given an 'Ethics of Ambiguity,'[20], resembling that of the contemporary existentialist tradition whose lack of rules seeks not to deny the existence of the ethical, but rather make light of its complexity.

DAO AND THE CONTEMPORARY WORLD

The dao (道), both in metaphysics and meta-ethics, are embraced as mysteries. Even given that we assert their existence, we cannot—by the bounds of our subjective experience—assert their 'true' objective nature. For this reason, the Daodejing appears as a complex and poetic delivery of unity between objective realism and subjective experience; moreover, it appears as an embrace of the gap in our understanding which accepts the limits of knowledge. Even so, Laozi's via negativa descriptions do not deny the importance of either metaphysics or meta-ethics, but rather animate a skepticism toward the use of conventional knowledge-acquisition methods to discover objective truth about fundamental reality. As Schwartz so elegantly poses, Laozi is 'serious about leaving the unnamable unnamed.'[21]

Is mysticism alone the obstacle to our acceptance of Daoism in the contemporary world? Despite the apparent similarities between the metaphysics and meta-ethics of the Daodejing and those which are prevalent in modern western society, the ancient Chinese school is not welcomed into contemporary philosophical debates. The mystery surrounding Daoism stems from Laozi's assertion of an unnameable and unknowable reality (i.e., dao). Yet, why such an assertion ought to differentiate Daoism from contemporary schools of thought is not clear. At first sight, this difference

20 S. D. Beauvoir and F. Bernard (trans.), The Ethics of Ambiguity, New York: Citadel Press, (1948).

21 Schwartz, The World of Thought, p.198.

renders the theory incompatible with scientific realism, which asserts its own principles as the expression of the true nature of objective reality; however, this should not expel it from contemporary discussions surrounding meta-philosophy.

Perhaps even, this point of departure is whereby Daoism gives us its most profound insight. By rejecting the assumption that we can acquire objective truth about fundamental reality, the ancient Chinese school provokes us to challenge contemporary philosophies that are reliant on the principles of scientific realism; it also invites us to question the nature of knowledge and whether or not we are able to gain objective truth from our subjective experiences. These epistemological queries have been the subject of much deliberation in the history of philosophy and science. Yet, despite remaining unsolved, their prevalence in contemporary debates surrounding science and knowledge has diminished.

On this basis, I suggest that Daoism is as valuable now as it was in ancient China. By conducting an inquiry into metaphysics and meta-ethics via negativa and by having a discernible skepticism toward language, Laozi reminds us of these grand epistemological issues that even now still threaten our ability to understand the un-observable universe; this is not to say that the vast discoveries of modern science ought to be regarded as false. The point is that we should be careful not to surrender ourselves to a self-assertive paradigm, such as scientific realism. Rather, viewing science as a theory of 'highly generalised and effective abstractions' that help us to understand and predict causes and effects, as opposed to helping us discover 'the only or the whole truth.'[22] There is room for Laozi's ancient philosophy in the contemporary world, providing that we are open to re-considering our limits.

'He who knows has no wide learning; he who has wide learning does not know.'[23]

CONCLUSION

There is room for the ancient Chinese Daoist philosophy in the contemporary Western worldview. This is attributable to a common conviction in the pursuit of non-religious philosophical insight. Shared ideas about the objective nature of reality and of the ambiguity of ethics provide us with a foundation for re-considering the relevance of ancient Chinese Daoist thought.

While Daoism's incompatibility with scientific realism threatens to undermine its own value at first, it is proposed that this tension is one that provides insight—particularly in regards to the

22 Honderich (ed.), The Oxford Companion to Philosophy, p.448.

23 Laozi and Lau, Tao Te Ching, p.86.

limits of our understanding—and promotes continual philosophical investigation into historical epistemological concerns. Reconciling the divisions that have come to exist between the ancient and the contemporary, the East and the West, and philosophy and science is possible and perhaps beneficial for us. This is not to say that all Eastern philosophies will be compatible with contemporary scientific realism. Rather, the coherence between Chinese Daoism and scientific realism—which has here been argued—points to the possibility of gaining further insight and a more diverse philosophical discussion if one approaches Eastern philosophies with greater openness. With this in mind, we hopefully might strive for a more inclusive, comprehensive discussion and understanding of metaphysical and meta-ethical concerns.

