

# Collective Responsibility for Oppression

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## Abstract

Many contemporary forms of oppression are not primarily the result of formally organized collective action nor are they an unintended outcome of a combination of individual actions. This raises the question of collective responsibility. I argue that we can only determine who is responsible for oppression if we understand oppression as a matter of social practices that create obstacles for social change. This social practice view of oppression enables two insights: First, that there is an unproblematic sense in which groups can bear irreducible collective responsibility for oppression. Second, that there are derived forms of individual responsibility for members of dominant groups.

**Keywords:** oppression, collective responsibility, social norms, social practices, social injustice

## 1. Introduction

On any plausible account of social justice, the continued existence of oppressive practices and relations in contemporary societies must count as a failure to live up to the standards of justice. Therefore, it is of decisive importance for any theory of social justice to clarify who has which moral obligations in regard to oppression, and in particular, to whom we should attribute *moral responsibility* for oppression.

While there are often individuals that are morally responsible for their *contributions* to oppression, many theorists agree that many contemporary forms of oppression – such as sexism and racism – are not well explained in their entirety as an outcome of *individual* moral failures. They are always at least partly a result of *social practices* for which it is often hard to attribute individual responsibility.<sup>1</sup> We therefore might want to attribute some responsibility to the members of the respective practices, not considered as individuals, but as groups, i.e. collective responsibility. For example, one can claim that it is not primarily individual men (or women) who are (individually) responsible for the existence of sexism, but the group of all men (or perhaps even the group comprising men *and* women).

Almost all contemporary accounts of collective responsibility focus either on groups that have a formalized decision structure (i.e. corporate responsibility) or on unorganized groups (such as mobs, bystanders of a crime or even humanity as a whole).<sup>2</sup> But responsibility for most forms of oppression is not attributable to group activities that are well described by the model of corporate groups or by a model of unorganized collectivities. Phenomena such as racism

1 Cudd, *Analyzing Oppression*, 25; Haslanger, “Ontology and Social Construction,” 97.

2 French, *Collective and Corporate Responsibility*, 14; May, *The Morality of Groups*, chap. 2; Petersson, “Collective Omissions and Responsibility,” 246; Smiley, “From Moral Agency to Collective Wrongs,” 194f.

or sexism often cannot be explained exclusively by reference to collective actions that are unified by explicit rules or motivated by the intention to have such effects.<sup>3</sup> This raises a problem for the attribution of collective responsibility: the fact that the members of oppressive social practices often do not form a formally organized group seems to preclude ascribing to them collective responsibility of the corporate kind.<sup>4</sup> But the same phenomena are also not well explained as emerging from completely uncoordinated behavior. In this article, I argue that we can only find a way out of this apparent dilemma if we adopt an appropriate account of oppression that is based on a particularly strong model of social practices. Such a model allows us to see why, in spite of the absence of a formal structure, those who occupy dominant positions in such a practice nevertheless constitute a group to which we can ascribe a distinct kind of irreducible collective responsibility.<sup>5</sup>

My argument proceeds as follows:

- (1) It is defining for group oppression that members of the oppressed group are caught in relationships regarding the structure of which they lack transformative power (section 2).
- (2) Almost all existing instances of group oppression depend on the acceptance of social norms that constrain the disadvantaged group as part of a social practice (section 3).
- (3) In such a practice, we can always identify a set of members that collectively enjoys a dominant position and forms a social group in virtue of

3 Of course, how social practices are to be analyzed is a matter of controversy. For the most influential accounts, see Giddens, *The Constitution of Society*; Bourdieu, *The Logic of Practice*; Schatzki, *Social Practices*.) There are several accounts that defend a view of practices as involving some kind of group agency, for instance Tuomela, *The Philosophy of Social Practices*; Gilbert, "Social Rules as Plural Subject Phenomena."

4 May and Strikwerda, "Men in Groups," 145.

5 For the notion of irreducible group responsibility, see the classic analysis in Held, "Can a Random Collection of Individuals Be Morally Responsible?," 474ff.

that feature. This group has collective control over the norms and therefore bears backward-looking collective responsibility for the effects of oppression. Its members also bear (some) individual responsibility (section 4).

## 2. What is Oppression?

### 2.1 Oppression as Structural Social Phenomenon

I take phenomena like slavery, sexism, racism, political dictatorship and economic class exploitation to be paradigmatic instances of oppression.<sup>6</sup> What makes such phenomena oppressive is not just that they involve injustice.<sup>7</sup> The injustice characteristic for oppression is not primarily a matter of *outcomes*, but a matter of *social relationships* between people or groups that have a particularly stable and permanent character and that are supported and sustained by social or institutional mechanisms.<sup>8</sup>

Furthermore, most forms of oppression are a matter of relations between people as *members of groups* – such as men and women, ethnically coded groups or economic classes.<sup>9</sup> Contemporary theories of oppression (developed by Iris Marion Young, Ann Cudd and Sally Haslanger) therefore describe oppression as an injustice which affects people as members of groups.<sup>10</sup>

For instance, Haslanger proposes the following analysis of group oppression:

6 Young, *Justice and the Politics of Difference*, 42; Zutlevics, “Towards a Theory of Oppression.”

7 Cudd, *Analyzing Oppression*, 23; Young, *Justice and the Politics of Difference*, 39f.; Zutlevics, “Towards a Theory of Oppression,” 83.

8 Natural circumstances (for example, the tendency for a disease to affect only one part of a population) can cause differences in welfare or opportunities between groups that are undeserved and therefore unjust and that can give rise to a claim for compensation. As a result of such circumstances, unjust social relations can emerge between groups. However, we would not describe such relations in terms of oppression (other things being equal).

9 We could imagine that an individual keeps other people in a state of subservience to himself or herself based purely on individual capacities. However, cases of oppression that are based only on the actions of individuals and do not rely on any features of the social context at all are rare if not nonexistent. I will focus on cases of relations between social groups. See also Cudd, *Analyzing Oppression*; Haslanger, “Oppressions.”

10 Young, *Justice and the Politics of Difference*, 42; Cudd, *Analyzing Oppression*, 25.

for any individual x: x is oppressed as an F by an institution I in context C iff<sub>dt</sub> x is an F in C and in C(\$R) ((being an F nonaccidentally correlates with being disadvantaged by standing in an unjust relation R to others) and I creates, perpetuates, or reinforces R.)<sup>11</sup>

In what follows, I would like to discuss whether such an analysis is sufficient for making the distinctive features of oppression explicit. According to Haslanger's definition, one such distinctive feature is that only those unjust relations that are "perpetuated" and "reinforced" by an institution are oppressive – suggesting that those subject to oppression are *constrained* by the institution in such a way that ensures that the institution reproduces itself with or without their consent. Similarly, Marilyn Frye argues that, from the point of view of those who are subject to oppression, the relationships they stand in are or appear as something from which they cannot easily extricate themselves:

The experience of oppressed people is that the living of one's life is confined and shaped by forces and barriers which are not accidental or occasional and hence avoidable, but are systematically related to each other [...].<sup>12</sup>

While these statements acknowledge that there is something particularly constraining about relations of oppression (in contrast, perhaps, to other forms of injustice), it is not exactly clear what this constraint consists in. I would like to offer the following suggestion: while almost all social practices, oppressive or not, constrain our activities in some respect, and while almost all social practices have a tendency to reproduce themselves, social practices only become oppressive when they make those who suffer disadvantages from them face substantially higher costs than other members when they want to

11 Haslanger, "Oppressions," 113.

12 Frye, *Politics of Reality*, 4.

*challenge and change* the *structure* of these relationships and when they face these costs in virtue of their group membership.

