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Blaming the victim

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Abstract

Feminists critique acts and practices as victim-blaming. Victim-blaming is a moral phenomenon: to call a communicative act victim blaming is to criticise it. It is also a political phenomenon. As feminists point out, it plays a important role in perpetuating oppression. But what makes a communicative act an act of victim-blaming? I propose that victim-blaming communicative acts attribute responsibility to the victim for the wrong in contexts in which such attributions are morally improper. Attributions of responsibility can be morally imporoper in virtue of what they make salient in a conversation. Making salient the victim's conduct and backgrounding the conduct of the perpetrator can run afoul of the duties we have to the victim: including the duty to listen to the victim, to support her, and to hold the perpetrator responsible.

Feminists critique acts and practices as victim-blaming. Victim-blaming is a moral phenomenon: to call a communicative act victim-blaming is to criticise it. It is also a political phenomenon. As feminists point out, it plays an important role in perpetuating oppression.[1]

But what makes a communicative act an act of victim-blaming?

It is easy enough to point to blatant examples of victim-blaming. A victim of sexual assault is said to have "asked for it" because she was wearing a short dress or flirted with the perpetrator. A victim of domestic abuse is said to have provoked her abuser by being disrespectful.

But many communicative acts that are criticised for being victim-blaming are more subtle. Consider the police telling women to avoid wearing headphones at night in order to stay safe. Such advice has been criticised as victim-blaming. How can we make sense of the criticism? Is there a

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principled distinction between communicative acts that are victim-blaming and those that simply constitute sound advice?

I propose that victim-blaming communicative acts attribute responsibility to the victim for the wrong in contexts in which such attributions are morally improper. Attribution of responsibility can be morally improper in virtue of what they *make salient* in a conversation. Making salient the victim's conduct and backgrounding the conduct of the perpetrator can run afoul of the duties we have to the victim: including the duty to listen to the victim, to support her, and to hold the perpetrator responsible.[2] Thus, to determine whether a communicative act is victim-blaming we need to pay close attention to both the moral rights and duties in play in the situation and to how the communicative act impacts the conversational dynamic.

1 | IS VICTIM-BLAMING A MATTER OF ATTRIBUTING RESPONSIBILITY?

A paradigm case of victim-blaming is to accuse the victim of wrongdoing of having provoked the wrongdoer.[3] The victim stands accused of having—presumably, deliberately—acted in a way that made the perpetrator lose their self-control: whether by taunting, being disrespectful, or deceptive. In such cases the victim is quite literally *blamed*: they are held (partly) morally responsible for precipitating the wrong in question by acting themselves in a morally objectionable way. This presents the victim as an appropriate target of Strawsonian reactive attitudes of resentment and indignation.[4] At the same time, the perpetrator is being *excused*. Provocation is a partial excuse; it diminishes responsibility.

Not all cases of victim-blaming fit this schema. First, not all cases of victim-blaming involve *blame*: the meting out of resentment or indignation. Thus, consider the musings of cultural critic Camille Paglia (1991) on the subject of sexual assault on campus:

> "College men are at their hormonal peak. They've just left their mothers and are questing for their male identity. In groups they're dangerous. A woman going to a fraternity party is walking into Testosterone Flats…If she goes, she should be armed with resolute alertness. She should arrive with girlfriends and leave with them. A girl who lets herself get dead drunk at a fraternity party is a fool. A girl who goes upstairs with a brother at a fraternity party is an idiot. Feminists call this blaming the victim. I call it common sense."[5]

Paglia's commentary clearly is victim-blaming. But she does not accuse women of *provoking* attacks against them. Provocation is, roughly, to act in a way that would cause any reasonable person to lose self-control. But Paglia presents "college men" as irrational creatures who lack self-control in the first place. Nor does she accuse women who attend fraternity parties of violating any moral norm, such as acting dishonestly, or disrespectfully.

Paglia takes women to be responsible for getting sexual assaulted at parties. But she does not suggest that the responsibility is moral: that it warrants indignation or resentment. Rather, she thinks that in attending fraternity parties, the women are being *reckless*—they are putting themselves in harm's way: they are "idiots", "foolish". She thinks they are apt targets for *disdain*.

Nor does victim-blaming always involve *excusing* the perpetrator. Thus, consider the following interaction which Susan Brison (2019) reports in her account of navigating the aftermath of her own sexual assault:

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> "The most well-meaning individuals, caught up in the myth of their own immunity, can inadvertently add to the victim's suffering by suggesting that the attack was avoidable or somehow her fault. One victim's assistance coordinator, whom I had phoned for legal advice, stressed that she herself had never been a victim and said that I would benefit from the experience by learning not to be so trusting of people and to take basic safety precautions like not going out alone late at night. She didn't pause long enough during her lecture for me to point out that I was attacked suddenly, from behind, in broad daylight." (Brison 2019)

The victim's assistance coordinator's remarks are victim-blaming. But it is implausible to think that she is trying to excuse the perpetrator.

Communicative acts that constitute victim-blaming thus do not always attribute *moral* responsibility to the victim, nor do they always aim at excusing the perpetrator. So what characterises them? I suggest it's two things: first, the victim's conduct is put forward as an explanation of *why* the wrong occurred. The victim is attributed responsibility. Second, the attribution of responsibility is morally improper, given the context.

