

# The Morality of Gossip: A Kantian Account

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## Abstract

Gossip is pervasive and complex. It lubricates and wrecks social relationships. Many people openly confess to loving “a good gossip” yet acknowledge that gossiping, while often gratifying, is sometimes morally problematic. Surprisingly, gossip has not received much attention in moral philosophy. In this paper, I argue that, notwithstanding its relational and social functions, it is wrongful, at least in some of its forms, when and to the extent that it amounts to a particular kind of failure to treat others (be they gossipees or fellow gossipers) with the concern and respect they are owed as persons.

## I. INTRODUCTION

Gossip is pervasive and complex. Not much would be left of our mundane and quotidian conversations if we refrained from indulging in it. It both lubricates and wrecks social relationships. Many people openly confess to loving “a good gossip” but would not want to be characterized as “a gossip”. This ubiquitous conversational practice has received surprisingly little attention in moral philosophy. Philosophers who discuss it tend to focus on cases in which gossipers lie about the subjects of their gossip or breach their trust by disclosing information which they have been asked to keep confidential. Those kinds of gossip are *prima facie* wrongful, for the usual reasons why deception and breach of trust in general are *prima facie* wrongful. In Kantian terms (*inter alia*), they breach the requirement that we treat others with the respect they are owed as persons.

Yet, gossip is often entirely truthful, and often does not involve a breach of trust. In this paper, my concern is with gossip the raw materials for which are accurate and disclosable facts about other people. Philosophers who object to this kind of gossip tend to do so on the grounds that it displays vices of character such as idleness, prurience, or maliciousness. Or it is seen, less damnably, and in George Eliot’s wonderful words, as “a sort of smoke that comes from the dirty tobacco-pipes of those who diffuse it [and which] proves nothing but the bad taste of the smoker.”<sup>1</sup>

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\* My philosophical interest in gossip was sparked by my colleague Clare Bucknell’s work on John Wolcot, a 18<sup>th</sup> century English gossipy satirist who wrote under the name of Peter Pindar. I am grateful to her for a wonderfully stimulating, non-gossipy, conversation about some of the issues raised here - so stimulating that it prompted me to write a rough draft, on which she provided many encouraging and helpful comments. Subsequent versions were presented at the following venues and events: a panel on conversational ethics at the 2021 Annual Congress of the Canadian Philosophical Association; the Philosophy Colloquium at the University of Nevada Las Vegas; the University of Washington in St Louis Philosophy Club; the Oxford University Philosophy Society; and the University of St Andrews’ CEPPA seminar. For written comments and illuminating discussions, I am grateful to my fellow CPA panelists (Emma McClure, Karen Stohr, and Alessandra Tanesini), to audiences at those events, and to Katherine Backler, Gary Bass, David Brink, Rowan Cruft, Annie Farr, Elizabeth Finneron-Burns, Calida Kang, Maya Krishnan, Claire Hall, Sanford Goldberg, Myfanwy Lloyd, Adrian Moore, Sophia Moreau, Jack Riddick, Benjamin Sachs-Cobbe, Amia Srinivasan, Tom van Oss and Ashwini Vasanthakumar. Special thanks are owed to the following people: Kimberley Brownlee for suggesting we co-organize the CPA panel, for generously commenting on two drafts and for inviting me to take part in her class

I agree that this seemingly more benign kind of gossip often reflects badly on gossipers' moral character. I do not develop the point here. Rather, I argue that such gossip too sometimes manifests a failure to treat others - be they gossipees or fellow gossipers - with the respect, but also with the concern (what Kant calls sympathy), which they are owed as persons.

Accurate and disclosable gossip, thus, has more in common with its deceitful and breach-of-trust cousins than might be supposed. Some of its morally problematic aspects are also present in other modes of handling information about others. Whether gossip - of any kind - is a distinctively wrongful breach of the Kantian requirement of concern and respect (when it is wrongful) remains an open question: a systematic comparison of the relevant conversational and non-conversational practices is far beyond the scope of this paper. Accordingly, my aim is not to show that gossip is distinctively wrong (when it is wrong): it is simply to offer a normative account of some of its paradigmatic features and to make sense of the moral unease which they often elicit.<sup>2</sup>

Section II describes the phenomenon of gossip. Section III briefly explores Kant's views on mockery, malice and envy, and highlights their strengths and limits for understanding the morality of gossip. Section IV shows why and when gossip wrongs gossipees at the bar of the Kantian requirement. Section V applies the requirement to the relationship between gossipers.

Throughout, I focus on cases involving individuals in informal, face-to-face conversations about the personal, social and professional life of someone to whom at least one of the gossipers is connected by dint of a friendship, social acquaintanceship or professional relationship.<sup>3</sup> I do not consider cases in which someone imparts information about others in a brief, one-off manner, without elaborating on it or inviting such elaboration.<sup>4</sup> Nor do I consider cases such as tweeting about another

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on gossip; and to anonymous reviewers for and Associate Editors at *Ethics*, whose suggestions hugely improved the paper.

<sup>1</sup> George Eliot, *Daniel Deronda*, ed. G. Handley (Oxford University Press (Oxford World's Classics), 2020), 116. On deceitful gossip and gossip which breaches trust, see, e.g., Sissela Bok, *On the ethics of concealment and revelation*, 2nd ed. (New York: Vintage Books, 1989), 95; Emrys Westacott, "The Ethics of Gossip," *International Journal of Applied Philosophy* 14 (2000): 65–90. On gossip and virtue ethics, see Mark Alfano and Brian Robinson, "Gossip as a burdened virtue," *Ethical Theory and Moral Practice* 20 (2017): 473–487; Jason van Niekerk, "The Virtue of Gossip," *South African Journal of Philosophy* 27 (2008): 400–412; B. Robinson, "Character, caricature, and gossip," *Monist* 99 (2016): 198–211.

<sup>2</sup> The ethics of conversation is a relatively under-developed field. For a groundbreaking exception, see Sanford Goldberg, *Conversational Pressure - Normativity in Speech Exchanges* (Oxford: Oxford University Press, 2020).

<sup>3</sup> According to the *Oxford English Dictionary*, the word initially refers to someone (man or woman) who is present at a child's birth, subsequently to a godparent or a family acquaintance and who engages in easy, familiar, and unconstrained talk with members of that circle about other members or about outsiders whom they all know. That said, I exclude from my inquiry informal conversations about those who are the closest to us: it seems to me that we are not aptly characterized as gossiping when we talk about our children, parents, partners, or most intimate friends. If I am wrong, my Kantian account of the wrongfulness of gossip applies to those cases as well. If I am right, those conversations can sometimes be wrongful to our loved ones, for similar reasons.

<sup>4</sup> An example drawn from Kant's correspondence illustrates my framing point. Between 1791 and early 1793, Kant received two letters from a much younger woman, Maria von Herbert,

person and intending one's tweet to be read by millions of people; writing up and reading gossip columns and gossip magazines; or talking with one's friends about the lives of celebrities. There are overlaps between those various cases. Nevertheless, non-conversational gossip raises separate issues which are best tackled on another occasion.

## II. THE PHENOMENON OF GOSSIP

### II.A

Typically, to gossip is to exchange information about people to whom we are somehow connected, in an informal way and behind their back. Gossip differs from the following informational exchanges: testifying about a defendant at trial; writing someone's biography; having a work conference about a difficult medical patient or student; talking about oneself; talking about someone in their presence and explicitly intending that they should hear what one has to say.<sup>5</sup> Moreover, the people about whom we gossip are real and have lived, for a while at least, the life of rational and moral agents: they act, they think, they have a temperament and dispositions. When I tell you about my neighbor's newborn daughter, I am not gossiping about that baby. When I share with you my views about Dorothea Brooke's ill-fated marriage to Edward Casaubon, I am talking about a central character in George Eliot's novel *Middlemarch*: I am not gossiping about Dorothea.<sup>6</sup>

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who sought his advice on a painful private matter. Kant responded to the first letter at some length, but not to the second. Shortly after receiving that second letter, he passed on both missives to another correspondent of his, briefly and off-handedly referring to Maria von Herbert's emotions as "curious mental derangements". Kant's epistolary conduct lies beyond the scope of this paper. See Immanuel Kant, *Correspondence*, ed. A. Zweig (Cambridge: Cambridge University Press, 1999 [1770-1800]), 379-380, 411-412, 450-452 and 455.) For a thoughtful discussion of Kant's exchange with von Herbert, see R. Langton, "Duty and Desolation," *Philosophy* 67 (1992): 481-505. Thanks to Geertje J. Bol for drawing my attention to the correspondence.

