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Schaeffer, Lauren Jessica

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Oppression and Resistance

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of the requirements for the degree

Doctor of Philosophy in Philosophy

by

Lauren Jessica Schaeffer

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ABSTRACT OF THE DISSERTATION

Oppression and Resistance

by

Lauren Jessica Schaeffer

Doctor of Philosophy in Philosophy

University of California, Los Angeles, 2019

Professor Alexander Jacob Julius, Chair

Oppression can take many different forms. The most uncontroversial cases of oppression are violent and legally sanctioned: Indigenous genocide during the colonization of the Americas, chattel slavery in the antebellum United States, secret detention and torture of Muslims at Guantanamo Bay, trans women housed in men's prison facilities despite widespread physical and sexual assault. We might distinguish between these cases and cases that involve neither physical violence nor the use of law. Consider being excluded from informal educational or networking opportunities, having one's testimony routinely discounted or dismissed, or incurring contempt or hostility for failing to live up to social norms.

You might doubt that these latter examples have much in common with the cases involving violence and the law. I'll try to convince you otherwise. I argue that instances of "civilized" oppression share a characteristic practical predicament with the violent and legally

sanctioned versions. Contemporary forms of oppression involve the dilemmatic structure of coercion without direct coercive threats. Both material and psychological factors—including threats of penalty, censure, and deprivation, as well as the necessity of keeping oppressive scripts in mind—structure the distinct unfreedom of oppression. I'd like to suggest that a recurrent and constitutive element of contemporary oppression is the option to avoid or mitigate sanctions in the short term by accommodating the unacceptable treatment of social group members. In addition to having few and objectionable options, oppressed agents must repeatedly choose between (1) imminent harm, and (2) avoiding or mitigating harm through complicity in injustice towards oneself and members of one's social group.

I argue that individual resistance to oppression is a limited strategy. An individual can refuse to accommodate oppression by presenting herself for harm in response to a deliberative dilemma. This may be morally required in the face of mild social disapproval. It's implausible, however, that the oppressed are morally obligated to expose themselves to serious harm. Given an understanding of oppression as forcing a problematic presentation of options on individuals, resistance might aspire to adding another option. While oppressed individuals face real dilemmas, groups acting together are not constrained in the same way. Collective action eliminates or mitigates the sanctions of refusal to accommodate objectionable treatment. This sets up collective resistance as a form of resistance that avoids complicity and also refuses to accept punishment for noncompliance.

In the rest of the dissertation, I consider how the proposal helps explain an otherwise underdeveloped aspect of epistemic injustice, how it interacts with the main insights of intersectionality, and how to understand the role of identity in oppression and resistance. I go on

to to argue that the dilemmatic framework alone fails to capture the specificity of gender oppression in terms of gender identity and its corresponding liberatory possibilities. I consider how a queer and trans feminist understanding of gender and sexual identity helps to illuminate possibilities for collective resistance.

The dissertation of Lauren Jessica Schaeffer is approved.

Barbara Herman

Calvin G. Normore

Louise E. J. Hornby

Alexander Jacob Julius, Committee Chair

University of California, Los Angeles

2019

*In memory of Dorothy L. Schaeffer
and her comrades in ILGWU Local 351*

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VITA

2009	B.A. Philosophy Ursinus College
2011-2017	Teaching Assistant Department of Philosophy University of California, Los Angeles
2012	M.A. Philosophy University of California, Los Angeles

CHAPTER 1

Oppression and Resistance

I. Introduction

Emancipatory political movements suggest that there is a unified phenomenon worth resisting called *oppression*. The oppressed experience a particular kind of injustice, not merely as individuals, but as the members of a social group. The group-based injustice may be violent, economic, or psychological. Another social group—the oppressors—is primarily responsible. Some intend to participate in the injustice, but others do not. White people oppress people of color. Men oppress women and non-binary people. Capitalists oppress the poor and working class. Resistance, or organized opposition to this group-based injustice, is praiseworthy and perhaps even morally required.

The most uncontroversial cases of oppression are violent, legally sanctioned, and in the past: Indigenous genocide during the colonization of the Americas, chattel slavery in the antebellum United States, sexual violence as a military strategy and weapon of war. Yet contemporary racism, sexism, and classism can also be brutally violent and as well as within the law: “justifiable homicides” of Black men by law enforcement, secret detention and torture of Muslims at Guantanamo Bay, trans women housed in men’s prison facilities despite widespread physical and sexual assault.

We might distinguish between these cases and “civilized” oppression: oppression that involves neither physical violence nor the use of law.¹ Civilized oppression is perhaps the most prevalent yet hardest to recognize in Western industrialized societies. Examples of civilized oppression may seem trivial individually, but add up over the course of a life. Consider being

1 Jean Harvey makes this distinction in *Civilized Oppression* (1999)

excluded from informal educational or networking opportunities, having one's testimony routinely discounted or dismissed, or incurring contempt or hostility for failing to live up to social norms. Attempts to address these subtler wrongings results in being labeled "difficult" or "unstable," "insubordinate" or "a troublemaker."² Civilized oppression persists largely thanks to actual violence and attempts to avoid it. But I do want to flag that much of oppression—as we experience or contribute to it—involves no actual violence. An account of what oppression is must take that seriously.

My aim is to understand what oppression is so we can make sense of our lives. There's a way oppression goes in the world. I suspect that there's a unified moral kind here above and beyond the sociological kind. It may be true that important aspects of oppression can't be addressed at such a high level of abstraction—we'll need to consider racial oppression in particular, or gender oppression in particular, and how they interact. Feminist philosophers, critical race theorists, queer theorists, and philosophers of disability have taken on much of that work. Nevertheless, I think there are important things to say at this level of generality that both track moral reality and are practically useful for responding to oppression.

I'll argue that at the heart of oppression is a characteristic practical predicament. I'll be clarifying and expanding on what feminist philosophers have called *the double-bind*. Marilyn Frye points out that "one of the most characteristic and ubiquitous features of the world as experienced by oppressed people is the double-bind—situations in which options are reduced to a very few and all of them expose one to penalty, censure, or deprivation."³ As an example of reduced options with penalties, Frye notes the expectation that oppressed people will smile cheerfully at their oppressors. If the oppressed smile, they signal docility as expected and are

2 Or, as Sara Ahmed puts it, a "killjoy." See *Living a Feminist Life* (2017)

3 *The Politics of Reality* (1983), 2

invisible. If the oppressed refuse to smile, they attract attention: in particular, the oppressed are seen as “mean, bitter, angry, or dangerous.” Refusing to smile at one’s oppressors is a threat to economic well-being—who wants a difficult or unpleasant employee? It is also a threat to physical safety given that those perceived as angry and dangerous may be arrested, assaulted, or killed.

Further, we may suspect that the oppressed face dilemmas with characteristic contents depending on their social positionality. Lisa Tessman suggests that oppression does not simply present dilemmas, but special recurring dilemmas.⁴ Given poverty, we are repeatedly forced to choose between life necessities that can't all be afforded. We must choose between enlisting in the military to fight an unjust war or getting no education or job training; spending money on the subway or walking through dangerous areas; working enough hours but ignoring family or spending time with family and having no money. Given partner abuse, we choose between killing our partner or sacrificing our own life by staying. Given the gender binary, we choose between expressing our gender identity and being harassed, or internalizing the view that our self cannot be expressed in public.

I’d like to complicate this characterization of the double-bind. In addition to having few and objectionable options, agents must repeatedly choose between (1) imminent harm, and (2) avoiding or mitigating harm through complicity in injustice towards oneself and members of one’s social group. We risk economic and physical harm doing something *as simple as refusing to smile at our oppressors*. But exhibiting the expected cheerfulness reinforces the idea that this is a reasonable expectation and helps ensure that it continues. Oppression is a distinct form of unfreedom. The double-binds of oppression involve a variety of penalties, censures, or

4 “Idealizing Morality” (2010)

deprivations. But a recurrent (and I'll be suggesting *constitutive*) element of contemporary oppression is the option to avoid or mitigate sanctions in the short term by accommodating the unacceptable treatment of our future selves and others like us.⁵ What seems like the best response to a bad situation helps to reproduce oppression.

The moral evil of oppression understood in this way tracks the wrongness of coercion. Its structure is a bit more mysterious. Oppression need not involve explicit threats, or even an identifiable oppressor responsible for a particular double-bind situation. Double-bind situations show up in pairwise encounters between members of involuntary social groups based on historical and logical precedent.

In this chapter, I'll motivate my account by considering other attempts at analyzing oppression and what we can learn from them. I'll begin by considering what I call the *empirical unity approach*. These are attempts to specify a cluster of features shared across different kinds of oppression. This approach characterizes oppression as an important sociological kind with morally objectionable components. I think we can do better in terms of a unifying and explanatory theory of oppression. Nevertheless, an accurately described social practice is a necessary first step. In addition, some proponents of the empirical unity approach worry that attempts at a unified theory would illicitly reduce the phenomenon or exclude marginalized voices. This important caution should be kept in mind in considering oppression as a moral unity.

Next, I'll consider an approach to understanding oppression that focuses on *adaptive preferences*. This addresses an important similarity across all forms of oppression: how the oppressed are morally wronged. In particular, oppression threatens the autonomy of the oppressed. The oppressed stop preferring what's out of reach thanks to social constraints and

⁵ Historical antecedents to contemporary forms of gender, race, and class oppression relied on more direct forms of control.

come to prefer being in a subordinate social position. While I agree that oppression does threaten autonomy through recurring double-bind situations, I worry that focusing on adaptive preferences fails to address one of the most troubling aspects of oppression. We can believe what's true, prefer what's rational, respect ourselves fully, and still be unfree. Psychological oppression is real, but overcoming it often leaves external barriers untouched.

Make no mistake—I'm not trying to suggest that theorists focusing on adaptive preferences mistakenly psychologize the structural. There are certainly cases where attitudes of the oppressed are legitimate barriers to autonomy. It's nearly impossible to develop and express an authentic self while coming to believe and endorse sexist and racist stereotypes about your identity.⁶ The literature on adaptive preferences highlights the need for a similarly rich agency and autonomy-focused theory that attributes no rational mistake to the oppressed. This is the account I hope to contribute.

6 See Sandra Lee Bartky's "Psychological Oppression" (1990)

II. The Empirical Unity Approach

I call the search for a cluster of features shared across different kinds of oppression *the empirical unity approach*. While providing illuminating descriptions of the phenomenon, these leading theoretical accounts of oppression fail to show why oppression is more than an important sociological kind. I think we can do better in terms of a unifying and explanatory theory of oppression. Nevertheless, an accurately described social practice is a necessary first step.

Marilyn Frye, Ann Cudd, and Iris Marion Young each specify several general conditions for an injustice to count as oppression. A primary motivation for this approach is categorization: not all injustices are instances of oppression.⁷ While cis men and white people do suffer injustice, calling all of these injustices *oppression* obscures the topic under consideration. In addition to making invisible the widespread structural barriers faced by gendered and racialized minorities, lack of clarity here prevents us from identifying instances where cis men and white people may genuinely face oppression. Further, a list of individually sufficient conditions can help us compare different forms of oppression. The idea is not that for any two instances of oppression we can tell which is more or less serious. Rather, we can compare the salience of different *aspects* of oppression. Accurate descriptions of objectionable social practices can help us understand why they exist and persist. In the following section, I'll be setting out the empirical unity approach as a rival theory while taking on important cautions that it raises for a unified theory of oppression.

In her famous essay comparing women's oppression to a birdcage, Marilyn Frye sharpens the concept of oppression by specifying necessary conditions on harms, sufferings, and

⁷ Cudd motivates her account by highlighting that a good theory of oppression will allow us to rationally classify whether the destruction of Palestinian homes by the Israeli army counts as oppression, and whether racism and sexism in the US count as oppression. See *Analyzing Oppression* (2006), 11

limitations.⁸ To count as an instance of oppression, a harm, suffering, or limitation must be part of a structure that confines a social group or category of people. Additionally, that structure must benefit or privilege the members of another social group. Without such conditions, argues Frye, we risk stretching the concept of oppression to meaninglessness. For example, men may feel deprived when it is difficult for them to obtain employment in housekeeping and childcare. This looks like a structural limitation that confines a social group. But social boundaries around the gendered division of labor are enforced by men for the benefit of men. These boundaries keep women and non-binary people out of positions of cultural and economic power. This is not to say that “women’s work” isn’t valuable, or that individual men aren’t harmed when excluded from work that would be genuinely fulfilling. Frye acknowledges that everyone suffers and faces limitations. Not everyone is oppressed.

Ann Cudd takes herself to make explicit a condition that Frye leaves implicit in her analysis.⁹ In addition to including harm, social groups, and privilege, oppression must also involve *unjust coercion*. Making the coercion condition explicit blocks objections that the theory characterizes too many group harms as oppression. After all, some structural harms of a social group that benefits another social group could be justified, says Cudd.

Consider reparations for racial terrorism and inequality. It’s plausible that this would count as a structural harm of a social group that has unjustly benefited from the harm of others.¹⁰ It’s implausible that the beneficiaries of racial terrorism and inequality would be oppressed by such harm. Reparations may be a morally required response to oppression rather than another

8 *The Politics of Reality* (1983), 1-16

9 *Analyzing Oppression* (2006), 25

10 In “How to Explain Oppression” (2005), Cudd offers the example of those justly convicted of a crime and then jailed. Given the racism of US criminal justice system, I think the reparations case is less likely to be another instance of oppression.

instance of it. As a form of injustice, oppression is not a morally neutral concept. Oppression cannot be morally required in response to past wrongs. Given the theoretical aim of distinguishing between oppression and other forms of injustice, it's important that a theory of oppression does not count non-oppressive structural harms like reparations.

I am not yet convinced that coercion (rather than *injustice*) is doing any work in excluding non-oppressive structural harms. Coercing the ongoing perpetrators of racial terrorism may be completely justified, and an unlikely candidate for oppression. We may sometimes employ coercion in self-defense. In any case, Cudd's four criteria—harm, social groups, privilege, and coercion—are meant to pick out all and only cases of oppression. The proposal seems reasonable where the coercion condition is understood to require injustice.

Iris Marion Young provides another example of the empirical unity approach. She offers an intentionally non-explanatory list of five individually sufficient conditions for oppression, also with the purpose of determining whether or not a group is oppressed.¹¹ Different oppressed groups exhibit some combination of exploitation, marginalization, powerlessness, cultural imperialism, and violence. Given these criteria, the poor, the working class, gender minorities, and racial minorities are oppressed groups in the contemporary US; Catholics are not an oppressed group. The theory also helps us to compare the kinds of oppression different groups face. When white men are oppressed in the contemporary US, this primarily involves the injustice of economic exploitation by capitalists. Black and Latinx men often face marginalization instead of exploitation: they are excluded from the labor market altogether. This is another way that the empirical unity approach gets results: it allows us to compare the

11 "Five Faces of Oppression" (1990), 59

oppression of different groups in addition to distinguishing between groups that are oppressed and groups that are not.

Those are important results. But why not ask for more from a theory of oppression? I'd like to briefly consider Jean Harvey's account of civilized oppression as an example of what a theory of oppression might aspire to. Recall that by theorizing civilized oppression, Harvey intends to restrict her discussion to oppression that involves neither physical violence nor the use of law. Harvey might accept Young's list of sufficient conditions for categorizing and comparing paradigmatic forms of oppression. But Harvey also has a theory about why exploitation, marginalization, and so on are so objectionable: they distort our relationships with one another, precluding appropriate functioning in the moral community.¹² A network of morally inappropriate relationships explain the various harms of oppression, like poverty, psychological damage, and physical attacks. In her theory, Harvey draws on fundamental ethical ideas about personhood and moral rights to explain the wrong of oppression. Young seems to share a commitment to the conception of moral rights as *relationships* rather than the possessions of static individuals.¹³ Why then the suspicion of a unified account of the wrong of oppression?