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"Unless we stand up and build our OWN front door": Fanfiction and the Archive of Our Own as a Structural Response to Epistemic Injustice

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ABSTRACT

In this paper, I examine fanfiction and the fanfiction repository Archive of Our Own (AO3) through the lens of epistemic injustice. Fanfiction practices are historically linked to 'women's writing,' while fanfiction spaces are typically queer, female, and trans/non-binary dominated. As such, fanfiction serves and attracts particularly marginalized groups, whose voices often go underrepresented or misrepresented in mainstream fiction. Drawing on existing research that characterizes fiction as a powerful resource to counter epistemic injustice, I theorize that fanfiction holds further epistemic power in countering dominant narratives and representing the systemically erased or misrepresented. Next, I investigate complications in how fiction is taken up as an epistemic corrective through fanfiction's cultural devaluation. I argue that fanfiction's cultural devaluation constitutes an epistemic injustice that is both structural and enmeshed within identity prejudices. Finally, I examine AO3's historical beginnings and socio-technical features to argue that AO3 functions as a structural response to the epistemic injustice fanfiction faces. I conclude by drawing lessons from AO3 for future socio-technical research.

In August 2019, the Internet fanfiction repository Archive of Our Own (AO3) won a Hugo Award for Best Related Work. Notably, AO3 has won this award as a socio-technical structure, not as any particular work it hosts. This achievement also suggests greater mainstream recognition of fanfiction as a practice and culture. The importance and implications of such a win for AO3 and the fanfiction community is thus timely to consider.

In this paper, I examine fanfiction and AO3 through the lens of epistemic injustice. Fanfiction practices are historically linked to 'women's writing,' while fanfiction spaces are typically queer, female, and trans/non-binary dominated. As such, fanfiction serves and attracts particularly marginalized groups whose voices often go underrepresented or misrepresented in mainstream fiction. As researchers of epistemic injustice have characterised fiction as a powerful resource to counter epistemic injustice[1], I argue that fiction, or more precisely fictional representation, also constitutes an epistemic good or resource. I then draw on existing research into fanfiction as

1 Capstick, Chatwin, and Ludwin, "Challenging Representations," 7-29; Cunliffe, "Narrative Fiction," 169-180

transformation of ‘mainstream’ fiction to theorise that fanfiction holds further epistemic power in countering dominant narratives and representing the systemically erased or misrepresented.

Yet, fanfiction’s cultural devaluation suggests complications in how fiction is taken up as an epistemic corrective. Here, I argue that fanfiction’s cultural devaluation constitutes an epistemic injustice that is both structural and enmeshed within identity prejudices.

I then examine AO3’s historical beginnings and socio-technical features to argue that AO3 functions as a structural response to the epistemic injustice fanfiction faces. Finally, I draw lessons from AO3 for research into the ethics of socio-technical systems, noting both its implications for the future of Internet user-generated content and its limited generalizability due to AO3’s specific socio-historical situation.

EPISTEMIC INJUSTICE AND THE POWER OF FICTION

Miranda Fricker’s work is foundational in articulating the concept of epistemic injustice; it encompasses “a distinctive class of wrongs, namely those in which someone is ingenuously downgraded and/or disadvantaged in respect of their status as an epistemic subject.”[2] Her essay outlines two types of epistemic injustice: discriminatory injustice, which comprises testimonial, hermeneutical, and distributive injustice.

Testimonial injustice is “a prejudice through which the speaker is misjudged and perceived as epistemically lesser.”[3] However, Fricker acknowledges Elizabeth Anderson’s argument that “there might be forms of testimonial injustice that are not interpersonal… but rather ‘structural.’”[4] In fact, Anderson argues against Fricker’s picture of testimonial injustice as always being rooted in identity prejudice. Instead, “locally innocent (non-prejudicial) causes”[5] can also give rise to structural credibility deficits. Such causes include differential access to markers of credibility (e.g. education), ethnocentrism, and shared reality bias—“the tendency of individuals who interact frequently to converge in their perspectives on and judgements about the world.”[6] For Anderson, epistemic injustice arises when credibility deficits align with existing social inequalities to epistemically disadvantage particular types of speakers.