Take the following example: we could imagine a world where the presently existing gendered division of labor in families exists as the result not of structural gender dominance, but as a result of some merely superficial cultural pattern that women could easily change by criticizing it or by refusing to participate. Assume that, in this imagined world, most women just don't care enough to do something about it. In this hypothetical situation, it would still be true that this division of labor would be unjust. It would, however, not be oppressive because women would have the option of easily changing the practice and would therefore not be trapped by their role. The difference between this hypothetical world and actually existing sexism is that sexism makes it more difficult for women to change the social norms that define their relationships to men than it would be in the absence of sexist norms and practices. In particular, sexism is supported by economic and cultural *structures* that tend to reproduce the structure of gendered relationships.<sup>13</sup> The same point is made by Marxist theories of capitalist exploitation. On their analysis, capitalism not only harms workers, it also systematically deprives them of the resources they would need to opt out of capitalism.<sup>14</sup> To generalize this argument, it is essential for oppression that the oppressed are not only harmed by unfair social relationships, but that these relationships also make it particularly difficult for the oppressed to change them. Thus, when Haslanger

13 Okin, *Justice, Gender, and the Family*, 149ff; McKittrick, "Liberty, Gender, and the Family," 91ff; Haslanger, "What Is a (Social) Structural Explanation?"

14 Of course, some interpretations of Marxism suggest that there is no group that has comparatively more freedom than others, because capitalists (taken as individuals) cannot change the social practice either, as competition ensures that any action on their behalf would just make them proletarians. However, this is not true: individual capitalists have more resources they can use for anti-capitalist political projects; and, taken collectively, capitalists face fewer costs if they try to abolish capitalism (for instance, by donating all their capital to democratically run cooperatives or the state) as they do not have to overcome resistance by a class opposed to such a project (say, in the way workers do). See also Cohen, "The Structure of Proletarian Unfreedom," 22f.

emphasizes that oppression necessarily involves an institutional practice that “perpetuates” unjust relations and that the membership in a group is “non-accidentally” correlated with standing in such a relation, we should understand this to mean that oppression *constrains* members of the respective groups such that they face obstacles when they want to change or leave that relation.<sup>15</sup>

Of course, none of this is to deny that in many cases of oppression, even members of dominant groups face substantial costs when they challenge discriminatory or unjust norms, in particular, when they do so individually. But to say that oppression structurally constrains subordinated groups by making it particularly costly therefore does not need to imply that it is easy for individual members of the dominant groups to challenge the relevant norms. Rather, the condition that disadvantaged members must face disproportionately high costs expresses the idea that unjust institutions are not oppressive merely in virtue of their general stability, but rather in virtue of their specific disempowering effect on the oppressed. Furthermore, even if oppressive practices are often stabilized by the threat of ostracism towards individual members of the dominant group who resist the practice, it is the case almost by definition that the dominant group, if it were to act collectively to end the oppression, would not face the social costs that subordinated groups regularly face collectively when resisting oppression.

If we wish to capture this structurally constraining dimension of oppression, it is therefore insufficient to define oppression as a self-perpetuating institutional practice that causes unjust harm. We must add a *second-order condition* to that

<sup>15</sup> Of course, to say that they are constrained shouldn't be taken to mean that the oppressed are completely incapable of challenging relationships of oppression. As the history of resistance movements shows, the oppressed almost always have some degree of agency. To say that they are oppressed just describes the fact that they face disproportionate difficulties in freeing themselves from unjust social relations and that their agency is situated within a structure that negatively determines the probability of success.

definition: a practice is only oppressive if it constrains some participants by creating obstacles that makes it disproportionately costly for them to change or leave the practice (compared to other groups).<sup>16</sup> This unequal distribution of the capacity to change or exit a social relationship is a necessary condition for such a relationship being oppressive.<sup>17</sup> In what follows, I will call this the *unequal capacity for change condition* (UCCC). According to this condition, an unjust practice must have two further features to count as oppressive. First, it must be disproportionately difficult for one or several groups of participants to change the structure of the practice. It is not enough that it is difficult for each member, taken individually, to change the social relations constitutive of the practice. The difficulty must affect subordinate groups, even when they act collectively. Second, this difficulty must be due to more than the general inertia of social practices. It needs to exist *because* of particular features of the practice – either being constituted or caused by it – and not because of other, unrelated phenomena.

It is important to note that this constraint is an additional form of disadvantage that oppressed people suffer, apart from the more direct outcomes of oppression. On the analysis defended here, oppression involves unjust outcomes *and* unjust constraint. This distinguishes oppression from other forms of injustice. In other words, there are relationships that are unjust solely on the dimension of outcomes – consider, for example, companies, schools or social groups with unfair internal practices where all those who are disadvantaged by the relevant relationships can exit them without facing any more obstacles than other mem-

16 Of course, it is difficult to say how practices can be individuated; but the issue at hand concerns how difficult it is for people to change their situation such that there is no institutional practice that harms them in the way under discussion.

17 Susan Moller Okin (“‘Mistresses of Their Own Destiny’”; “Feminism and Multiculturalism”) draws special attention to the importance of exit options. I am grateful to an anonymous reviewer for *Social Theory and Practice* for bringing this to my attention.



bers would face. Similarly, there can be relationships that involve unequal capacities for change and thus unjust constraint. Such relationships are unjust on the structural dimension without necessarily involving unjust outcomes. Both kinds of cases lack the convergence of both forms of injustice that is defining for oppression.

