

The Conversational Character of Oppression

Robert Mark Simpson

Australasian Philosophical Review 5/2 (2022): 160-69

Abstract. McGowan argues that everyday verbal bigotry makes a key contribution to the harms of discriminatory inequality, via a mechanism that she calls *sneaky norm enactment*. Part of her account involves showing that the characteristic of conversational interaction that facilitates sneaky norm enactment is in fact a generic one, which obtains in a wide range of activities – namely, the property of having *conventions of appropriateness*. I argue that her account will be better-able to show that everyday verbal bigotry is a key factor in social inequality if it tries to isolate a more specific property of conversation as the thing that facilitates sneaky norm enactment.

1. Introduction: Sneaky Norm Enactment

Everyday remarks by ordinary people under ordinary circumstances can harm others, especially members of subordinated groups. McGowan isn't the first to say so. But she makes an important contribution to philosophical discourse on this topic, because she offers a detailed account of a mechanism through which these sorts of harms are inflicted – what she calls sneaky norm enactment.

Human behaviour isn't totally random or impromptu. It's channelled at every turn by rules, precepts, and norms, some enshrined in law, but many rooted in informal custom. McGowan draws a helpful distinction to sharpen this well-established insight. Some social rules – McGowan calls them *g-rules* – establish broad background parameters for behaviour, whereas other social rules – *s-rules* – specify, in a finer-grained fashion, what's forbidden, permitted, or obligatory here and now. Norm enactment is, roughly, the activation of specific s-rules at a specific place and time, within the parameters laid down by the broader g-rules. Everyday remarks by ordinary people enact s-norms, thus characterised, because – as with pretty much any sort of behaviour – they are 'moves' in norm-governed practices, i.e. acts which determine how those practices play out at any

given juncture. Everyday verbal bigotry becomes harmful if the s-rules that it enacts result in harm. This is what McGowan is advertent to when she says ordinary speech can *constitute* harm. It does so when it inflicts harm on others indirectly, through the enactment of harmful norms.

What makes such norm enactment *sneaky*? First, the ordinary speaker whose utterances enact harmful s-norms might not intend this. Second, because the ordinary speaker lacks the recognised norm-imposing authority of a lawmaker, she mightn't be seen by herself or others as a norm-enactor. Third, this sort of verbal enactment of harmful norms usually goes unannounced. And so it markedly differs from many other cases of norm enactment. Think about a professor saying to his students "we've heard enough from the ladies in the room; shall we hear from the men?" This makes it manifest to everyone there that the women are to be quiet. By contrast, to bring in McGowan's central example, consider a white customer (WW) in a restaurant, using racialised insults and dog-whistles to verbally attack a black family. This speech, as in the classroom case, licenses discriminatory treatment of people in an out-group. It makes it acceptable, in a certain sense, for people of colour in that space to be treated as inferiors. But it does so less transparently. WW isn't the boss of the situation, after all. She's saying bigoted things, but she isn't *making* others follow suit, is she? The alteration in the local s-rules is a social reality, but in the restaurant case it is surrounded by an air of ambiguity (who's in charge of the situation?) and plausible deniability ("but I was just messing around").

I don't see much room for doubt about the existence of sneaky norm enactment as such. People say things that subtly, indirectly affect how others may act. McGowan's account isn't merely meant to be noting the existence of the phenomenon, though. Rather, she's trying to explain the phenomenon in a way that leads to us viewing it as a particularly weighty factor in the larger system of discriminatory oppression. Of course this isn't the only conceivable view of things. One could instead see material inequality and overt institutional prejudice as the key causal factors in identity-based oppression, and see the verbal interactions overlaid onto these things as a symptom of an unequal social order, rather than something that sustains it. Challenging this is part of the point of McGowan's account. The kind of speech that she's examining isn't just a minor factor in sustaining discriminatory oppression; it is, she says, ubiquitous and pervasive. And until we find an effective remedy for it, legal or otherwise, real equality is unachievable; "all our talk of equality is just that" (2022: 148).