2 Fricker, “Evolving Concepts,” 53

3 Fricker, 53

4 Fricker, 56

5 Anderson, “Epistemic Justice,” 167

6 Anderson, 170

For Fricker, hermeneutical injustice results from "a background inequality of hermeneutical opportunity—specifically, hermeneutical marginalisation in relation to some area of social experience."[7] Here, social inequality causes a lack of appropriate and collectively shared epistemic tools and resources to understand the social experiences of marginalized groups. As a result, the marginalized struggle to comprehend their own social experiences, while hearers from dominant groups are unable to understand speakers from marginalized groups because hearers "[lack] sufficiently shared concepts with the speaker."[8] Lastly, Fricker defines distributive epistemic injustice as "someone's receiving less than their fair share of an epistemic good, such as education, or access to expert advice or information."[9]

Subsequent researchers have argued for fiction as a resource to counter epistemic injustice. For instance, Zoë Cunliffe[10] argues that fiction can correct testimonial injustice by countering identity prejudices because it familiarizes audiences with marginalized social groups and provides positive representation of the marginalized. At the same time, fiction provides a diversity of lived experiences that can highlight existing hermeneutical gaps, develop an "open-minded hermeneutical climate," and generate or spread non-dominant hermeneutical resources. Furthermore, fiction's characteristics make it a uniquely powerful resource in countering epistemic injustice. Cunliffe highlights audience receptivity to fiction, fiction's efficacy at "prompting empathy, sympathy, and the engagement of emotion... through contact with concrete imagined lives,"[11] and fiction's ability to engage the imagination so that audiences are guided to change their perspectives. Such audience involvement also enables fictional narratives to "live on in the imagination,"[12] causing readers to reflect on, discuss, and share their experiences with others; thus, broader rectification of identity prejudices is generated.

Of course, fiction's power as an epistemic corrective depends on whether it counters or reproduces existing discriminatory injustices. Capstick, Chatwin, and Ludwin's examination of filmic representations of people with dementia notes that mainstream films homogenise and dehumanise people with dementia, thus perpetuating existing hermeneutical injustice through

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7 **Fricker, 53**

8 **Fricker, 54**

9 **Fricker, 53**

10 **Cunliffe, 170-175**

11 **Cunliffe, 176**

12 **Cunliffe, 178**

"discourses which reinforce negative stereotypes and perpetuate the biomedical orthodoxy."[13] While positive and accurate fictional representations can counter discriminative epistemic injustice, poor fictional representations can reinforce existing injustice often with drastic consequences; for instance, dementia representations "feed all too easily into real-world public debates about the 'burden of care,' the social cost of improving services, and—particularly insidiously—about euthanasia."[14]

As such, I argue that fiction, or more precisely fictional representation, also constitutes an epistemic good or resource. Cunliffe writes that for fiction to serve as an epistemic corrective, marginalized voices must be given increased representation "to effectively counter prejudicial stereotypes and offset hermeneutical marginalization, a narrative fiction must portray somebody's experiences in a nuanced, authentic way."[15] Furthermore, Capstick, Chatwin, and Ludwin point out that giving the marginalized access to fictional representation already constitutes "actively 'doing justice'... through what Fricker describes as 'epistemic affirmative action.'"[16] Therefore, distributive epistemic injustice occurs when marginalized groups have undeservedly lesser access to being represented positively, accurately, or at all in fiction, while distributive epistemic justice occurs when marginalized groups are able to access authentic representations of themselves.

REPRESENTATION, TRANSFORMATION, DISRUPTION: FANFICTION AS EPISTEMIC CORRECTIVE

Given Capstick's earlier discussion of mainstream fiction as uncritically reproducing identity stereotypes that reinforce discriminatory injustice while also excluding marginalized voices from collective consciousness, I argue that fanfiction corrects epistemic injustice through representation, transformation, and disruption.