To further illustrate the essential role of the UCCC for an adequate analysis of oppression, assume that, in some society, there are criminal gangs the members of which belong to a disadvantaged minority. These gangs exclusively target members of the dominant majority. If this criminal behavior is regulated by informal norms to the extent that it counts as a social practice, and if members of the dominant majority are harmed by that practice, then there is a correlation between suffering this harm and membership in the dominant majority. Nevertheless, in such a case, members of the majority are not – not even to some small extent – *oppressed* by the minority. The main reason for rejecting such a claim will often be that their dominance creates even more harmful outcomes for members of the minority in other contexts. However, there is another, independent reason against describing this situation as oppressive. Members of dominant groups usually have ample opportunity to press for changes that are likely to reduce minority crime (even though they might resist employing measures that involve giving up their privileges). Therefore, the practice in question does not unequally affect or constrain their capacity to change the relationships that are responsible for the harm that they suffer. The UCCC is consequently not fulfilled.<sup>18</sup> This illustrates that understanding the structural dimension of oppression on a model which emphasizes second-order obstacles blocks the faulty argument that, once an

<sup>18</sup> For similar considerations, see Frye, *Politics of Reality*, 12.

oppressive practice imposes some costs on the dominant group, “everyone is oppressed” by it.<sup>19</sup>

The UCCC also sheds light on Iris Marion Young's analysis of the five “faces of oppression”.<sup>20</sup> Young claims that there are five irreducible features that can make a practice oppressive – powerlessness, exploitation, marginalization, cultural imperialism, and violence. The UCCC analysis of oppression, I would argue, makes clear that these features are – even one cannot reduce them to a single one – unified by a common trait. While “powerlessness” most directly relates to the UCCC, it is apparent that exploitation, marginalization, and cultural imperialism are equally features of social life which all have the effect that they make people unable to either leave or challenge the relationships binding them to their oppressors. Violence, finally, should only be taken to be oppressive (rather than merely unjust) if it has a systematic character – that is, if it constrains or harms the agency of subordinated groups such that they no longer have equal opportunity to challenge social norms.<sup>21</sup>

## *2.2 Oppression and Social Relationships*

To examine the consequences of this structural analysis of oppression for the question of collective responsibility, it is worth looking at the concept of a *social relationship* in more detail. I will suggest an analysis, building on Frank Lovett's work, that assumes that two parties stand in a social relationship if their choices are interdependent, that is, if the choices of the other party are

19 For an example of such a claim – based on a definition that reduces oppression to systematic harm – see New, “Oppressed and Oppressors?”

20 Young, *Justice and the Politics of Difference*, chap. 2.

21 This means that one has to be careful to distinguish the mere fact that a group of people is subject to a high risk of violence from the fact that they are systematically kept from changing this situation. The decisive feature of the violence against, for example, minorities, women, and gay and lesbian people that makes it a feature of oppression is that the violence that they experience poses an obstacle to their fighting for their interests and that their experience of violence does not count equally in public debates. They suffer disadvantages in their struggle for equal protection that victims of “ordinary” crime do not suffer.

relevant at least for some choices of their own.<sup>22</sup> The *structure* of a social relationship can consequently be defined as the set of strategies available to each party (that is, on the set of feasible plans that they can choose in reaction to potential actions of the other party).<sup>23</sup> What strategies are available for a party in a relationship depends on two kinds of factors:<sup>24</sup> on the *resources* available to them and on the *norms and shared meanings* that structure potential responses, including institutional rules, legal norms and cultural expectations.<sup>25</sup> Social relationships are consequently determined both by the distributive and by the normative features of a society.

If we want to analyze oppression in terms of the UCCC on this model, we need to take into account how structures of relationships determine the *relative distribution of second-order action options* among groups. Second-order actions are actions that change the structure of social relationships between groups. For example, people can change social relationships by creating, destroying or redistributing resources or by communicating information. However, relationships can also be changed by challenging, changing or reinforcing social norms. The crucial insight gained by adopting the vocabulary of “second-order action options” is that challenging the rules of a social relationship (or leaving a social relationship<sup>26</sup>) is not properly analyzed as merely the exercise of action opportunities *within* a social relationship. Rather, acting in these ways amounts to an exercise of the capability to act in a way

22 Lovett, *A General Theory of Domination and Justice*, 34; Weber, *Economy and Society*, 26f.

23 Lovett, *A General Theory of Domination and Justice*, 42.

24 Here, I roughly follow Giddens, *The Constitution of Society*, xxxi, although I adopt a somewhat more simplistic definition of rules and resources for the present purpose.

25 In his analysis of domination, Lovett, surprisingly, chooses to treat the rules of social institutions as “artificial laws of nature” (Lovett, *A General Theory of Domination and Justice*, 42.).

26 “Exit” is another form of second-order action next to normative change, or “voice” (see Hirschman's classic distinction in *Exit, Voice and Loyalty*.); however, as this option is less important for an analysis on the level of large-scale groups (who often cannot realistically decide to no longer interact), I will not discuss it here in any detail.

that *changes the relationship itself*. That is, these are actions that determine the structure of subsequent interactions between participants.<sup>27</sup>

If it is disproportionately costly for one party, but not for other parties, to challenge the rules determining the structure of a social relationship (or to leave the relationship altogether), this means that choices regarding whether and how this structure changes are effectively up to the other parties. If the relationship is one that causes unjust harm, those who suffer much higher costs than others when they attempt to challenge its structure due to such disproportionate costs can therefore be said to be *trapped* in the relationship in the way that is characteristic for oppression. It is important to note, however, that such a structure does not preclude agency or resistance of the oppressed – historically and in the present, many oppressed groups have challenged and challenge oppression by bearing these costs. But this does not change the fact that they would have not had to face them if they had not been oppressed.

These considerations suggest the following analysis of group oppression:

**Group oppression:**

The members of a group G suffer from oppression *as* members of that group if and only if:

1. There is an (institutional) practice<sup>28</sup> I that creates or sustains a relationship R between members of G and members of other groups, such that R causes unjust harm.
2. I systematically creates constraints that impose substantially higher costs on members of G that attempt change the unjust structure of R or to leave R, compared to other practice members (this is UCCC).

27 This is also suggested by Foucault's definition of power as action upon actions (Foucault, "The Subject and Power," 789.), see also Moss, *The Later Foucault*, 177.

28 By an "institutional practice", I mean a practice in which rules are accepted that lead to people having different roles or statuses. It does not entail any stronger sense of "institution".

3. These constraints affect members of G non-accidentally by virtue of their membership.<sup>29</sup>

In the next section, I will argue that, in many cases, the *mode* in which oppressive constraints are imposed essentially relies on the shared agency of groups. This provides a conceptual link between oppression and collective responsibility.

### 2.3 Types of Oppression

Having argued that the UCCC is a necessary condition of oppression, I would like to distinguish between three forms that the relevant constraints can take and, correspondingly, three types of oppression.<sup>30</sup> This prepares the way for an argument showing that one of these types is essential for all empirical cases of group oppression and intrinsically linked to group agency.

The first mode in which people can be kept from changing social relationships is through *coercion or physical violence*. This is not only the case in phenomena like slavery. The disproportionate probability that ethnic minorities face in becoming victims of police brutality and the disproportionate risk of suffering sexual assault that women face can also be (partially) understood as forms of social control through which these groups are kept from challenging prevailing social norms.<sup>31</sup> This mechanism and the corresponding type of oppression could be called “coercive”.