What I want to home in on is a part of McGowan's account that's important if we are going to accept this upshot of her account – if we're going to be lead, by her analysis of the mechanisms involved in sneaky norm enactment, to see discriminatory speech as a key factor in the larger network of discriminatory inequality. Specifically, I want to examine her explanation of how we extrapolate from an observation about how norm-enactment functions in conversation, to one about how norm-enactment functions in general. It's useful to start by focusing on the conversational context, because it shows us how somebody can enact norms for those she is interacting with, even if she, the norm-enactor, lacks any positional authority. This happens as a matter of course in conversation. And so if the features which make this possible in conversation also obtain in

many other types of interaction, then sneaky norm-enactment, *sans* authority, presumably occurs throughout the social order. Suddenly, the thesis that inequality is sustained by ordinary voices, and not just material and institutional iniquities, becomes a more plausible one.

2. Norm Enactment: Beyond the Conversational Context

In a conversational context the enactment of s-norms is generally easy and frictionless. To adapt McGowan's example from §1.2, suppose I'm having a chat with you, and I say that Baxter, my cat, has been clawing up the couch. By bringing up Baxter I enact a change to the conversational score – vis-à-vis which feline is the salient one – such that it becomes conversationally infelicitous for you to refer to some other cat, besides Baxter, as *the cat*. This kind of norm enactment doesn't involve any exercise of speaker authority. I'm not the boss of the conversation. At no point need I convey a command to you: "henceforth you're only allowed to use 'the cat' to refer to Baxter". That my comment enacts this s-norm is, as McGowan puts it, "a mere consequence of the norm-governed nature of conversations" (Ibid: 132).

This is all fine as a characterisation of how norm-enactment works in conversation. But what is it about conversation that allows things to work this way? McGowan is interested in the generic trait of having *appropriateness conventions*. She says that

Many activities – not just conversations – are such that contributions to them thereby change what is subsequently appropriate in them. In fact, any move in a norm-governed activity thereby enacts permissibility facts... for that token instance of that activity... It doesn't take much for an activity to be norm-governed. It requires only that some actions count as inappropriate with respect to that activity, and this condition is easily and widely met. Conversations, dancing with a partner, informal social interactions, playing improvisational jazz, chess, checkers, and baseball are all norm-governed in this sense. (Ibid: 133)

Notice the air of downplaying in this passage. Whatever is distinctive about the way s-norms are enacted in conversation, this isn't what McGowan intends to home in on. Rather, she's homing in on a feature of conversational norm-enactment that's generic. And she's saying *any* move in an activity which bears this generic trait enacts norms in that activity:

since what is permissible at any point in a norm-governed activity depends on what has happened so far in that activity... and since what has happened so far is captured by the score, enacting a change to the score thereby enacts permissibility facts for the activity in question. (Ibid)

In sum, norm-governed activity is everywhere, the easy enactment of s-norms is a feature of all norm-governed activity, and any act falling within such an activity contributes to this.¹

McGowan illustrates this with an example of norm-enactment within the activity of trading in friendly chit-chat. You're talking to an old friend, Greg, and you express happiness for the success of a former classmate, who used to treat you terribly. This sets a tone for the ensuing interaction. It makes it inapt for Greg to casually express animosity towards your schoolmates, or indeed anyone. As with routine conversational norm-enactment – like me causing 'the cat' to refer to Baxter – this can occur sneakily. You weren't in charge of the interaction. You didn't command or entreat Greg to be magnanimous. You just set the tone, in a way that was a consequence of you acting in a particular style, while being a participant in the norm-governed practice of exchanging pleasantries. What this shows us, McGowan says, is that

Our contributions to these broader (extra-conversational) social practices are routinely enacting s-norms in the token instances of those practices... even though we are not aiming to do so; we are hardly aware of doing so, and we are not exercising any peculiar authority in doing so. (Ibid: 134)

