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either the aggravating or the mitigating role in criminal law it currently does. She writes that we should be similarly suspicious of what she calls "primitive shame," a shame "at the very fact of human imperfection," and she is harshly critical of the role that such shame plays in certain punishments.

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Humanity extends Nussbaum's work in moral psychology to probe the arguments for including two emotions shame and disgust —as legitimate bases for legal judgments. Nussbaum argues that individuals tend to repudiate their bodily imperfection or animality through the projection of fears about contamination

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