Second, members of disadvantaged groups can also be kept from challenging oppressive relationships by dominant groups denying them access to the *resources* they need to do so. In the case of economic oppression in terms of

29 On non-accidentality, see Haslanger, “Oppressions,” 114.

30 It goes without saying that existing forms of oppression usually combine several of these forms and features.

31 See for a classic statement Brownmiller, *Against Our Will*.

the way that the classic Marxist model presents it, workers cannot leave their relationship of subservience to capitalists because the structure of the labor market ensures that they are (by and large) unable to save enough to establish themselves as independent producers.<sup>32</sup> Similarly, many activists argue that the poor are systematically excluded from the political processes that shape their economic situation when there is a predominance of private financing of political campaigns. However, the availability of resources also has importance beyond the narrowly economic case. People with a disability need access to streets and public buildings of *a certain kind* in order to be able to participate meaningfully in the very processes that shape the regulations for such resources.<sup>33</sup> Similarly, speakers of minority languages need cultural resources provided in a language they can understand. We can also understand knowledge and education as a resource. Relationships that deny groups the opportunity to access the education they would need to resist the norms imposed by these relationships are also a source of oppression. This second form can be called “resource” oppression.

Finally, we can also include “ideological” power as a source of oppression – that is, the protection of social norms by way of systems of belief and reasoning that serve to instill false beliefs or discredit criticism. One particularly important type of such ideological power concerns the way in which social relationships are shaped by the imposition of *social meaning* on actions and people.<sup>34</sup> “Social meaning” refers to schemata that connect some features of a group to kinds of social statuses that make certain actions towards its members appropriate or inappropriate. We can, for example, understand gender and race as the

32 Cohen, “The Structure of Proletarian Unfreedom.”

33 I am grateful to Sally Haslanger for pointing out these additional aspects of oppression which I had not considered in my original formulation of the distinction.

34 See Haslanger, “Distinguished Lecture,” 5.

imposition of social meaning onto real or imagined bodily differences between people. Such impositions of meaning often create obstacles for members of disrespected groups that keep them from challenging social rules. One particularly important mechanism by which such impositions of meaning can become oppressive is epistemic injustice.<sup>35</sup> In many contexts, people take the arguments and the evidence presented by women or minorities as less important for the regulation of their beliefs compared to arguments or evidence presented by men. This is not only an injustice as such, it also makes it more difficult for women and minorities to attack the cultural schemata standing behind these mechanisms, as any reference to their experience will have less force than it would have in their absence. This type of oppression depends on the social acceptance of norms. Thus, it can be called “normative” oppression.<sup>36</sup>

### **3. Oppression and Social Practices**

So far, I have defended a conception of oppression that includes as a central element the obstacles that institutional practices create for groups regarding the possibility of social change. In what follows, I will argue that important instances of oppression in contemporary societies involve the acceptance of *social norms*. I will also argue that such acceptance of norms involves the members of a practice as a non-corporate collective agent and that it is therefore wrong to see such oppression only as the outcome of individual

35 See Fricker, “Epistemic Oppression and Epistemic Privilege”; Dotson, “Conceptualizing Epistemic Oppression”; Fricker, *Epistemic Injustice*.

36 To avoid misunderstandings, it should be emphasized that in most instances of oppression, the institutional practices systematically affect members of the disadvantaged group in several of these dimensions: sexism is not merely a cultural phenomenon but it also makes women suffer from economic disadvantages and increased risks of violence, just as exploitation is normally not merely economic but also includes cultural aspects. Nevertheless, the distinctions are useful to see the crucial differences between different forms of oppression. Furthermore, this categorization of types of oppression is not supposed to constitute a list of distinct types of oppression, but rather an incomplete overview of typical mechanisms of oppression.

activities. This prepares the ground for the attribution of collective responsibility that I discuss in the next section.

### *3.1 Imposition of Meaning*

While one might argue that some forms of oppression – for example, the oppression constituted by the economic dominance of the global North over the global South – are purely based on economic power, it is clear that many central cases of oppression do not only function by using physical violence or resource deprivation. For instance, there cannot be a convincing theory of racism and sexism that refers exclusively to violence or economic exclusion as the mechanisms sustaining such inequalities. It is these phenomena that I will focus on in what follows.

Any explanation of how they meet the UCCC must take the social meaning projected onto members of disadvantaged groups into account. How should we analyze the cultural imposition of meaning? We can understand cultural impositions of meaning following (very roughly) John Searle's theory of institutional facts. According to Searle, institutional facts are created by the collective acceptance of a constitutive rule of the form "X counts as Y in context C".<sup>37</sup> X refers to an action, person or object under some description and Y refers to an "institutional status" that can be spelled out in terms of a commitment that some behavior towards X is correct or incorrect. There can be highly institutionalized forms of such rules, such as "Two previously unmarried adults who have voluntarily stated in front of a certified official that they want to be married, count as married". However, although Searle wants to confine this analysis only to statuses that rest on explicitly accepted rules, it is useful

<sup>37</sup> Searle, *The Construction of Social Reality*, 28. On constitutive rules, see Hindriks, "Constitutive Rules, Language, and Ontology."



for my purposes to assume that there can also be more informally defined and more implicitly accepted rules, such as “All people exhibiting some perceived or imagined bodily properties, ancestry, language, culture and demeanor count as Hispanics” or “People with certain perceived or imagined bodily properties whose behavior conforms to norms of gentleness, care and submissiveness count as typically feminine”.

The acceptance of constitutive rules that impose meaning on people and actions is only oppressive whenever the Y term includes norms that make it substantially more difficult for those who fall under the X term (compared to other members) to challenge the acceptance of the rule or to leave the group where such a rule is accepted (as required by the UCCC). If it is part of the rule underlying ascriptions of femininity that the experiences of feminine women count as less relevant (perhaps, because it is legitimate to assume that their reactions are capricious, irrational, emotional, and so forth), then such women will face obstacles whenever they want to bring up their experiences as reasons for why such a rule should not be accepted.

### *3.2 Norms, rules, and practices*

What does it mean that a constitutive, meaning-imposing rule is “collectively accepted” in some context? While Searle assumes that the institution of social statuses requires what he calls “collective intentionality,”<sup>38</sup> I want to argue that meaning-imposing rules need not be consciously or even intentionally accepted in order to acquire normative force. People often create social practices of these types by *practically accepting* it (in some sense) as legitimate that X's may be treated as Y's. For example, the meaning of “typically feminine” could

<sup>38</sup> Searle, *The Construction of Social Reality*, 23. See however his different account in Searle, *Making the Social World. The Structure of Human Civilization*.

imply that the opinions of people that are identified as typically feminine can be treated as having less credibility regarding technical problems. We might then say that such a rule is socially accepted in some group whenever it is accepted as appropriate within that group that opinions are treated in this way.<sup>39</sup>

But what does “practical acceptance” mean? H.L.A. Hart has famously argued that there not only needs to be a *convergence of behavior* in some community in order for there to be a norm that is followed in that community.<sup>40</sup> There also needs also to be a *convergence of attitudes* in the sense that the behavior is *seen as legitimate*, and that deviating behavior is seen as illegitimate and sanctions towards illegitimate behavior as justified. For a community to accept the norm that “women count as unreliable epistemic interaction partners”, it is not sufficient that *everyone treats* women's testimony as less valuable. It also needs to be the case that *everyone treats such treatment of women's testimony as unproblematic* and that any deviation from the prescribed behavior (such as arguing that a man is, in virtue of his sex, *prima facie* less reliable than woman) will be met with disapproval.<sup>41</sup> It is important to see that Hart's conception of what it means to follow a norm is more demanding than a conception that only requires a shared regularity of behavior, but that it nevertheless does not require any explicit beliefs about there being such a norm in place.<sup>42</sup>

Hart's conception of social practice is particularly useful to understand the difference between a community merely *conforming* to a rule (from the observer perspective) and it *following* a rule (from the participant perspective).