2 | ATTRIBUTING RESPONSIBILITY

Consider Katie Koestner's (2016) recollection of how her father responded when she told him that she had been raped:

> "I finally broke down and told my parents. I said, "Dad, I was raped."
> He said, "I'll drive down and get him," then asked where it happened. I think he envisaged a parking lot and I said, "It happened in my room." Dad said, "How did he get in, did he bust your locks?" And I said, "No, he's another student, and I invited him to hang out with me."
> My dad said matter-of-factly, "It would not have happened if you had not let him in your room, Katie," and then hung up the phone."[6]

Koestner's father suggests that Koestner's opening the door to her fellow student *explains* why she was raped—if not for her opening the door, the rape would not have happened. Thus, Koestner's father homes in on Koestner's conduct as the cause of what happened afterwards. And moreover, he claims that because she bears responsibility for what ensued, she does not deserve sympathy or pity.

Equally, the victim's assistance coordinator suggests that Brison's being too trusting explains why she was assaulted: had she not been so trusting, she would not have become a victim. Paglia suggests that the victim's conduct explains why the incident that constitutes the wrong occurred. The answer to the question "why are women sexually assaulted at frat parties?", is "Because they "allow themselves to get dead drunk" or "they go upstairs with a brother".

In all these cases the attribution of responsibility does not seem to be moral. Rather the victims' conduct is put forward as the cause of the wrong that occurred. But you might think that this is not quite enough. For attributions of causal responsibility do not typically license the kinds of attitudes—withdrawal of sympathy, disdain—that are in play in the cases above. Paglia clearly thinks that the victims' responsibility licenses disdain. Koestner's father thinks that Koestner's responsibility means she does not deserve sympathy.

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Attributions of causal responsibility are not normatively innocent. As Mackie (1955) has noted, when we attribute causal responsibility, we distinguish between causes and background conditions. Background conditions are not themselves causes; they *enable* causes. In saying that the fire was caused by lightening, we identify lightening as the cause. Other factors, such as the presence of oxygen are relegated to background conditions. This is so even though, clearly, the presence of oxygen was necessary for the fire—without oxygen present, the fire would not have occurred. As Garfinkel notes, "explanations always take place relative to a background space of alternatives" (Garfinkel, 1981, p. 25).

On what basis do we distinguish between causes and background conditions? What determines the set of alternatives? Our choice is guided by practical considerations and our explanatory purposes. But it is also often guided by expectations of what is "normal". This includes statistical and normative considerations.

Some expectations that shape the space of alternatives are statistical. The presence of oxygen is usual, the occurrence of lightening a rare event. But some expectations are normative, encompassing prudential and moral norms. When the driver swerves onto the pavement and hits a pedestrian, we do not identify the presence of the pedestrian on the pavement as the cause of the accident. We identify the driver whose conduct violated not just expectations but norms. As Mackie writes:

> "In seeking the cause of an event we are assuming some field and looking for the differentia which marks off within that field the cases where the event occurs from those where it does not. This differentia is not itself part of the field, but an intrusion into it…But in determining responsibility we do not choose the causal field quite arbitrarily; *our choice is determined by our moral expectations, our views about what is normal and proper*. The person responsible is the one whose action is the cause in relation to this morally determined field." (Mackie, 1955)[7]

In attributing responsibility for sexual assault to women, Paglia communicates something about what is "normal and proper": (apparently) this is for College men to be "questing for their male identity" by committing sexual assault. This fact is treated as a *given*. Thus, we do not cite *it* in a causal explanation of why women get sexually assaulted at parties, just as we do not cite the laws of physics to explain why the car hit a pedestrian. These are mere background conditions, against which the causes stand out: drivers speeding, women attending parties.

The victim's assistance coordinator intimates that being "too trusting of people" is a departure from a norm—a prudential one. It is to be expected that there are rapists around: against this background, it's the victim's departure from "normal" vigilance that made the difference to whether the sexual assault occurred.

Koestner's father, too, relegates the presence of a rapist to a mere background condition. Against this background, it's Koestner's *opening the door* which stands out as the cause.

In picking out the victim's conduct as the relevant causal factor, Koestner's father, the victim's assistance coordinator, and Paglia thus present it as "abnormal" or "not proper" in some way: reckless, foolish, "too trusting"—as a departure from the norms of prudence. And violations of norms of prudence typically license certain responses: withholding sympathy, attributing disdain.

Victim-blaming communicative acts attribute responsibility to the victim for the wrong that occurred. This communication can be explicit—as in the case of Koestner's father—or indirect, as in the case of the victims' assistance coordinator. But of course not all attributions of responsibility to a victim are morally out of order. If Bernhard, seeking a thrill, takes up train surfing,

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falls off a moving train and gets badly hurt, he is the victim of a terrible accident. But it is entirely reasonable to attribute responsibility to him: when someone asks why Bernhard got badly hurt, saying that it's because he was engaging in risky behaviour is both accurate and morally unproblematic. Similarly, if Ben repeatedly taunts and needles his sister who eventually slaps him, we can point out that it wouldn't have happened if not for Ben's taunting. Doing so attributes blame to Ben for provoking his sister's outburst. But it is not victim-blaming.

A communicative act attributing responsibility to the victim for the incident that constitutes the wrong is only victim-blaming when the attribution is morally improper in some way. Let us turn to this condition next.

Some attributions of responsibility are morally improper because they are spurious. To claim that the victim was sexually assaulted because she was wearing revealing clothing is to suggest the counterfactual "it wouldn't have happened, if she wasn't wearing revealing clothing". And this counterfactual is, plausibly, false. The explanation suggested by the victim coordinator that Brison was attacked because she was too trusting is spurious. Given the circumstances of her attack, the counterfactual "it wouldn't have happened, if Brison had not been so trusting and taken basic safety precautions" is false.

But responsibility attributions need not be spurious to be victim-blaming. It is presumably true that women would not get assaulted at parties, if they never attended them. It may well be true that the rapist would not have raped Koestner, had she not opened the door.