<sup>5</sup> Bok, *Secrets*, Ch. VII. See also John Sabini and Maury Silver, *Moralities of Everyday Life* (Oxford: Oxford University Press, 1982), Ch. 4; Gabrielle Taylor, "Gossip as Moral Talk," in *Good Gossip*, ed. Robert F. Goodman and Aaron Ben-Ze'ev (Lawrence, Kan.: University Press of Kansas, 1994); Margaret G. Holland, "What's wrong with telling the truth? An analysis of gossip," *American Philosophical Quarterly* 33 (1996): 197-209; C.A.J. Coady, "Pathologies of Testimony," in *The Epistemology of Testimony*, ed. Jennifer Lackey and Ernest Sosa (Oxford: Oxford University Press, 2006), 254-255; Robinson, "Character, caricature, and gossip"; Alfano and Robinson, "Gossip as a burdened virtue." On the difficulties inherent in defining gossip, see, especially, Aaron Ben-Ze'ev, "The Vindication of Gossip," in ed. Robert F. Goodman and Aaron Ben-Ze'ev (Lawrence, Kan.: University Press of Kansas, 1994), especially 11-12 and Diego Gambetta, "Godfather's gossip," *Archives européennes de sociologie* 35 (1994): 199-223. See also, more generally, *The Oxford Handbook of Gossip and Reputation*, ed. Francesca Giardini and Rafael Wittek (Oxford: Oxford University Press, 2019); Patricia Meyer Spacks, *Gossip* (New York: Alfred A. Knopf, 1985).

<sup>6</sup> George Eliot, *Middlemarch* (Oxford: Oxford University Press (Oxford World's Classics), 1999). Characters in a novel or a play can be described by their authors, readers, indeed other characters, as gossiping with and about one another - indeed, the fact that they endlessly do so is the bread and butter of much of 19<sup>th</sup> century European fiction. But a fictional character who reads a novel and shares his insights about that novel's characters with a friend cannot be aptly described as gossiping about those characters.

What I have said so far applies to ordinary conversations in general, and not specifically to gossip. On some views, this is not problematic at all: gossip by definition just is benign information-sharing in a conversational context, so that a conversation which involves lies or which breaches confidentiality does not count as gossip.<sup>7</sup> It seems though that gossip is not just any kind of informal, truthful and trust-respecting conversation about other people. Admittedly, informal conversations often move fluidly between gossipy and non-gossipy phases, and the lines between those phases is often blurred. Yet it is not uncommon for people to stop before saying something and openly admit that, actually, they are about to impart some piece of gossip - thus implying that what went on before was not gossip.

The following examples will help us identify some paradigmatic features of gossip. Suppose that Anna and Bob work in the same Philosophy department. They are chatting about a colleague from another department – call her Caroline - whom they also know through their respective children's soccer club. Caroline is a very successful scholar. Bob tells Anna that Caroline is on the job market and would like to stay in California, though this is not widely known in the department. The problem for Caroline, Bob goes on, is that her partner is a successful violinist and has applied for the position of concertmaster in one of the world's best orchestras – which happens to be on the East Coast. There are tensions within their marriage, and their children are deeply unhappy.

Whether Bob's and Anna's conversation is a form of gossip depends not so much on the kind of information which they exchange but, rather, in their attitude towards those people and that conversation itself, as reflected in the way in which they conduct their conversation (their tone of voice, facial expression, body language, etc.), in the degree to which they exchange information which neither one of them really needs to know or which they do not really need to impart here and now, and in their motives for discussing their friends and colleagues. To relate someone's marital difficulties and professional dilemmas with sadness and concern is not gossip. But discussing their difficulties light-heartedly or off-handedly, or dissecting those difficulties and analyzing at length the personal, familial and professional factors which underlie them, does stray into gossip, particularly if there is no reason really as to why this particular topic of conversation should come up or be tackled at great length. I shall call the gossipy variant of that conversation *Curious Acquaintances*.

In this case, Bob's and Anna's gossiping is not morally evaluative. Suppose now that they move on to another colleague, Drew, who is also a superb philosopher but who regularly shirks marking commitments. Even worse, Drew routinely has affairs with graduate students, notwithstanding the fact that he is a married father of young children and that his wife is visibly miserable. Here too, Bob's and Anna's motives and conversational attitude matter. Suppose that they are trying, understandably, to find ways of persuading Drew to be a better colleague and are concerned for his family. I would not regard their conversation as gossip. By contrast, suppose that they seek to

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<sup>7</sup> For the view that gossip is typically harmless, e.g., Ben-Ze'ev, "The Vindication of Gossip"; Emrys Westacott, "The Ethics of Gossip." Ben Ze'ev and Westacott would argue, then, that the case I offer below under the label *Disgruntled Academics* is not a paradigmatic case of gossip. So would an anonymous reviewer for the journal, to whom I am grateful for pushing me on this. What I can offer in response is my anecdotal finding that when I discuss such a case with friends and colleagues, most immediately recognize it as standard-fare gossip.

diminish the scale of his philosophical achievements by emphasizing his professional negligence (“no wonder he gets published in top journals”); or suppose that they seek to bolster their ego by implicitly comparing themselves favorably with him or by making fun of him (“My God, how insecure he must be if he has to sleep around with younger women to feel better about himself”); or suppose that they are venting their envy of his professional success and expressing their frustration at his dereliction of professional duties by making fun of him or by emphasizing the many ways in which his life might go seriously wrong (“God knows his wife has grounds for putting him through a ruinous divorce”). In those contrastive cases, to which I shall refer under the umbrella label *Disgruntled Academics*, they are gossiping. Moreover, they are not doing so benignly. Indeed, gossip often manifests negative value judgements, and not merely when we talk about the weighty things which happen to others but also when we exchange ostensibly innocuous information about them. Suppose that you and I discuss our mutual acquaintances’ holidays, ambition to run a marathon or decision to take up a musical instrument. We stray into gossip when the manner in which we do so, and/or our motives for doing so, are judgmental (“oh, I thought they couldn’t afford expensive holidays”; “well, he does need to lose weight”; “the kids really need her...not sure she should start a new hobby...”) This is partly why we tend to be embarrassed if we are caught gossiping but not if we are caught having a concerned conversation about friends.<sup>8</sup>

Importantly, gossip is not the same as rumor-mongering, even if the line which divides them can be blurred at times. Gossip is normally contained within a small conversational setting, whereas rumors spread. Moreover, a rumor need not be framed as substantiated by facts or evidence: it is supposed to be believed simply because other people believe it to be true. Gossip, by contrast, is portrayed as being anchored in truth, even when it rests on a pack of lies. Partly for this reason, while gossiping is often fun, spreading rumors is not, or not to the same degree: while we sometimes say things like “oh great, let’s have a good gossip”, it is hard to imagine anyone saying, “oh great, let’s have a good rumor-spreading session.”<sup>9</sup>

## II.B

We now have a better handle (I hope) on typical features of gossip. Why do we do it? Well, gossip is often humorous, light-hearted, or titillating. At its most basic, it satisfies our endless curiosity about the lives of others. The information we share when we gossip tends to be “juicy”: it is often about sex; it sometimes evinces a whiff of intrigue, or is about something which is supposed to remain confidential, or which is out of the ordinary, or which is simply bad, or sad. In this respect, as Amos Oz points out, it is very much like literature.<sup>10</sup>

<sup>8</sup> On that very last point, see Sabini and Silver, *Moralities of Everyday Life*, 94-97.