39 This example makes it apparent that conditions that the X term captures can themselves include institutional or cultural ascriptions.

40 See Hart, *The Concept of Law*, 86–91; Shapiro, “What Is the Internal Point of View?”

41 Hart argues that the convergence of behavior does not tell us anything about the fact that people treat the social rule as reason-giving.

42 It is also important to note that, on this account, the community that follows the norm can, but need not, include those to whom the norm is applied.

I will argue, however, that the combination of a convergence of behavior with a convergence of attitudes is not enough to capture the existence of social norms in a strong sense.<sup>43</sup> Assume that there is a community in which everyone behaves according with some regularity R, and in which everyone is disposed to criticize others whenever they deviate from R. However, there is no disposition on the side of any member to *take such criticism seriously*. No member sees any other member as authorized to judge competently about her performances. While we might say that, in such a community, each member accepts the validity of the norm *individually*, we should not say that they follow the rule *together*, for they lack the readiness to take others' interpretations regarding the meaning of the norm into account.

We can, therefore, distinguish a weak from a strong form of norm-governed practices. A practice is governed by a norm N in the strong sense whenever (1) the members of that practice are disposed to follow N and to evaluate each other's behavior according to N, and (2) the members of that practice are disposed to take others' evaluations regarding the conformity of their behavior with N seriously, or, in other words, attribute authority to others regarding the meaning of N.<sup>44</sup>

Having introduced this distinction, I would like to suggest that the persistence of oppressive cultural impositions of meaning can only be explained if we assume that practices like racism and sexism feature norms of the stronger type.<sup>45</sup> Even though there is a strong focus in recent discussions on apparently

43 See also Coleman and Leiter, "Legal Positivism."

44 Stahl, "Institutional Power." Of course, the reasons for individuals to engage in such strongly social-normative practices can range from instrumental interest in upholding their dominance, a cultural identification with the group to merely traditional acceptance of authority.

45 For the connection between prejudices and social norms, see the overview in Sechrist and Stangor, "Prejudice as Social Norms."

individual phenomena like prejudice and implicit bias,<sup>46</sup> the imposition of meaning onto women and racialized people should not simply be understood as a convergence of individual attitudes. Rather, there is strong social psychological evidence that that people routinely readjust their conceptions of the meaning of race and gender along social norms and that intersubjective acceptance plays a decisive role in how individual participation in racist and sexist practices develops.<sup>47</sup> Furthermore, the very persistence of such meaning is in part to be explained by the fact that it is often not enough to change individuals' minds about the applicability of stereotypes. Stereotypes are self-reinforcing in the sense that deviating from culturally acceptable forms of stereotyping typically comes with a social cost.<sup>48</sup> This evidence suggests that the oppressive character of such norms is partly to be explained by a willingness of the practice members to recognize others as authorities. Furthermore, the model proposed here assumes that social norms are not so much a matter of finding certain behavior individually acceptable but of acting within social relationships which incorporate norms that prescribe certain ways of acting. Therefore, this model does not describe normative oppression as a result of the convergence of individual racist or sexist attitudes but rather as the result of sexist and racist practices that can persist even when individuals are not explicitly or implicitly biased.<sup>49</sup>

### *3.3 Social Practices as Group Phenomena*

46 See Brownstein, "Implicit Bias." For an overview of relevant research, see Jost et al., "The Existence of Implicit Bias is beyond Reasonable Doubt"; in relation to responsibility, see Holroyd, "Responsibility for Implicit Bias." For a critique of the exclusive focus on implicit bias, see Haslanger, "Distinguished Lecture."

47 For evidence, see Blanchard, Lilly, and Vaughn, "Reducing the Expression of Racial Prejudice"; Blanchard et al., "Condemning and Condoning Racism"; Crandall, Eshleman, and O'Brien, "Social Norms and the Expression and Suppression of Prejudice"; Monteith, Deneen, and Tooman, "The Effect of Social Norm Activation on the Expression of Opinions Concerning Gay Men and Blacks." and Sherif 1953

48 Schachter, "Deviation, Rejection, and Communication."

49 I understand bias to be a mental disposition to act or to attribute properties to people which is inherently unfair.

If we assume that the cultural imposition of meaning in oppressive practices involves norms of the strong type – i.e., norms backed by a practice that involves a readiness to take others' interpretations into account –, this implies that there is a structure of *mutual ascription of authority* in the group that accounts for the existence of these norms.<sup>50</sup> This means that such norms are not reducible to individual attitudes. As each attitude is subject to further correction and evaluation, no individual attitude (nor the sum of all of them) determines “the rule of the group”.<sup>51</sup> If we want to find out what the accepted norms suggest for some particular case, we should not look at some set of individual attitudes taken in isolation from each other but rather at the interaction within the group.<sup>52</sup> In this sense, the acceptance of any given norm can be ascribed only to the group as a whole, and not to any individual.<sup>53</sup> On such an account, we can understand sexism, for example, as an instance of oppression because it structures the relationships between men and women such that there is an imposition of meaning on the behavior of women due to which they face unequal obstacles in their attempts to change this imposition or to leave this relationship. In the corresponding practice, there must not only be a shared disposition to find it acceptable to treat people according to certain gender norms *but also* a shared disposition to attribute authority to other members regarding the interpretation of these norms.<sup>54</sup> Within such a practice, those who stand in these relations to each other (often including the oppressed members of the practice) form a group to which we can attribute the

50 See Stahl, “Institutional Power.”

51 Stahl, “The Conditions of Collectivity.”

52 Stahl, *Immanente Kritik. Elemente Einer Theorie Sozialer Praktiken*.

53 For a group model of social practice, see also Gilbert, “Social Rules as Plural Subject Phenomena”; Gilbert, “Social Rules” and my critique in Stahl, “The Conditions of Collectivity.”

54 Such a disposition could be technically also called a “bias” (as in: a bias to socially conform). But while “implicit bias” accounts see (morally undesirable) features of individual psychology as the fundamental cause of oppressive outcomes, the model proposed locates the final origin of oppression in shared attitudes that can be upheld even by people who are not biased as part of their individual psychology.

acceptance of the norms that are constitutive of the imposed meaning.

This insight not only raises the question of collective responsibility, it also has immediate political consequences: if oppression is not just a matter of individual attitudes, but rather of the collective processes by which certain kinds of behavior are designated as acceptable or unacceptable, then a political strategy for fighting oppression must not only focus on people changing their individual attitudes or fighting their implicit biases, but also on the structure of social relationships and practices in which racist or sexist norms can survive independently of people's individual attitudes.