For Young, unified theories of oppression raise suspicion of illicit reductionism and exclusion of marginalized voices. In particular, Young cites the failure of unified theories like Marxism to capture important ways that different groups are oppressed, like gender and racial minorities.¹⁴ A non-explanatory list of criteria, Young maintains, is the best we can do to compare different forms of oppression.

12 *Civilized Oppression*, (1999)

13 Harvey herself draws on Young's ideas about rights. See *Civilized Oppression* (1999), 110

14 "Five Faces of Oppression" (1990), 58

You might worry that I (and Harvey) have changed the subject from what oppression *is* to why oppression is wrong. Here I agree with Cudd that oppression is uncontroversially normative. There's no morally neutral description of oppression worthy of our attention. Oppression is an injustice, something to be resisted, and not to be perpetrated. Surely a theory of oppression must be sensitive to the empirical reality, but it is perfectly true to the subject matter to center its normative dimensions.

Sally Haslanger reminds us that a successful normative evaluation depends on a well-described social practice.¹⁵ Whereas non-philosophers committed to social justice tend to neglect the evaluative project, philosophers tend to neglect the descriptive project. Without any of these features—harm, social groups, privilege, coercion or injustice—we seem to miss part of the problem with oppression. There's no oppression without injustice, or without social groups. Additionally, different forms of oppression are helpfully specified by considering the role of exploitation, marginalization, powerlessness, cultural imperialism, and violence. The descriptive project is important. As a philosopher, however, I refuse to settle for a non-explanatory description of oppression.¹⁶ As it stands, it's unclear how each component of oppression relates to the others.

We can seriously object to instances of oppression without thinking that they are all instances of one unified moral kind. Judgments that cases of oppression are wrong make sense as responses to ordinary features like injustice, harm, and coercion. These ordinary features alone might capture everything there is to say about oppression as a moral kind. Harming others is bad. Coercing others is bad. We might argue about whether coercive harm is worse than the sum of its

15 See *Resisting Reality* (2012), 16

16 I'm not trying to say that Cudd's analysis provides *no* explanation. In fact, I think her explanation of the persistence of oppression is absolutely correct. I'll consider the details of her account shortly to make clear what's wrong with the empirical approach.

parts. The similarities between patriarchy, capitalism, and white supremacy constitute important sociological and historical facts. That's a very good reason to care about oppression, but it's not necessarily because we've discovered a particular way to go wrong in the nature of morality.

I'll be presenting an alternative to the view that oppression is simply an important sociological and historical kind with morally objectionable components. Not only should we center the normative dimensions of oppression, but we should understand oppression as a unified moral evil. At the same time, I want to take seriously the concerns raised by Iris Marion Young about illicit reductionism and exclusion of marginalized voices. There are limits to what we can get out of an analysis of oppression at such a high level of abstraction. We don't face oppression *in general*, but as situated agents with intersecting identities and involuntary social groupings. Any unified theory of oppression must also be supplemented by a consideration of gender oppression, racial oppression, how those interact, and so on. We can agree with Young that it would be a serious mistake to think that a reductive, single-axis Marxist theory could capture all there is to say about oppression.

On the other hand, it would be a mistake to reject all social categories because they cannot capture the lived reality of the oppressed. In her later work, Young considers the suggestion that we replace categories of both sex and gender with the category of the *lived body*.¹⁷ This was Toril Moi's proposal in response to worries about gender and sex reinforcing normative heterosexuality. According to Moi, the lived body is the experience of agents facing the physical and social environment, plus physical bodily facts like having certain body parts, reproductive capacity, and sexual desires. The point of the theory is to capture the way material features of our bodies play a role in our subjective sense of self without giving a reductionist,

17 "Lived Body vs. Gender: Reflections on Social Structure and Subjectivity" (2005)

biological account of embodiment. Moi suggests that the body is enculturated all the way down to bodily comportment: there's no inner core of identity, no binary of masculine/feminine, and no question about the combination of group identities like gender, race, and class. Each person is a distinctive body with dissimilarities and differences to others.

Young thinks that dispensing with gender and sex makes sense for theorizing identity, experience, and subjectivity. But that's not all feminist and queer theorists want to do. Identifying and explaining harm and injustice requires *social structures* rather than individual subjectivity. The concept of lived body can articulate how persons live out the opportunities and constraints produced by their positionings in social structures. It's necessary to have a concept of gender (and other social categories, like race and class) to describe and explain the structures and processes that result in different opportunities and privileges.

I agree with Young here about the importance of a concept of gender and other social categories. While oppression is not an individual phenomenon, more fine-grained social groupings than *the oppressors* and *the oppressed* are required to explain what individuals face. But at the most general level, I'd like to suggest that there is a unified phenomenon of oppression that is best understood as a moral unity—a specific kind of moral wrong that cannot be fully explained by its component features like injustice, harm, and coercion. My defense of working at this higher level of abstraction tracks Young's defense of gender concepts. The point of a unified theory of oppression is not to capture all there is to say about individual subjectivity, but to explain structural harm and injustice. Illicit reductionism and exclusion of marginalized voices is a serious concern, but I don't think it rules out all general theory.

As a methodological point, I take it that a good theory is unifying and explanatory. This requires an accurate description of actual social practices, but should not stop there. This is

where I think the empirical unity approach goes wrong. Oppression is more than a morally objectionable cluster of features generating difficult questions.¹⁸ Rather, aspects of oppression like harm and involuntary social group membership explain a specific way that oppression makes us unfree. A good theory does more than help us compare and classify instances of injustice as oppression.

18 Ann Cudd suggests that the most difficult and interesting question about oppression is why it persists over time given the rough natural equality of humans. See “How to Explain Oppression” (2005), 25

III. Focus on Adaptive Preferences

Another approach—one I find promising—focuses on an important similarity across all forms of oppression: how the oppressed are morally wronged. Oppression is, among other things, an attack on our freedom and autonomy. Very roughly, consider freedom as the ability to act without constraints, and perhaps with sufficient resources and power. Contrast this with autonomy, which is understood to involve the independence and authenticity of the values, commitments, identities, or preferences that move us to act. Autonomy theorists focus on capacities like rational thought and self-control, in addition to authenticity conditions like reflective endorsement of our values and preferences. Much of the literature on oppression, freedom, and autonomy discusses *adaptive preferences*.¹⁹ Adaptive preferences are new preferences compatible with one’s subordinate social position in response to the difficulty or impossibility of satisfying one’s initial preferences. For example, women may come to genuinely prefer unpaid domestic work when that is the kind of work that is expected of them. Such preferences may be harmful or irrational.

Serene Khader cautions that we should focus on *inappropriately* adaptive preferences—the problem is not the mere influence of social conditions on our preferences. Everyone’s preferences are influenced by social conditions. Some feminists understand intersectionality as motivating a theory of the *self* as intersectional. Rather than a unified (or even relational) identity, the self is shaped by responses to interacting group ascriptions, including gender, race, class, and so on.²⁰ What threatens autonomy is where social conditions lead to preferences

19 Serene Khader *Adaptive Preferences and Women’s Empowerment* (2011), Andrea Veltman and Mark Piper, eds. *Autonomy, Oppression, and Gender* (2014), Marina Oshana, ed. *Personal Autonomy and Social Oppression* (2015), Natalie Stoljar, “Autonomy and the Feminist Intuition” (2000)

20 Diana Tietjens Meyers, “Intersectional Identity and the Authentic Self” (2000)

inconsistent with our basic flourishing.²¹ As Khader notes, a serious challenge in this area is reconciling the real impact of oppression on autonomy without endorsing paternalistic coercion of the oppressed in response.

Uma Narayan suggests that oppression makes us choose between bundles of elements—some good, some bad—that we do not have the power to disentangle.²² This may seem like another specification of the double-bind. The options of the oppressed are reduced to very few, where each option exposes one to penalty, censure, or deprivation. But this description of the double-bind fails to fully capture the situation of the oppressed. Each option available to the oppressed contains at least some valuable element in addition to the penalties or deprivations. Narayan considers interviews with Sufi Pirzada women in New Delhi on their attitudes towards living in purdah, or gendered seclusion within the home, and veiling in public. Understanding the decision to live in purdah as a bundle of elements, says Narayan, helps us to see why it makes sense as autonomous after all. Sure, the bundle contains undesirable elements: Narayan reports hearing complaints from Pirzada women that living in purdah limits access to education and visiting relatives. Full veiling in public can make it hard to see find one’s way around. Nevertheless, these women endorsed other aspects of purdah and veiling. They appreciated the ability to be unrecognizable on the street, thereby avoiding the notice of controlling family members. They understood veiling as refusing to appear as a sexualized object to men. They valued signifying their religious and ethnic identity as Muslim minorities living among a Hindu majority. Given that no complete choiceworthy bundle is available to the oppressed, choosing *some* bundle for reasons and expressing *some* values makes sense.

21 *Adaptive Preferences and Women’s Empowerment* (2011), 20

22 “Minds of Their Own: Choices, Autonomy, Cultural Practices, and Other Women” (2002)

Narayan defends the choices of the Sufi Pirzada women as real choices with some degree of autonomy, even if they can't negotiate some elements of the bundle. She worries about Western women overestimating the constraints of "Other" women while mistakenly seeing themselves as independent from cultural pressures and constraints. Western feminists have expressed concern about being pressured to spend time on "beauty regimens" and becoming self-conscious about their bodies. Many women understand this and still wear makeup or shave their legs to satisfy professional expectations or express their gender identity. "Bargaining with patriarchy" better captures women's decisions to comply with cultural practices like veiling or wearing makeup. The point is that the oppressed make choices under constraints, and where oppression reduces autonomy, it does so across cultural difference.

There are certainly cases where the attitudes of the oppressed, including adaptive preferences, are legitimate barriers to autonomy. But I agree with Narayan that we need to look a bit closer before attributing widespread error or irrationality to the oppressed. Staying home to avoid harassment is not a real preference for staying at home. Deferring to white men to keep your job is not a real preference for deference. A particularly terrifying aspect of oppression is that a person can believe what's true, prefer what's rational, respect herself fully, and still be oppressed. Freedom and autonomy are reduced. This is not the only form oppression takes, but it is the aspect of oppression I've chosen to focus on.²³

I'm not trying to suggest that concern with adaptive preferences makes the general mistake of psychologizing the structural. Surely there are cases where attitudes of the oppressed are legitimate barriers to autonomy. Serene Khader offers an example of women in rural Honduras during the 1980s and 1990s, whose preferences for isolation and restricted mobility

23 See Bartky's "Psychological Oppression" (1990) for an account of what I'm setting aside.

changed on the basis of study circles initiated by a women's empowerment project.²⁴ New preferences to get out of the house and participate in public life did not immediately remove external barriers on movement. Rather, the new preferences initiated negotiation with husbands who enforced the initial preferences. Women's preferences were not the sole cause of their isolation, but they were part of the cause. While this is not the focus of my project, I am not trying to deny its importance, and will say more about the relation between adaptive preferences and the practical approach shortly.

You might think I am changing the subject from (internal) autonomy deficits in favor of (external) interference with freedom. But philosophers concerned with rehabilitating autonomy as a feminist ideal have complicated this understanding of autonomy. Natalie Stoljar argues that oppressive social scripts interfere with our psychological freedom, which is a condition for autonomy.²⁵ We can't avoid internalized oppressive scripts even if they are unendorsed. First, we must adapt our decision-making to oppressive scripts; and second, we must respond to or otherwise disavow oppressive scripts to be seen as equals by others. The social affects the psychological, even if the negative aspects are repudiated.

Stoljar thinks that "double consciousness," or looking at oneself through the eyes of others, is required because oppressed people are forced to react to these others. This means subordinated people can't just repudiate dominant social scripts, but must internalize them. Racialized and gendered self-conceptions, even where oppressive aspects are repudiated, shape possibilities, plans, preferences, and life-choices. That's what it means to *be* Black and *be* a woman rather than merely *classified* as Black and *classified* as a woman. Oppressive social scripts call for anticipation, adjustment, accommodation, and evaluation if we want access to

24 *Adaptive Preferences and Women's Empowerment* (2011), 11

25 "Living Constantly at Tiptoe Stance" (2015), 106-107, 116-120

cooperative interactions with others. The oppressed are “constantly at tiptoe stance” in a way that those with neutral or dominant scripts are not. Distorted self-conceptions thanks to oppressive scripts provide a distinct kind of autonomy impairment. Social scripts that are internalized in the psychologies of members of oppressed groups interfere with freedom to will otherwise. This phenomenon is not captured by compulsion, obsession, coercion, and manipulation—other more widely accepted impediments to psychological freedom.

Similarly, Iris Marion Young suggests that oppressive scripts are always on the minds of the oppressed or implicit in their behavior, even when there is no actual danger. This interferes with our freedom to will otherwise relative to agents not subject to oppressive scripts.²⁶ Part of the problem is that it is *reasonable* for the oppressed to keep oppressive scripts in mind. It’s unlikely that autonomy would be enhanced by ignorance about oppressive social scripts. Given the complexity of our psychologies, it’s unlikely that assurance of safety could immediately liberate the oppressed from these cognitive burdens. But continued experiences free from danger or discrimination would likely go some way towards dismantling internalized social scripts. Danger and discrimination make these cognitive burdens reasonable.

All in all, the literature on adaptive preferences helpfully orients us towards focusing on interference with freedom and autonomy. I’d like to suggest, however, that oppression is not simply an attack on our freedom and autonomy *among other things*.

26 “Five Faces of Oppression” (1990), 55

CHAPTER 2

The Practical Approach

I. Introduction

Characterizing oppression primarily as an attack on our agency and autonomy does not mean that we abandon the roles of harm and self-replication in a theory of oppression. Without the threat of harm, there would be no reason to accommodate oppression. Without self-replication, instances of accommodation would not be so disastrous. The primary aim of this chapter is neither to challenge nor to expand the long list of characteristics attributed to oppression by feminist philosophers, social scientists, and critical race theorists. Instead, I hope to illuminate the structure of such a list.

With these lessons about the empirical unity approach and adaptive preferences in mind, I'll describe an alternative: what I call the *practical approach*. I focus on characterizing how both material and psychological factors—including threats of penalty, censure, and deprivation, as well as the necessity of keeping oppressive scripts in mind—structure the distinct unfreedom of oppression. The oppressed face a characteristic practical predicament where they must repeatedly choose between imminent harm and complicity in injustice.

Thinking about oppression through the practical approach leads to a natural conjecture about resistance. Given an understanding of oppression as forcing a problematic presentation of options on individuals, resistance might attempt to add another option. While we are faced with real dilemmas as individuals, groups acting together are not constrained in the same way. Our anticipated treatment by others is radically different given collective action. In particular, we eliminate or mitigate the sanctions of refusal to accommodate objectionable treatment. The oppressed not only refuse to participate in the projects of their oppressors; they refuse to accept

retaliation for such refusal. Retaliation reinforces the patterns of interaction on which oppressors (and the complicit oppressed) may rely.

But sometimes the deliberative dilemma is a genuine dilemma. We are unable to change the deliberative landscape because others are unwilling to participate in collective action. Group-level coordination only secures the end of agential interference when enough of the oppressed participate. Unfortunately, oppression makes it difficult for oppressed people to engage in political action. The oppressed often lack free time and economic resources. Many suffer from depression and anxiety disorders. Some are disproportionately targeted with state-sponsored violence.