When evaluating whether attributions of responsibility are morally improper, I suggest that we need to look at what they *make salient* in that particular context. Attributions of responsibility make salient the victim's conduct and a corresponding set of norms; they background other features of the situation—those that are being treated as given. And *making salient* within a conversation is open to moral evaluation.[8]

3 | MAKING SALIENT

Making salient denotes a conversational phenomenon. Communicative acts that attribute responsibility to the victim make salient something about the victim in the context of a conversation. And so, it will be helpful to have some basics about conversations on the table.

Conversation is a cooperative enterprise in which two parties distinguish between some set of possibilities and try to narrow down this set to home in on the actual one. The shared set of possibilities is the *context set* of the conversation. The context set evolves as a result of conversation. The context set also guides the interpretation of speech acts: for example, we rely on context to know what pronouns and context-dependent terms refer to.[9]

Following Lewis (1983), we can draw on the analogy of a scoreboard to model the progress of a conversation. The context set is one—important—part of the conversational score. But there are others: in particular, *salience*. Salience is a matter of prominence: to say that something is salient is to say that it has priority over other things. The red postbox is salient in virtue of its colour: it stands out in our visual field relative to the grey houses. The bass is salient in the song: it stands out in our auditory experience relative to the vocals and the guitar. Successful communication requires that both speaker and hearer align in which possibilities they take to be salient in the conversation. Salience determines, amongst other things, the reference of definite descriptions—such as whether "the cat" refers to the cat in the room or the cat in New Zealand. (Lewis, 1983).

What determines which possibilities are salient in a conversation? Salience in a conversation is tied to conversational goals. We can think of those goals as *questions* we are discussing. These

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questions provide a scaffolding for the conversation: to answer a given question, we may have to answer certain sub-questions. Questions under discussion (QUDs) thus narrow down which possibilities the parties of the conversation are attending to. Questions under discussion facilitate attentional alignment. Two parties who align in their QUD will align on what about the subject matter at hand they foreground and what they background. QUDs determine whether an utterance is felicitous: it is felicitous only insofar as it is relevant to the QUD at hand. It either answers the QUD or it answers a sub-question of the QUD.[10] QUDs are thus an important part of the conversational score.

Thus, imagine we are talking about a ballet performance we both attended. Our conversation will typically be structured by a more specific QUD that coordinates which aspects of the performance are salient to us. If the QUD is "how was the choreography?", our attention will be drawn the choreography, as opposed to the quality of the musicians, the lightening, or the costumes of the dancers.

How do we negotiate QUDs in a conversation? We can engage in overt negotiation by discussing which question we should talk about. But often, QUD's change and evolve as a result of *accommodation*. As Lewis has suggested, conversation, as a cooperative enterprise, is governed by the principle of *accommodation*. In general, the conversational score adjusts to make utterances which would be infelicitous, given what has been said before, felicitous:

> "…conversational score does tend to evolve in such a way as is required in order to make whatever occurs count as correct play." (Lewis, 1983)

A central example is presupposition accommodation. If I say, "I need to take my daughter to her flute lesson today" but the context set does not include the proposition that I have a daughter, the conversational score will "self-repair". The hearer will (typically) accommodate that I have a daughter and the corresponding proposition will be added to the context set, thereby rendering my utterance felicitous. This means that the speaker can add the proposition to the common ground by presupposing it.[11]

But the principle of accommodation also governs other parts of the conversational score, including QUDs. If we are discussing the choreography of the ballet performance and all of the sudden I say "oh but that harpsichord concerto! I have never heard anything like it!", the hearer will typically go along and accommodate by shifting to the QUD that makes my contribution relevant: "how was the music to which ballet was set?".

Inquisitive accommodation thus responds to what would otherwise be an "incorrect" conversational contribution by adjusting the QUD. And in shifting the QUD, it also shifts what is *salient* in that conversation—which aspects of the subject matter are attended to (the music) and which ones recede to the background (the choreography). This means that a speaker can introduce a new QUD into the conversation by simply making an utterance that presupposes the QUD in order to be relevant.

4 | MAKING SALIENT AND BLAMING THE VICTIM

Attributions of responsibility, I suggest, also make salient certain aspects of the situation and background others. I now want to suggest that the conversational mechanism relies on QUDs.

Think about the victim's assistance coordinator. In the context of a conversation about the legal resources at Brison's disposal, the coordinator tells Brison that should learn to not be "so trusting of people" and to take basic safety precautions. In the context of a conversation about legal

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resources, this contribution is not relevant. But in making this utterance, the coordinator offers an answer to a QUD that is presupposed. The presupposed QUD is something along the lines of "why did Brison get raped, given that there was a rapist around?". This QUD backgrounds the presence of a rapist—which is taken for granted as a feature of the environment, much like the presence of oxygen. Instead, it foregrounds the agency and conduct of the victim, as well as the prudential norms that govern that conduct as the relevant difference-makers for why the incident occurred. By focussing on the prudential norms that bear on the victim's conduct, the QUD also backgrounds the moral relevance of the rape: the fact that the victim has suffered a grave wrong.

For another example, suppose that Joan is collaborating with a colleague, and it is not going well. Her colleague, Bruce, is simply not doing his share of the work. Joan asks her manager Donnie for help. Donnie responds: "Have you thought about taking advantage of our company's coaching offer? It's so helpful for learning to navigate a collaborative workplace. I know you don't have much experience with that type of work".