#### **4. Who is responsible for oppression?**

So far, I have argued that the imposition of social meaning, as one of the central mechanisms responsible for the existence of oppression, depends on social practices. These practices constitute those who collectively follow and enforce their norms as a group, in the sense that the existence of the norm has to be primarily accounted for in terms of the interaction within that group instead of individual attitudes. Somewhat surprisingly, we can therefore often say that both dominant and subordinate group members share a group membership as long as they are collectively engaged in norm enforcement.

While it seems to be clear that it is appropriate to ascribe *outcome responsibility* to such groups, it is less clear whether we also can ascribe *moral responsibility* to them and, if so, what kind of moral responsibility. Young famously argues that the right kind of moral responsibility to focus on in connection with structural injustices is not liability (which is backwards-looking) but what she calls the “responsibility of connection” (which is forward-

looking).<sup>55</sup> One of the main reasons she cites for this is that a liability model of responsibility will tend to apportion blame to individual agents. Such individual ascriptions of responsibility are, Young argues, not only counterproductive but also impossible.<sup>56</sup>

While I agree that it is often not appropriate to attempt to determine the contribution of particular individuals to the persistence of oppressive practices and that it might be politically unhelpful to talk about responsibility for oppression mainly in terms of blame, the question of backward-looking moral responsibility for oppression remains important. First, in order to argue for meaningful social change, we have to attribute causal responsibility for the persistence of oppression to some entity to find out to whom we should direct our arguments. Such attributions naturally also raise the question of moral responsibility. Second, to convince people that they have a forward-looking “responsibility of connection”, we must often make an argument to the effect that they are *morally connected* to existing forms of oppression in some relevant way. Third, blame is not the only possible way to relate to past injustices for which one bears responsibility. Rather, once we see that there are different kinds of backwards-looking responsibility that can stem from one's membership in a group, we can see that there are other, more appropriate reactive attitudes by which we can respond to an attribution of responsibility.<sup>57</sup>

In what follows, I will argue that there are two forms of backward-looking responsibility which we can appropriately ascribe to people who are implicated in oppressive social practices. First, the social practice account developed thus far allows us to see that those members of the practice who are not oppressed

55 Young, *Responsibility for Justice*, chap. 4.

56 *Ibid.*, 105ff.

57 Feinberg, “Collective Responsibility (Extended Version),” 75; Anderson, *The Imperative of Integration*, 74; May, *Sharing Responsibility*, 109, 120.

(the “dominant” members) form a group that, as a group, bears collective responsibility for the existence of oppression (4.1). Second, the members of this group can also usually be attributed, to various degrees, shared responsibility as individuals for the harmful outcomes of oppression (4.2).

#### *4.1 Collective responsibility of dominant members*

There are three models of groups that dominate the present discussion about collective responsibility:<sup>58</sup> the corporation (a group with a formal structure that enables it to take collective decisions and adopt collective beliefs), the mob (a group characterized by the immediate identity of attitudes and a suppression of individuality)<sup>59</sup> and the dispersed group of people (a group of individuals that do not in any sense act jointly, such as random bystanders).<sup>60</sup> Typically, theorists only consider the corporation and the mob (by virtue of their unified agency) as candidates for collective responsibility. Whereas in the case of the dispersed group, it is often held that there might be a weak form of individual responsibility of the members who ought to attempt to create a collective agent, but there is a consensus that there is no collective responsibility as such.<sup>61</sup> The problem with these models is that the groups that uphold social practices that are the source of oppression do not conform to any of them.<sup>62</sup> The oppression of women or minorities is not (usually) the result of formally organized and planned group agency. However, even though some theorists try

58 May, *The Morality of Groups*, chap. 2; Petersson, “Collective Omissions and Responsibility,” 246; Smiley, “From Moral Agency to Collective Wrongs,” 194f. For the more general discussion about collective responsibility, see also Smiley, “Collective Responsibility.”

59 On the responsibility of mobs, see May, *The Morality of Groups*, chap. 4.

60 Isaacs (*Moral Responsibility in Collective Contexts*, 25.) makes a further distinction between corporate agents and “goal-oriented collectives”. However, as members of practices typically do not act together in the pursuit of a goal, I will not pursue this distinction here.

61 Held, “Can a Random Collection of Individuals Be Morally Responsible?,” 98; Collins, “Collectives’ Duties and Collectivization Duties”; Isaacs, *Moral Responsibility in Collective Contexts*, chap. 5.

62 Isaacs, *Moral Responsibility in Collective Contexts*, 26.



to use it as a model<sup>63</sup>, the groups that uphold long-standing racist practices are also not adequately categorized as mobs, that is, as groups of people that are largely conformist and who act unreflectively. Racist social practices often persist over extended periods of time and do not require that people suppress individual impulses or reflection. They are also often characterized by internal disagreements, struggles and a divergence of interests which does not give rise to any joint actions based on a clear sense of unproblematic identity.<sup>64</sup> Finally, social practices are also not merely an unintended result of individual interactions. So far, the debate about collective responsibility has not produced a model of groups which is suitable to capture the form of collective behavior that is typical of normatively governed social practices.

The “corporate” model of collective responsibility assumes structured social groups (such as corporations) in which there exists some mechanism by which group decisions can be made – for example by designating officials who are authorized to act in the name of the group.<sup>65</sup> It is not difficult to see that this structures the actions of the group such that the group forms an agent in its own right. We therefore often think of corporations as groups that can act independently.<sup>66</sup>

The type of group that is involved in a social practice shares one aspect with corporations without having a corporate structure: I have argued that there are norms in such groups, supported by relations of authority, that block certain

63 May, *The Morality of Groups*, 73ff.

64 In this respect the model proposed here is simplifying as it does not consider how, within dominant groups, other forms of inequalities of social power structure social conflicts about norm interpretations, which is especially important when one considers the intersection of race and class oppression. The social practice view developed here, also allows for a fluid character of oppressive character over time and changes in the meaning which is imposed that develop both in response to struggles within the dominant groups and in response to challenges by the oppressed. This feature can even allow for a reconceptualization of all forms of oppression as transitory phases in larger struggles – a historical perspective that cannot be developed here further.

65 As in the classic account of French, *Collective and Corporate Responsibility*, 41.

66 Isaacs, *Moral Responsibility in Collective Contexts*.

members from effectively challenging the norms of the practice. The existence of such norms gives rise to three distinct kinds of positions that can exist within such a social practice: there are those who lack a substantive capacity to challenge this structure of authority and who have a position that exposes them to some harm (“the oppressed”), there are those who lack a substantive capacity to challenge the structure of authority (or who are not attributed any authority) but who are not exposed to harm (“bystanders” or powerless groups that are not oppressed), and finally there are the “dominant” members who enjoy authority over the norms and thus collectively have a substantive capacity to change them.<sup>67</sup> While individual members of the dominant group face costs when challenging oppressive norms (namely the disapproval of other dominant members), these costs are, by definition, lower than the costs oppressed members face in the same situation. Taken as *a group* (which is part of the larger group of practice members), however, the dominant members do not face any obstacles when wanting to challenge the authority structure. The dominant group collectively enjoys effective power over what the norms of the larger group are.<sup>68</sup> In oppressive practices, the subgroup of dominant members is therefore *in control* of the larger group's acceptance or non-acceptance of the relevant norms.<sup>69</sup> Therefore, the group of practice members as a whole is internally structured in a way that is similar to corporate agents. However, this internal “division of labor” does not make the larger group into a corporate

67 The membership in one of these groups is thus determined by social power and capacities, not by mental features. A member of the oppressed group, for example, may be misled by his or her ideological beliefs and thus cognitively incapable of entertaining a world without oppressive norms. But such a person would still count as having a social capacity to change them on this account.