<sup>9</sup> On the phenomenon of rumors in general, see Ralph L. Rosnow and Gary A. Fine, *Rumor and Gossip: The Social Psychology of Hearsay* (New York: Elsevier, 1976); Cass R. Sunstein, *On Rumors - How Falsehoods Spread, Why We Believe Them and What Can Be Done* (London: Penguin Books, 2010). For an account which elides the distinction between deliberately false gossip and deliberately false rumors, see Bok, *Secrets*, 96. For accounts which seeks to sharpen that distinction, see Sabini and Silver, *Moralities of Everyday Life*, 92-93; Coady, “Pathologies of Testimony,” 262-263.

<sup>10</sup> Amos Oz, *Dear Zealots* (New York: Mariner Books - Houghton Mifflin Harcourt, 2019), 31. (Thanks to an anonymous reviewer for the pointer.) On the relationship between humor and gossip, see John Morreall, “Gossip and Humor,” in *Good Gossip*, ed. Robert F. Goodman and

In its idle forms, when we talk about what happens to other people without attaching much importance to it, it is also a relaxing way of passing the time. Of course, to those whom we discuss in this way, the content of our conversations is often not trivial at all: on the contrary, it is the richly textured fabric of their life. To us gossipers, however, it provides light relief as well as, not infrequently, the pleasure of feeling superior to another person and of being comforted in our judgement when our conversational partner agrees with us.<sup>11</sup>

Gossip is not merely fun and pleasurable. It can strengthen personal and social relationships and help structure group dynamics. The recipients of gossip are given positional advantage over both the subjects of the gossip and those who have been excluded from that conversation. Those who impart gossip demonstrate and strengthen their status by making it obvious that they have information worth sharing, so long as they do not cheapen it by being overly profligate with it, in which case they may be branded as “a gossip”.<sup>12</sup>

Gossip is also a way to communicate and enforce social and political norms. If I know that to  $\phi$  is likely to make me a target for negative gossip and if (like many people) I fear being such a target, I am less likely to  $\phi$  - and *vice-versa*. Seen in that light, gossip has a dark side, in so far as it serves to entrench patterns of oppression. At the same time, it is often used to contest those patterns. Marginalized groups which are excluded from formal channels of communication often use it as a relatively risk-free way to ascertain who might be their allies and to subvert oppressive structures. Relatedly, gossip has a protective function. When Bob gossips with Anna about Drew’s extra-marital affairs with graduate students, he is signaling to her that Drew is not to be trusted. Irrespective of his motives, his gossiping can spare her from unwittingly entrusting her students to a predatory academic. Protective gossip can be particularly useful when institutional mechanisms for dealing with morally objectionable behavior are inexistent or ineffective.<sup>13</sup>

In short, gossip can often be fun, harmless, and - when it operates as a means of resistance against oppressive norms - morally valuable. In some cases, however, it is both harmful and morally wrong. It is clearly wrong when it is used as a tool of social and political oppression. Even when it does not do that, it sometimes wrongs those about whom and with whom we gossip, to the extent that it betokens a failure on our

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Aaron Ben-Ze’ev (Lawrence, Kan.: University Press of Kansas, 1994). On juicy gossip, see Robinson, “Character, caricature, and gossip,” 199. On the connection between gossip and curiosity about others, see Gambetta, “Godfather’s gossip,” 216-221.

<sup>11</sup> I do not think idleness is a necessary feature of gossip. Indeed, the fact that we sometimes describe a conversation as idle gossip suggests that not all gossip is idle. For the opposite view, see, e.g., Ben-Ze’ev, “The Vindication of Gossip”; Gambetta, “Godfather’s gossip.”

<sup>12</sup> See Sharlene Fernandes, Hansika Kapoor and Sampada Karandikar, “Do We Gossip for Moral Reasons? The Intersection of Moral Foundations and Gossip,” *Basic and Applied Social Psychology* 39 (2017): 218–230; Max Gluckman, “Gossip and Scandal,” *Current Anthropology* 4 (1963): 307–316; Robin Dunbar, *Grooming, Gossip and the Evolution of Language*, 2nd (London: Faber & Faber, 2004).

<sup>13</sup> See, e.g., Sylvia Schein, “Used and Abused: Gossip in Medieval Society,” in *Good Gossip*, ed. Robert F. Goodman and Aaron Ben-Ze’ev (Lawrence, Kan.: University Press of Kansas, 1994). Schein describes ways in which in medieval society women would gossip about men, domestic servants about their masters, and children about their elders, as a way to push against the formal constraints of their status. In popular culture, the series *Downton Abbey* is, amongst many things, a study of gossip in a class-based society.

part to treat them with the concern and respect which we owe them as persons. Before I defend my Kantian account, let us take a detour via Kant's denunciation of three features which we often find in gossip: mockery, malice, and envy.

### III. KANT ON MOCKERY, MALICE AND ENVY

Kant's denunciation unfolds against the account of duties which he offers in Part II of *The Metaphysics of Morals*. There he distinguishes between two kinds of duties which we all owe to fellow human beings in so far as they are rational and moral agents, or persons: duties of love - or benevolence - and duties of respect:

The duty of love for one's neighbor can... also be expressed as the duty to make others' *ends* my own (provided only that these are not immoral). The duty of respect for my neighbor is contained in the maxim not to degrade any other to a mere means to my ends (not to demand that another throw himself away in order to slave for my end).<sup>14</sup>

Duties of love include a duty of beneficence (to help those in need), a duty of gratitude (to honor someone who has benefitted us), and a duty of sympathy (to be concerned by the fate of others and to cultivate the disposition to share in their joy or pain.)<sup>15</sup>

Kant does not discuss malicious, mocking, and envious *gossip*. However, he castigates malice and mockery in general as violations of our duty of respect to others:

*Wanton fault finding* and *mockery*, the propensity to expose others to laughter, to make their faults the immediate object of one's amusement, is a kind of malice...[Holding up] to ridicule a person's real faults, or supposed faults as if they were real, in order to deprive him of the respect he deserves, and the propensity to do this, a mania for *caustic* mockery (*spiritus causticus*), has something of fiendish joy in it; and this makes it an even more serious violation of one's duty of respect for other human beings.<sup>16</sup>

In a similar vein,

By defamation (*obtreectatio*) or backbiting...I mean only the immediate inclination, with no particular aim in view, to bring into the open something prejudicial to respect for others. This is contrary to the respect owed to humanity as such...The intentional *spreading* (*propalatio*) of something that detracts from another's honor - even if it is not a matter of public justice, and

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<sup>14</sup> Immanuel Kant, *The Metaphysics of Morals*, 2nd, ed. L. Denis, trans. M. Gregor (Cambridge University Press, 2017 [1797]), 214 [6:450]. For a clear statement of the distinction, see J. Pallikkathayil, "Deriving Morality from Politics: Rethinking the Formula of Humanity," *Ethics* 121 (2010): 116–147, 131.

<sup>15</sup> Ibid., 214–222 [6:450–458].