Here Donnie is changing the QUD. Joan opens the conversation with a QUD about how Donnie can help the collaboration succeed. What can he do about Bruce? But Donnie's utterance does not answer this QUD, for Joan's experience is not relevant to how Bruce can be induced to do his job. Rather, Donnie pivots to a different QUD: "given Bruce's behaviour, why is the collaboration not going well?". In this way, Bruce's behaviour is taken to be "normal and proper" and relegated to the background. Instead, Donnie makes salient Joan's agency, thereby suggesting that the collaboration is not successful because Joan lacks experience to handle someone like Bruce.

QUDs are subject to accommodation. In these exchanges there is *pressure* to accommodate. Like for all accommodation, this pressure arises in part simply from the norms of conversation—the fact that it is a cooperative endeavour.[12] To resist accommodation in these cases requires calling out the utterance as irrelevant, given the existing QUD. Joan would have to respond by saying: "wait a minute, why are we talking about *my* experience?! Let's keep the focus on *Bruce*". Of course, in this case, there is added pressure to be cooperative that arises from the power dynamics in play—Donnie is Joan's manager.

In the case of inquisitive accommodation there is added pressure that arises from the relationship between QUDs and salience. We have seen that QUDs coordinate attention: they make certain aspects of the subject matter of the conversation salient and others not. Whether an utterance is *relevant* and/or *felicitous* is partly determined by whether it accords with those salience facts. But pointing to a victim's conduct and associated prudential norms alters the salience facts in play. Given what has been made salient, the hearer's attention may simply follow along, making it more likely that she will also accommodate the new, suggested QUD. Thus, the very act of presupposing a particular QUD can alter the salience facts in a way that works in favour of accommodating the QUD. Thus, given that Donnie has just made salient Joan's lack of experience, Joan might start to doubt herself and her perception of the situation. She may start to wonder whether it really is her experience that contributes to the failed collaboration. Donnie's utterance can simply distract Joan into accommodating the presupposed QUD.

I have argued that attributions of responsibility make salient certain aspects of the situation and relegate others to the background and explored a conversational mechanism by which this happens. Let us now turn to the moral significance of making salient.

5 | WHEN IS MAKING SALIENT MORALLY IMPROPER?

Recall that in the case of victim-blaming, we are concerned with making salient certain aspects of a situation in which a wrong has been done. Wrongdoing alters the moral landscape in systematic

ways. It creates rights on the part of the victim—the right to apology, acknowledgement, repair, support. The victim gains a right to complain: she is entitled to resent the wrongdoer, to demand an apology or repair. The wrongdoer gains a corresponding set of duties: the duty to apologise, to make amends, to compensate.

Wrongdoing does not merely transform the rights and duties in play between wrongdoer and victim. It can also create duties on the part of third parties, particularly those who stand in certain relationships to either victim or wrongdoer. Bystanders can be morally required to help and support the victim. They can also be required to hold the wrongdoer responsible. The precise content of this duty will depend on the nature of the wrong and the relationship to both victim and wrongdoer. If you are friends with both victim and wrongdoer and the wrong is very grave, you may have the duty to cut ties to the wrongdoer. If the wrongdoer is your child, you may have the duty to encourage it to apologise and take reparative action. If both victim and wrongdoer are your students, you may have the duty to report the wrongdoer. The duty to hold the wrongdoer responsible can thus range from simply condemning the wrongdoer's actions, to calling them out, reporting them, modifying your relationship to them, or demanding that they discharge their reparative duties.

Wrongdoing can give rise to duties to inquiry. In the aftermath of wrongdoing, it is not always transparent how the moral landscape has changed to the parties involved. The wrongdoer may have acted unintentionally and may not know they have acted wrongly, or they may fail to realise the full significance of what they have done. The victim may fail to grasp the nature of the wrong and may be unsure how exactly the moral landscape has changed. Third parties may fail to appreciate the moral significance of the wrong, or the nature of the duties that arise for them.

We can now see how making salient some aspect of the situation in response to wrongdoing can be morally significant.

Wrongdoing makes communicative demands on us. Many of the duties and rights created by wrongdoing involve communicative acts. An apology, an acknowledgement that the victim has been wronged, an expression of sympathy or solidarity or support, condemnation of the wrongdoer: all of those are communicative acts that can be morally required as a consequence of the wrong done. The victim, in turn, may be entitled to complain, to lament her situation, to demand apology or redress.

Communicative acts typically aren't performed in isolation; they are embedded in a conversation and they rely on conversational context for their success. A successful apology or expression of support gets the conversational timing right. To perform these communicative acts, the speaker must deploy her attention in the right way: to the victim's wellbeing for an expression of support, to her wrongdoing and its impact on the victim for an apology.

As a consequence of wrongdoing we can thus be required to deploy our attention and direct conversation in certain ways. Attributing the responsibility to the victim, thereby making salient the victim's conduct, can get in the way of doing justice to those communicative demands.

Second, salience has *epistemic* consequences. Wrongdoing can require us to engage in inquiry into how the moral landscape has changed. Engaging in this inquiry is often a matter of conversation with the affected parties, the victim but also the wrongdoer.[13] Directing the conversation, including making salient the right things, is crucial for the success of this inquiry.[14]

I have said that the communicative duties that arise from wrongdoing require us to direct conversation in the right way. Let us think some more about the idea of *directing* conversation. Swanson (2022) has suggested that we can think of conversation, just like water, as following paths. Different conversational paths lead to different common grounds—the body of shared

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information. Some speech acts can make certain conversational paths likelier than others, thus influencing which common ground we end up with.