Now, the payoff is that this helps us explain why certain kinds of speech do more than is immediately apparent – why they aren't, to echo McGowan's title, *just words*. What McGowan ultimately wants to claim about the restaurant case is that there's a parity between WW's remarks towards the black customers, and other uncontroversially regulable acts of verbal discrimination, like the display of a 'Whites Only' sign in the window of a shop, or to a CEO declaring, at a meeting, that his company will only hire men. All these cases involve an enactment of discriminatory norms in a public context, and thus they all belong to a class of acts that isn't, on free speech grounds, robustly protected against regulation. And again, the norm-enactment that McGowan is concerned with isn't confined to what transpires *conversationally*. She isn't fixated on how WW's remark changes what is conversationally apt. She's worried about how it alters 'the score' in the norm-governed practices of discriminatory inequality: "WW's utterance is also a move in broader (extra-conversational) social practices" (Ibid: 142); it enacts "an s-norm for that restaurant that denies that African American family equal access to that public accommodation at that time" (Ibid).

3. Cooperation and Gentle Bullying

I think McGowan's framework is the best formal account we have of the mechanism via which everyday speech contributes to discriminatory inequality. But I think it will work better – specifically, in lending support to the notion that speech plays a key role in discriminatory inequality – if we take a different approach to the 'extrapolation step' of the analysis, where we move from an account of sneaky norm enactment in conversation, to

¹ McGowan's explanation of this 'extrapolation step' is ostensibly the same in the extended presentation of her account (2019: 86-91); although see note 5 below.

a claim about how norm enactment functions in other social practices. McGowan says that what occurs in conversations occurs in other practices, insofar as it hinges on the generic features that come with being a norm-governed practice. Again, she is explicit in saying that it doesn't take much for an activity to be norm-governed: "it requires only that some actions count as inappropriate with respect to that activity" (Ibid: 133). And again, this criterion is meant to be *widely met*: conversations, dancing with a partner, informal pleasantries, improvisational jazz, chess, and baseball are all norm-governed in this sense (Ibid).

This is correct as far as it goes. But conversations are also norm-governed in a more distinctive way. Trying to get a handle on this distinctive trait is largely what motivated David Lewis (1979) to develop the account of *conversational scorekeeping* whose theoretical building blocks McGowan draws upon in her own account. Lewis isn't zeroing in on the generically norm-governed character of conversation. He's zeroing in on the strange way that conversations, despite being rule-governed, nonetheless readily accommodate rule-violation.² I believe this distinctive feature of conversations, and the way it facilitates sneaky norm enactment, is something to be foregrounded, not downplayed, if McGowan's account is to achieve its optimal form.

Let's bring in an example. Suppose you're talking to a friend, Amir, about how you can help a mutual friend, Bill, who is in the thick of a mental health crisis. At one point in the discussion Amir has a brainwave: "oh, wait; he actually told me just the other day; there's a mental health organisation downtown that does free group therapy sessions; that'll be worth trying out!" For a second you're flummoxed. Because you've been over this, and you know that Bill hasn't been doing anything to connect with mental health organisations. Indeed, this is part of the trouble that you're trying to address. But then Amir's meaning clicks. When Amir said "*he* actually told me about this organisation...", the word 'he' wasn't referring to Bill. It was referring to Amir's co-worker, and current crush, Carlo. Over the last little bit Amir has been going on about Carlo constantly; bringing him up out of nowhere, in all sorts of random contexts. Amir's thoughts are so wrapped up in Carlo right now, that Amir sometimes inadvertently uses the word 'he' to refer to Carlo, even when Carlo isn't an active focal point for the conversation. Now, you talk to Amir regularly, so you are able to figure all of this out quickly, and get past your initial confusion. And for what it's worth, the organisation that Carlo has information on actually sounds like a good lead to consider. So you ask, "did he mention where this group is located?" And obviously now, by 'he', you're meaning to refer to Carlo, not Bill.