<sup>16</sup> Ibid., 229 [6:467].

even if what is said is true - diminishes respect for humanity as such.<sup>17</sup>

The argument, I take it, goes something like this. We have the capacity to formulate and set ends for ourselves and to pursue those ends. By dint of having those capacities, we have intrinsic worth and are one another's moral equal. As such, we owe it to another to respect one another as persons of equal moral status. Moreover, our attitude to one another must manifest that regard. When we defame, wantonly mock, or needlessly ridicule another person, we express the view that she is not our moral equal; in so doing, we treat her as a mere means.<sup>18</sup>

If this is correct, mocking and malicious gossip which evinces and panders to gossipers' feelings of superiority *vis-à-vis* the gossipee – as in *Disgruntled Academics* – wrongs the gossipee on the aforementioned grounds. However, Kant's account so reconstrued only takes us so far. Malicious and mocking gossip does not always amount to treating gossipees as mere means. Furthermore, gossip is not always envious, mocking or malicious. When we think about cases such as *Curious Acquaintances*, we need not assume, to describe Anna's and Bob's conversation as gossipy, that they resent Caroline's professional success or think that she does not deserve it. In *Disgruntled Academics*, we can easily imagine Bob and Anna gossiping about Drew's unhappy wife without supposing that they mock her. (For example, they speculate at some length with no aim in mind other than passing the time that she puts up with him because she suffers from low self-esteem traceable to an unhappy childhood.) Kant's objection does not get at what can go wrong in this kind of cases. In addition, when we manifest our feelings of superiority *vis-à-vis* others, we do not necessarily fail to treat them with the respect they are owed as persons: we also and perhaps more accurately fail to treat them with – in Stephen Darwall's seminal parlance – the “appraisal respect” which we owe them by dint of their character traits and achievements.<sup>19</sup> Finally, some of Kant's own remarks suggest that malice, together with manifestations of envy, can constitute a failure to fulfill our duty of sympathy:

*Envy (liver)* is a propensity to view the well-being of others with distress, even though it does not detract from one's own.... Moments of envy are...present in human nature, and only when they break out do they constitute the abominable vice of a sullen passion that tortures oneself and aims, at least in terms of one's wishes[,] at destroying others' good fortune. This device is therefore contrary to one's duty to oneself as well as to others.<sup>20</sup>

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<sup>17</sup> Ibid., 228 [6:466].

<sup>18</sup> I draw on Allen Wood's interpretation of the requirement of respect, and on Japa Pallikkathayil's reconstruction of Kant's views on malice and mockery. See Allen W. Wood, *Kant's Ethical Thought* (Cambridge: Cambridge University Press, 1999), 141-142; Pallikkathayil, “Deriving Morality from Politics, 131-132 and 141-142.

<sup>19</sup> Stephen Darwall, “Two Kinds of Respect,” *Ethics* 88 (1977): 36-49. I am grateful to Sophia Moreau and to an Associate Editor of *Ethics* for pressing me on the aptness of Kant's account. This paragraph owes much to their constructive comments.

<sup>20</sup> Kant, *The Metaphysics of Morals*, 222 [6:459].



And,

*Malice*, the direct opposite of sympathy, is likewise no stranger to human nature...We feel our own well-being and even own good conduct more strongly when the misfortune of others or their downfall in scandal is put next to our own condition, as a foil to show it in so much the brighter light. But to rejoice immediately in the existence of such *enormities* destroying what is best in the world as a whole, and so also to wish for them to happen, is secretly to hate human beings; and this is the direct opposite of love for our neighbor, which is incumbent on us as a duty.<sup>21</sup>

As I now show, mocking, malicious and envious gossip sometimes does betoken a failure to treat persons with the respect we owe them as persons. However, such failure does not only involve treating them as mere means: as we shall see, there are other ways to breach the Kantian requirement of respect. Moreover, those forms of gossip also manifest a failure to treat others with the sympathy – or rather, as I construe Kant’s view, the concern – which we also owe them as persons. Finally, gossip which is not malicious, mocking or envious can sometimes wrong its subjects, on those very same grounds.<sup>22</sup>

#### IV. WRONGFUL GOSSIP I: GOSSIPERS

##### IV.A

Consider first the duty of concern. Here is a plausible way – by the light of Kant’s account of the duty of sympathetic participation in the life of others – to articulate it. Persons are responsive to a range of moral, affective and epistemic reasons. We owe it to them to see to it that their life as they shape and construe it in the light of those reasons goes well for them (subject to their not pursuing immoral ends). This implies, *inter alia* and relevantly here, a duty to see and understand how their life looks like from their point of view, and to do so from a position of compassion in the face of their difficulties and vulnerabilities.<sup>23</sup>

Malicious gossip clearly involves a failure to treat others with concern. So can

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<sup>21</sup> Ibid., 223 [6: 460].

<sup>22</sup> Gabrielle Taylor and Margaret Holland have developed Kantian arguments to the effect that gossip is wrongful. Gabrielle Taylor thinks that Kantian considerations point more towards the gossipers’ defective character than towards the wrong committed to the subject of the gossip. While I agree that gossiping can denote morally troublesome temperamental dispositions, I am more sympathetic to Margaret Holland’s view: gossiping (she argues) is wrongful to the gossipee in so far as we treat her weaknesses, the bad things which happen to her and the wrongful deeds which she commits as fodder for our entertainment and as a means for our own self-validation. Holland is on point but does not go far enough – as I argue below. (Taylor, “Gossip as Moral Talk”; Holland, “What’s wrong with telling the truth?”)

<sup>23</sup> For this reconstruction, see especially, Marcia Baron and Melissa Seymour Fahmy, “Beneficence and Other Duties of Love in *The Metaphysics of Morals*,” in T. E. Hill (ed.), *The Blackwell Guide to Kant’s Ethics* (Oxford, UK: Wiley-Blackwell, 2009); Melissa Seymour Fahmy, “Active Sympathetic Participation: Reconsidering Kant’s Duty of Sympathy,” *Kantian Review* 50 (2009): 31-52; Wood, *Kantian Ethics*, 176-177.

mocking gossip. To be sure, mockery in general sometimes serves useful purposes: very much like benign gossip, it can make us laugh and help us bond with one another.<sup>24</sup> However, some forms of mockery (such as relentlessly ridiculing someone) are morally objectionable as failures of concern, and so by implication is similarly mocking gossip.

Other forms of gossip are also sometimes morally problematic on those grounds. When we light-heartedly speculate about our acquaintances' and colleagues' personal and professional travails and skim over complicated dynamics within their families, we sometimes cross the line into trivializing their lives. There are two quite different reasons why we might object to this kind of gossip. On Søren Kierkegaard's view, it is wrong in so far as it reflects badly on the gossipers, *à la* Eliot's foul-smelling tobacco pipe.<sup>25</sup> There is no suggestion on his often-mentioned account that gossipers wrong gossipees. On another view, then, gossip which in tone and content reduces its subjects' life to snippets, particularly titillating snippets, gives us a merely anecdotal window on that life and risks blinding us to what things look like from their point of view. To be sure, we cannot hope *fully* to understand others' life as it goes for them - in fact we ought not to seek to do so: they are after all separate from us. But if we engage with them, we ought to try and get some of the way there. This does not preclude talking about the minor things which happen to others. As I noted above (s.II.B), our life is made of those small, trivial, things; and understanding someone is in part to see why those small things when woven together make up her life. However, it does preclude *trivializing* that which is important to her (her distress at her partner's infidelities, her worry about her child's anxiety, difficult career choices, etc.): when we treat what happens to someone in this way we manifest our unwillingness to attempt to see it from her point of view. In so doing, we wrongfully fail to treat her with the concern she is owed as a person. Our failure is the worse to the extent that we gossip about people whom we know and about whom we have information which should help us understand them better.<sup>26</sup>

#### IV.B

Consider next the duty of respect. It is (*inter alia*) a duty not to treat or use others as a means to our or someone else's ends unless they validly consent, or can reasonably be presumed to have validly consented, to being so used, or are under a duty to incur such treatment, or have acted in such a way as to forfeit their claim against being used absent their consent. To treat them as a means absent their explicit or reasonably presumed consent is to treat them as *mere* means and not, at the same time, as an end

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<sup>24</sup> Kant is not averse to this form of mockery, which he calls banter. Kant, *Metaphysics of Morals*, 229 [6:467].

<sup>25</sup> Søren Kierkegaard, "Two Ages - The Age of Revolution and the Present Age," in *Kierkegaard's Writings- vol. XIV*, ed. E. H. Hong and H. V. Hong (Princeton: Princeton University Press, 1978 [1846]), 97-102. Kierkegaard also objects to gossip on the different grounds that gossiping detracts us from more valuable conversational pursuits and is somehow demeaning to ourselves. See also Bok, *Secrets*, 99-101 (though Bok does not develop the trivialization objection along Kantian lines).