> "The probability of paths for water is influenced by the shape, depth, gradient, and material of a channel, among other things. If some water might go down either a shallow channel with little gradient or a deep channel with great gradient, it's typically more likely to go down the deep, steep channel…[T]he *channels for common ground* causally influence the probabilities of common ground paths, and channels for common ground can be shaped and influenced by conventions, by practices, and by particular speech acts." (Swanson, 2022)

> "…one potentially ethically relevant feature of an utterance is that utterance's influence on the likelihoods that our future discourses wind up with one…body of shared information rather than another." (Swanson, 2022)

Now, one crucial mechanism by which we influence "channels for common ground" is via QUDs. Recall that QUDs encode conversational goals, impose subgoals, coordinate participants attention on certain possibilities. Thus, introducing a new QUD can significantly alter the course of a conversation.[15] Attributing responsibility to the victim, presupposes a QUD that takes for granted the perpetrators conduct and backgrounds it as a "normal and proper" feature of the environment. At the same time, it makes salient the victim's conduct and the prudential norms associated with it.

But this can run directly against the communicative duties we have as a result of wrongdoing. Introducing a QUD about the victim's conduct can foreclose conversational paths that allow us to discharge our communicative duties.

Consider Donnie. Donnie, as Joan's and Bruce's line manager, has certain communicative duties to Joan that arise from the situation in which Bruce is falling short of his professional obligations. Joan has come to Donnie to discuss the question what should be done about Bruce's poor conduct. It is Donnie's duty to acknowledge Joan's complaint and take it seriously. In particular, Donnie is required to *listen* to Joan.

When Donnie attributes responsibility to Joan for the failed collaboration, he changes the QUD and what is salient about the situation. This influences the "channels for common ground" in ways that are inimical to Donnie's duties to Joan.

First, the change of QUDs is incompatible with Donnie's duty to listen. Listening to someone requires cooperating with the QUD that they raise and participating in the conversation accordingly. What exactly does this mean? As Roberts puts it, a QUD imposes the following constraints on utterances:

> "An assertion should offer a partial answer to the QUD; a question should suggest a sub-question of the QUD; a suggestion or order should propose an action which would further answering the QUD. (Roberts, 2015, p. 358)"

Second, Donnie owes it to Joan both to hold Bruce responsible and to assure her that he will do so. But this means he needs to acknowledge that Bruce is falling short. For this he needs to attend to Bruce's behaviour and the professional norms that apply to it. But Donnie steers the conversation away from Bruce, relegating him to the background. He makes salient Joan's conduct and experience instead.

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Third, making salient Joan's experience and backgrounding Bruce's conduct has epistemic consequences. It obstructs conversational paths that would allow Donnie and Joan to arrive at shared knowledge about the ways in which Bruce is falling short and what action are required as a result. To arrive at such knowledge, requires directing the conversation in a way that is conducive to fact-finding. Again, this requires pursuing QUDs that keep the focus on Bruce, his behaviour as part of the project, and the professional norms that govern this behaviour.

In attributing responsibility to Joan then, Donnie shapes the "channels for common ground" in ways that are morally problematic: they obstruct conversational paths that would allow Donnie to discharge his communicative duties to Joan, such as his duty to listen, his duty to acknowledge the complaint and assure her he will keep Bruce responsible. And they also make it less likely that Donnie and Joan will arrive at shared knowledge about the relevant aspects of the situation. But such knowledge is needed for Donnie to effectively act and to hold Bruce responsible for his failings.

Next consider Koestner. Koestner has been gravely wronged. This has moral consequences for her father, who owes Koestner help and support. He owes it to Koestner to listen, to condemn the perpetrator, and to support her in holding him responsible. Koestner, in turn, is entitled to complain.

The way Koestner's father directs the conversation, culminating in attributing responsibility for the incident to Koestner, is incompatible with fulfilling his communicative duties to Koestner. It is his duty to listen to Koestner. This requires following her conversational lead and cooperating in the QUD that she wants to raise. Koestner's father does not give her a chance to set a QUD beyond asserting that she has been raped. He immediately takes over control over the conversation.

Second, by settling on Koestner's conduct as the explanation of why the rape occurred, her father backgrounds the conduct and agency of the rapist and the moral norms that his actions have violated. Instead, he foregrounds Koestner's actions and the associated prudential norms. In particular, the counterfactual "it wouldn't have happened, if you had not let him in" is normatively loaded: it frames Koestner's opening the door to a fellow student as a departure from what is "normal and proper" and casts it as imprudent. Typically, we are not entitled to complain about outcomes that we ourselves bring about by acting negligently, recklessly, or immorally. By casting her conduct as imprudent, Koestner's father is thus undermining Koestner's right to complain. Given how the "channels for common ground" have been set, any complaint by Koestner is likely to result in the charge that she has only herself to blame.

Making salient Koestner's conduct and framing it as a violation of prudential norms is incompatible with acknowledging the gravity of the moral wrong done to Koestner. It influences the channels for common ground in ways that are contrary to holding the perpetrator responsible: to condemning what he has done, and offering Koestner support in bringing him to justice.

Finally, attributing responsibility to Koestner by making salient the counterfactual communicates a falsehood about the moral landscape. It communicates that Koestner violated prudential norms by inviting a fellow student to hang out with her and letting him into her room. It casts such behaviour as reckless. But this is false. Importantly, framing this as an issue of prudence backgrounds the relevant moral norms in play in a way that prevents shared knowledge about the moral significance of Koestner's situation. It obfuscates both that Koestner has been gravely wronged by the rape and that she has also suffered an enormous betrayal: she was raped by someone she trusted and who abused this trust.

Attributing responsibility to the victim can thus be morally problematic for multiple reasons. It can direct conversation in ways that obstruct doing justice to the communicative duties we have towards the victim. It can get in the way of fulfilling our duty to hold the wrongdoer responsi-

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ble. And finally, it can be epistemically pernicious by derailing attention to and inquiry into the morally significant features of the situation.