The first striking thing about this interaction is that Amir simultaneously violates an s-rule while enacting a new one. The pronoun 'he' is being used to refer to Bill. But Amir

² The whole set-up of Lewis's paper is geared towards illustrating how conversation's rule-governed nature differs from other more rigidly rule-governed activities, with baseball being the main comparative example. He says "there is one big difference between baseball score and conversational score. Suppose the batter walks to first base after only three balls. His behavior would be correct play if there were four balls rather than three. That's just too bad. ... Baseball has no rule of accommodation to the effect that if a fourth ball is required to make correct the play that occurs, then that very fact suffices to change the score. ... Language games are different. ... conversational score does tend to evolve in such a way as is required in order to make whatever occurs count as correct play" (Lewis 1979: 346-47).

uses it to refer to Carlo, and Amir thereby makes it the case that ‘he’ does indeed refer to Carlo. Part of what we’re seeing here is just the special pliability of conversational norms. If you want to change the trajectory of a conversation so that certain ideas are in play, or so that certain conversational moves become licit, you can do this simply by making a suitable interjection.³ The example shows Amir doing exactly this, albeit in a rather oblivious way. Now, as Lewis emphasised when he was describing this phenomenon in his ground-breaking paper, and as others adapting his framework usually remind us, this process – Lewis calls it *accommodation* – is blockable. You could have corrected Amir. “We are talking about Bill. That’s who ‘he’ is, for the purposes of present discussion. If you are going to bring Carlo into it, be explicit about it.” And if you had interjected like this, then the violation-cum-replacement of the relevant s-rule would have been blocked. It’s in your acceding to Amir’s change to the conversational score that the change properly registers.⁴

There is a further thing here that I want to bring into focus. Even when you freely accede to Amir’s pronoun-switching norm-enactment, there is still a sense in which you’re being railroaded. Granted, you have the ability to block the norm-enactment. But the point of your discussion isn’t to fastidiously police Amir’s pronoun usage. The point is figuring out how to help Bill. If you have grasped what Amir is trying to convey, then blocking his s-rule violation is doing precious little besides distracting from that aim. Yes, Amir is being scatty, and making you carry some extra communicative load. You may be a little irked by this scattiness, but you care more about the conversation’s overall aims, and consequently you don’t exercise your right to block Amir’s norm-enactment. You start using ‘he’ to refer to Carlo too.

What’s happening here is accommodation, in Lewis’s sense. But again, I’m trying to bring a specific aspect of the phenomenon into focus. One way of describing it would be to say that in a conversation you can be shepherded into following s-norms that your interlocutor enacts, but which you’d really prefer *not* to follow, all else being equal. There can be a subtly coercive feeling to a conversation; a feeling of being gently bullied into going along with your interlocutor’s moves.

At root, this is because conversations involve a complex sort of cooperativity. Conversations aren’t just verbal tennis, in which we take turns volleying utterances back over the net. They’re more complexly coordinated than this. Now, for that matter, so is a sport like baseball. There is a more sophisticated decision-tree of activities to be followed in baseball, compared to simple turn-taking. But conversations are not just verbal interaction in accord with a more complex act-sequence, either. Conversations are more like

³ Here I’m paraphrasing my own precis of Lewis’s account from (Simpson 2013: 557)

⁴ This point about conversational score-changes being blockable, and needing the interlocutor’s accession, appears on the first page of Lewis (1979). Recent work on conversational scorekeeping expands on the basic point. Suppose someone says to you “*even you* might get my award for being the cleverest person I know”. Langton (2018) distinguishes different ways to block a conversational score-change following such a remark. Explicating the implied propositional content (“what do you mean *even* me? I’m no dummy”), differs from the tactic of contesting an assumed felicity condition for the utterance’s success (“*who are you* to give out these prizes?”). In a similar vein, Caponetto (forthcoming) proposes a taxonomy of different ways the speaker herself may retract or undo her own verbal enactments.