<sup>26</sup> Interestingly, Martin Heidegger describes gossip as idle talk which prevents us from properly understanding the world as it is. (Martin Heidegger, *Being and Time*, trans. J. Macquarrie and E. Robinson (New York: Harper & Row, 1962), 210-214.) One can extract from his remarks an account of the wrongfulness of gossip along those Kantian lines.

in themselves. If they have not forfeited their claim against such treatment or are not under a duty to incur such treatment, treating them as mere means wrongs them. By implication, then, in some contexts we may use others as a means to our ends so long as we also treat them as an end: to illustrate the point with a familiar example, I treat the cashier at the supermarket as a means to my end of getting the food I need, but given that he is willingly employed to serve me and other shoppers, I do not wrong him.<sup>27</sup>

If we hew closely to Kant's account, we will be tempted to condemn any kind of mocking and malicious gossip as breaches of our duty not to treat others as mere means. This would be a mistake, for the act of mocking or ridiculing someone does not itself amount to treating her as a mere means: one can do so thoughtlessly, with no particular aim in mind. However, to mock others *in order to* amuse oneself or to bolster one's ego is to treat them as a means. To do so knowing that they would object is to treat them as mere means. To the extent that Bob and Anna chat about Caroline and Drew behind their back on the assumption that they would object to being treated in this way, intuitively they are treating them as mere means to those ends.

There is a bit more work to be done, though, to strengthen that intuition, to extend it to gossip which is neither mocking nor malicious, and to condemn "mere-means" gossip as wrongful. For the claim that some agent X wrongfully treats another person Y merely as a means can be disputed in three different ways: it might be objected that X does not treat Y as a means; or it might be objected that even if X does treat Y as a means, he does not treat her merely as a means, since he also at the same time treats her as an end; or it might be objected that even if X does treat Y merely as a means, he does not wrong her.

Presently (s.IV.C), I shall argue that, under some circumstances, gossipees can be deemed to have forfeited their claims not to be gossiped about.<sup>28</sup> I shall assume for now that the no-forfeiture condition holds, so that, *if* they are treated as mere means by gossipers, they suffer a wrong. With that proviso in hand, then, against the claim that, in a given case, gossipers treat gossipees as mere means (and therefore wrong them), it might be said, first, that using *information* about someone as a means to one's ends is not tantamount to using and thereby treating *her* as a means.<sup>29</sup> To illustrate,

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<sup>27</sup> I employ the verbs "to treat" or "to use" interchangeably. The *locus classicus* for the prohibition on treating as a means only, or the Formula of Humanity, is Immanuel Kant, *Groundworks of the Metaphysics of Morals*, ed. Mary J. Gregor and Jens Zimmermann (Cambridge: Cambridge University Press, 2012 [1785]), 40-41 (4:428). For extended discussions of treating someone as a (mere) means on which I draw here, see, e.g., Wood, *Kant's Ethical Thought*, Ch. 4; Derek Parfit, *On What Matters vol. 1* (Oxford: Oxford University Press, 2011), Ch. 9; Victor Tadros, *The Ends of Harm: The Moral Foundations of Criminal Law* (Oxford: Oxford University Press, 2011), Ch. 6; Jonathan Quong, *The Morality of Defensive Force* (Oxford: Oxford University Press, 2020), especially 80-85 and Ch. 7; Christine M. Korsgaard, *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), Chs. 4-5. On the interpretation of the means principle I espouse, consent is central. For a skeptical take, see Pallikkathayil, "Deriving Morality from Politics." The way I set out and circumscribe the consent condition answers (I think) Pallikkathayil's well-taken substantive concerns. (I share her exegetical concerns.)

<sup>28</sup> I focus on forfeiture, as I am not entirely sure what it would mean to say that someone is under a duty to allow herself to be gossiped about. If one can be under such a duty, then we can imagine a scenario in which someone who does not, or cannot be presumed to, consent to being gossiped about nevertheless is not wronged.

<sup>29</sup> See Coady, "Pathologies of Testimony," 256-257.

suppose that forty years ago while in my early twenties, I got behind the wheels while drunk, had an accident in which I sustained some injuries, and was handed a one-year suspension of my driving license. None of these facts are secret in our circle of friends. On the eve of your teenage daughter's first driving lesson, you tell her what happened to me as a cautionary tale. It seems far-fetched to say that you are treating me as a means to educate your daughter. All you do, really, is share with her a piece of information about me.

The question is that of how narrowly we should construe the phrase "treating someone as a means". On Derek Parfit's initially plausible definition, "we treat someone *as a means* when we make any use of this person's abilities, activities, or body to help us achieve some aim."<sup>30</sup> This is too strong. "Body", for example, might mean the whole body of a live person - in which case it is plausible to say that *she* is used as a means. It might also mean only a part of her body - in which case we would want to know which part it is, and how she uses it. When you use my body to have sex, are you treating *me* (at least in part) as a means? Yes, I think so. When you use my hand to climb down the stairs, are you treating *me* as a means? I doubt it. "Activity" and "abilities" also seem too broad. Suppose that you take advantage of the fact that I am playing the piano in the downstairs study to creep upstairs in order to wrap my Christmas gifts. Are you treating me as a means? Again, I doubt it. But when you get me to play the piano at your birthday party and entrust me with choosing the music, you are not so much using my hands as my pianistic technical skills and musical creativity: you are getting *me* to deploy my abilities and to engage in an activity. Whether we treat someone as a means, thus, partly depends on whether, and if so to what degree, we use features of hers, or the things she does, which taken together make her the person she is.

A comprehensive account of the scope of treating someone (as distinct from using a part of her) as a means would take us too far afield. Still, we can at least see that using information about what happens to someone is sometimes tantamount to using her, and not just information about her, as a means to one's ends. Return to the car accident. Suppose that it happened last month, and that I am still having to deal with its complex aftermath; suppose too that, to the bare facts of the case when talking to your daughter, you add a long account of how I am feeling, why I was drinking at the wheel, what happened to me next, the consequences of my negligence for my loved ones, and so on. You are not merely talking about my car accident: you are talking about something which is still central to my life, and thus about *me*. Admittedly, using my body and skills is not the same as using comprehensive information about me to make a point: I am directly implicated in your use of me in the former case, while only indirectly so in the latter case. Yet *I* am treated as a means in both. By analogy, in *Disgruntled Academics* and *Curious Acquaintances*, Bob and Anna are not simply talking about Caroline's professional dilemmas and Drew's affairs: they are talking about *Drew* and *Caroline*, in ways which amount to treating them as means to further their conversational ends.

That point alone does not establish that Bob and Anna wrong them. So long as Bob and Anna treat their colleagues and acquaintances as an end while they gossip about them, they do not treat them as mere means to their conversational ends (and thus do not wrong them). That said, on a plausible account of treating someone as a mere means, there are forms of gossip which do constitute such treatment. Recall that

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<sup>30</sup> Parfit, *On What Matters*, 213.

if one treats someone as a means to one's ends absent her explicit or justifiably presumed consent, one treats her as a mere means. When Bob and Anna treat the going-on in Caroline's and Drew's life as a means to pass the time over coffee, to cement their professional and social connection, to feel better about themselves or simply to have fun, and when they do so in full awareness that Caroline and Drew would not consent to being treated in this way, they are treating them merely as means. Given that, *ex hypothesi*, Caroline and Drew have not forfeited their claim not to be so treated, Bob and Anna fail to treat them with the respect they are owed as persons.