Not all instances of making salient the victim's conduct are problematic in this way. Thus, suppose I bought (what I thought was) a Louis Vuitton silk scarf on a website. It was a scam; the package I unwrap contains a hideously patterned piece of nasty polyester. I complain to you about getting scammed. You ask me what the website was. Upon learning you never heard of it, you ask me what made me think it was trustworthy. In doing so, you are shifting the QUD to one that makes salient my conduct: "given how many dodgy websites there are, why did I trust this one?" Are you doing anything wrong?[16]

I do not think so. First, not all communicative acts that make salient the victim's choices are incompatible with listening to the victim. Asking why I thought the website was trustworthy can be a way of figuring out the moral significance of what happened. Finding out just how the scammers exploited my trust, gives you a better appreciation of how I was wronged.

Second, plausibly, in this case, making salient my choices does not come at the expense of discharging your duties to me *qua* victim. It matters that my loss is primarily monetary and minor. The wrong of getting scammed by a website simply does not compare to the wrong of having one's bodily autonomy violated or one's trust betrayed by a friend. Consequently, the moral upshots of this wrong for your duties as my friend are less extensive and more easily discharged. You may have a duty to listen to my story and express some sympathy. (Equally, as a friend, you may have a duty to help me keep a sense of perspective about my loss.) Directing the conversation towards the question why I trusted the website does not interfere with those duties because all it takes to fulfil them is a quick "that sucks!". It's precisely for this reason that your response does not strike us as victim-blaming.

But imagine that I fell for a website scam that cost me dearly—the scammers got hold of my social security number and stole my identity. I start telling you about my ordeal and your immediate response—prior to expressing any sympathy or interest in how I am doing now—is to ask why I fell for the scam, given that scammers abound on the internet. Here shifting the QUD away from what happened to me to one that makes salient my choices does come at the expense of discharging your communicative duties. It fails to acknowledge the gravity of the wrong that was done to me. Here, your response is victim-blaming.

Whether making salient the victim's conduct in the course of a conversation is morally problematic thus depends greatly on the specifics of the situation. It depends on the nature and gravity of the wrong. It depends on the duties and rights in play between the two conversational parties. And it depends on the communicative context, as this determines how a given communicative act will impact the likely course of the conversation.

6 | BEYOND INTERPERSONAL VICTIM-BLAMING

I have so far focused on victim-blaming in interpersonal exchanges, such as in the interaction between Koestner and her father, and Donnie and Joan. But many communicative acts that are criticised as victim-blaming are not directed at specific victims: they do not take place in response to particular wrongs.

Thus, consider Paglia's commentary on sexual assault on campus. Paglia is not writing to victims of sexual assault, in particular. She is offering general remarks on sexual assault for the wider public. Next consider an infamous NHS poster, produced as part of the "Know Your Limits"-campaign to educate the public about the risks of alcohol consumption. This poster featured

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the picture of a lightly dressed young woman with the information "one in three reported rapes happens when the victim has been drinking".

Still, these communicative acts can significantly alter "channels for common ground" in both public and private domain in ways that incite victim-blaming communicative acts.

Paglia is not simply offering us some propositions about sexual assault on campuses that she believes are true. Rather, she offers us *a perspective on sexual assault*: a *way of thinking* about it. When we take up a perspective on an event or a situation, we are disposed to notice certain aspects of the situation, some questions strike us as compelling and relevant. Certain similarities to other situations stand out to us as normatively relevant. Perspectives shape what is salient to us.[17]

In suggesting that College men just are throbbing with testosterone, questing to "prove their male identity" (by committing sexual assault at any opportunity that presents itself, apparently), Paglia is giving us a perspective on sexual assault on campus: a way of organising information about it that centres around a set of images and associations. It likens sexual assault to an assault you might suffer by a wild animal. It's prudent to stay out of the way of coyotes and mountain lions. Equally, it is prudent to stay out of the way of College men.

The NHS poster, too, conveys a particular perspective on sexual assault: it's a bad consequence you risk when choosing to drink, much like a hangover or liver failure.

Both Paglia and the NHS poster present sexual assault as a cost of failing to abide by norms of prudence. It's a bad outcome you suffer because you failed to take due care, rather than a grave wrong that was done to you by someone who violated moral norms. They present sexual assault as a given, immutable, albeit unfortunate risk—"normal and proper",—when engaging in certain activities, such as attending parties or drinking alcohol. Explanations for why the sexual assault occurred thus have to centre on the victim and the victim's conduct.

Public communications can make certain perspectives cognitively accessible to us: they become the default when we encounter a type of event.[18] They constitute what Munton (2023) calls a *salience structure*.

> "A salience structure can be understood as a default accessibility ordering over a space of possible information. A salience structure solves a frame problem: information comes pre-ordered by accessibility. Salience structures can be driven by the projects and interests of the individual, but importantly they are also acquired passively, and are significantly determined by an individual's social and physical environment." (Munton, 2023)

In this way, such public communications shape our expectations about what is "normal and proper" that set the stage for attributions of responsibility. They make salient the victim's conduct, while backgrounding the agency of the perpetrator.

Because perspectives make salient certain aspects of situations, they also influence channels for communication: they determine which questions we wonder about and which ones strike us as relevant when confronted with a type of situation, what questions we think of asking in response to it. Upon being told about a sexual assault, we may simply find our attention going to the question whether the victim was drinking, rather than how the victim is doing and how we ought to do to help.