Fanfiction is "a work of fiction written by fans for other fans, taking a source text or a famous person as a point of departure."[17] While contemporary fanfiction history is rooted in 1960s Star Trek 'fanzine' culture[18], today fanfiction is typically found on fanfiction-specific Internet archives

13 Capstick, Chatwin, and Ludwin, 7

14 Capstick, Chatwin, and Ludwin, 10

15 Cunliffe, 177

16 Capstick, Chatwin, and Ludwin, 24

17 Fanlore, "Fanfiction"

18 Hellekson and Busse, The Fan Fiction Studies Reader, 6

such as AO3. The fanfiction community posts, comments, shares, and discusses works primarily on these archives. Fanfiction is a transformative engagement with existing fiction where "[a]ffirmative fans tend to collect, view, and play, to discuss, analyze, and critique," whereas transformative fans actively "take a creative step to make the worlds and characters their own."[19] In addition, because fanfiction spaces are typically "queer, female and trans/non-binary dominated,"[20] fanfiction serves and attracts particularly marginalized groups whose voices often go unrepresented, underrepresented, or misrepresented in mainstream fiction. As a result, fanfictional transformation enables marginalized groups to reappropriate primary texts for their own critical purposes[21]. For example, fanfiction writers often transform existing works to represent themselves by including queer, romantic, and social justice themes. Furthermore, fanfiction lowers the barriers to fictional representation. Because anyone with internet access can publish fanfiction, fanfiction writers have relatively unmediated and unvetted access to the means of publication, as compared to the traditional author-publishing house relationship.

Fanfiction corrects distributive and discriminatory epistemic injustice by providing authentic representation of marginalized experiences. Jennifer Rogers examines fanfictional portrayals of Thorin Oakenshield, a Lord of the Rings character stricken with 'gold-sickness' (i.e., canonically described as a moral failing stemming from intense greed), to demonstrate that fanfiction writers recast Thorin as a sympathetic character struggling with mental illness. Furthermore, their rewrites are typically "a combination of autobiography and fictional literature" where the author's lived or close secondhand experience of mental illness is written into their work "to provide readers with authentic representation of mental illness."[22] In doing so, fanfictional transformations of Thorin critique the demonization of mental illness, enable the marginalized to fictionally represent their experiences in their own terms, and allow such experiences to enter a broader collective consciousness.

Furthermore, fanfiction's transformative disruption of the dominant narratives reproduced in mainstream fiction highlights existing hermeneutical gaps and spreads non-dominant hermeneutical resources. For example, Catherine de Montrouge argues that fanfiction disrupts existing economic and heteronormative structures by critiquing, queering, and rewriting the very structures

19 Hellekson and Busse, 3-4

20 Montrouge, "Shipping Disability/Fanfiction," 22

21 Hellekson and Busse, 9

22 Rogers, "Authentic Representation," 130-131

of fictional representation that exclude marginalized voices. Fanfiction transgresses mainstream media creators' expectations of fans "consuming, accepting and respecting the official story as it is given," while the prevalence of homosexual and romantic stories in fanfiction poses a "queer disruption to mainstream heterosexual and gender norms."[23] In addition, she points to intracommunal criticism of fanfiction works that sideline disabled and nonwhite characters while reproducing discourses of ableism and white supremacy as ways in which marginalized fans further critique dominant narratives and fight for fanfictional subversion of such narratives.[24]

Therefore, fanfiction enables marginalized groups to author their own stories, do themselves justice by writing and reading their fictional representations, and transformatively challenge mainstream stereotypes and prejudices by rewriting fiction to include and positively represent themselves. As such, fanfiction is one of the ways in which marginalized groups use fiction to correct distributive and discriminatory epistemic injustice.