One possibility for thinking about resistance where collective action is impossible is to consider the relationship between oppression and autonomy. Suppose that oppression is primarily a harm sustained through causal patterns. It seems uncontroversial that resistance would consist in causing those patterns to stop. We resist gender oppression, for example, by publicly shaming harassers until they change their behavior. But if oppression is also a kind of interference with one's agency and autonomy, other methods of resistance become salient. Suppose that oppression interferes with autonomy by ensuring that we further the interests of our oppressors. If one refuses to accept this oppression-sustaining presentation of options, perhaps one's autonomy remains intact. Women might walk alone despite the threat of street harassment. A woman is not coerced into changing her daily activity by harassers when she goes where she pleases. She refuses to play a part in her own subordination. This would not cause the end of one's oppression, but *constitute* it.

I'm skeptical that we can really protect our autonomy in this way. Natalie Stoljar argues that anticipating, adjusting, accommodating, evaluating, disavowing, and responding interferes

with our psychological freedom, thereby limiting autonomy.²⁷ This is true even when the oppressed hold no false beliefs, and even when there is no actual danger. Perhaps ignoring oppression-constituted deliberative dilemmas could *in principle* promote autonomy by way of psychological freedom. But it's hard to see how ignoring the possibility of serious harm could be recommended as a liberatory strategy.

An individual can still refuse to accommodate oppression by presenting herself for harm in response to a deliberative dilemma. Individual resistance may be morally required in the face of mild disapproval. When the expected consequences are serious, however, individual resistance cannot be recommended.

Let us not give up hope. It's important to consider and be prepared for situations where collective action is possible. Here failure to participate in collective action takes on a new character: others have to take our failure as blocking collective liberation in a way that cannot be justified by the risk of harm. Various philosophers have argued that oppressed persons are morally required to resist their own oppression.²⁸ These theories have been criticized for victim-blaming. I'd like to suggest that risk of harm generally overrides obligations to resist oppression; this accounts for our hesitancy in attributing moral failure to the oppressed for choosing short-term safety over resistance. This is not so when others are willing to collectively resist. Failure to participate in resistance to oppression becomes a serious moral mistake.

27 "Living Constantly at Tiptoe Stance" (2015)

28 See Carol Hay's *Kantian, Liberalism, and Feminism* (2013)

II. A Proposal

My proposal is that a core aspect of oppression is a characteristic practical predicament. Because an oppressed person belongs to an involuntary social group, others stand ready to treat them in certain ways.²⁹ An oppressed person is thus confronted with two unattractive options. One option is to refuse to facilitate this treatment by others. This exposes an oppressed person to sanctions, from mild hostility to violent attacks. The other option is to avoid or mitigate harm by accommodating this treatment. Avoiding or mitigating harm through accommodation helps make it the case that the pattern continues. This accommodating option is what I will call *complicity*.

I'd like to be clear that complicity does not entail blameworthiness. Much like "oppression," our standard use of "complicity" is irreducibly normative—something always to be avoided. Perhaps this seems correct when the refusal to be complicit results in mild social disapproval, or others being "taken aback" by the violation of social norms. However, the term seems particularly nonideal when applied to the avoidance or mitigation of serious violence in the absence of alternatives. An agent choosing the so-called complicity option might very well object: what else was I supposed to do?

I'm not sure that there's a better term in these genuinely dilemmatic situations to express the idea that the relevant failure is not the individual agent's failure. Neither do I want to characterize complicity as a purely formal notion. Expected harm can provide an excuse for complicity, but this points to the necessity of excuse. The oppressed as a collective that could refuse participation in the projects of oppressors without harm have no such excuse. We might distinguish between compliant complicity—the blameworthy version—and strategic complicity. Compliant complicity is participation in the projects of the oppressed where they are not

²⁹ I'll be using "they/them/theirs" intentionally as singular gender-neutral pronouns.

responding to a deliberative dilemma, where the expected harm of refusal is minimal, or where fellow oppressed are willing to collectively refuse. While excused, strategic complicity is still a form of unfreedom that implicates the agency of the oppressed. It's not simply that choosing the complicity option has harmful results long-term. Thanks to structures that reduce the options of the oppressed to very few, an oppressed person comes to take part in the projects of past or current oppressors by satisfying their aims. Through complicity, the oppressed reproduce the same deliberative dilemmas for the future oppressed.

Current deliberative dilemmas depend on past rounds of similar encounters between the ancestors of today's oppressors and oppressed. Today's oppressed calculate their actions in light of their knowledge of such encounters. A person wonders: in my own experience, or in stories I've heard about others like me, what are the consequences for individual refusal to accommodate? What is expected of people like me to avoid sanctions? Accommodation makes it the case that expectations of the oppressed continue unchallenged. Suffering harm in response to refusal to accommodate deters future people from doing the same. Encounters between today's oppressors and oppressed are the past round relevant to the deliberation of future oppressed people. In this way, decisions by the current oppressed carry on the projects of past or current oppressors into the future.

The overall theory I'd like to defend is as follows.

The fact that Xs oppress Ys is (i) through (ix):

(i) Some markers distinguish Xs from Ys

There is not much to say about the details of these markers without considering specific forms of oppression. For example, the markers assigning racial group memberships are primarily bodily. Lionel McPherson and Tommie Shelby note that one can become subject to black racial stigma

and discrimination based on physical features either directly or indirectly. The direct way is by manifesting physical features associated with sub-Saharan Africa. Derivatively, one can become subject to black racial stigma because one's ancestors are known to have had such physical features.³⁰ It's implausible, on the other hand, that the markers distinguishing the class of owners from the class of non-owners is bodily.

(ii) There are ways of treating a person as an X and treating her as a Y such that people tend to treat bearers of X marks as Xs and bearers of Y marks as Ys

I'm staying neutral here about whether the markers that *currently* distinguish Xs from Ys is necessary to generate the corresponding treatments. For example, you might wonder if the markers that distinguish men from women must have some connection to actual or imagined reproductive roles, or whether these markers could be anything at all. As in the case of the markers themselves, the corresponding treatments depend on the kind of oppression(s) under consideration. For example, treating a person as a woman might be treating her as if her emotional, social, domestic, sexual, and reproductive labor is owed (with enthusiasm) to certain men and their children (based on her race and class).³¹

(iii) Some treatments of bearers of Y marks as Ys mentioned in (ii) are an instance of, or have a logical/historical origin in the unjust coercion of Ys by Xs

(iv) Bearers of the Y mark face a characteristic practical predicament between (a) subjecting oneself to harmful sanctions, or (b) responding defensively to avoid or minimize the harm of such sanctions

(v) When any Y chooses (a), this amounts to a refusal to satisfy the aims or participate in the projects of some past or present X engaged in the unjust coercion of Ys described in (iii). When any Y chooses (b), they satisfy the aims or participate in the projects of some past or present X engaged in the unjust coercion of Ys described in (iii).

30 *Blackness and Blood: Interpreting African American Identity* (2004), 187

31 This is a rough characterization of what Kate Manne in suggests in *Down Girl: the Logic of Misogyny* (2017)

The complicity option (b) is partly historical in carrying forward certain aims and projects. Another way to think about the complicity option is not just historical, but sharing a moral evil with the historical predecessors. The historical predecessors to contemporary oppression are straightforward examples of coercion. The coercive situation is a paradigm case of having no good options, and the option to avoid harm means submitting to one's own subjugation. Contemporary oppression shares in the very same moral evil, but with a bit of a different structure. The reason oppressed people are in the dilemma is risk of harm, but this harm is not communicated by an individual through a coercive threat.

My characterization of oppression appeals to the unjust coercion of Ys by Xs because morally permissible treatments of bearers of Y marks as Ys fail to generate the target dilemmas. Not all treatments of the bearers of Y marks as Ys are objectionable. Some ways of treating a person as a member of another social group may be morally permissible or even required. It's implausible that the mere fact of having to respond to a treatment based on social group markers is objectionable. Suppose that people presenting as cis men or cis women tend to ask those presenting as gender non-conforming what pronouns they prefer. Such treatment need not be morally objectionable, and fails to generate the target dilemma. If members of a social group do something a prior moral theory characterizes as subjugating, we have an account of what's wrong with the dilemma. The dilemma is a forced choice between harm and submission to one's own subjugation. It's an immediately unacceptable situation given a plausible duty not to submit to one's own subjugation.

You might worry that categorizing the target treatment of bearers of Y marks as identical with or having a logical and historical origin in unjust coercion by Xs sets aside exactly what I set out to explain with a theory of oppression. I've promised an account of a unified moral evil—

a particular way to go wrong in the nature of morality—as an alternative to the empirical unity approach. As it turns out, the moral evil under consideration is identical to the moral evil of unjust coercion. Either oppression is an instance of unjust coercion based on social group membership, or it is a historical and logical descendant of such coercion. My theory seems to do no better than the empirical unity approach.

It's true that this specification of the practical approach relies on an independent characterization of the wrongness of coercion. Consider one form of oppression to be a straightforward case of coercion of a bearer of Y marks by a bearer of X marks. "Dinner on the table at five *or else*." A bearer of Y marks faced with this coercive threat finds her options reduced to very few, each exposing her to penalty, censure, or deprivation. She must risk harm or submit to the will of another. Without special justification, it is morally wrong to make a coercive threat. Making such a threat undermines the freedom and autonomy of its target. A coercee is left with no good options. A person is responsible for protecting herself from harm. She's also responsible for refusing to submit to the will of another.

Most of the examples of oppression I'm trying to explain are not instances of straightforward coercion. Consider a person marked as and treated as a woman deliberating about whether to walk alone at night. Given that some treatments as women involve sexual harassment when walking alone at night, the agent in question must decide between subjecting herself to this harm or staying home. Staying home is a defensive action, and involves submission to the will of another. I need to provide an explanation of *how*: staying home to avoid harassment is not the intended response to anything like a coercive threat. The answer cannot be a causal role in reproducing the same kinds of deliberative dilemmas: refusals of complicity also play that causal role thanks to retaliation. Part of why an oppressed person is unfree to be other

than complicit in her own oppression is that both complicity and its refusal help cause the continuation of objectionable treatments, which helps make it true that social group members face the same practical predicament.

Building on the paradigm case of straightforward coercion, the dilemma involving whether to walk alone involves a derivative form of complicity. Rather than directly submitting to the will of another by doing what another intends, the derivative form of complicity is a strategy of individual self-preservation that relies on the continuation of characteristic encounters between bearers of X marks and bearers of Y marks with corresponding dilemmas. The dynamic between a coercer and coerced generalizes to members of different involuntary social groups in pairwise encounters. A woman defensively deciding to stay home does not directly fulfill the aims of some identifiable oppressor. Rather, staying home relies on the continuation of objectionable treatments of those marked as women for her action to make sense.

Contrast this reliance with the case of a woman refusing complicity and accepting harm by choosing to walk alone at night. If she is not in fact harassed, she challenges beliefs and expectations about women (and men) in a way that is relevant to the future deliberation of members of the moral community. This is true whether bystanders stand ready to intervene or would-be harassers change their behavior for other reasons.

(vi) When any Y chooses either (a) or (b), they help to cause (ii) and (iii), which helps to make (iv) true.

(vii) Bearers of the X mark, insofar as they act in ways that help to make it the case that (ii) and (iii), act in ways that are independently objectionable qua failures to treat bearers of Y marks as free or equal persons.

(viii) Each bearer of the Y mark is an oppressed member of the Y group in virtue of conditions (iii) and (iv).

Note that this is not an exhaustive characterization of what it is to be a member of the Y group. Neither is it a necessary condition for being a member of the Y group. What it's doing is explaining how the basic facts of oppression are between groups rather than interpersonal. While the characteristic dilemmas are dyadic, this aspect captures how oppression is irreducible to facts about potential encounters with oppressors.

(ix) Each bearer of the X mark is a member of the oppressor group X in virtue of conditions (iii) and (vii).

While some people are only members of oppressor groups and others are only members of oppressed groups, most people hold mixed combinations of memberships in groups of oppressors and oppressed. These combinations help specify the treatments described in (ii).

There's a worry, however, that framing an analysis of oppression in terms of Xs and Ys is incompatible with plausible understandings of intersectionality. It's a mistake to specify general treatments as a woman, as Black, or as a worker, in abstraction from their intersections. The problem may go unnoticed when only addressing the situations of men of color, white women, and white male workers—each also heterosexual, cisgender, and not disabled. Consider, however, the treatment of minoritized people *within* an oppressed group. Rather than the further specification of a general treatment that applies to all group members, we may find a different treatment altogether.

I'll develop an account of how the practical approach relates to intersectionality in Chapter 4. For now, I'd like to say that Xs and Ys should be specified as intersectional categories. It's important for a theory of oppression to be able to distinguish between how women of color are oppressed by white women, men of color, and white men. Given the practical approach, Ys are oppressed by different Xs.

(x). That (i)-(vi) are true makes a bearer of Y marks unfree to be other than complicit in her own oppression.

That is because for any individual oppressed person deliberating about what to do, the only alternative to subjecting oneself to harm helps to ensure that she is not treated as a free and equal person. That's so not by accident, but because others are making a mistake.

Internalizing oppression through accommodation and thinking about oneself as a Y is a further problem beyond the practical situation. Ideology also reproduces oppression through an appropriation of the agency of the oppressed, and even further reduces the options in an oppressed person's deliberative field. Thinking of ourselves as Xs and Ys disposes us through ideology to treat bearers of X marks as Xs and bearers of Y marks as Ys, and accommodate that treatment without calculation (or regret). Oppression is not reproduced solely through calculated avoidance of harm in recognition of the dilemma. But many perform accommodating actions without believing in the superiority of the oppressor group.

You might think I'm distinguishing between psychological and material oppression, and focusing on the material. Rather than the oppression that proceeds through one's internal mental states, material oppression is physical harm thanks to economic deprivation or violence. But that would be a bit too quick. Within the class of phenomena you might call psychological oppression, I'm setting aside those you might call *false-consciousness*, or coming to believe in the appropriateness of one's oppression, and *adaptive preferences*, or coming to genuinely prefer oppressive conditions to alternatives. It's hard to make sense of economic or violent threats without bringing in the psychology and other psychological harms. These require no false beliefs or objectionable desires. Harms to deliberation thanks to threats or economic deprivation and violence are not identical to the harms of actual economic deprivation and violence. If the former

is psychological, however, then I am surely not setting psychological oppression aside in favor of the material. The practical situation of the oppressed is structured by material conditions, but the practical is not the material. Even where physical harm is avoided, there is damage to the will.

While I'm setting false-consciousness and (inappropriately) adaptive preferences aside, I do want to say something about how they relate to the practical predicament. First, it's likely that early forms of patriarchy, white supremacy, and capitalism relied on false ideology about the natural or cultural inferiority of women, people of color, and workers. In addition to their centrality in the historical antecedents of contemporary oppression, there's something else that cases of false-consciousness and adaptive preferences share with the practical predicament. False-consciousness and adaptive preferences also involve an appropriation of agency that brings the oppressed to propagate their own oppression. Rural women preferring isolation and believing that they are unworthy of participation in public life makes it unlikely that they will challenge patriarchal expectations. These beliefs and desires make complicity seem fully free and rational rather than an unfortunate best response to a dilemma. Given that contemporary forms of oppression often operate without false beliefs or adaptive preferences, cases that include them provide a less central exemplar of the self-sustaining dilemmas under consideration. Nevertheless, false-consciousness and adaptive preferences are not entirely unrelated to the practical approach.