The worry about Bob's and Anna's conduct can be put in general terms. When we find out that our acquaintances, colleagues and friends have gossiped about us in order to have fun, pass the time, or make themselves feel better about their life, our sense of grievance is grounded in the fact that they use us even though, given the nature of our connection and the contexts of our interaction, they should have known better than to presume we would not object to being used in this way. Contrastingly, I do not treat the cashier at the supermarket till merely as a means to my ends. I regard him as a rational and moral agent, and my conduct towards him is expressive of my regard: I apologize to him if I drop my credit card; I smile in response to his smile; I recognize that there are stringent moral constraints on how I must conduct myself towards him (for example, I may not humiliate him in front of the other shoppers if he makes a mistake), and I behave accordingly. Nevertheless, the salient dimension of our interactions, to both of us in fact, is that we serve each other's ends (my end of getting my shopping done, his end of making a living) *and* that the context in which we interact permits us to presume that we both consent to such treatment.

By contrast, to regard what others can do for us as the salient feature of our interactions with them is problematic in a variety of other contexts. Barring forfeiture, our friends and acquaintances have a legitimately greater expectation than someone who is barely known to us that we not use them and the goings-on in their lives as a way to bond with one another or to signal to one another that we are in the know and thus have conversational status and social power. Moreover, agents with whom our interactions are essentially transactional also have a legitimate expectation that we not use them as means to our ends outside the context of those interactions. As I pay for my shopping, I permissibly treat the cashier as a means to my end. However, I may not gossip about him with my neighbor, who has some juicy information about his family life, as soon as I leave the shop and as a way to alleviate the tedium of grocery shopping.

#### IV.C.

The duty not to treat others as mere means may well be the most important of the constraints which the Kantian requirement of respect for persons imposes on us, but it is not the only one. We are also under a duty to treat them as morally accountable for what they do in the light of their considered judgements about right and wrong. This implies that we may not subject them to hard treatment, in response to our judgement that they have done wrong, unless we have sufficient evidence to that effect; it also implies that we may not deprive them of the opportunity to account for themselves.

Some forms of evaluative gossip are particularly problematic in that regard. As *Disgruntled Academics* aims to suggest, we tend to gossip about people who breach accepted social and moral norms (particularly sexual norms). We feel freer to do so precisely because we talk about them behind their back (even though in some cases we

know that they may well be aware that they are being gossiped about). There are two related worries about this kind of gossip. First, even though the information shared through gossip is meant to be grounded in truth, it tends to fall short of the evidentiary threshold one must reach before subjecting gossipees to moral sanction.<sup>31</sup> This is particularly so when gossipers exchange snippets of information about someone on the basis of which they morally judge her and without considering countervailing evidence. While the fact that they know her might give them the illusion that they speak with some degree of authority, the informal, fun and idle nature of their gossipy conversations lends itself to epistemically careless moral judgements.

Second, even if the information is correct, evaluative gossip makes it very difficult for its subjects to defend themselves against potentially serious accusations. The fate of Nicholas Bulstrode, another important character in *Middlemarch*, illustrates the point well. Bulstrode, who is the town's banker, sincerely takes himself to hold Christian beliefs, leads his life accordingly and makes sure that his fellow Middlemarchers see him as an upstanding citizen. However, he has come by his wealth fraudulently and is being blackmailed by a former acquaintance of his whose death he then contrives to hasten, all the while rationalizing his conduct in the light of his Christian beliefs. Before long, Bulstrode's past and the suspicious circumstances of the blackmailer's death become the object of gossip and destroy the banker's hard-won reputation. Eliot's finely drawn description shows the corrosive impact of the shards of truth, partial testimonies, and half-baked inferences dressed up as verdictive conclusions which are typical of many instances of gossip. When Bulstrode is finally called upon to answer those allegations at a town meeting, he declines to do so, instead casting aspersion on his accusers' character. Bulstrode is a morally repellent individual, yet one cannot help feeling relieved (inasmuch as one can feel relief on behalf of a fictional character) that the Middlemarchers finally give him the opportunity to account for himself publicly and transparently.<sup>32</sup>

There is no supposition in Eliot's recounting that the Middlemarchers' gossiping was the only way to bring Bulstrode into account. Sometimes, however, gossip is the only way to thwart wrongdoers and, more generally, to contest oppressive political and social norms and practices. This provides a justification for some forms of gossip, to which gossipees cannot morally object. Suppose that marginalized and oppressed groups cannot openly and transparently challenge the *status quo* without incurring serious harm. However, they can protect themselves and those in their care by talking about their oppressors behind the latter's back under the cloak of having an idle and informal conversation - of a kind one can readily recognize as gossip - in which they channel their anger, cautiously ascertain what fellow victims know, and work out strategies for resistance. To the extent that oppressors block attempts to bring them into account or take advantage of the fact that they will not be held accountable, they have no justified grievance against being gossiped about in this way. Return to the case in which Bob gossips with Anna about Drew's affairs with graduate students, at a time

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<sup>31</sup> To be clear, my claim is emphatically not that we have a right to defend ourselves against any belief which others might have about us: it is the more modest one that we have a justified grievance when they morally condemn us on the basis of epistemically faulty beliefs. I am grateful to an Associate Editor for *Ethics* for pushing me on this and to Sophia Moreau for pointing me in the direction of a response (though she clearly is not responsible for any mistake that remains.)

<sup>32</sup> Eliot, *Middlemarch*, 796.

(let us say) when there is no clear policy on staff-student relationships, little appetite on the part of university officials to tackle sexual harassment, and every chance that, if challenged openly about his behavior, Drew would inflict serious damage on Bob's and Anna's career. Suppose too that Anna then imparts that information, via gossip, to other newly arrived female colleagues. By dint of his predatory behavior towards vulnerable female students and his refusal to be held formally accountable, Drew has forfeited his claim not to have his sexual conduct made the object of this particular form of gossip.<sup>33</sup>

#### IV.D

To treat persons with concern and respect requires, not just that we treat them as morally responsible agents, and that we not unwarrantedly use them as mere means to our ends: it also requires that we not treat them as objects. While objectifying someone sometimes involves treating them as a mere means, it need not do so. It can involve treating them as if they were inanimate, or as if they were reducible to a set of physical attributes – as someone does when he admires his spouse's naked beauty in the same way as he admires a nude portrait. It can also involve treating someone as fungible with other individuals or with other entities, or as a passive being over which one has control. To objectify someone clearly is to fail to treat them with the respect they are owed as a person. But it is also a failure of concern: when one conceives of someone as an object, one either does not see the world from their point of view; or if one does, one does not do so from a position of compassion.<sup>34</sup>

Gossip can be a form of objectification, most obviously when we treat those about whom we talk as if they were inert characters in a story. In so far as, like literature, it satisfies our curiosity about the lives of others, it is not surprising that it should often put us at risk of occluding the fact that we are discussing real people: we are after all inveterate storytellers as well as consumers of stories. The worry is twofold: we might forget that the life about which we gossip is *someone else's* life, not one which we construct; we might also forget that we are hearing about a *real* life, not reading a piece

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<sup>33</sup> Two points. First, suppose that Bob and Anna know that Drew would not consent to being gossiped about in this way. If I am right that he has forfeited his claim against his particular kind of gossip, and if it is the case that Bob and Anna treat *him* as a means to protective ends, it follows that they are treating him as a mere means yet do not wrong him.

Second, my point in the main text is compatible with the claim that Drew retains a number of his rights, including his right that aspects of his private life which are not relevant to his predatory behavior should not be gossiped about. Were Anna and Bob to gossip about, e.g., his expensive lifestyle, they would wrong him. That said, suppose female professors and female students engage in this particular kind of gossip. Even if they do wrong, it is not as bad as if Drew gossiped about them in those same ways: even when gossiping is morally problematic, gossiping about those who oppress us (as a form of "punching up") is less problematic than gossiping about those whom we oppress (as a form of "punching down"). Thanks to Ben Sachs-Cobbe for the point.

<sup>34</sup> On some views, to show *empathy* for someone is to see things from her point of view. It might seem then that the failure of concern at play in objectification is a failure of empathy. Not quite, though. For as Darwall rightly notes, empathy so construed is compatible with observing someone with detachment or with treating them cruelly – in other words, with objectifying them. (Stephen L. Darwall, "Empathy, Sympathy, Care," *Philosophical Studies* 89 (1998): 261-82, 261.)

of fiction.