EPISTEMIC INJUSTICE IN THE CULTURAL DEVALUATION OF FANFICTION

However, fanfiction is itself a culturally devalued mode of writing. Up to the present, fanfiction has been ignored and denigrated within the mainstream, which limits its uptake as an epistemic corrective within the cultural consciousness. In fact, I argue that fanfiction's cultural devaluation constitutes epistemic injustice, which stems from the structural credibility deficit that the fanfiction community faces and intersects with other existing identity prejudices.

Nickie Michaud Wild's discussion of an instance of fanfiction's cultural devaluation provides a useful case study for analysis. In 2013, journalist Caitlin Moran "surprised [the BBC show Sherlock's] actors at a press event by having them read a piece of fanfiction aloud without telling them first what they would be reading,"—an act that Wild describes as "clearly done to make fun of fan writing."[25] Indeed, the trope of someone publicly reacting to a piece of fanfiction about or concerning them (e.g., usually one selected for its erotic or bizarre nature) is not uncommon and usually takes place between readers and audiences who are outsiders to fanfiction (e.g. Moran and Sherlock's actors). In doing so, the fanfiction writer's writing abilities, 'weird' ideas, and choice to engage with the primary text by writing fanfiction are all put on display for the audience's entertainment and mockery. Moran's act has since gone down in fanfiction community infamy as

23 Montrouge, 29

24 Montrouge, 30

25 Wild, "Active Defense," 1

'Caitlin Moran's Fic Stunt.'[26] In particular, three factors led to widespread outrage against Moran within the Sherlock fanfiction community: 1) the fact that the actors allegedly appeared discomfited, 2) that Moran had not sought permission from the fanfiction writer, and 3) that the writer subsequently expressed her anger at her perceived mockery and her fear that she might be fired from her job for writing 'erotica.'

Wild identifies Moran's 'fic stunt' as part of "the process of discursive segregation between the sanctified commentary and the heretical commentary of critical fans."[27] Moran, as a self-described 'fan' of Sherlock who tweets approvingly about the show, represents the 'affirmative fan' whose commentary respects and upholds the primary text and whose voice affirms the sanctity and superiority of the primary text along with the dominant, typically heteropatriarchal narratives it reproduces. At the same time, as a member of the media establishment who is alongside creators, producers, actors, and other journalists, her 'fic stunt' draws a divide between the practices of affirmative and transformative fans; simultaneously, it emphasizes that affirmative fannish engagement is approved by the establishment, whereas transformative engagement deserves widespread devaluation and mockery. Moran's 'fic stunt' thus demonstrates that the fanfiction community, defined by its communal practice of transformative fannish engagement, is culturally devalued within the mainstream. This mainstream is comprised of and defined by affirmative fans and the media establishment who set the tone for what is normal, acceptable, and approved of within the cultural consciousness.

Fanfiction's cultural devaluation can be explained through Anderson's three causes of structural credibility deficit. These causes, while individually justifiable, align with systemic social inequalities to prevent fanfiction from being deservedly received as an epistemic resource and do further injustice to fanfiction writers and readers as epistemic subjects.

Firstly, fanfiction writers face differential access to markers of credibility compared to the media establishment. Media figures, such as Moran, have educational and institutional credentials as well as the cultural credibility and prestige associated with being a journalist; in contrast, fanfiction writers, being generally anonymous, do not necessarily have credentials. Of course, these credentials also problematically align with existing social inequalities that enable straight, white, and cisgender figures like Moran greater access to credibility markers and traditional means of publication. Wild notes that Moran's 'fic stunt' was critiqued for its implications of "[leaving] out

26 Fanlore, "Caitlin Moran's Fic Stunt"

27 Wild, 3

any person that was not cisgender, straight or regarded as socially competent, or not 'geeky.'"[28]

Secondly, ethnocentrism pits affirmative 'fanboy' practices against transformative 'fangirl' practices. Affirmative fan practices, such as collecting official Star Wars memorabilia, are often male-associated and masculine-coded. Given that mainstream society and the media establishment are still male-dominated, it stands to reason that affirmative fan practices are seen as the normal and, therefore, socially-accepted mode of fannish engagement. Because the fanfiction community typically comprises female and/or queer fans, their different mode of fannish engagement is met with confusion and denigration within the mainstream.