Here one might worry about my other theoretical commitments. Perhaps I am downplaying the centrality of internalized oppression thanks to sympathy with a classical liberal theory of the self as a rational self-interested agent. After all, my approach focuses on the autonomy and deliberative situation of (individual) agents, who often choose to avoid (individual) sanctions. Ann Ferguson objects to the classical liberal theory of the self in part

because it fails to account for internalized oppression.³² A theory of the self as a rational self-interested agent would explain compliance with gender norms solely in terms of calculations about the expected consequences. Such a theory of the self is controversial among feminist philosophers to say the least.

As I understand it, the practical approach is neutral with respect to liberal-individualist versus relational-intersectional theories of the self. On a relational-intersectional theory of the self, a person must respond to a matrix of norms corresponding to her intersectional identity. The content of these norms is social and can only be changed through social movements. While an individual cannot change the content of social norms that apply to her without the cooperation of others, those norms don't determine her behavior. It's up to the intersectional self whether to reject, endorse, or ignore a variety of possibly conflicting norms. Intersectional identity informs deliberation about what to do in the face of oppression—it certainly does not obviate such deliberation.

Consider my theory as a further specification of Marilyn Frye's characterization of the double-bind. Deciding whether to smile cheerfully at your oppressors is a version of the practical predicament. Appear angry and dangerous, or communicate docility as expected. Harm or complicity: it's up to you. But a serious objection might come from Frye herself.³³ My theory might capture the cheerful smiling case, but what about instances of oppression where we face imminent harm no matter what we choose?

32 See "Can I Choose Who I Am? And How Would That Empower Me? Gender, Race, Identities and the Self" (1996). Ferguson also suggests that the classical liberal theory of the self fails to explain the absence of rational-instrumental coalitions for resistance. I doubt that this takes collective action problems sufficiently seriously, even though I'm sympathetic to relational theories of the self.

33 *The Politics of Reality* (1983), 3-4. Suzy Killmister also emphasizes this aspect of Frye's view in "Autonomy Under Oppression: Tensions, Trade-Offs, and Resistance" (2015)

For instance, Frye would deny that there is some unified norm of femininity that women could in principle satisfy to avoid or mitigate harm. If women come to value childlessness and prioritize a career outside the home, they face contempt for violating gender norms. If women come to value domestic work and childbearing, they still have to deal with disrespect for that kind of work. My proposal that complicity is a recurring and constitutive element of oppression seems implausible if ordinary examples of oppression allow no way to avoid or mitigate harm through complicity.

There's a way of understanding these examples that supports my proposal and also captures why oppression is so persistent. There's an explanatory tension between two distinct ideas about the oppressed in replicating oppression. One is that the oppressed replicate oppression because of their false-consciousness. That's unattractive because it attributes a widespread, serious error to the oppressed.³⁴ I've been setting that possibility aside. Ann Cudd provides another explanation of why the oppressed help to replicate their oppression. Rather than viewing the oppressed as systematically mistaken, Cudd suggests that the oppressed correctly assess the reinforcement of oppression as individually-rational.³⁵ She offers the example of women choosing to specialize in domestic work. This is often individually rational for a woman in a heterosexual partnership given the wage-gap between men and women and the cost of childcare. However, many women making this individually rational decision decreases employment opportunities for each individual woman as well as women as a group. It reinforces the perception by employers that women are not worth investing in because they will leave the

34 Though I certainly do not want to deny the existence of psychological oppression by way of widespread false beliefs among the oppressed. See Sandra Lee Bartky, "On Psychological Oppression" from *Femininity and Domination* (1990) and Catherine MacKinnon, "Consciousness Raising" from *Toward a Feminist Theory of the State* (1989)

35 *Analyzing Oppression* (2006), 146-153

workforce to raise children. Men develop diverse work experiences and skills, whereas women develop exclusively domestic skills.

Cudd's proposal seems right. Nevertheless, it is unattractive to attribute full rationality to the reinforcement of oppression. In some sense, individuals make no rational mistake in reproducing their own oppression. There's another sense in which the oppressed are not achieving full rational success. The oppressed do the best that they can as individuals, but still fall short of some ideal. I'll be considering in detail what this rational ideal comes to in the next section, but the short of it is that it requires the cooperation of others. Unfortunately, whether others cooperate is not under the control of an oppressed individual deliberating about what to do.

Because collective action is often out of reach, complicity may seem like the best one can do in the circumstances of oppression. Jean Harvey points out that the complicity option is often not perceived by the non-oppressed as objectionable.³⁶ She offers the example of Peter, an engineer unemployed thanks to ethnic and age discrimination. He is encouraged by others to find some other kind of employment, even though he would be unfulfilled and have no exceptional qualifications. This would be accommodating oneself to being treated unjustly and serve as “proof” that Peter belongs elsewhere. On the other hand, refusing to give up on fulfilling employment in response to discrimination will be seen as being “willfully stubborn” in addition to suffering the serious harms of unemployment and poverty. Many of the oppressed will correctly perceive the complicity option as a harm. That's why the deliberative dilemma is so bad

36 *Civilized Oppression* (1999), 90-91

—complicity might ultimately seem like the best option because it mitigates some other harm. But it's clearly objectionable and often a harm in itself.³⁷

Let's return to the case of a woman being harmed whether she prioritizes a career or childbearing. Consider the deliberative situation facing an individual who, according to Frye, faces imminent harm no matter what they choose. Norms of femininity seem impossible to satisfy, even through complicity in injustice. But a woman deliberating about what to prioritize in her life is not choosing between child-hating-career-loving and child-loving-career-hating, and noticing that she faces harm either way. The complicity option is calculating relative to your situation, how you could minimize harm by best satisfying competing norms of femininity. This is often some combination of working and mothering and apologizing. The alternative is to risk harm by acting on reasons independent of gender norms, challenging the view that women should care about those norms in the first place.

Sara Ahmed elaborates on what happens when the oppressed refuse to go along with the complicity option. The oppressed are seen as policing and judging the behavior of others by simply not participating in sexist and racist culture.³⁸ Exposing problems or refusing to shrug off offensive comments makes you become the problem: the feminist killjoy. Those facing gender and racial oppression are dismissed as being emotional, making problems by pointing them out, ruining things, and being disloyal and ungrateful. Part of how oppression is enforced is that challenging it risks alienating the oppressed from family, work, or whatever matters to us and

37 Some might think that *privilege* is the ability to more easily mitigate the harm of the deliberative dilemma, thereby engaging in more successful complicity. In "I Paid Very Hard for My Immigrant Ignorance" (1981), Mirtha Quintanales complicates such an understanding of privilege and complicity:

...the 'social privileges' of lighter-than-black ethnic-minority lesbians in this society are almost totally dependent on our denial of who we are on our *ethnic death*,...Yes, lighter-than-black skin color *may* confer on some ethnic minority women the option of becoming 'assimilated,' 'integrated' in mainstream American society. But is this really a privilege when it always means having to become invisible, ghost-like, identity-less, community-less, totally alienated?

38 *Living a Feminist Life* (2017), 35-37

allows us to survive. We participate in racist and sexist culture to enjoy certain benefits and avoid becoming “the problem”.

Kate Manne also makes some illuminating contributions about the enforcement of complicity in gender oppression. She characterizes misogyny as the social control of women through hostile consequences, depending on their actions.³⁹ Women are punished in various ways for failing to live up to patriarchal norms and expectations. Amicable enforcement of these expectations through belittling, humiliating, and shaming is in fact preferred to violent attacks. The mere fact of others being “taken aback” by women’s actions functions as a punitive mechanism characteristic of misogyny. Such responses may be habitual rather than intentional, and may even be the responses of other women. What’s important is that they are reactions to noncompliance that change the practical situation of women generally.

Even Carol Hay, who argues that women have a prima facie moral obligation to confront sexual harassers, notes the prevalence of violent enforcement.⁴⁰ She points out that concerns of safety in confronting harassers is relevant to moral responsibility. In particular, Hay worries that harassers are particularly likely to harm women in other ways because they do not take women to be moral equals.

The double-binds of oppression are clearly more complicated than imminent harm no matter what we choose. The choice to best satisfy social norms and expectations is enforced through various punitive mechanisms. Satisfying social norms and expectations helps to reproduce them as social norms and expectations. This alternative is best described as complicity. An oppressed person makes no mistake perceiving complicity as a harm in itself. When an oppressed person looks past her immediate situation or considers the fate of her social group, the

39 *Down Girl: the Logic of Misogyny* (2017)

40 “Whether to Ignore Them and Spin: Moral Obligations to Resist Sexual Harassment” (2005)

harm of complicity becomes particularly salient. Nevertheless, complicity allows an oppressed person to avoid or mitigate a personally harmful alternative in the short-term. Such opportunities are a characteristic element in double-bind situations.

I've been suggesting that the distinct unfreedom of oppression involves repeated choices between imminent harm and complicity in injustice. The oppressed are faced with decisions about whether to confront their harassers, report discrimination, conform to or disavow stereotypes. Confronting harassers may put one at risk of violent attack or other harmful consequences, whereas failing to confront harassers helps make it the case that the behavior continues. The idea is not that the latter is therefore *impermissible*: a person being harassed because of their membership in an involuntary social group often has no good options. I am, however, calling this response *complicity* in oppression.

III. Complicity in Oppression

I've been characterizing complicity as choosing the accommodating option in the face of the practical predicament I've been describing. This is a strategy of avoiding or mitigating the individual harm of sanctions in the short-term. Avoiding or mitigating harm through accommodation helps make it the case that the pattern continues, targeting the chooser and members of her social group. In my general proposal, I suggested that one individual choosing complicity need not make a causal difference. Rather, the causal reproduction aspect of oppression depends on *enough* oppressed people choosing complicity. Through complicity, individual agents help to reproduce patterns of injustice towards members of their social group in some non-causal way.

I'd like to suggest that complicity in the context of oppression has two aspects. One aspect of complicity is causal: it returns other members of one's social group to similar deliberative dilemmas. The other aspect of complicity involves furthering the aims or participating in the projects of oppressors. A strategy based on furthering the aims of oppressors distinguishes complicity from choosing harm or engaging in individual resistance. Given complicity, society-level causal reproduction takes place *through* the dyadic relations.

Note that the particular interpretation of complicity I will set out here is not required for the practical approach. The practical approach just needs *some* plausible theory of complicity. Before getting into the debates about causation, I'll contrast complicity with its alternatives: individual and collective resistance. To avoid implying that all complicity is blameworthy, I distinguish between compliant and strategic complicity. Strategic complicity is often excused. Both forms implicate the agency of the oppressed.

What I've been calling complicity in the context of oppression is to be contrasted with the more straightforward legal context, as well as other instances of collective action with formalized decision structures.⁴¹ In the straightforward legal context, complicity is the intentional encouraging or aiding of another to commit a crime.⁴² The individual who commits the crime and the accomplice who encourages or aids that individual are distinct. Suppose I am working as a bank teller, and some comrades inform me that they plan to rob the bank where I work. I refuse to directly participate in the robbery. Instead, I hand over my codes to the safe, explain the process for opening it, and wish them well. Should the robbery take place, I am clearly complicit as an accomplice. Nevertheless, someone else robs the bank.

When collective action is involved, it's less clear that we can distinguish between who commits the crime or injustice, and who is an accomplice. Suppose that a corporation profits off of environmental destruction. It's unlikely that any identifiable individual went off to perform actions that amount to environmental destruction, encouraged and aided from afar. Probably no individual did anything *that bad* were it not for a pattern of similar actions performed by many individuals. Surely most were "just doing their job," and did not straightforwardly endorse environmental destruction. Some employees likely protested against the direction of the corporation without success.

In the case of a corporation, these collectively destructive actions are not performed by an unfortunate accident, but based on the corporation's formal decision-making structure. The corporation does what increases profits for their investors, individual members, or whatever it is

41 Titus Stahl highlights that this focus in the literature on collective responsibility involving formally organized groups like corporations cannot account for structural oppression. See "Collective Responsibility for Oppression" (2017)

42 There's debate about what's involved in complicity in the law: for example, whether a causal contribution is required. See John Gardner, "Complicity and Causality" (2007). But collective action and structural injustice introduce special problems.

that they do. It seems then that the collective commits the injustice, whereas individuals enable, sustain, and benefit. Compare the corporation example with the context of oppression. In both cases, enabling or sustaining injustice is often unintentional or even disavowed by those who do so. The main difference seems to be that the context of oppression lacks a formal goal-oriented decision-making structure. The corporation is organized around some goal that perhaps, say, men as a group are not. At the same time, it would be ridiculous to characterize contemporary oppression as an unfortunate accident. Even if men as a group are not formally organized around some goal, men as a group do things. Others help. Those who are complicit in oppression help enable and sustain a pattern of treatment based on involuntary social groupings. The complicity of oppressed people confers a short-term benefit in avoiding imminent harm.

We might wonder then what exactly the enabling or sustaining of injustice comes to in the context of complicity in oppression. Complicity in oppression need not involve implicit endorsement of the situation, let alone overtly conspiratory intent. Is complicity in oppression then simply making a causal contribution to the ongoing injustice? Is it constituting the ongoing injustice in some non-causal way? Are these contributions made as individuals, or as the member of a group?

One possibility is that complicity simply *is* the forward-looking causal perpetration and reinforcement of oppressive relations. For example, not confronting your harassers causes others—fellow oppressed people, harassers, or bystanders—to have certain beliefs about social reality. In particular, others believe that harassers will face no consequences for their actions. Given the nature of social reality, these kinds of beliefs causally bring about what they represent: continued harassment without consequences. As an alternative to complicity, resistance aims to make a causal difference in the other direction. That's why it's important to participate in resistance

when others stand ready to do so. It's important that resistance succeeds—causally—rather than causing intensified oppressive relations in retaliation.

The least controversial version of this proposal is that a complicit individual causes the reproduction of injustice as a member of a group with causal power. An individual choosing complicity does not guarantee that oppression is causally reproduced: that depends on what others choose. Refusing complicity is the only sure way for an individual to avoid membership in a group of complicit oppressed playing this causal role. Of course complicity is not the only way an oppressed person can cause the reproduction of injustice as a member of a group: failed resistance can have the same effect.

A more controversial version of the causal aspect of complicity is that a complicit individual makes a causal contribution to the reproduction of oppressive relations independent of what others are doing. The causal aspect of complicity is necessary but not sufficient for complicity. All kinds of ordinary actions make a causal contribution to the reproduction of current social relations, but are implausibly understood as accommodating oppressive relations. Keeping oneself and one's comrades alive, for example, causally contributes to the continuation of oppression. For most of human history and the foreseeable future, attempts at resistance have reproduced oppression in a causal sense.

We may doubt that complicity *requires* making a productive causal difference in the perpetration of oppressive relations. It's true that enough of the oppressed choosing not to confront their harassers reproduces expectations that incentivize the continuation of harassment, thereby making a productive causal difference to the general perpetration of oppressive relations. But each oppressed person choosing not to confront their harassers is just one among others. Being one among many appears to make one's response to harassment causally irrelevant in the

overall perpetration of oppressive relations. That may be true whether we accept a probabilistic or counterfactual theory of causation.⁴³

Perhaps we're trying to understand the causal aspect of complicity at the wrong level of abstraction. The decisions of an oppressed person may seem causally irrelevant to the whole of social relations. Consider instead a specific interaction between an individual oppressed person and an individual oppressor. It's more plausible that decisions made during a personal interaction make a causal difference to the future actions of those involved in the interaction. An oppressed person choosing not to confront a harasser raises the probability of that particular harasser continuing to harass that person and others in her social group. Or, the chance of that harasser continuing to harass that individual and others in her social group would be greater if ignored, and less if not. Choosing not to confront a harasser also causes bystanders and others hearing testimony about the interaction to believe that harassers will face no consequences. Such a decision structures the deliberation of other oppressed people in similar situations. Being one of many making *this* kind of causal contribution is relevant to reproducing the whole of social relations.