Conceiving of our life as a narrative often helps us make sense of our place in the world, of our achievements and failures, of our relationships, of our character - in other words, of who we are.<sup>35</sup> So does recounting other people's lives, particularly people with whom we are connected: it helps us better understand their place in the world, their achievements and failures, their character, and our relationship to them. However, in the first-person case, it is crucial, lest the narrator be alienated from her life, that she not see her life *as* a story. In the third-person case, it is crucial, lest the narrator fail to see that person as the author of her life, that she not tell it as a story. The risk is particularly acute with gossip, as distinct from other way of sharing information, for gossip, like novels and unlike (I suggest) a matter-of-fact or concerned recounting of events, is much more interesting, indeed much more fun, when it is about hardship, failures, and transgressions than when it is about successes, happiness, and saintliness. Therein lies a difference between Bob and Anna having a conversation about an acquaintance or colleague in difficulty whom they wish to help, and a gossipy conversation such as *Curious Acquaintance* in which, carried away by flights of speculative disquisition, they turn their colleagues' lives into a story of which *they*, and not their colleagues, are the authors.

This leads me to the second worry – that gossipers sometimes savor the turns and twists of their colleagues' and acquaintances' lives as they savor a novel. The parallel I am drawing between gossiping about people we know and analyzing fictional characters raises the complex and fascinating question, at the intersection of ethics and aesthetics, of the nature and aptness of our reactive attitudes to fictional characters compared to real characters. I would much rather read *Anna Karenina* than any novel, however good, about a happy family. But my sadness at the fate which befalls the novel's eponymous character is appropriately not the same as my sadness at the collapse of my colleague's marriage, even if it is in the vicinity (phenomenologically speaking.) The worry about those forms of gossip is that they sometimes amount to a kind of voyeurism. Discussions of voyeurism focus on perceptual voyeurism. The most familiar characterization of and objection to perceptual voyeurism is that it constitutes a breach of its subjects' privacy and is wrongful to the extent that the latter have not consented to have their privacy breached in this way. I agree. However, perceptual voyeurism can also wrong its subjects, when and because it evinces an objectifying stance towards them – akin to the stance we sometimes have towards fictitious people - to which they have not consented. Conversational voyeurism, of the kind one often finds in gossip, is wrongful on similar grounds: the mode of objectification makes no difference.<sup>36</sup>

#### IV.E

Gossip wrongs gossipees, I argued, to the extent that it trivializes, instrumentalizes or objectifies them without warrant; and to the extent that when it morally condemns

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<sup>35</sup> Connie S. Rosati, "The Story of a Life," *Social Philosophy & Policy* 30 (2013): 21–50.

<sup>36</sup> On the privacy objection to observational voyeurism, see, e.g., Stanley Benn, "Privacy, Freedom and Respect for Persons," in *Privacy - Nomos XIII*, ed. John R. Pennock and John W. Chapman (New York: Atherton Press, 1971); Daniel Nathan, "Just Looking: Voyeurism and the Grounds of Privacy," *Public Affairs Quarterly* 4 (1990): 365–386. For the suggestion that voyeurism (or wrongful observation) can be non-perceptual, see Helen Frowe and Jonathan Parry, "Wrongful Observation," *Philosophy & Public Affairs* 47 (2019): 104–37, 108.



them, it often fails adequately to treat them as morally accountable agents. In those forms, gossip fails to afford gossipees the concern and respect they are owed as persons. Admittedly, the same can be said of other means of similarly handling information about people we know, and without their being aware of it. Suppose that Bob writes a diary with no expectation or desire that it should be read by anyone else. He records his observations about Caroline and Drew without making a particular effort to understand them. His writing is light-hearted, mockingly humorous at times, and voyeuristic to the point where the diary reads like a novel rather than an account of the lives of real people. Bob trivializes or objectifies those individuals as a means to entertain himself. I believe that he fails to treat them with the concern and respect he owes them as persons.

Yet, other things equal, gossip is morally problematic in a way Bob's diarizing is not.<sup>37</sup> As we go about our lives, we are vulnerable to one another's callous disregard of our interests and negligent failure to give due consideration to our rational and moral agency. There is strength in coordinated numbers: wrongdoers who act jointly rather than singly or even severally are likely to egg another one on, and to shield one another from critical scrutiny, thereby decreasing prospects that they will desist. This explains why bullying someone is wrong, but ganging up with others to bully her is worse. In the context of information-sharing, the group-structuring function of gossip can be particularly pernicious. To be a voyeur, a user, or a "trivializer" in a shared conversational endeavor at the expense of the subjects of one's gossip is morally worse other things equal than to do it on one's own.

#### IV.F

It might be thought that even if my account of the wrongfulness of some paradigmatic features of gossip is correct, it does not apply to gossip which does not adversely affect its subjects. Thus, in response to the charge that gossip is an intrusion on the private lives of gossipees, Bok argues that gossip is unduly invasive, and thereby wrongful, only if it "hurts the individuals talked about." Likewise, "the speculations in bars or sewing circles concerning even the most intimate aspects of a married life of public figures is not intrusive so long as it does not reach them or affect their lives in any way. Such talk may diminish the speakers, but it does not intrude on the persons spoken about."<sup>38</sup>

We should resist this view. Although Bok frames it as a point about rumors concerning public figures, it applies to gossip about colleagues and acquaintances. To see why it is problematic, consider the practice of mass surveillance via CCTV cameras. Those cameras make no difference whatsoever to the lives of those of us, in the dozens of millions, who are law-abiding citizens. Yet they clearly are an intrusion of our privacy and, on the plausible assumption that there is no justification for having them in such numbers, unduly so: the fact that we are not affected by this particular form of mass surveillance does not undermine the claim that it wrongs us. By parity of reasoning, it is not plausible to say that Bob and Anna are not unduly intruding on Caroline's, Drew's, indeed their spouses' and children's, privacy so long as the lives of those individuals remain exactly the same before and after those gossip interactions. Bok's claim also implies that if, unbeknownst to Caroline and Drew, Bob attempts to gossip

<sup>37</sup> And *vice-versa*, of course: written words endure and perhaps do damage over time in a way that oral words do not.

<sup>38</sup> Bok, *Secrets*, 97-98. See also Westacott, "The Ethics of Gossip", 78.

to Anna about them in a way that would be intrusive of their privacy but fails due to Anna's lack of receptiveness, he does not wrong them. This too is implausible.

It might be objected that even if I am right about privacy-intruding gossip, other forms of gossip survive Bok's test. In s. IV.B, I argued that negatively evaluative gossip can wrong gossipees to the extent that it falls short of the epistemic standards which agents ought to reach when morally condemning others. Yet suppose that Drew will never be aware of what Bob and Anna think of him, and that their moral condemnation of his behavior will have no impact on his life. It is implausible (the objection goes) that they wrong him by merely believing those things about him, particularly if those things are true.

The objection implies that one cannot wrong someone merely by holding certain beliefs about them – in other words, that there is no such thing as a doxastic wrong. Defending the opposite thesis is beyond the scope of this paper. Let me simply note that the objection seems to prove too much. It implies, for example, that merely holding stereotypical sexist beliefs about a woman does not wrong her so long as she is never made aware of those beliefs or never suffers a detriment as a result. It also implies that trial jurors who condemn a defendant without presuming him innocent and on the basis of prejudicial beliefs rather than of appropriate evidence do not wrong him either, so long their faulty reasoning makes no difference to the punishment they mete out to him. However, even if those beliefs happen to be true – even if, for example, the defendant did commit the crime – something has gone seriously awry, morally speaking. If this is correct, gossipers can wrong gossipees merely by dint of some of the beliefs they hold about them: some instances of negatively evaluative gossip, as discussed above, illustrate the point. Admittedly, opponents of the doxastic wrong thesis, or of its extension to cases in which the belief is true, are unlikely to be persuaded. Proponents of the thesis will (I hope) find in my Kantian account of morally condemnatory gossip further support for it.<sup>39</sup>

## V. WRONGFUL GOSSIP II: GOSSIPERS

Philosophical discussions of the wrongfulness of gossip tend to focus on the relationship between gossipers and gossipees. When they touch on the relationship between gossipers, they deal with cases in which one gossipier aims to deceive the other.<sup>40</sup> However, some features of the Kantian account support the intuition that gossipers sometimes wrong one another even when they speak truthfully.