Such public communicative acts can exert a powerful influence how interpersonal encounters between victims and other parties play out. This includes encounters with individuals in official positions—police officers, doctors, lawyers, juries, victim's legal advisers. They shape channels

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for common ground in ways that put victims at risk of victim-blaming and that deflects the responsibility of wrongdoers.

Making such perspectives cognitively accessible also puts the victim at an epistemic disadvantage when trying to make sense of their situation. Plausibly this epistemic disadvantage constitutes a form of epistemic injustice.[19]

Imagine a victim of sexual assault trying to make sense of her experience, encountering Paglia's commentary. If she adopts the suggested perspective, she will be, epistemically, worse off. Trying to make sense of sexual assault as something that happens if one fails to exercise appropriate prudence obscures its moral significance. It sets the victim on a path of inquiry ("what could I have done to prevent this?",) that is not conducive to settling the questions that she has an interest in knowing the answer to: namely, how the moral landscape has changed.

7 | DISTINGUISHING VICTIM-BLAMING AND ADVICE

We noted at the beginning that many communicative acts that are criticised as victim-blaming look like advice. Can we point to a principled distinction between the two?

Consider a parent telling their teenage daughter, as she is getting ready for a night out, to not leave her drink unattended and to make sure she leaves together with her friends. The parent's utterance makes salient their daughter's conduct and agency and backgrounds the agency and conduct of potential perpetrators. But, as a general rule, we do not think that the parent is blaming the victim. They are merely giving (fairly sound) advice. What is the difference?

Recall that in order to be victim-blaming it is not enough for an utterance to make salient the victim's conduct and agency. Doing so must be morally problematic in some way. And whether it is problematic depends on the context and the moral duties in play in the situation.

Now the situation we are imagining is one in which no wrong has occurred. The parent does not have any obligations that arise from the fact that their child has been wronged. The duty in play is a general duty of care the parent has towards their daughter. This duty includes the obligation to enhance the daughter's agency, to help her develop strategies for acting in various situations, including situations that are morally suboptimal because they involve structural injustice. It includes the obligation to help their daughter to keep herself safe and to navigate nonideal circumstances in which she is at risk of being victimised.

Importantly, the parent has no power to influence the actions of the other attendees of the party. Thus, the only way in which they can discharge their duty of care is by letting their daughter know what her options are within the nonideal constraints, in which she is embedded.

This situation differs markedly from that of Koestner. Koestner's father is not trying to enhance her agency. Rather, he is responding to a situation in which Koestner has suffered a grave wrong and her father had specific obligations that arise from this fact: to support her, to help her. His focus on the counterfactual—of what Katie could have done to avoid the incident—is at odds with fulfilling those obligations.

The situation also contrasts with that of a dean of a college who issues a public statement, addressed to all women on campus, advising them to "stay safe" by not walking alone after dark, being mindful of their alcohol consumption at parties, watching their drinks, etc. (Suppose, moreover, that this is the only statement that the dean issues in connection to sexual assault.)

Unlike the parent, the dean has responsibility for the entire student body: potential victims *and* potential perpetrators. The dean's duty of care towards women thus makes different demands on the dean: the dean owes it to women on campus to take measures to prevent male students from

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engaging in harassment, rape, and sexually assault. It is significant that the dean chooses to make a public statement which only makes salient women's conduct in connection to sexual assault and relegates the conduct and behaviour of the perpetrators to the background.

The dean's communication is thus morally problematic in several ways. In telling women (and only women) to modify their behavior, the dean thus fails to discharge the duty to encourage men to modify theirs. It fails to acknowledge that sexual assault is a grave wrong. And it fails to express a commitment to hold perpetrators of sexual assault on campus responsible.

These omissions are all the more significant, given that the audience of this message is likely to include victims of sexual assault.

Thus, to draw a principled distinction between communicative acts that constitute mere advice and communicative acts that constitute victim-blaming, we need to look at the nature and balance of the moral obligations in play in the specific situation in which the communicative act is made. We also have to look at the communicative context. This communicative context includes both communicative acts and communicative omissions. It also includes who is being addressed in front of which audience.

One consequence of this is that even utterances that do attribute responsibility to the victim need not be victim-blaming. As Hanna Pickard (2011) argues, it can be an essential part of therapy to explore how an agent's own conduct may have contributed to specific outcomes, even when the agent has—also—been a victim. Raising questions about the victim's conduct in such contexts, and making salient the choices they have made need not interfere with any duties; indeed, it can be exactly what the therapist owes the patient.[20]

Second, it allows us to make sense of disputes in whether a particular utterance is victim-blaming or not and what is at stake in them. When two parties disagree about whether an utterance is victim-blaming, this needn't be because they disagree about what exactly is made salient by the utterance or whether what is being said is *true*. It can be because they disagree about what is *morally permissible* to make salient in this particular context.

Third, there can be cases in which it is very difficult to tell whether an utterance is victim-blaming or not. This accords with our moral experience. Consider talking to a friend who tells you about the terrible situation she faces with her partner, who is not treating her well. She is depressed and bereft of all self-confidence. She is blaming herself for various alleged deficiencies. How should you respond? It can be tricky to know. On the one hand, she has clearly been wronged and so the situation may call for acknowledging that wrong and validating feelings of resentment. That calls for foregrounding her partner's actions and motivations, while backgrounding her options for action and resistance. On the other hand, as a friend you owe it to her to enhance her agency, to counteract her resignation and helplessness. This in turn may require focussing on *her* agency and her possibilities for choice.