Focusing on causal contributions made in personal interactions could explain why an oppressed person is complicit in their *own* oppression rather than in oppression generally. That's an important improvement over a causal theory of complicity at the level of overall oppressive relations. But failing to confront a harasser—the complicity option—might not raise the probability of continued harassment by that particular harasser any more than individually confronting them and being retaliated against. Collective action would need to be the relevant alternative when considering whether complicity makes a causal difference.

43 Even if you think a single choice not to confront a harasser would increase the probability of harassers continuing to harass in general, the background conditions of oppression might screen off that choice as a common cause.

Collective action is the relevant alternative for considering why the dilemma is a dilemma from an individual agent's point of view. Either choice causally reproduces the bad situation. It's doubtful that individually confronting a harasser and being retaliated against will change that harasser's behavior in the future. Suffering retaliation helps structure the deliberation of bystanders and other oppressed people hearing testimony about the interaction by making salient the harm alternative. The kinds of collective action required to overcome oppression at the level of overall social relations are quite demanding. It's harder to see this as a relevant alternative to a local dilemma when considering the causal contribution of complicity. When considering these local interactions, however, the relevant alternative only requires a minimally adequate moral community. A few bystanders might point out that the harassment is unacceptable. With this alternative in mind, complicity makes a local causal contribution. What's controversial is how to distinguish the causal contribution of complicity from the causal contribution of suffering retaliatory harm.

If oppression consisted in oppressors having concepts of accommodation and attempting to impose them on the oppressed, it seems plausible that complicity would consist in serving the oppressor's aims. Suffering retaliatory harm would be a foreseen but unintended consequence of refusing to serve the oppressor's aims as an individual. The oppressor succeeds in whatever she intends through the accommodating actions of the oppressed. This makes sense in some cases: after all, capitalist employers intend to make a profit by relying on their employees to work as expected. When an employee chooses to work rather than engage in sabotage, the capitalist employer does make a profit through the employee's accommodating action. Resistance might then consist in overthrowing expectations and frustrating the oppressor's aims. The lone saboteur may present herself for harm. Her firing, arrest, and increased vigilance by the capitalist

employer may cause other employees to work as expected. Nevertheless, the lone saboteur avoids complicity in her own oppression.

Focusing on how an oppressed person serves the particular aims of an oppressor successfully captures how one is complicit in their own oppression. You might doubt any such decision is fully free given threats of harm and limited options in the context of oppression. In any case, a strategy based on furthering the aims of oppressors distinguishes complicity from choosing harm or engaging in individual resistance.

What's complicated about this characterization is that oppression is not always intended or endorsed by individual members of the oppressor group. When women laugh at men's jokes to satisfy social expectations, there is an important sense in which they perform accommodating actions for these men. The particular aims of the men are irrelevant. They need not have a concept of accommodation that involves laughing at their jokes, let alone be attempting to impose it on anyone. Men for whom accommodating actions are performed may be horrified to learn that women calculate their responses in fear of the consequences.

Additionally, there seem to be central cases of complicity where no identifiable oppressors could even be attributed an aim. Consider the case of a woman deciding against going out in public unaccompanied to avoid harassment. This reinforces the idea that unaccompanied women do not belong in public space. Yet the anticipated harassment is abstract enough that it's unclear which men could be said to secure their aims through this woman's action. We might even think this defensive action directly frustrates the aims of sexual harassers. If accommodating actions are often performed for possible oppressors with unknown aims, or even frustrate the aims of oppressors, it's mysterious how these actions can be said to serve the aims of any particular oppressors.

Returning to our focus on freedom and autonomy helps bring out the relevance of an oppressor's aims to complicity. Oppressed people face characteristic practical predicaments thanks to the previous successes of oppressors' projects. This requires that some Xs at some historical moment had an aim or project, and attempted to accomplish it by appropriating the agency of Ys. Helping an X to accomplish such an aim enabled a Y to avoid or mitigate threatened harms. Refusal to participate resulted in actual harm to Ys. These historical antecedents of characteristic practical predicaments were paradigmatic cases of coercion, complete with coercive threats. Once these patterns of interactions were established, Xs could rely on Ys to further their aims or projects in predictable ways. Ys began to face the characteristic practical predicament in interactions with Xs regardless of whether those Xs intended to appropriate their agency. The harm to the agency of a coerced person given direct coercive threats shows up in all pairwise encounters between Xs and Ys. Complicity in oppression is when Ys perform the kinds of actions that tend to avoid or mitigate imminent personal harm by satisfying the aims of historical or current Xs. It's what enables Xs to rely on Ys to act in this way, regardless of the intentions of any particular X at any particular time.

The relevance of a past oppressor's aims to members of one's social group accounts for complicity being in one's *own* oppression. Part of the historical and forward-looking nature of oppression is that complicity need not secure the success of any current oppressor's aims, or count as part of what a particular oppressor is doing in a straightforward way. Through beliefs and expectations, complicity secures the success of past oppressors' aims. Retaliation against those who refuse accommodation structures the subsequent deliberative situation for members of the same social group. This explains how women can perform (complicit) accommodating actions by refusing to go out in public unaccompanied, even if no harassers happen to be on the

street. Men can rely on women, depending on their race and class, to desire their companionship and protection. It's how women can perform (complicit) accommodating actions by laughing at the jokes of feminist men with no objectionable aims. Men can rely on women, depending on their race and class, to treat them with admiration and deference. Attempted exercises of agency through individual resistance provide an opportunity for retaliation by oppressors or the fellow oppressed. Retaliation reinforces the patterns of interaction on which oppressors (and the complicit oppressed) may rely. Nevertheless, opting for imminent harm is a refusal to participate in what past or current oppressors intend. While not recommended in the face of serious harm, such a refusal avoids complicity even when it causes intensified oppressive relations.

You might worry at this point that my theory indiscriminately counts too much as complicity in oppression. If we're not offering ourselves up for imminent harm, or participating in the revolution at this very moment, we're complicit in oppression. It's true that my theory counts a lot of the ordinary activity of the oppressed as complicit in their own oppression. I think that's correct and part of why oppression is uniquely objectionable. And I think we can avoid flattening the normative landscape by distinguishing among several types of complicity in the context of oppression. There are serious moral differences between situations of accommodating oppressive treatment where it's hard to imagine doing otherwise, and situations where accommodating oppressive treatment is a genuine choice against real alternatives. The kind of complicity we are dealing with depends on the other possibilities.

Daniel Silvermint argues that members of oppressed groups passing as members of advantaged groups is *permissible self-regarding complicity*.⁴⁴ In addition to making identifying traits invisible that would target one for oppressive treatments, this also seems to apply to

44 "Passing as Privileged" (2018)

making such traits unobtrusive without literally trying to pass as a man or as white. Why then is passing sometimes permissible? Silvermint thinks it can make a life go better, and oppressed people aren't responsible for the double-bind. He sees it as a trade-off between advantages and harms where one cannot avoid harms entirely.

Silvermint then goes on to distinguish complicity from resistance: where complicity is a limited strategy, exploiting a distribution of constraints to avoid them personally, resistance attempts to eliminate or reduce those constraints.⁴⁵ This all seems correct. What Silvermint seems to miss is how some forms of resistance get us out of the double-bind—by adding another option through collective action that was unavailable to individuals.

Garrath Williams has another take on permissible complicity given the lack of opportunities to do otherwise.⁴⁶ Williams thinks it's important to realize that being complicit in oppression is never innocent, even in the cases where punishment, compensation, or apology would be inappropriate. Engaging in normal, decent interactions inside a lived morality that includes enormous injustice becomes an endorsement of evil. This is another way of acknowledging that there are no good options as individuals, and good intentions can't fix the problem: while engaging in disruptive protest that makes no causal difference might be the best one can do, it's still regrettable given loyalties to others. Collective action would be the only way of instituting an adequate lived morality.

Thinking about oppression in terms of a characteristic practical predicament leads to a natural conjecture about resistance. Individual resistance, though praiseworthy, involves offering oneself up for harm. Instances of retaliatory harm suffered by the oppressed structure the

45 Given the complexity of oppression, Silvermint thinks some acts have features of *both* resistance and complicity, offering the example of passing as privileged to avoid harms to one's rational nature. I'm not convinced that individually beneficial actions like these, while permissible, count as resistance.

46 "The Social Creation of Morality and Complicity in Collective Harms" (2018)

deliberative field of future oppressed, carrying similar deliberative dilemmas into the future. Collective action can attempt to add another option. Not only do the resistant oppressed refuse to take part in the oppressor's projects—they also refuse to accept the oppressor's punishment. Trusting others to participate in this collective refusal may be risky, but it's the only hope for avoiding both complicity and harm.

IV. The Possibility of Resistance

It's important to consider and be prepared for situations where collective action is possible. Here failure to participate in collective action takes on a new character: others have to take our failure as blocking collective liberation in a way that cannot be justified by the risk of harm. Complicity is compliant rather than strategic. Various philosophers have argued that oppressed persons are morally required to resist their own oppression.⁴⁷ This might be understood as an instrumental necessity in overcoming injustice, a requirement of self-respect, or a duty of solidarity to one's fellow oppressed.⁴⁸ Such theories have been criticized for victim-blaming. The oppressed have already suffered serious harm. If anyone is subject to demanding moral obligations thanks to oppression, why not think it's members of the oppressor group? These critics would have a point if we were denying the special obligations of oppressors. Though the focus of our discussion is the situation of the oppressed, most people hold mixed combinations of memberships in groups of oppressors and oppressed. The moral obligation of the oppressors to take responsibility for what they've done is perfectly compatible with the separate moral obligation of the oppressed to resist their own oppression. That's true even where individuals are the bearers of both obligations.

I'd like to suggest that risk of harm generally overrides obligations to resist one's own oppression. This accounts for our hesitancy in attributing moral failure to the oppressed for choosing short-term safety over resistance. Consider the deliberative situation of an individual oppressed person when others refuse to participate in collective action. No individual, or even small group, can guarantee the participation of others. One's fellow oppressed actively

47 One recent example is Carol Hay's *Kantian, Liberalism, and Feminism* (2013)

48 Also see Jean Harvey "Victims, Resistance, and Civilized Oppression" (2010), Bernard Boxill "The Responsibility of the Oppressed to Resist Their Own Oppression" (2010), and Tommie Shelby "The Ethics of Uncle Tom's Children" (2012)

collaborate with the oppressors for individual rewards.⁴⁹ When others are willing to collectively resist, however, an individual refusing to be complicit in their own oppression is no longer opting for imminent harm. Challenging racist and sexist culture no longer threatens one's means of survival. Failure to participate in resistance to oppression under these circumstances becomes a serious moral mistake.

Collective action makes resistance possible in a new way. The failure of others to participate in collective action generally stands as a barrier between an oppressed person and resistance to oppression. If an oppressed person fails to participate when this barrier is removed, others have to take *their* failure as a reason not to participate. Suppose that I am the individual failing to participate in collective action when others are willing. I now contribute to putting my fellow oppressed into a deliberative dilemma between complicity and harm. There's a deliberative asymmetry, where others must do the best they can given my inaction. They do not create this situation for me. The complicity of my fellow oppressed becomes a permissible but unfortunate best response to my failure. Full rational success is available, but I block this achievement for myself as well as my fellow oppressed.

Of course, it's rarely obvious that *this is the very moment* when collective action is possible. I've been suggesting that the ideal of full rational success is only available through cooperation with others. It's a step towards freedom and autonomy when the oppressed escape the deliberative dilemma through collective action. Unfortunately, this is not practically useful for individuals deliberating about how to respond to oppression. What about the completely ordinary case where it's unclear what others are doing? Maybe one's fellow oppressed have

49 Thanks to Ayana Samuel for pointing out that collaboration for individual benefit best explains white women voting for male white supremacists. It's implausible that the complicit oppressed are *only* seeking to avoid imminent personal harm in response to deliberative dilemmas.

previously collaborated with the oppressors, and it's unclear whether they can be trusted. Maybe some are already engaging in collective action and appear to suffer defeat.

I'd like to turn to Rosa Luxemburg's analysis of the mass strike to help explain the when and why of obligatory resistance and impermissible complicity. Luxemburg thinks it's a waste of time to argue abstractly or try to persuade others about whether the mass strike is possible or impossible, useful or harmful.⁵⁰ The mass strike is historically inevitable on the basis of social conditions. It cannot be decided on, propagated, or forbidden. Luxemburg thinks the possibility of resistance requires a leap of faith and trust in others—idealism in the face of suffering. Otherwise collective liberation would be impossible.

This begins to address cases where it's unclear what the fellow oppressed are doing. Even if we doubt that the mass strike or any other collective resistance is historically inevitable, there's something to the idea that it would require trust rather than predictive certainty. When resistance is possible, the oppressed break from a strategic mode of thought where one calculates the best response to predicted actions of others. Instead, they take up a solidaristic mode of thought where each trusts their fellow oppressed to participate in collective action.

The problem is that we're still left wondering when this leap of faith in one's fellow oppressed is required—or even permissible. On the one hand, the spontaneity of successful collective resistance as a matter of historical fact is exciting. But from the point of view of an oppressed person hoping to minimize retaliatory harm in resisting oppression, it's a disappointment. An individual can do all the correct reasoning and form the correct intention, but in the dilemmatic situation the correct intention is one to take action as a group. If the others won't participate, an oppressed individual can't even intend to do the right thing in good faith.

⁵⁰ *The Mass Strike* (1906), 10, 36, 39, 53-54

It's worth noting that individual resistance is not always intended that way. Resistance through collective action need not involve an organization and explicit plan, but faith in the basic decency of others. Suppose a person openly condemns a sexual harasser. She's subsequently excluded from networks of social support. Her career is derailed. Friendships end. From the outside, this may seem like a self-sacrificing instance of individual resistance. After all, retaliatory harm can be worth risking to avoid complicity. From the inside, however, a person might openly condemn her harasser because she is relying on the surrounding moral community to support her. Others fail to live up to this trust.

I've been suggesting that part of why the deliberative dilemma is a real dilemma is that full rational success can't consist in offering oneself up for harm as an alternative to complicity. While it's a refusal to directly participate in the aims and projects of the oppressors, instances of retaliation for noncompliance also carries the deliberative dilemma into the future. The deliberation of the future oppressed is structured by their knowledge of enforcement. It seems that there is a small group counterpart to the individual choosing imminent harm over complicity. Where collective action cannot possibly succeed, a group must decide between collective harm and group complicity. Consider a group of revolutionary idealists deliberating about whether to fight back against militarized police. The group must calculate because of the oppressors; otherwise they are collectively offering themselves up for slaughter. Less dramatically, a small group of women might find that resisting workplace harassment is going nowhere while draining their energy and risking their jobs. Based on calculation, that group might decide to focus on getting paid, even if this accommodates continued harassment.

Calculation about whether the fellow oppressed can be trusted also belongs in this category. Thanks to oppression, the immediate material deprivations of the fellow oppressed may

encourage betrayal of one's comrades. Oppression-induced trauma may make it impossible for some to act as planned. Intersectional identity makes it likely that members of oppressed groups will reproduce oppressive social scripts in the context of collective action. Not all working-class people are interested in overcoming barriers to the liberation of gender and racial minorities who are also working-class. Figuring out whether and how to engage in collective action—coordinating and forming a plan—still requires a strategic mode of thinking. This includes whether to trust individual comrades and what role each will play. It's not immediately appropriate to take on a solidaristic mode of thought and action, even when a small group comes together to engage in resistance. The best response calculations I've been discussing for individuals have the following group counterpart: is this plan for collective action setting up a small group of the oppressed for certain failure? If so, a solidaristic mode of thought and action is not yet appropriate. Calculating the possibility or harmfulness of resistance activity is appropriate up to a point.