68 I intentionally don't use the vocabulary of “privilege” here. “Privilege” seems to refer to the consequences of a practice, while “dominance” refers to the second-order power distribution. Groups can be dominant without being privileged and vice versa (i.e. bystanders).

69 It is important to emphasize that the group is only collectively in control, without any individual member being in control (see Hindriks, “The Freedom of Collective Agents”); the same (perhaps) holds for the group of practice members as a whole (which is unproblematic as multiple groups can be in control of some activity), but not (it is supposed) for the oppressed group.

agent properly speaking. Even though there is *someone* (the dominant members) in control of the group's normative behavior, this arguably does not enable the larger group to make decisions or take on commitments. Furthermore, the group formed by the dominant members itself usually does not display a corporate structure. Men, as the group positioned as dominant in sexism, and “whites”, as the group positioned as dominant in racism, do not have an internal decision structure or designated officials. Even once we have identified such groups as the agents that are in control of the respective practices, we still do not know on what model we should analyze their responsibility.

Many theorists of group responsibility assume that groups can only be collectively responsible if they fulfill certain strong conditions that make them into agents.<sup>70</sup> Margaret Gilbert, for example, claims that, to act collectively, the members of groups must be unified by a “joint commitment” to some collective goal.<sup>71</sup> Philip Pettit has adopted a different model that sees groups as only having responsibility if they are what he calls autonomous agents, that is, if their members do not only “each intend that together they mimic the performance of a single unified agent”,<sup>72</sup> but also if they “embrace a practice or constitution that allows them to ensure that the body of attitudes they accept and enact in the group’s name is internally consistent”.<sup>73</sup> These conditions are clearly too strong to be fulfilled by the groups formed by dominant members of oppressive practices.

However, even though these groups usually do not fulfill these conditions, the way in which Gilbert and Pettit actually defend their theories suggest that

70 For a critical discussion of this, see Smiley, “From Moral Agency to Collective Wrongs.”

71 Gilbert, *On Social Facts*.

72 Pettit, “Responsibility Incorporated,” 179.

73 *Ibid.*, 182.

these conditions do not capture their intentions in the case of oppression and that oppressive groups should, after all, be collectively responsible. Gilbert, for instance, argues that only “joint commitments” can explain three features of group agents: a form of unity that goes beyond mere aggregation, the existence of social rights and obligations between members, and the fact that individual members cannot quit the joint activity without violating some obligation to others.<sup>74</sup> As the case of racism and sexism shows, normative social practices can display these three features even though they are not grounded in joint commitments: the structure of mutual authorization in such practices accounts for the unified behavior of the respective groups. The same structure explains why members must accept the obligation to take each other's interpretation into account. Finally, members of such practices also share a commitment to the rules that is violated when they unilaterally quit cooperating.

A similar argument can be made regarding Pettit's analysis: he argues that groups that are fit to be held responsible must be capable of making significant choices as groups and that they must be able to acquire an understanding of the normative significance of their choices.<sup>75</sup> While Pettit spells out the capacity to make choices as the capacity to engage in joint action according to a model of interlocking individual intentions,<sup>76</sup> this is not the only way to understand this capacity. Kenneth Shockley argues, for instance, that groups can be responsible in Pettit's sense even in the absence of joint intentions as long as we can say that the group as a whole has some form of *control* over the conditions that enable individuals' actions to cause harm.<sup>77</sup> In norm-governed social practices, the group's structure of norm acceptance constrains the

74 Gilbert, “Foundations and Consequences of Collective Moral Responsibility.”

75 Pettit, “Responsibility Incorporated,” 174.

76 Ibid., 179.

77 Shockley, “Programming Collective Control,” 446.

individuals, which puts the group rather than the individuals in control of their choices. In particular, we can assume that the imposition of meaning is something that happens by virtue of group norms constraining the individuals' actions. While no individual alone can ensure through their choices that the norms will change, the structure of mutual attribution of authority enables the group of *all members acting together* to achieve a range of different outcomes. Therefore, the group as a whole has control over normatively significant outcomes even in the absence of joint intentions.<sup>78</sup> Regarding Pettit's second condition that groups must have an understanding of the moral significance of their choices, this cannot mean that the group must already have *achieved* a shared understanding, but only that it must be *in a position* to develop a shared understanding.<sup>79</sup> Most dominant social groups are in such a position, as there are mechanisms available that they can use to come to a shared understanding – such as public forums or media channels through which the consequences of their support of social norms can be discussed.<sup>80</sup>

While these considerations certainly do not solve all the puzzles about group responsibility, they at least show that the groups formed by the dominant members of social practices meet the conditions for collective responsibility that are employed in the literature. Therefore, it is reasonable to conclude that such groups can be held collectively responsible for oppression as long as they

78 While Shockley only considers norms that set up a common end for the group (which need not be shared by the individuals [Ibid., 445.]), his argument can be easily extended to other forms of norm-governed practices: whenever there is a set of norms present in a group that constrain individual agency in such a way that we could say that the group is in control over how it collectively contributes to certain outcomes, then it is proper to assign responsibility to the group. A similar importance of control is emphasized by May's "social existentialist view" (see May, *Sharing Responsibility*, 33.) For collective control, see Hindriks, "The Freedom of Collective Agents."

79 Just as in the case of individuals, we must distinguish between culpable and non-culpable ignorance. In the case of groups, culpable ignorance can be an effect of the group having failed to attempt to achieve a shared understanding when making this attempt was something that the group was capable of doing.

80 Here, I ignore the possibility that cultural factors could make a group collectively unable to understand the moral wrongness of a practice. For this discussion, see Isaacs, *Moral Responsibility in Collective Contexts*, chap. 63.

meet certain standards of collective control and as long as they are in a position to form true collective beliefs about the possibilities to change oppressive norms and about the moral wrongness of their contributions to oppression.

That a group is collectively morally responsible does not entail, however, that all its members are either fully or partly responsible as individuals. As many have noted in the debate about collective responsibility, a group can be in a position to make choices without any individual having a meaningful capacity to make a difference.<sup>81</sup> While, in many cases, individuals can make choices that prevent some harm being done, it will only be the group that can be assigned backwards-looking moral responsibility.