Suppose that Bob shares with Anna true information about Caroline and Drew in some of the gossipier ways I have described throughout this paper, and in so doing fails

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<sup>39</sup> For recent defenses of the doxastic wrong thesis, see Rima Basu, "Can Beliefs Wrong?," *Philosophical Topics* 46 (2018): 1-17; Rima Basu, "The Wrongs of Racist Beliefs," *Philosophical Studies* 176 (2019): 2497-2515; Berislav Marušić and Stephen White, "How Can Beliefs Wrong? A Strawsonian Epistemology," *Philosophical Topics* 46 (2018): 97-114; Mark Schroeder, "When Beliefs Wrong," *Philosophical Topics* 46 (2018): 115-28. Schroeder restricts the thesis to cases in which the belief is false. I extend the thesis to true-beliefs cases and apply it to the presumption of innocence in Cécile Fabre, "Doxastic Wrongs, Non-Spurious Generalizations and Particularized Beliefs," *Proceedings of the Aristotelian Society* 122 (2022): 47-69, and Cécile Fabre, "The Duty to Accept Apologies," *Journal of Moral Philosophy* (forthcoming 2023), s. 4.1. Thanks to an Associate Editor for *Ethics* for the objection.

<sup>40</sup> See, e.g., Bok, *Secrets*, 95.

to treat them with the concern and respect he owes them as persons. He seeks to enlist Anna into his *ex hypothesi* wrongful enterprise (wrongful, that is, *vis-à-vis* the gossip.) In so doing, he (sometimes) wrongs her.

This is uncontroversial if he knows that she is vulnerable to being manipulated into a gossip interaction, and if her vulnerability stems from either one of the following facts: he stands in a relationship of authority towards her; or she is temperamentally disposed to being manipulated anyway. In the first case, he abuses his position. In the second case, he takes advantage of her. Recall that to treat someone with the concern and respect she is owed as a person is to regard her as having the capacity for leading her life in the light of her considered judgements about right and wrong, and to conduct oneself towards her accordingly. As we saw above, this implies that we not subject her to harsh treatment absent adequate evidence, and that we give her the opportunity to account for herself. Moreover, this also implies that we not thwart her in her exercise of her moral agency without warrant, and a duty that we support her in that exercise. This partly accounts for the wrongfulness of (*inter alia*) manipulation in general. By manipulating Anna into wrongfully gossiping about Caroline and Drew, Bob wrongfully subverts her exercise of her capacity for moral agency.<sup>41</sup>

So far, I have assumed that Bob's gossiping wrongs its subjects. Let us relax this assumption. Suppose that Drew has forfeited his claim not to be the subject of professional gossip. The fact that Drew is not wronged by Bob's gossiping does not let Bob off the moral hook. Indeed, we can easily imagine situations in which Anna might have a legitimate claim not to be the recipient of gossip about Drew. Suppose that Bob, who is a senior member of the department, seeks to form alliances in his longstanding feud with Drew - a feud in which, let us assume, he has the moral upper hand: for the last ten years, he has had to take up the slack of Drew's unsanctioned shirking of marking duties. Anna, let us further suppose, is an early-career academic who has just joined the department. When Bob gossips to her about Drew's free-riding behavior even though Anna is not in the foreseeable future likely to be adversely affected by it, he is taking undue advantage of her juniority and inexperience as a means to enlist her to his side.

Anna's justified grievance in this case might be rooted in deeper objections to being manipulated and exploited. It might also be rooted in a legitimate interest in not being burdened with information which she neither needs nor wants to have. To be sure, when gossip has protective and contestatory functions, we may well be under a duty to listen to it, however dubious the gossipers' motives - thereby doing our share of the communicative labor that is necessary to eradicate or at least mitigate oppressive practices and abusive behaviors. Sometimes, however, to be put in the position of having to do that labor with little opportunity to get out of it is to be treated as a means to someone else's ends in ways which are not warranted by the context of our interactions with that person; and, correspondingly, we have a legitimate expectation that our colleagues and acquaintances should not presume that we would be willing to do it. 'Too much knowledge!' is often said light-heartedly, yet knowledge can indeed be too much. Bob's failure, it seems, is both a failure of respect and a failure of concern.

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<sup>41</sup> Here, I draw on Jeff Howard's account of the wrongfulness of entrapment. (J. W. Howard, "Moral Subversion and Structural Entrapment," *Journal of Political Philosophy* 24 (2016): 24-46.) Out of a small but growing literature on manipulation, see, especially, Christian Coons and Michael Weber (eds.), *Manipulation - Theory and Practice* (Oxford: Oxford University Press, 2014.)

Not only does he use Anna: he also fails to see how his gossiping to her about another senior colleague might look like from her position of professional vulnerability.

Admittedly, Bob would also fail to treat Anna with due concern and respect if he wrote to her a long and formal email detailing Drew's professional failings. But gossip can be problematic in a way his email would not be. When gossip is or appears to be idle and a bit of fun, is imparted in a small conversational setting and offered, if implicitly, as a token of esteem, it often signals or invites conversational intimacy and is all the more seductive for it - far more seductive and harder to resist than other kinds of communication, in particular formal communication. It is harder too to object to it, for fear of being branded as not fun to be around, prissy, or judgmental. In that respect, gossip can be similar to off-color humor to which listeners do not dare object for fear of eliciting the charge of "oh don't be so serious, it's just a joke". The point can obviously apply to humorous gossip, which is a particularly effective means of making it difficult for one's possibly reluctant conversational partner to challenge our behavior; but it can also hold for more serious gossip. Moreover, while the point holds for gossip between equals, it is stronger still for gossip in which one conversational partner has greater professional authority and standing than the other. In all such cases, Bob's behavior displays a serious failure to treat Anna with the concern and respect she is owed as a person.<sup>42</sup>

## VI. CONCLUSION

I began this paper with two observations. I noted that gossip has not received much attention in ethics; and that for all that we also enjoy and value it, it often elicits moral unease though it is not easy to ascertain why. In this paper, I made a start at filling those gaps. Some forms of gossip are wrongful, I argued, to the extent that they involve a failure to treat the subjects of gossip as persons. In this respect gossip has much in common with other forms of information-sharing, be they conversational or not; but it sometimes has a distinctive hue, in gossipers' attitudes to and handling of the information and to the conversation itself. Gossip is not the mere imparting of a piece of information about others: it is a conversation about *persons* - their likes, dispositions, the happenings in their lives, their reactions to those happenings, the range of reasons in the light of which they conduct their life and so on. This is precisely why we find gossip, in its many forms, so interesting and quite fun. There is something especially wrongful, *vis-à-vis* those persons, when our failure to treat them with the respect and concern they are owed as persons manifests itself in a conversational practice which we would not engage in but for the fact that they are persons.

My account is not meant to be exhaustive. For example, gossip can do serious damage to our social, professional, and social relationships. To the extent that we are under duties to our friends, colleagues, and acquaintances to maintain and nurture those relationships, we are under duties not to engage in destructive gossip. The Kantian account does not preclude that possibility. It also leaves open the conceptual and normative questions of whether sharing information about people we do not know at all, or writing in so-called gossip magazines and discussing what one reads in those magazines, count as gossiping; and of whether these practices are wrongful and if so

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<sup>42</sup> Thanks to Karen Stohr and Sanford Goldberg for their help in formulating my thoughts in this paragraph.

why. Finally, gossip is one form of conversation amongst others, and it remains to be seen which elements of the Kantian account, if any, apply to other forms. There clearly is much to say about gossip.