This is a way of understanding what Luxemburg is saying about idealism in the face of suffering without committing oneself to the view that the oppressed are required to set themselves up for local defeat as part of a protracted revolutionary struggle. If there is no reason to doubt the loyalty of one's comrades, and no reason to think an action is bound to fail, solidaristic thinking and risk-taking is appropriate. Once a betrayal has taken place, or when an action seems hopeless, calculation about those individuals and actions becomes appropriate.

Maybe this seems a bit too tidy. I distinguish between cases where resistance is available as an alternative to complicity. What does this theory say about intuitively mixed cases? For example, Daniel Silvermint thinks an oppressed person passing as privileged could protect them from harms to rational nature—what some think is sufficient for resistance—but that doesn't

mean it's not also complicity.⁵¹ The way passing as privileged makes a life go better depends on the continuation of the oppressive system. A non-binary person passing as a man may prevent serious harm and confer the benefits of being a man under patriarchy. But this strategy depends on the continuation of gender hierarchy.

I'm not too worried about the Silvermint case because passing as privileged looks like a straightforward choosing of complicity over harm. Protecting rational nature might make passing as a man the best option for a non-binary person who can do so easily. But it's not a refusal to participate in past and current oppressors' project of upholding the gender binary. While complicity is often the best option in the context of a deliberative dilemma, that doesn't make it fully rational, and doesn't make it resistance to oppression.

Nevertheless, some examples of collective action do seem to have features of both resistance and complicity given the complexity of oppression. Suppose an activist group trying to resist racial terror is unable to carry on because its members need to return to work. A foundation offers them a grant under the condition that they commit to nonviolent struggle and stop advocating for armed self-defense. Refusing the grant might mean that no one takes up the struggle. Accepting the grant might mean facilitating the neutralization of any effective resistance, while at the same time implicating the agency of the group in doing so.

Sarah Buss points out that sabotage and double-dealing are often part of the most effective resistance-strategies.⁵² This would fall under short-term collaboration with oppressors, but not merely as compliance with objectionable norms. Buss thinks we might go out of our way to lie to, harm, and even betray our comrades in the course of successful resistance. She asks us to consider the story of a man in occupied Czechoslovakia secretly hiding an escaped Jew. He

51 "Passing as Privileged" (2018), 36

52 "Reflections on the Responsibility to Resist Oppression" (2010), 46-47

took a job selling the furniture of deported Jews to direct suspicion away from himself. This betrayal in lending a hand to the oppressive enterprise invited contempt from other Jews. Nevertheless, short-term collaboration might be an important component of long-term resistance strategies.

Any activity that requires lying to, harming, and betraying comrades seems implausible as resistance. It rules out trust and solidarity. But we could imagine a group deciding on short-term collaboration with oppressors as a strategy for resistance, while maintaining trust among group-members. That's not to say a small-group decision to collaborate with oppressors would be morally unproblematic, but that solidaristic thinking could play a role even where a group temporarily decides on complicity.

This is just a start at theorizing resistance in light of the practical approach given collective action problems and the complexity of oppression. Given our focus on freedom and autonomy, it's important to consider how the oppressed can avoid punishment for failing to further their oppressors' aims. Given long-term resistance strategies, all is not lost in cases where the idealistic oppressed fail in some particular action or temporarily choose complicity. In the next chapter, I'll turn to a more specific example of how the practical approach helps us think about oppression and resistance.

CHAPTER 3

Conversation and Epistemic Injustice

I. Introduction

A general theory of oppression fails to tell us what's distinctive about the kinds of oppression different people face. We need to consider more fine-grained social groupings than *the oppressors* and *the oppressed*. In this chapter, I'll show how the practical approach can help illuminate an otherwise underdeveloped aspect of epistemic injustice. In particular, I'll be considering the intellectual life of women in academic philosophy. For women in academic philosophy, writing and speaking is often an exercise in calculation.⁵³ It's a repeated testing of various audiences and making predictions about how we will be interpreted. This means figuring out how badly we will be misunderstood, disbelieved, or retaliated against, and what risks are nevertheless worth taking. The practical predicament of women in philosophy is a dilemma between speaking freely (*the harm option*) and calculating one's speech (*the complicity option*). The anticipated harm putting women in this dilemma is partly material. While the material aspect of the dilemma cannot be set aside completely, I'll be focusing primarily on the purely intellectual consequences of gendered discounting and dismissal. The practical approach helps to clarify the nature of this particular injustice and how to resist epistemic oppression.

Many of the problems faced by women in academic philosophy are ultimately material. In addition to having one's testimony dismissed and discounted, women are faced with harassment and disproportionate shares of departmental labor. But if women report harassment, refuse to take on disproportionate shares of labor, or point out how their testimony is

53 I don't mean to imply that only women are in this situation, or that all women are in this situation to the same extent. What I say here may also apply to non-binary people as well as men of color in conversation with white interlocutors.

systematically ignored, they risk serious harm. We worry about losing our career, our community, and our privacy. We worry about paying the rent. We worry about staying safe.⁵⁴

Even in the case of testimonial discounting and dismissal, however, we see the value of truth pitted against our material interests. Kristie Dotson calls this *testimonial smothering*.⁵⁵ Here, speakers are coerced into limiting their testimony when they have reason to believe that it will have socially, politically, or materially harmful results. The demonstrated ignorance of prospective audiences provides such reasons for belief. Kimberlé Crenshaw points out that the harm of corroborating racist stereotypes of “the violent Black male” leads Black women to limit their testimony about domestic violence.⁵⁶ Microinvalidations and microinsults—like skeptical questions about experiences and feelings that people of color express—often provide the relevant demonstrations of ignorance.

In academic philosophy, women may censor their own work or even change the subject-matters of their research in response to sexist comments and demonstrated ignorance about feminist philosophy. These women may never attempt to testify on issues about which they have important knowledge. Perhaps these projects can be pursued on the side or after tenure, but testimony is not offered given consideration of the consequences.

In this chapter, however, I'd like to set aside the the problem of discounting and dismissal based on the content of our work. Women's testimony is discounted and dismissed even when we are not doing feminist philosophy. I'd also like to set aside the problem of explicitly coercive

54 I take this to be a version of the dilemma Ann Cudd points to as an explanation of why oppression is so persistent. The oppressed are faced with complicated decisions where they will be harmed whatever they choose. Nevertheless, addressing one's oppression rather than ignoring it leads to more severe harm in the short term. See *Analyzing Oppression* (2006), 21-22

55 See “Tracking Epistemic Violence” (2011)

56 “Mapping the Margins” (1991)

limitations of our testimony. Important work has already been done on epistemic oppression and coercive forms of silencing.⁵⁷

The same can be said about the psychological damage inflicted by gendered discounting and dismissal, particularly where this interferes with our moral agency.⁵⁸ My aim here is not to challenge these theories, which I think are illuminating about different aspects of epistemic oppression. Rather, I hope to highlight a further aspect of epistemic oppression that these theories do not address. In deciding whether to speak and what to say, part of our calculation involves the purely intellectual consequences of gendered discounting and dismissal. Gendered discounting and dismissal is objectionable even without the socially, politically, psychologically, and materially harmful results. I'm interested in considering what exactly these intellectual consequences come to.

57 See Miranda Fricker's *Epistemic Injustice* (2007) and José Medina's *The Epistemology of Resistance* (2012)

58 See Natalie Stoljar's "Living Constantly at Tiptoe Stance" (2015) and Lisa Tessman's *Burdened Virtues* (2005)

II. The Intellectual Consequences

Seana Shiffrin's work on freedom of speech captures a significant part of the intellectual consequences of having one's testimony systematically discounted or dismissed. We miss out on the good outcomes of conversation, like generating new insights, confirming knowledge, and evaluating the contents of one's mind.⁵⁹ While important, I suspect that there's more to the story. In addition to ruling out the good outcomes of conversation, I propose that we also lose the practical possibility of an important mode of thought and conversation. I will argue that truth-oriented, immersive conversations are necessary for the satisfaction of joint epistemic requirements. That's not to say that other kinds of conversations aren't also important, or even that joint convergence on the truth must be the primary aim of philosophical conversation. Rather, there's an important kind of conversation that requires having one's testimony taken at face-value, and is incompatible with being evaluated in terms of one's evidential contribution.

This is actually closer to Shiffrin's suggestion in another context that encouraging direct engagement with moral reasons and values facilitates a certain kind of freedom.⁶⁰ Drawing on epistemic entitlement theories about interlocution, I'll suggest that it's appropriate to consider one's interlocutor in terms of her evidential contribution when there's reason to worry about her status as a rational and truth-committed thinker. It's unacceptable as a standard gendered treatment. We often have good reason, and are sometimes required, to participate in a joint convergence on the truth. Having the epistemic counterpart of practical cooperation systematically blocked by others is a serious problem for women in philosophy and elsewhere.

My proposal about this further problem with gendered discounting and dismissal also helps to illuminate an important addition to epistemic theories of interlocution. Familiar theories

59 "A thinker-based approach to freedom of speech," (2011)

60 "Egalitarianism, Choice-Sensitivity, and Accommodation," (2004)

of interlocution include something like defeasible entitlements to accept testimony where the subject-matter is uncontroversial, and where we have no question to doubt the rationality of our interlocutor. A plausible theory of interlocution needs more than defeasible entitlements to explain controversial subject-matters. Being tentative and thinking for oneself rather than simply accepting testimony is appropriate rather than disrespectful. On the other hand, taking fellow philosophers seriously as rational, truth-committed thinkers means that we may not rationally ignore their testimony.

Much has been said in the peer disagreement literature about how to treat the testimony of a rational interlocutor where the subject-matter is controversial. It's interesting to note that the main proposals are more-or-less split between two extremes. In the face of disagreement, we should either suspend judgment because our interlocutor is just as good a rational source as we are, or we should go with our own view after reconsidering the question for ourselves. Weighing is only appropriate for disagreement with sources we have reason to regard as problematic. This is a good fit with my proposal about default requirements to take testimony about controversial subject-matters at face-value. Any theory of interlocution that has us systematically considering an interlocutor in terms of her evidential contribution is also going to rule out the important mode of thought and conversation that I've identified.

III. Thinking Aloud

Let me clarify how I'm framing the discussion with an example. Suppose that I'm speaking with a male graduate student that I'm unlikely to ever see again about his work on ontological dependence. This male graduate student cannot hire or fire me, cannot harass me, and accepts that the subject-matter of my testimony is philosophically interesting. I nevertheless calculate what I will say because I suspect that my testimony will be discounted or dismissed on the basis of my gender. I cannot speak freely. I cannot think aloud. This is objectionable even without the threat of material harm.

I'd like to begin by considering why the ability to think aloud is important, and what we're missing out on when our testimony is systematically discounted or dismissed. Seana Shiffrin's work on freedom of speech identifies several reasons why the ability to think aloud is important.⁶¹ These reasons ultimately depend on the value of the autonomous mind. Ultimately, freedom of speech is freedom of thought. Speech enables autonomous agents to acquire and confirm knowledge, to identify and evaluate the contents of one's mind, and to respect others and be respected for the distinctive perspective that each of us occupies. If we do not present our views to other rational agents, we pass up important opportunities for correction and the generation of new insights. It's not impossible to do philosophy alone, but dialogue brings with it the possibility of criticism and discovering alternatives that we wouldn't have otherwise considered. We also miss out on the possibility of acquiring additional warrant for our beliefs when they survive the scrutiny of another mind. There's an epistemic value of confirmation that cannot be realized when we are calculating the consequences of our speech rather than saying what we believe.

61 "A thinker-based approach to freedom of speech," (2011)

Further, thinking aloud helps us to determine which beliefs we actually endorse. It's important to externalize our mental contents in order to distinguish between contents that we hold unreflectively as a result of our upbringing or cultural prejudices, and contents that survive scrutiny. Externalizations of our mental contents can take the form of questions or tentative commitments rather than confident assertions. There's plenty that could be said about overcoming prejudice through conversation. Nevertheless, I suspect that there's something even more fundamental to the value of thinking aloud that is not captured by the probability of correction through criticism or new insights, the improved warrant conferred by confirmation, or figuring out what beliefs we actually endorse.

Making a stored belief into something represented or committed to at a time is a likely precondition for considered commitments to truth. Perhaps the fullest way for a mind to be involved with and committed to a truth is to say it in the presence of another mind. We are not ashamed of our thoughts in the presence of others who may disagree.⁶² It's bad when we're held back, not because we happen to be alone, but because the counter-rationality of others deprives us from acting on the value of what's believed. We have epistemic permission to hold certain beliefs. We also have epistemic permission to make those beliefs available to other minds. The problem with gendered discounting and dismissal is not simply that we miss out on conversation as a resource. Rather, there's an epistemic interpersonal unfreedom where you cannot commit to a truth, not because you are alone, but because those present refuse to listen to you. If you're alone, thinking is just as important and serious as making commitments before other minds. When you're not isolated, the availability of these commitments exerts rational pressure on us to

62 Note that silence may not necessarily signal shame, but a realistic assessment of a bad situation. It might become clear that no one intends to listen, or that we will be subject to retaliation.

make them—especially given conversation with others about the subject-matter. Refusals to listen make that further commitment impossible.

IV. Thinking Alone, Thinking Together

Being prevented from fully exercising our epistemic permissions is just one kind of problem with being unable to think aloud that conversational-outcome based approaches miss.⁶³ The other problems I'm worried about involve a certain mode of truth-oriented thought and conversation. To explain what I have in mind, I'd like to first consider what makes for good thinking alone and show how it relates to good thinking with others.

There's a familiar idea in the case of thinking alone that it's ideal to fully immerse ourselves in a subject-matter. That's how we become fully committed to and involved with the truth. Consider the case of independent reflection. We may think about the subject-matter of our inquiry directly without wondering about our status as a rational agent. If evidence of distortion becomes apparent, then it's appropriate to adopt a third-personal perspective. The third-personal perspective is non-ideal, however, and surely not our default position as rational agents. There's a special freedom—a human good—in being able to immerse oneself in a subject-matter. Part of true immersion in a subject-matter requires not having to think of oneself as a being in the world. A highly developed form of orienting one's thoughts towards the truth requires this kind of freedom.

I'm suggesting that this familiar idea about isolated reflection has an interpersonal counterpart. Think about your best philosophical conversations. There's often a flow of dialogue, uninterrupted by concerns about what's strategic to say next, what your interlocutor is thinking about you as a person, or whether you are being manipulated. The aim is to consider the truth directly, without worrying about your status as a rational agent, and to do so with another.

63 I'm not trying to suggest those theories are inadequate for their intended purpose of explaining freedom of speech. After all, an argument for free association would probably not start by appealing to the most rare and wonderful forms of human relationships. The widespread and everyday losses are probably the best place to start for legal and political theorizing.

Realizing that your interlocutor is trying to score points, is thinking of you as a sexual object, or has some kind of ulterior motive can destroy the whole project. The possibility of having this form of truth-oriented conversation is also ruled out when our testimony is discounted or dismissed.