dancing, in which the actors start with some vague parameters, within which they try to synchronise their intentional behaviour, in order to drive towards some shared though often embryonic idea of what they are purporting to do together. This isn't a generic trait of norm-governed activity. Chess and baseball are not like this. Neither is applying for a new driver's license, or transferring money through an online bank account, or performing a secret handshake. There are many norm-governed activities in which things have to proceed in a specified sequence, or else the activity fundamentally dissolves. There are also all sorts of norm-governed activities in which the participants' cooperative intentions aren't so intermingled as to allow for real-time, collaboratively-improvised choreography. The features of conversation that make it possible for one actor to subtly press-gang others into following certain s-norms – a complexly cooperative mindset, a quality of being rule-governed, but in a way that allows for rule-violation – are not totally generic.⁵

4. An Alternative Extrapolation Tactic

The very fact that these features *aren't* generic is part of why McGowan opts to emphasise conversation's generic features instead. There's little use in explaining how sneaky norm enactment works in conversation, as a starting point for an account of how ordinary speech contributes to injustice, if the mechanics that enable sneaky norm enactment in conversation don't exist anywhere else. But it may be that these distinctive traits of conversation do exist elsewhere. Perhaps the activities that constitute a form of social life – and specific aspects thereof, like conformity to identity-based hierarchies – are actually highly similar to conversations, not just in a generic way (i.e. having appropriateness conventions), but in the weird kind of cooperativity that underlies them, and the sort of 'gentle bullying' dynamics that this facilitates. The fact that some activities are not like this – chess, applying for a license, a secret handshake – isn't an issue. It doesn't need to be true that *everything* operates according to the same causal dynamics as conversation. The claim can just be that activities that constitute systems of informal social practices work this way. Are there decent grounds for holding such a view? Stanley Cavell (1976: 52) says that the way we live together

Is a matter of our sharing routes of interest and feeling, modes of response, senses of humor and of significance and of fulfilment, of what is outrageous, of what is similar

⁵ In the longer version of her account McGowan (2019) elaborates on the difference between conversations and more rigidly rule-governed activities, like baseball. She accepts Lewis's contrast of the rigidity of score-updating in baseball, versus the flexibility of score-updating in conversation. But she notes that conversational rules can be rigid in certain ways (incomprehensibly ungrammatical speech isn't easily accommodated, after all), and also notes ways in which accommodation is in effect in activities like baseball. For example, a pitch outside the strike zone might mistakenly be called as a strike, and "in at least some cases, the strike zone is automatically adjusted so that the umpire's call counts as correct" (Ibid: 84). But even if that's right, it's compatible with there being a difference in kind between the two sorts of activities. If I move my rook diagonally, and my opponent keeps playing and follows suit, we shouldn't say that chess has proven itself to be less rigidly rule-governed than initially presumed. Rather, we've just stopped playing chess, and started playing *chess'*. There's no clear analogy for this in conversation, or in something like improvisational jazz. No matter how wildly you stretch the ordinary conventions, the conversation or jam is still going as long as others continue playing along.

to what else... of when an utterance is an assertion, when an appeal, when an explanation – all the whirl of organism that Wittgenstein calls “forms of life.” Human speech and activity, sanity and community, rests upon nothing more, but nothing less, than this.

What Cavell is discussing here is what Wittgenstein at one point describes as “the scaffolding from which our language operates” (1953 [2009]: 94). Cavell calls it *attunement*. Whatever we name it, it is a key ingredient for understanding Wittgenstein’s later philosophy. Cavell is presenting this in reply to those who suggest that, in speaking of language *games*, Wittgenstein is inviting us to see language as a structured set of rules for speakers to follow. Cavell thinks this is simplistic. Wittgenstein is really trying to get us to see that the surface-level rule-structures of language rest on something deeper. Our ability to verbally communicate depends upon us co-inhabiting a mutually intelligible world of experience and meaning. We have to be tuned into each other like this, or else the type of rule-following involved in sharing a grammar is impossible. We can get a sense of this by reflecting on moments of synchronicity in the day-to-day. Think of what it’s like when a dialogue *really flows*, or what you observe in the hive-mind-ish teamwork of athletes displaying preternatural anticipation of each other’s movements (à la Barcelona, c. 2010, or the San Antonio Spurs, c. 2013-14). What these scenarios involve is, to echo an earlier phrase, a kind of intuitive coordination that enables collaboratively-improvised choreography in real-time. What Wittgenstein is suggesting, at various points in the *Investigations*, is that any coherent form of social life is underwritten by an attunement between people along roughly similar lines.⁶ (And to be clear, he isn’t thus saying that everyone is always agreeing in their opinions or working to achieve the same goals. It is, rather, a version of the familiar idea that in order to have a coherent disagreement, the disagreeing parties must first achieve a considerable amount of agreement.)