Thirdly, showrunners and journalists within the media establishment hold a shared reality bias. In Moran's case, the chosen fanfiction work involved John Watson and Sherlock Holmes in a gay relationship, and the entertainment was likely intended to arise partially from the scandalous or titillating idea of these two characters in a homoerotic relationship. Wild writes, "showrunners have often been dismissive of fans seeing their male characters as potentially romantically and/or sexually attracted to one another… [and] the media has also sometimes adopted this attitude."[29] Here, both showrunners and the media establishment are aligned in their bias towards a heteronormative interpretation of Arthur Conan Doyle's characters and, thus, inclined to reject the non-heteronormative interpretations common in fanfiction. At the same time, their interpretation and Moran's 'fic stunt' problematically uphold social standards of heteronormativity while contributing to systemic queer mockery and erasure.

Nevertheless, fanfiction's cultural devaluation is also inseparable from the identity prejudices at play in its historic link to 'women's writing.' Holly Luetkenhaus and Zoe Weinstein note that "fanfiction as a practice has a particularly gendered history,"[30] as its "origins in postal mail, zines, and enclosed circles of friends… follows in the letter-writing tradition,"[31] while its emphasis on romance and relationships centers the 'female gaze' and female-associated ways of reading.[32] They also link fanfiction's dismissal to the denigration of novels in Jane Austen's time by stating, "Novels were things that women read and women wrote because they were not as important as the historical, philosophical, religious, or even poetic, texts being produced largely by men"[33];

28 Wild, 6

29 Wild, 2

30 Luetkenhaus and Weinstein, Austentatious, 49

31 Luetkenhaus and Weinstein, 46

32 Luetkenhaus and Weinstein, 50

33 Luetkenhaus and Weinstein, 46

therefore, fanfiction, like the novel, is denigrated because it is associated with femininity.

Furthermore, Luetkenhaus and Weinstein point out, citing Anne Jamison, that "women write fanfiction, but when men write 'fic-like stories in fic-like ways', they call it 'pastiche' and get published in the Times."[34] The fact that men can and do profit economically from 'fic-like writing,' while fanfiction's underground and not-for-profit nature stems from the threat of being sued or sent cease-and-desist letters from lawyers, suggests that fanfiction practices are bound up in larger historical and economic under-valuations of women's work. As such, fanfiction's credibility deficit is simultaneously enmeshed with identity prejudices against women and female-associated practices and spaces.

The cultural devaluation of fanfiction by the mainstream, therefore, constitutes epistemic injustice. Suppressing fanfiction's capacity as an epistemic corrective reinforces existing epistemic injustice, which denigrates the fanfiction community and discredits fanfiction participators in their epistemic capacity as challengers of social inequalities and knowers of their lived experiences; moreover, the suppression dismisses fanfiction practices and reinforces existing identity prejudices against women.

Here, my examination of fanfiction's cultural devaluation as involving both structural causes and identity prejudices generates complications for both Fricker and Anderson's models of epistemic injustice. For instance, I doubt that it is possible to determine whether Moran's chosen fanfiction work would have been mocked due to identity prejudice or structural factors—here, epistemic injustice seems to arise from the intersection of prejudice and inequality. On one hand, Fricker's model of prejudice is useful in explaining fanfiction's cultural dismissal as part of a longer history of dismissing women's work; on the other hand, the fact that attempts by the marginalized to rectify or resist epistemic injustice through fanfiction are structurally suppressed means that Anderson's argument is supported against individual virtuous conduct as a viable solution to epistemic injustice.

OUR OWN FRONT DOOR: AO3 AS STRUCTURAL RESPONSE TO EPISTEMIC INJUSTICE

Given that fanfiction's cultural devaluation is an epistemic injustice, AO3's provision of a socio-technical space that defends and celebrates fanfiction serves as a structural response to epistemic injustice. Here, I argue that AO3 was set up in response to a specific instance of epistemic injustice and that the correction of epistemic injustice is foundationally implicated in AO3's

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34 Luetkenhaus and Weinstein, 49-50

socio-technical features and surrounding projects.