From the listener's perspective, there are differences between (1) taking a proposition as presented, (2) wondering whether it counts as evidence that someone asserted a proposition, and (3) rejecting the fact that a proposition was asserted as evidence because it's not from a person who would know. The first corresponds with the way we deal with the contents of our own thoughts. It's attending to a content directly after it's said. The second and third—processing an assertion as evidence, or dismissing an assertion as bad evidence—correspond with testimonial discounting and dismissal. We only deal with the contents of our own thoughts in those ways when plagued with skeptical doubt, or when we have reason to worry about our rationality. If testimony is dismissed, an interlocutor attributes no weight to what's been said, given that the speaker is unlikely to be correct. If testimony is discounted, an interlocutor updates their belief-probabilities based on a weighting of the evidence that the speaker has said something, given that the speaker is less likely than others to be correct. Discounting is appropriate when we have reason to worry about the rationality or sincerity of our interlocutor. It should not be the default, or we rule out an important way of doing philosophy with others.

Thinking aloud might just be a mode of thought—speech as thought—that requires others to deal with the contents of our utterances just like we do. We shouldn't take the fact that we've uttered a proposition as evidence for it, good or bad. Defeasibly, neither should anyone else. There's a uniquely good kind of philosophical conversation where all participants are fully immersed in the subject-matter, and moving towards a joint convergence on the truth. There's a

corresponding freedom and human good in being able to engage in immersive truth-oriented philosophical conversations without having to think about oneself and one's interlocutors as belief-producing organisms. Gendered discounting and dismissal in academic philosophy interferes with this freedom and human good.

V. Threats of Discounting and Dismissal

What's particularly disturbing is that the general phenomenon of gendered discounting and dismissal can rule out truth-oriented conversation even in cases where testimony would be taken seriously. Women cannot participate where we calculate our speech based on the prediction that sexist discounting and dismissal is likely to occur. Given calculation, we cannot directly consider the truth without thinking about ourselves and our interlocutors as belief-producing organisms.

Note that it's not all calculated speech that we should be worried about. There are ways in which calculating one's speech is important or even unavoidable in conversation. It's difficult to make ourselves understood unless we take the background beliefs of our audience into account. We shouldn't expect (or be expected) to pursue truth-oriented conversations all the time. There are many important kinds of conversations with other purposes, like understanding another person, coordinating action, or challenging another's beliefs. What's objectionable is having to calculate our speech where this rules out a truth-oriented conversation we'd otherwise pursue.

I've already set aside the role of material harm in epistemic injustice to focus on the purely intellectual consequences of discounting and dismissal. What, then, should we make of the problem of having to *calculate* our speech, presumably because it helps us avoid bad intellectual consequences? It's one thing to claim that actual discounting or dismissal rules out an important mode of thought and conversation when they occur. It's another thing to locate the problem in having to calculate in advance. It seems that we would have to calculate, not because of the threat of material harm, but because of the threat of bad intellectual consequences. If our testimony is discounted or dismissed, we cannot exercise our epistemic permissions, participate

in joint convergence on the truth, or have a truth-oriented conversation. Our calculation is an attempt to avoid discounting and dismissal, thereby avoiding these consequences.

The problem with understanding calculation as a best response to threatened intellectual consequences is that it begins to look irrational. After all, calculation seems to ensure the very same intellectual consequences as discounting and dismissal. We are not fully immersed in a subject-matter where we are strategizing to avoid discounting and dismissal. We are not exercising our epistemic permissions or satisfying joint epistemic requirements when calculation decides against doing so. It looks like calculation—as a purely intellectual matter—is not a best response to threats of bad consequences, but an irrational response given consideration of the possible outcomes. Shouldn't we just leave it up to chance by refusing to calculate our speech, and hoping that our testimony is not discounted or dismissed? If our testimony is discounted or dismissed, the intellectual outcome is the same as if we had calculated our testimony. If our testimony is not discounted or dismissed, the intellectual outcome will be much better if we speak freely.⁶⁴

Intuitively, we have to calculate our speech because having our testimony actually discounted or dismissed is much worse than having calculated our testimony. To show that women are not simply irrational in calculating their speech rather than risking gendered discounting and dismissal, I need to say why actual discounting and dismissal is much worse than having calculated one's speech. I suspect that we cannot entirely rule out the significance of threatened material harm, even when trying to understand the purely intellectual consequences of

64 It would be significant if calculating is irrational, yet we are psychologically unable to do otherwise. But that doesn't seem to capture the cases under consideration. The problem is not usually that we are psychologically compelled to irrationally violate epistemic requirements. Maybe that's true in cases where we believe that an interlocutor is completely trustworthy, but nevertheless cannot speak freely thanks to a general fear of men. Phenomenologically speaking, at least, there's an important distinction between settling on calculation as a best response, and failing to overcome our psychological limitations.

gendered discounting and dismissal. Calculation shares the very same intellectual consequences as actual discounting and dismissal.

The reason that calculation still seems rational—even when there's a chance of having our testimony taken at face-value—cannot be explained in terms of the purely intellectual consequences. It's about the consequences for our careers, our communities, our sanity, and our relative power within the profession. Perhaps we are engaging in temporary collaboration to better resist sexism later. Perhaps we cannot handle being emotionally devastated while satisfying other pressing obligations. Perhaps we need to get paid, and that means saying things that a committee will approve, or writing things a journal will accept. Threats of material harm explain why calculation is a reasonable response to likely discounting and dismissal rather than a persistent rational mistake.

That's all compatible with my aim of setting aside the role of material harm in epistemic injustice to focus on the purely intellectual consequences of discounting and dismissal. There's a shared problem between (1) having to calculate our speech, and (2) having one's testimony actually discounted or dismissed. It's an unfortunate fact about the world that threats of material harm structure our deliberation in such a way that we have to calculate our speech much more frequently than our testimony would actually be discounted or dismissed.

There's a nearby question about the kind of gendered dismissal and discounting we are anticipating. If our testimony will be discounted or dismissed solely on the basis of our gender, it seems unclear how calculating our speech could help. Unless we can pass as men, we will be considered inferior intellectual sources by some no matter what we say. Calculation might recommend avoiding a conversation, or taking precautions against anticipated harms, but it's unclear how it could recommend different speech. For good calculation to actually mitigate

threatened harms by recommending different speech, gendered discounting and dismissal would have to be context-dependent. For example, there might be signals within women's testimony that trigger a gendered response. Good calculation anticipates this, and advises that we avoid these signals in our speech. Or, there might be signals within women's testimony that often turn off a gendered response. Good calculation anticipates this, advises that we add these signals to our speech. I'm not in a position to list such signals, but I'd like to point to this kind of account as an explanation of how calculated speech could be a reasonable response to gendered discounting and dismissal.

Of course, taking precautions against anticipated harms and speaking freely might seem to be a universally better response to gendered discounting and dismissal than calculating one's speech. The problem is that taking precautions against material harm with respect to one's career, community, and so on, requires the participation of others. This might not be available depending on who else is around, or how much emotional labor we can invest at the moment.

VI. Interlocution

My proposal about this further problem with gendered discounting and dismissal also helps to illuminate an important addition to theories about interlocution. Theories about interlocution usually include something like defeasible entitlements to accept testimony where the subject-matter is uncontroversial, and where we have no question to doubt the rationality of our interlocutor.⁶⁵ That's why we may accept testimony about the time from strangers on the street without any evidence about their reliability. There are also plenty of theories about how to weight testimony when a positive reason arises to doubt the rationality of our interlocutor. I'd like to propose another important epistemic principle relevant to controversial subject-matters. We may not simply ignore the testimony of others just because they are talking about something controversial. Nevertheless, we are being irresponsible to accept their testimony without question like we do when we ask for the time. What exactly are our epistemic obligations here?

Let's begin with Tyler Burge's theory of epistemic entitlements involving testimony to see what else would be necessary to cover controversial subject-matters. Burge suggests that our warrant for accepting testimony is *prima facie a priori* rather than empirical.⁶⁶ Instead of relying on reliable indicators in testimony, we rely on our interlocutor carrying out rational processes and being committed to truth. Perception is necessary for entitlements to beliefs we take on testimony, but it's not why we have the entitlements. What makes Burge's theory fail to directly apply to the case of philosophical conversation is that the entitlement is *prima facie*, and can be overridden by becoming aware that the topic is problematic. Any philosophical conversation is going to be about a controversial topic, and so *prima facie a priori* entitlements to accept testimony will be defeated. In addition to a defeasible entitlement to accept testimony, I'd like to

65 For example, see Tyler Burge's "Content Preservation (1993)

66 "Interlocution, Perception, and Memory," (1996), 33-35

suggest that a reasonable theory about interlocution needs something about sincere consideration that falls short of acceptance. We have good reason, sometimes rising to an epistemic duty, to consider as possibly true what another has said, and not by way of evidential consideration of the speaker. Instead, we are to take testimony, both propositions as well as the arguments that have been offered for them, as if those contents arose in one's own thoughts while seeking the truth. Call this the *entertainment principle*. We are thereby called on to sincerely consider and evaluate testimony rather than ignoring or immediately dismissing it. Immediate dismissal of another philosopher's testimony in philosophical conversation suggests that we do not treat our interlocutor as a rational, truth-committed thinker. Even though the subject-matter is controversial, the fact that our interlocutor has committed to the life-project of seeking truth and insight in controversial domains should lead us to take her seriously and be open to accepting her testimony without further reasons to the contrary. Nevertheless, the pursuit of truth in a complicated domain creates a situation where being tentative and considering for oneself rather than defeasibly accepting the testimony is appropriate rather than disrespectful.

Much has been said in the peer disagreement literature about how to treat the testimony of a rational interlocutor where the subject-matter is controversial. It's interesting to note that there is convergence of opinion at two extremes. Equal weight theories hold that we should have equal confidence in our own view and in the view of an epistemic peer.⁶⁷ Steadfastness theories hold that we should maintain complete confidence in our own view and no confidence in the view of an epistemic peer.⁶⁸ This is a good fit with my proposal about default requirements to take testimony about controversial subject-matters at face-value. We are not called on to do any complicated weighings about testimony as evidence rather than attending to the subject-matter.

67 See Adam Elga's "Reflection and Disagreement," (2007)

68 See Gideon Rosen's "Nominalism, Naturalism, Epistemic Relativism," (2001)

We either split the difference, concede nothing after reconsidering our own evidence, or pick one or the other depending on our justified confidence before the disagreement.⁶⁹ Weighing is only appropriate for disagreement with sources we have reason to regard as problematic.

It's true that entitlement theories of interlocution explain when our beliefs are epistemically permissible rather than rationally required. I'd like to suggest that the entertainment principle may sometimes rise to a requirement. Is it plausible that epistemic permissions can ever rise to rational requirements to take something seriously? Surely the epistemic question interacts with the nearby ethical question of what to think about. If you hear testimony that your four-year-old just took off running down the street, you have more than a mere permission to accept that testimony. You'd better drop whatever else you're doing. But consider other ways that epistemic requirements are generated that don't involve immediate moral demands. Suppose that you believe you've already mailed the rent check. Strong contrary evidence—being reminded that you've been out of stamps for weeks, say—can require you to reconsider as an epistemic matter. But the requirement doesn't mean that you must drop all other topics and immediately start thinking about the rent check. Rather, you have a good reason to consider your new evidence involving stamps once you've got a minute, or at least the next time you start thinking about the rent check. You make an epistemic mistake to ignore this evidence.

This how I'm thinking about the entertainment principle—in between mere permissions and requirements is *sufficient reason*. Just because another philosopher has published a paper on the subject of our research doesn't mean we need to immediately start considering her arguments and conclusions as if they arose in our own minds. We'd be making a mistake to ignore this philosopher, however, when we start thinking about the subject-matter of her testimony. More

69 See Jennifer Lackey's "What should we do when we disagree?" (2010)

precisely: that someone says p gives me good reason to consider p from the point of view of whether it seems true, in light of considerations brought on by that speaker, and not by weighing the fact that the person said it as evidence. If you have no more pressing epistemic business, and especially if you're already thinking about the topic, you're making a mistake to fail to consider whether p in this way.

Taking the entertainment principle seriously helps us to avoid the epistemic and moral mistake of inappropriately discounting or dismissing testimony. Of course this mistake is a problem everywhere, but I hope it's clear why I've framed the discussion around women in philosophy. What's at stake in whether one is respected isn't limited to self-esteem, or the good outcomes of conversation, but freedom of a thinking which depends on the ability to have a subject-oriented, flowing conversation. It's not simply that someone fails to contribute the appropriate amount of respect when they discount testimony—though that's true. Respect is essential to the practical possibility of a mode of conversation and thought. A valuable form of conversation requires that someone holds the right attitude towards you. The nature of the unfreedom at stake is not just that you can't say what you think and have it taken up in the right way, or that you can't develop rationally in an important way: it's that you cannot access collective intellectual production. Philosophical conversation confers not just improved warrant, but allows multiple rational agents to arrive at the truth on the basis of interpersonal reasoning. Each agent avails herself of epistemic permissions and requirements in an epistemic counterpart of practical cooperation. You can make another epistemically unfree by refusing the conversation that would jointly discharge epistemic requirements. A person should participate in a shared convergence on the truth, but is blocked by her interlocutor.

I think this is a good fit with our attitudes about taking up historical works in cases where the entertainment principle was violated. When we unearth and engage with feminist philosophy that's long been ignored or discounted, we're doing something important in taking up that testimony. Nevertheless, there's something tragic in the fact that the testimony was ignored when it was first offered. Being ignored or having one's testimony discounted during one's lifetime makes one unfree to exercise important epistemic permissions and requirements, and to access collective intellectual production. Having a one-sided transferal of testimony to somebody long after your death is better than nothing. Taking up that testimony now is the best we can do at this point rather than the ideal.

There's a worry that convincing men to take the entertainment principle seriously makes no practical difference. Because other men discount or dismiss women's testimony, women calculate their speech even when their interlocutor wants to cooperate. I think this is a problem with the world rather than the theory. Because of systemic oppression, some will be silenced even if members of dominant groups have the best of intentions. That's why it's hard for women to fully *be* immersed in a subject-matter even when they're talking to feminist men. Any remedy will have to take place over time, with many people and many conversations. We're not one principle away from dismantling patriarchy.⁷⁰

70 It's worth considering other cases where the entertainment principle seems to be overridden or defeated by other considerations. Suppose that men believe that the best joint intellectual production happens where women play support roles. Men talk, then women comment on what's been said. We need an explanation of the fact that women make no mistake in ignoring the entertainment principle in one-sided conversations, or where men are wasting their time. Women aren't equally free as men to think or speak when men won't stop talking.

VII. Conclusion

I've suggested that we have epistemic permission—sometimes rising to a rational requirement—to face-value consideration of philosophical testimony given the controversial subject-matter. Because the problematic subject matter has been taken into account, the primary kind of defeater for this default permission to face-value consideration involves the speaker. If good reasons to worry about the speaker's status as a rational and truth-committed thinker become apparent, then we should start processing the assertion as evidence, or dismissing the assertion as bad evidence. Until such reasons become apparent, however, the rational default is dealing with the proposition directly as if it arose in one's own mind. Gender provides no good reason to doubt a person's status as a rational and truth-committed thinker.

I'd like to end with a few thoughts about what follows with respect to resisting epistemic oppression. Freely speaking to men despite the threat of testimonial discounting and dismissal fits into the dilemmatic framework as presenting oneself for harm. It's often a waste of time, and can result in worse than discounting and dismissal. Suffering material harm as individuals makes salient for other women the real cost of speaking freely. True, speaking freely avoids complicity as a refusal to satisfy the aims of sexist men. The lesson I want to draw out about the practical approach, however, is that resistance should aspire to an additional refusal: a refusal to accept punishment for interrupting social roles and subverting norms of conversation.