Sneaky norm enactment works the way it does, in conversation, because as interlocutors we are normally trying to sustain this attunement. Obviously we aim to use words whose meanings are recognised, and stick to the same grammar. But this first-order cooperativity is a means to the deeper end of entering each other’s thoughts, and formulating shared thoughts between us. And hence we bend the rules as we go. We may not know exactly what the conversation is driving at, in advance, so we allow it to be steered and corralled, instinctively. We allow each other to open up space for certain moves, while closing off space for others. However things unfold, the key thing is that, barring major hiccups, we aim to stay *on the same page* as each other. And this helps with sneaky norm enactment. I find myself thinking

⁶ We may wonder how one *justifies* this account of things. Rightly or wrongly, Wittgenstein’s presentation of this picture isn’t justificatory in tenor. He takes himself to be describing things about our existence that would be almost *self-evident*, except that we’re so immersed in them that we don’t recognise them when they’re described back to us. David Egan suggests that trying to justify Wittgenstein’s ideas about the significance of attunement, in language and life, “would be as circular as justifying the practice of justification itself”. If we find Wittgenstein’s picture difficult to embrace, this is because “it demands a shift of aspect in our thinking, much like... when looking at the Necker cube illusion, where background becomes foreground and vice versa” (Egan 2019: 64-65). My appeal to the Wittgenstein-via-Cavell notion of attunement is only meant to indicate a potentially helpful modification to one part of McGowan’s account. A full defence of the claims about attunement that I’ve sketched here would require much to be said beyond these brief remarks.

If I don't accommodate my interlocutor's move I may disrupt the same-page-ishness that's allowing us to *get* each other, and communicate effectively; better to let the conversational rules be bent, or altered on the fly, and keep things flowing, rather than fussily policing the rules and ruining the chemistry.

What I'm suggesting is that these qualities of conversation, and the way they facilitate norm-enactment, although they *aren't* utterly generic, *are* in effect in the day-to-day activities that constitute informal systems of social practices – the lifestyle customs of a national people group, the *de facto* rites of a religious community, a guild's professional conventions, or, to turn back to the context where McGowan's account pays off, the widespread, ingrained practices which privilege members of dominant groups and disadvantage members of subordinate groups. The thing that informal social systems like these have in common with conversation isn't merely the generic property of being norm-governed. They share the quality of participants attempting to stay attuned to each other, without any ur-procedures to fall back on if the attunement fails, and as a result of this, of participants being gently bullied into following suit in their interlocutor's moves, lest they break the attunement. McGowan is right about the restaurant case and the pleasantries case. In both cases somebody without any authority sets a tone for the interaction, and enacts s-rules that other people are compelled to go along with. My suggestion is that this is a result of them being the kinds of interactions which rely upon a maintenance of attunement, in a way that distinctly resembles conversation *per se*. The norm-enactment dynamics derive from a feature of the interactions that's more peculiar than just being norm-governed.