But wait, you might object. Have I really succeeded in drawing a distinction between advice and victim-blaming? Even if the parent has the duty to enhance their daughter's agency in this situation and even if this is what they intend to do, are they not communicating something that is morally problematic nonetheless? Doesn't making salient the daughter's options for action communicate a perspective on sexual assault—something to be avoided through prudence—that is morally pernicious? Does this not risk that when the daughter encounters a victim of sexual assault, questions about the victim's conduct will be the first to come to mind?

I think we simply have to concede that this is true. There is always some cost to giving advice in nonideal circumstances. Making salient an agent's options in navigating a social environment shaped by injustice treats this injustice as a given, as "normal and proper", as something to be taken for granted. It backgrounds the fact that it is an injustice and presents it as a constraint

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to be worked around. In this way, it conveys a perspective that can obscure morally significant aspects of the situation. What sets advice apart from victim-blaming is that this cost is justified. It is nevertheless real.

8 | CONCLUSION

I have argued that victim-blaming is a matter of attributing responsibility to the victim. The victim's conduct is taken to explain why the wrong occurred. Not all attributions of responsibility to the victim are victim-blaming. Those that are victim-blaming are morally improper in virtue of how making salient some aspects of the situation impacts the conversational dynamics. Making salient the victim's conduct and backgrounding the conduct of the perpetrator can run afoul of the communicative duties we have to the victim: including the duty to listen to the victim, to support her, and to hold the perpetrator responsible.

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ENDNOTES

[1] See e.g. Manne, K. (2017). *Down girl: The logic of misogyny*. New York: Oxford University Press, chapter 7. This paper here will focus on examples of victim-blaming, where women are victim-blamed for sexual violence. But it goes without saying that victim-blaming is a phenomenon that disproportionally affects all oppressed groups. Some examples: Black Americans are routinely victim-blamed for suffering violence at the hand of police. People with disabilities are victim-blamed for abuse by caregivers. Refugees are victim-blamed for their precarious social-economic position.

[2] For more discussion of the moral significance of salience, see Munton (2023), Watzl (2022), Whiteley (2022), Whiteley (2023), Gardiner (2022), Siegel (2016). For an overview over the issues, see Wu (2024).

[3] See Holton & Shute (2005). The authors quote the classic statement of the provocation defence in English law by Devlin J as follows: "some act, or series of acts, done [or words spoken]…which would cause in any reasonable person, and actually causes in the accused, a sudden and temporary loss of self-control, rendering the accused so subject to passion as to make him or her for the moment not master of his mind." (p. 51).

[4] See Strawson (1962) and Wallace (1994).

[5] https://archive.seattletimes.com/archive/?date=19910217&slug=1266788

[6] https://www.bbc.com/news/magazine-36434191

[7] For more recent arguments that attributions of causal responsibility are sensitive to normative considerations, see Hitchcock, C. & Knobe, J. (2009). The authors suggest: "At the heart of our theory is the idea that people's judgments about the relevance of counterfactuals depend in an essential way on norms. The basic suggestion is that people classify events on a scale from "normal" to "abnormal." Then, when something abnormal occurs,

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they regard as relevant counterfactuals that involve something more normal having occurred instead." See also Knobe, J. (2010).

[8] An account of victim-blaming in this spirit has been put forward by Jean Harvey:

> "…it immediately raises the question, what, if anything, the cluster of practices called "blaming the victim" have in common. I suggest there are perhaps just three features: first, when the label "blaming the victim" applies, there is harm of some kind to someone, there is a victim; secondly, the act of blaming the victim focuses on the victim in an inappropriate and typically unflattering way in accounting for the harm; and thirdly, the victim-blaming is in some inappropriate way morally damaging to the victim." (Harvey, 1995)

[9] Stalnaker (1999).

[10] As Roberts (2015) has argued:

> "Utterances, *qua* moves in the game, are felicitous to the extent that they are relevant to the adopted QUD: An assertion should offer a partial answer to the QUD; a question should suggest a sub-question of the QUD; a suggestion or order should propose an action which would further answering the QUD. If a group of collaborating agents are rational, the goals they adopt, and the plans they form to achieve them, are consistent, and in particular, discourse goals (QUD) should subserve over-arching domain goals." (p. 358)

[11] See Langton (ms.) and Keller (2022) for arguments that such informative presupposition can constitute testimony.

[12] Lewis (1983).

[13] In Stalnaker this common ground of the conversation—the possibilities that both participants regard as live options—is not characterised in terms of belief: it is characterised in terms of what is taken true *for the purposes* of the conversation. "The propositions presupposed in the intended sense need not really be common or mutual knowledge; the speaker need not even believe them. He may presuppose any proposition that he finds it convenient to assume for the purpose of the conversation, provided he is prepared to assume that his audience will assume it along with him." (Stalnaker, 1999, p. 84) But of course, often what we assume for the purposes of conversation just is what we believe.

[14] I'm staying neutral on whether those are simply epistemic reasons or whether they are sui generis zetetic reasons. See Friedman (2020).

[15] Swanson surprisingly does not discuss QUD and their role in shaping "channels for common ground". He discusses the use of passive voice and systems of categorisation.

[16] Thank you to Antti Kauppinen for this objection.

[17] I discuss the notion of perspectives in more detail in Sliwa (2023). See also Camp (2019) and Camp (2020).

[18] See Munton (2021, p. 11): "Ease of access in these cases can be understood in terms of the cognitive effort the subject would have to expend in order to access the information in question, where information is 'accessed' when it is actively drawn upon by a cognitive or perceptual system or subsystem."

[19] Fricker (2007).

[20] Pickard, H. (2011). As Pickard writes: "Whether implicitly or explicitly, treatments require clinicians to encourage service users to take responsibility for their behavior, to choose and learn to act otherwise, if they are to improve, let alone recover" (p. 210).

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