AO3 was first proposed in 2007 as a response to the opening of the commercially-owned, for-profit fanfiction archive FanLib. FanLib, which began as a web-based marketing tool, only launched its fanfiction archive years later to capitalize on the growing popularity of online content and was "widely perceived as an attempt by outsiders to profit from the work of fans."[35] One central aspect of FanLib's economic model was its 'fill-in-the-blank' contests. Fanfiction writers were to submit designated scenes—forfeiting their rights to their work in the process—that FanLib then sold to the copyright holders while the winner's reward was having their scene written into the primary text. As such, FanLib's contests implicitly viewed fanfiction as derivative and assumed that the primary motivation of fanfiction writers was imitating the primary text. In addition, the fact that FanLib's founders profited through the sales of fanfiction to the media establishment, was critiqued by fans as an exploitation of fan labour; this is an especially sensitive topic given fanfiction's connection to the historic undervaluation of women's work.[36]

FanLib's economic model constituted a specific form of epistemic harm that is described by Pohlhaus Jr.'s model of the 'circumscription of subjectivity':

> ... [the victim's] epistemic labor contributes to the community via which epistemic interests are pursued, but she is not permitted to contribute in ways that would redirect epistemic practices toward those parts of her experienced world that extend beyond or trouble the veracity of the dominantly experienced world. Any contribution that might do so is summarily denied epistemic support and uptake by dominant members of the community.[37]

Given that fanfiction is a practice of critiquing and correcting epistemic injustice, FanLib implicitly constrained its transformative possibilities and redirected fanfiction toward the imitation of dominant narratives. Such epistemic injustice was further compounded by the fact that FanLib's California-based male founders were essentially profiting off epistemic resources produced by unpaid, mainly queer and/or female fanfiction writers. As such, FanLib represented the appropriation and commercialization of the epistemic resources of the marginalized; it also was an attempt to simultaneously reinforce the socially unequal status quo and economically benefit

35 Fanlore, "An Archive Of One's Own"

36 In particular, FanLib was launched around the same time (May 18, 2007) as cupidsbow's much-discussed post, "How Fanfiction Makes Us Poor" (April 26, 2007), which questioned: "is the non-capitalist aspect of fanfiction actually a method of silencing the artistic voices of women? And does it take away what should be legitimate opportunities for us to earn an income from what we create?" (qtd. in Fanlore, "How Fanfiction Makes Us Poor")

37 Pohlhaus Jr., "Discerning the Primary Epistemic Harm," 107

the dominant members of society.

AO3's founding and design philosophy directly responded to the epistemic injustice done by FanLib to the fanfiction community. In May 2007, fanfiction community member astolat's post criticized FanLib and proposed the fan-owned archive that would become AO3:

> **… we are sitting quietly by the fireside, creating piles and piles of content around us, and other people are going to look at that and see an opportunity. And they are going to end up creating the front doors that new fanfic writers walk through, unless we stand up and build our OWN front door.**
> **We need a central archive of our own… Something that would NOT hide from google or any public mention, and would clearly state our case for the legality of our hobby up front, while not trying to make a profit off other people's IP and instead only making it easier for us to celebrate it, together, and create a welcoming space for new fans that has a sense of our history and our community behind it…** [38]

Implicit in astolat's post are the two philosophies of 'by fans, for fans' and 'opening doors' that have become central to AO3's socio-technical and organizational structures. AO3 is the only fanfiction archive that is wholly created, owned, and run by fans. AO3 is entirely designed, coded, and maintained within the fan community; it owns its own servers and its coders are mostly women who recruited and taught other fans to grow an internal community resource of fan-coders.[39] Furthermore, AO3 is administered by the Organization for Transformative Works (OTW), which was set up specifically for AO3 and is composed of fan-volunteers who internally elect a volunteer board of directors. In addition, AO3 is explicitly not-for-profit because the OTW is a non-profit organisation that runs solely through regular donation drives; moreover, it runs through the commitment of unpaid board members and over 700 volunteer coders, translators, and 'tag wranglers' who categorize, reorganize, and ensure archive searchability.