5. Why Favour this Extrapolation Tactic?

What hinges on this? Is there any downside to McGowan's existing way of extrapolating from a claim about how norm-enactment works in conversation, to the claim about how it works in general? Here's one area where the tactical shift isn't crucial. If we're wanting to say that WW's speech is discriminatory in a way that's equivalent to displaying a 'Whites Only' sign in a shop, or a CEO announcing a sexist policy, we can't avoid delving into the cases' concrete details. The analytical apparatus by itself can't settle things. Whether McGowan's account uses the existing extrapolation tactic or my suggested amendment, all it suffices to show, either way, when we get to proffering substantive judgements about an actual case, is that WW's remarks make some kind of norm-enacting contribution to a racially discriminatory system of practices, and that the contribution is a hostile one on some level. What remains to be established "is whether the enacted s-norms are hostile enough to constitute a violation of the relevant [legal] code", and this question, as McGowan rightly says, "is best left to the appropriate agencies in the relevant jurisdictions" (2022: 147). If we characterise the thing that facilitates sneaky norm-enactment as something more specific (i.e. something to do with a reliance on attunement), instead of something generic (i.e. the simple property of being norm-governed), nothing shifts on this front. Our formal analysis of the phenomenon merely sets the stage for a substantive, case-by-case appraisal as to what kinds of utterances have what effects.

But something else is gained if we adopt my proposed extrapolation tactic. One point of McGowan’s account is to show that everyday verbal bigotry is a major factor in larger networks of identity-based discrimination and oppression. The postulated likeness between norm-enactment in conversation and norm-enactment in the restaurant case is meant to support this thesis. But if the likeness just consists in the shared property of being norm-governed, this doesn’t lend much support to the thesis, because the key property – *being norm-governed* – shows up everywhere. Every form of activity, verbal or otherwise, that causally interacts with the practices of racial discrimination in some way, by definition contributes to the enactment of norms in those practices. The thesis that everyday verbal bigotry enacts racially discriminatory s-norms is at risk of becoming trivially true.

What we could say, instead, is that there is a more distinctive similarity between norm-enactment in conversation and norm-enactment in the restaurant case, and more generally, in the kinds of interactions that constitute a system of identity-based discrimination or hierarchy. The way that s-rules in a conversation are re-written on the fly, and the way this allows people to be subtly pressured into going along with other people’s moves, is a template for understanding how people are compelled to follow the lead of Average Joes who act out discriminatory attitudes in public. The form of cooperative attunement that underlies this isn’t a generic property of norm-governed activities. It isn’t there in activities like chess, where the g-rules don’t allow s-rules to be violated and simultaneously re-written just because the participants go along with it. But this is to the account’s benefit. That people without positional authority can enact norms for others in a conversation is a powerful insight precisely because this *isn’t* how things go with many other activities. If we want to show that something similar happens in the extra-conversational practices of racial discrimination, the best way to do this is to argue that the distinctive traits of conversational interaction that make this possible also obtain in those extra-conversational practices (and not just because the traits turn out to be not-so-distinctive after all).

References

- Caponetto, L. 2019. ‘Undoing things with words’, forthcoming in *Synthese* (<https://doi.org/10.1007/s11229-018-1805-9>).
- Cavell, S. 1976. *Must We Mean What We Say? A Book of Essays*. Cambridge: Cambridge University Press.
- Egan, D. 2019. *The Pursuit of an Authentic Philosophy: Wittgenstein, Heidegger, and the Everyday*. Oxford: Oxford University Press.
- Langton, R. 2018. ‘Blocking as counter-speech’ in D. Fogal, D. W. Harris, and M. Moss, Eds. *New Work on Speech Acts*. Oxford: Oxford University Press.
- Lewis, D. 1979. ‘Scorekeeping in a language game’, *Journal of Philosophical Logic* 8/1: 339-59.
- McGowan, M. K. 2019. ‘Just words: on speech and hidden harm: an overview and application’, *Australasian Philosophical Review* X/1: xx-xx.
- _____. 2022. *Just Words: On Speech and Hidden Harm*, Oxford: Oxford University Press.
- Simpson, R. M. 2013. ‘Unringing the bell: McGowan on oppressive speech and the asymmetric pliability of conversation’, *Australasian Journal of Philosophy* 91/3: 555-75.

Wittgenstein, L. 2009. *Philosophical Investigations*,
Revised 4th Edition. Eds. P. M. S. Hacker and J.

Schulte, Trans. G. E. M. Anscombe, Oxford:
Wiley-Blackwell. (Originally published 1953).