What does it mean to hold groups responsible without holding their members responsible? This question can only be answered once it is recognized that moral responsibility is not a monolithic phenomenon, but rather a label for a group of phenomena: to say that an agent is responsible means to say that it is fitting to adopt a certain kind of responsive attitude to the actions of that agent. In other words, to hold a group responsible means to endorse the rationality of certain attitudes towards that group.<sup>82</sup> To find out what kind of moral responsibility is appropriate, it needs to be specified what kind of responses can be appropriate to group actions.<sup>83</sup> Next to the most narrow types of moral responsibility that are connected to the attitude of *blaming* and to the response of *punishing*, there are other ways of holding agents morally responsible that are connected to other responses. In the case of collective agents discussed here, it seems appropriate to say that, for the members of

81 For instance, see Feinberg, "Collective Responsibility"; Lewis, "Collective Responsibility"; Isaacs, *Moral Responsibility in Collective Contexts*, chap. 2.

82 Cf. May's discussion of "moral taint" (*Sharing Responsibility*, 155).

83 Zimmerman, "Varieties of Moral Responsibility," 59.

such groups, the right response to membership in an oppressive group is *shame* – which one can rationally feel even if one is not guilty of any personal failure.<sup>84</sup> Fitting attitudes on the part of non-members can be *indignation* or even *contempt*. Having such attitudes towards a group need not entail having corresponding attitudes towards any particular member. Finally, we often hold groups accountable by withholding certain forms of social status from them as long as they do not take steps to live up to their responsibilities. A community might, for example, deny an organization of veterans that have participated in a colonial war the right to participate in debates about how to deal with the aftermath of this war as long as this organization has not acknowledged its responsibilities for injustice. If, however, the same individuals also happen to form a chapter of the pensioner's union, they might be treated as legitimate participants in this capacity. The moral status of the two organizations might be significantly different even though they are composed out of the same people. This shows that not only can we hold groups accountable without this being reducible to attitudes towards the individuals, it also shows that this often involves forms of moral responsibility that differ from the most narrow case that is typically discussed in relation to individuals.

These considerations suggest further responses to Young's argument against backward-looking responsibility attribution: First, attributions of group responsibility need not single out individuals, but they can target them as group members which encourages them to see themselves in their social connections to others.<sup>85</sup> Second, this account does not attribute excessive responsibility to the oppressed. The oppressed members of a social practice have only a very general responsibility to fight oppression that does not single

84 For the possibility of the group qua group feeling guilt, see also Tollefsen, "The Rationality of Collective Guilt."

85 Nussbaum, "Foreword," xxiv.

them out from bystanders.<sup>86</sup>

#### *4.2 Shared responsibility of individual group members*

While the argument for the collective responsibility of the group of dominant members in oppressive practices relies on the unifying character of such practices, there is another, independent argument that concerns the moral responsibility of individual members. Larry May argues that people individually bear some responsibility for harm that is caused by morally unjust attitudes shared within a group, even if their individual attitudes are not causally involved in generating that harm and as long as they, by having these attitudes, have subjected others to a *risk* of being harmed.<sup>87</sup> As an example, consider a group of university administrators that have racist prejudices. While some of them will interview job applicants with a minority background and directly cause harm by discriminating against them, others might have the “luck” of only interviewing majority applicants and therefore not cause any harm. According to May, the latter also share responsibility for the harmful outcomes caused by others for two reasons: First, the fact that they have the attitude imposes a risk on job applicants. Second, their attitudes causally contribute to the maintenance of a racist climate among administrators.

This argument seems to apply to the case of oppressive social practices. In such practices, no individual attitude is necessary or sufficient for causing harm. However, by taking up certain attitudes individuals impose a risk on others. According to May, they therefore share in the moral responsibility for

86 Of course, as Young (*Responsibility for Justice*, 145.) argues, the victims of oppression might have a forward-looking responsibility in terms of their having a special interest in ending the oppression.

87 May, *Sharing Responsibility*, 46–52.



the harm caused by the practice as a whole. However, there are reasons to be skeptical about this argument. It is true that having racist attitudes subjects others to the risk that they will suffer discrimination. However, as long as no actual discrimination is caused by an individual's attitude, the only action for which such an individual seems to be responsible is the action of *subjecting others to such risk* (which may, however, itself be counted as harming them).<sup>88</sup> It is not clear why such a person should also be responsible for the *actual discrimination* caused by others. Only when we see that attitudes in social practices do not do their work in isolation from each other but that they impose meaning by virtue of the particular way in which they are linked to each other, can we then see how individual people can be responsible for the harmful outcome of a practice: their attitudes are implicated in the existence of a social norm that generates obstacles for others who might try to change it. According to this argument, people are not only responsible for the harm caused by racist practices because their racist attitudes directly cause such harm, but also because their recognition of the authority of others to enforce racist standards stabilizes a system of racist norms. This can be captured using May's "climate" condition: on this line of argument, membership in the dominant group leads to some individual responsibility, not because it imposes risks on others but because it enables others to perform unjust actions. Thus, while members of the dominant group are not individually responsible for the existence of oppressive practices, they are responsible for *enabling* that group as a whole to impose the relevant constraints on subordinate members and to generate unjust outcomes. It is important to note that this individual responsibility will usually rationalize forms of moral censure which are not as strong as those

88 It is unclear whether subjecting others to risk should count as a harm. See Hayenhjelm and Wolff, "The Moral Problem of Risk Impositions"; Finkelstein, "Is Risk a Harm?"

which are justified towards the group. In addition, the degree of individual responsibility varies with the individual's capacity to challenge the acceptance of oppressive rules and with the degree in which someone is in a position to know about the possibility that such norms can be changed by social action and about the moral wrongness of their participation. The members of a dominant group have *by definition* some capacity to challenge norms. If they are in a position to know that these norms could be changed by their refusal to participate in their upholding and that their participation is morally wrong, then they bear at least some individual responsibility for enabling the actual unjust actions by upholding oppressive norms. They can only avoid responsibility by undermining the force of oppressive norms as far as possible or by disassociating themselves from the practice.<sup>89</sup> The oppressed members – also by definition – bear only a small amount of individual responsibility, as they have the least social power to challenge its rules.<sup>90</sup> It follows that there is a source of individual responsibility for oppression that is independent of the attribution of responsibility to the group.

## **5. Conclusion**

Understanding oppression as a matter of social practices that create obstacles for social change provides us with two insights into the distribution of moral responsibility for oppression: First, it makes clear that there is an unproblematic sense in which groups can bear irreducible collective responsibility for the outcomes of social practices and it allows us to attribute

89 Disassociating oneself from the practice usually means to not only intentionally disrupt one's disposition to attribute authority to others concerning the contested norms, but also to intentionally use one's authority to try to effect normative change.

90 See for other arguments Hay, "The Obligation to Resist Oppression"; Boxill, "The Responsibility of the Oppressed to Resist Their Own Oppression."

such responsibility to groups that do not count as agents in the corporate sense. Second, it clarifies the foundation of attributions of individual responsibility. Even though dominant members of oppressive practice are not personally implicated in all particular instances of harm caused by these practices, by participating in a structure of mutual recognition that supports oppressive norms, they enable the harm being caused. It follows that when there is oppression, there almost always is a group that is collectively responsible for it, and there are often individuals that share in this responsibility.<sup>91</sup>

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