As a platform, AO3 attempts to ensure a continued communally-owned, non-commercial site for fanfiction that encompasses and allows for a diversity of fans and fan practices. Implicit in AO3's socio-technical structure is "an underlying commitment to many core feminist values such as agency, inclusivity, diversity, and empowerment,"[40] which attempts to ensure participation, plurality, accessibility, and inclusivity for as many fans as possible. Furthermore, AO3 is linked through the OTW to other projects, such as Transformative Works and Cultures, a peer-reviewed academic journal on fanworks and fan practices; a Legal Advocacy team dedicated to "protecting

38 "Fanlore, "An Archive Of One's Own (post by astolat)"

39 Fiesler, "Owning the Servers," 3.1-3.3

40 Fiesler, Morrison, and Bruckman, "An Archive of Their Own," 1-2

and defending fanworks from commercial exploitation and legal challenge"[41]; Fanlore, a fandom history encyclopedia; and the 'Open Doors' project, which aims to preserve and archive fanworks, fan sites, fanzines, and non-digital fan artifacts. These projects can be summarized as striving to open new doors for the fanfiction community, rectify the erasure and appropriation of fan history and culture, and visibly celebrate fanfiction in the face of its cultural devaluation.

AO3 is, therefore, a structural response to epistemic injustice that attempts to preserve, perpetuate, celebrate, and defend the fanfiction community. In doing so, AO3 corrects multiple forms of epistemic injustice by holding open a space for the marginalized to access and create epistemic resources in the form of fictional representation. Furthermore, AO3 defends epistemic resources against devaluation, appropriation, and commercialization and makes possible fanfiction's power to critique, challenge, and correct existing epistemic injustice.

LEARNING FROM AO3: LESSONS FOR SOCIO-TECHNICAL SYSTEMS

AO3, as a platform that is owned, designed, operated, and funded by the very community that uses it, differs from traditional models of internet usage where users produce content on platforms that generate profit for the corporations that own them. Instead, AO3 provides an alternative 'citizen ownership' model through a legal team that ensures regulatory compliance and defends the rights of transformative works and practices to exist; it also provides a vibrant community that produces and promotes its own works in ways that challenge and subvert current epistemic and social injustices. As such, AO3 seems to offer a radical solution to recent debates over the future of user-generated content and corporate exploitation of users' labor and data.

However, AO3's success as an internet space is also uniquely rooted in fanfiction-specific characteristics. The fact that fanfiction is based on fiction suggests that participation in the community might require a certain level of education; indeed, AO3 was made possible through the strong presence of educated, writerly fans who had the means to code, organize, and manage such a project. In addition, Fiesler, Morrison, and Bruckman note that AO3's non-commerciality is rooted in fanfiction's 'gift economy.'[42] Gift culture has a long history that extends into the pre-internet era and intersects with long-standing feminist practices. Lastly, AO3 differs from other internet platforms in that its reason for existence is primarily non-financial. As Luetkenhaus and Weinstein note, fanfiction spaces often involve "women supporting other women through personal

41 Organization for Transformative Works, "Legal Advocacy'

42 Fiesler, Morrison, and Bruckman, 3

and professional strife, building communities of safety and care when they may not find these things in their daily lives offline."[43] Given fanfiction's specific educational, feminist, and gendered underpinnings, the fanfiction community's motivation to build its own online communal space is not necessarily universal.

I have outlined AO3's specific socio-historical situation, and its inter-implication with the socio-economic privileges, feminist practices, and power-systems that shaped fanfiction as a community. As such, AO3 is a unique account of how a marginalized group has successfully structurally responded to epistemic injustice, which limits its generalizability to other instances of epistemic injustice and other socio-technical systems. That said, AO3's history and socio-technical features may provide a useful case study in considering future possibilities for the voices of marginalized groups in fiction and on the internet.

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43 Luetkenhaus and Weinstein, 59

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