Avoiding men on the assumption that they won't listen is also unlikely to improve the situation for future women deliberating about what to do or say. Instead, we might organize with others to avoid or mitigate potential material harm in advance of our speaking. That's the kind of collective resistance that can directly challenge the dilemmatic situation. If our speech is not discounted or dismissed, we speak freely now. If our speech is discounted or dismissed even

after such organizing, at least we've avoided the material consequences. We can contribute to a future free conversation, and the general project of true belief about the topic. We do this by interrupting social roles and subverting norms of conversation where we speak our minds to men. We also do this through community-building and intellectual solidarity with other women and non-binary people when we speak our minds to them instead. Epistemic oppression doesn't make free thought and then speech impossible, but requires tearing down whatever social structures stand in our way.

CHAPTER 4

On Intersectionality

I. Introduction

Without some degree of specificity, it's difficult to see how the practical approach contributes to an understanding of oppression and what an oppressed person should do. My discussion of a characteristic deliberative dilemma for women in philosophy was a start at using the theory to understand a situated life. In setting out the theory, I considered examples involving gender, race, class, and their intersections. Women might walk alone despite the threat of street harassment. Black and Latinx men are excluded from the labor market rather than faced with a dilemma about whether to work or strike. I suggested that we should understand members of oppressed and oppressor social groups in terms of intersectional categories. This was motivated by a concern that general treatments as a woman, as Black, and as a worker cannot be specified in abstraction from their intersections. In this chapter, I'll turn directly to a consideration of how to understand the practical approach given the lessons of intersectionality.

Noticing the limitations of a general theory of oppression, we might wonder what it means to be oppressed *as a woman*. Given diversity among women, we might be suspicious of a single answer. Attempts to provide a single answer have historically prioritized middle-class white women in heterosexual partnerships, both for theory and liberation. This means ignoring the situation and liberation of lesbians, working-class women, and women of color. For example, Charles Mills notes popular feminist claims that women's oppression consists primarily in exclusion from the public sphere.⁷¹ If this is what it means to be oppressed as a woman, resistance might involve women's refusal to be housewives. While exclusion from the public

⁷¹ Contract and Domination (2007), 181

sphere might have been a primary form of oppression for white women, Mills points out that women of color have instead been subordinated by slavery, segregation, racialized domestic labor, and sweatshop labor. Further, the oppression of lesbians and white working-class women is not captured by relegation to domesticity by a husband. Noticing these racialized, classed, and sexuality-specific versions of women's oppression calls in to question universal suggestions about what it means to be oppressed as a woman. After all, working for wages has not liberated lesbians, working-class women, and women of color from their oppression as women.

A first attempt at incorporating the insights of intersectionality into the practical approach might be to posit general treatments as women that are further specified by a woman's race, class, and sexuality. Call this the *overlapping Venn diagram* interpretation of intersectionality. We might specify general treatments as Xs and Ys for gender, Xs and Ys for race, Xs and Ys for class, with the other categories specifying a more precise treatment of intersectional Xs and Ys. It's a mistake to theoretically privilege forms of oppression facing only white middle-class heterosexual women. On the overlapping Venn diagram interpretation of intersectionality, we should be able to identify some form of oppression that all women actually share, including lesbians, working-class women, and women of color.

The reason this interpretation of intersectionality is implausible is that an intersection of several sets fails to account for the existence of entirely different treatments in an intersection. Returning to Mills's example, the primary forms of oppression for women of color are not a *special* kind of exclusion from the public sphere. The point of the example is that women of color are oppressed primarily through their inclusion in the public sphere.

Here's why this matters for the practical approach. Recall the following from my initial characterization of the theory:

(ii) There are ways of treating a person as an X and treating her as a Y such that people tend to treat bearers of X marks as X's and bearers of Y marks as Y's

If we're unable to specify general treatments as Xs and Ys for gender, general treatments as Xs and Ys for race, and so on, more needs to be said on how to understand (i) through (viii) of my original theory.

While the overlapping Venn diagram interpretation of intersectionality is implausible, it's controversial how we ought to understand the main insights of intersectionality. I'll begin the chapter with two different understandings of intersectionality and show how each can inform the practical approach. Given the practical approach, Ys are oppressed by different Xs, where Xs and Ys are intersectional categories. This leaves open the question of how fine-grained the intersectional categories of Xs and Ys must be to generate accurate and informative explanations.

S. Laurel Weldon distinguishes between intersectionality-only and intersectionality-plus models of social structural interaction. On the intersectionality-only model, systems of gender, race, class, ability, ethnicity, and sexuality are all co-constituted and analytically inseparable. On the intersectionality-plus model, social systems are analytically separable, and whether they have independent effects is a matter for empirical investigation. Gender, race, and class interact in all kinds of ways: sometimes they have independent effects, sometimes not.

Put this way, the intersectionality-plus model seems to have significant advantages over the intersectionality-only model. It's common practice among both social theorists and activists to consider how race as a social structure—or at least *racism*—contributes to the treatment of women of color in a given context.⁷² It may be impossible in some instances to distinguish the

72 Iris Marion Young's characterization of social structures helps to bring out what race might come to in the context of this discussion: relatively stable institutional rules, interactive routines, mobilization of resources, physical structures, and possibly unintended social outcomes as a result of individual actions. See "Lived Body vs. Gender: Reflections on Social Structure and Subjectivity" (2005)

contribution of gender from the contribution of race, but it would be surprising to learn we can never make legitimate distinctions or comparisons between different axes of oppression.

I doubt that the primary disagreements among intersectionality theorists track this distinction between intersectionality-only and intersectionality-plus models. It's unclear that anyone employs an intersectionality-only model as described by Weldon. Even María Lugones, who denies the analytic separability of race and gender, does not understand gender-race-class-ability-ethnicity-sexuality as one indivisible social structure. A more helpful contrast might be between an intersectionality-only framework and the denial of intersectionality. Both of these extremes have a clear answer to the *specificity problem*—when theorizing oppression, how fine-grained an intersectional category should we employ? The intersectionality-only defender says maximally specific. Any less will result in mistaken generalizations about the intersectional category based on the situation of its most privileged members. The intersectionality-denier says we should employ a maximally general social category: there's no need for a theorist of oppression to prioritize any intersectional categories over race, class, and gender. Most theorists of intersectionality fit into an intermediate category, disagreeing about how to handle the specificity problem in different situations. Certain intersectional categories have explanatory priority over more or less specific alternatives. Disagreements involve which intersectional categories to prioritize for theorizing oppression.

II. Intersectionality-Only

The first understanding of intersectionality I'll be considering holds that systems of gender, race, and class have no autonomous effects. S. Laurel Weldon calls this the intersectionality-only model of social structural interaction.⁷³ There is only one social structure: gender-race-class-ability-ethnicity-sexuality. This kind of view rules out claims that require identifiably separate dynamics for each axis. For example, it wouldn't make sense to claim that race is a more salient division than class in the US, because race can't have significant independent effects on an intersectionality-only approach.

I'm going to follow Weldon's terminology with hesitation. Nikol Alexander-Floyd warns that generalizations about intersectionality that do not focus on women of color as political subjects amount to colonization of Black feminist research: "Scholars who do not focus on women of color as political actors should develop new terms, concepts, and approaches in order to illuminate other experiences and investigate the questions at the center of their research."⁷⁴ The point is not that investigation of groups other than women of color should not be informed by intersectionality. Rather, investigation of other groups should respect intersectionality as a body of research focused on women of color under the scholarly authority of women of color. Alexander-Floyd worries that generalizing intersectionality to include the study of all groups will disrupt this work and re-center white women.

Drawing on contemporary women of color and third-world women's critique of feminist universalism, María Lugones may appear to take an intersectionality-only approach. She claims that feminist universalism follows colonial and capitalist thinking about race and gender,

73 "The Structure of Intersectionality: A Comparative Politics of Gender," (2006)

74 "Disappearing Acts: Reclaiming Intersectionality in the Social Sciences in a Post-Black Feminist Era" (2012), 19

understanding “woman” and “Black” as separable categories.⁷⁵ The critique is that separable categories cannot account for the existence of Black or other colonized women. Lugones understands colonialism and gender oppression as mutually constituting and fused such that they cannot be understood apart from each other.⁷⁶ Given accounts of precolonial societies without a gender system or without gender hierarchy, Lugones questions the validity of patriarchy as a valid transcultural category. Through colonization, colonized women became understood as sexually aggressive, capable of difficult labor, and hermaphroditic. Colonizer women, in contrast, were understood as sexually passive, fragile, and biologically dimorphic. There’s nothing colonizer women have in common with colonized women such that concern for a universal “woman” would include the colonized. Lugones thinks it follows that there are four genders: colonized women, European women, colonized men, and European men.

We might worry about these distinctions failing to account for non-European colonizers, ignoring differences in gender ideology between various colonial projects, and making invisible gendered differences based on other social positionings like class or ability. I suspect that Lugones would not consider these objections to the project. Calls for more fine-grained theory might lead us to posit additional gender categories, but all in the interests of identifying more accurate and explanatory categories than (white) “woman.”

Ann Garry has a nearby account of intersectionality where intersecting oppressions shape and change each other but are not necessarily fused. She uses a family resemblance model of identity categories such that there’s nothing that all women have in common. Rather, women

75 “Toward a Decolonial Feminism,” (2010)

76 “Heterosexualism and the Colonial / Modern Gender System,” (2007). Along the same lines, Jasbir Puar defines intersectional approaches as “analyses that foreground the mutually co-constitutive forces of race, class, sex, gender, and nation.” See “I would rather be a cyborg than a goddess: Becoming-Intersectional in Assemblage Theory” (2012)

share overlapping characteristics clarified by social contexts. The characteristics and social contexts relevant to a characterization of women are intersectional and include race, sexual orientation, and class. The relations between kinds of oppression vary from case to case: sometimes they mutually construct each other, sometimes co-construct, sometimes fuse. Using the terms race, gender, and class doesn't mean these factors are static or homogeneous, but are everyday terms for talking about the factors that intersect, mutually construct each other, or fuse.

I'll later raise questions about whether Lugones and Garry actually understand intersectionality in terms of one social structure *gender-race-class-ability-ethnicity-sexuality*. But an intersectionality-only model of social structural interaction is a logical possibility, and I'd like to say how it would inform the practical approach.

Given an intersectionality-only framework, the practical approach predicts a characteristic dilemma for each intersection. There should be a profile of the dilemma for each intersectional oppressed person as imposed by each intersectional oppressor. I'm not going to characterize even a subset of these dilemmatic profiles here. I will point out an important virtue of the approach. Investigating the deliberative dilemmas imposed by intersectionally-specified groups allows us to compare different forms of oppression. Rather than comparing the dilemmas different groups face thanks to oppression in general, the approach specifies which oppressor group is responsible for which dilemmas. While in some moods I'd like to substitute white capitalist men as the Xs for all intersectional Ys, such a theory would miss the point of intersectionality. An theory of oppression that takes intersectionality seriously needs to count white women and men of color as oppressors of women of color. It seems arbitrary to focus on markers that distinguish some intersectional Ys from other (also intersectional) Xs, where the Xs share nothing besides helping to put Ys into a dilemma that is not also their own. In particular,

we miss the different kinds of dilemmas that Ys face because of different kinds of Xs. Women of color face different dilemmas thanks to white women and men of color. Applying an intersectionality-only frame to the practical approach brings out their irreducible specificity.

Identifying the different dilemmas helps to illustrate the specific unfreedom of oppression. Thanks to various other social groups, the options of an oppressed person are reduced to very few: all objectionable. Because of recurring opportunities for complicity, an oppressed person faces a targeted appropriation of agency rather than a generic double-bind situation. The appropriation of agency is connected to specific intersectionally-specified groups because complicity satisfies the current or past aims of some of their members. Given an intersectionality-only framework, the practical approach contributes an unambiguous identification of *whose* projects the complicit oppressed take part in.

III. Intersectionality-Plus

S. Laurel Weldon argues that the concept of intersectionality is indeterminate with respect to the interrelationship of social structures. This leads Weldon to expect even more variations in the relations between kinds of oppression than Garry allows. Weldon points out that intersectionality refers to the interaction between social structures rather than identities. She disagrees with Lugones here, who maintains that the structural arrangements of power are inseparable from the subjectivity of the decolonial feminist interested in resistance.⁷⁷ In any case, Weldon thinks that analysis at the macrosocietal level requires social research, and isn't threatened by the inseparability of gender, race, and class in an individual's experiences. Different concepts are appropriate for describing one's experiences and talking about social structures. But the interactions between social structures could be specified in numerous ways.

While recognizing the importance of intersectional analysis, Weldon finds it implausible that gender, race, and class produce only intersectional effects under all circumstances. She distinguishes between additive, multiplicative, and intersectional effects. Additive effects are straightforward enough. Multiplicative effects are cases of mutual enforcement or mutual reduction. Intersectional effects are those where no additive or multiplicative function is possible. These are the kinds of effects that intersectionality-only theorists predict for all instances of oppression. Charles Mills had intersectional effects in mind when denying that women of color are oppressed primarily by the family or exclusion from the public sphere.

⁷⁷ That is, the decolonial feminist's task begins by her seeing the colonial difference, emphatically resisting her epistemological habit of erasing it. Seeing it, she sees the world anew, and then she requires herself to drop her enchantment with "woman," the universal, and begins to learn about other resisters at the colonial difference. The reading moves against the social-scientific objectifying reading, attempting rather to understand subjects, the active subjectivity emphasized as the reading looks for the fractured locus in resistance to the coloniality of gender at a coalitional starting point.

"Toward a Decolonial Feminism" (2010), 753

Women of color do not face this purportedly universal gender oppression in addition to racial oppression. Neither do women of color face the purportedly universal gender oppression more intensely than other women thanks to multiplicative effects. While the effect is intersectional, however, Weldon thinks the intersecting social structures remain analytically separable. I think Lugones is right to oppose a colonial imposition of gender for the purposes of resistance. Decolonial feminists engage in important critical analytical work in envisioning what they want gender to be.⁷⁸ It is an explanatory loss, however, if we can't track the difference between how race contributes to a treatment and how gender contributes to a treatment. That's true even if everything is causally interdependent and enmeshed in the experiences of the oppressed.

Weldon calls her analysis the *intersectionality-plus* theory of the interaction of social structures. It's a comparative analysis, investigating autonomous effects of gender, race, and class, as well as interactions, which may include additive, multiplicative, and intersectional effects. Considering a particular intersection won't settle once and for all the kinds of effects: different times and places may generate different kinds of effects.

A focus on social structures is in line with Iris Marion Young's defense of theorizing gender despite worries about the combination of group identities like gender, race, and class.⁷⁹ Young suggests that dispensing with gender and sex categories makes sense for theorizing identity, experience, and subjectivity. But that's not all feminist and queer theorists want to do. Identifying and explaining inequality, oppression, and domination requires social structures rather than individual subjectivity. Structures involve relatively stable institutional rules, interactive routines, mobilization of resources, physical structures, and possibly unintended

78 Here I have in mind Sally Haslanger's characterization of the critical analytical approach to the question, "What is gender?" or "What is race?" in contrast to a conceptual or descriptive project. See "Gender and Race: (What) Are They? (What) Do We Want Them To Be?" (2000)

79 Young, "Lived Body vs. Gender: Reflections on Social Structure and Subjectivity" (2005)

social outcomes as a result of individual actions. Structural theorizing about inequality, oppression, and domination doesn't focus on individual perpetrators because most people are complicit to some extent in their reproduction.

On an intersectionality-plus theory of the kind Weldon proposes, different social structures have different analytically separable essences. Of course these are not eternal essences, but keyed to the life of the relevant social structure. It's an open question whether the mechanisms that instantiate these essences will result in additive, multiplicative, or intersectional effects. Analytically separable essences unify disjunctive instantiations of being an X or Y. This means an adequate consideration of any kind of oppression requires attention to the various forms it takes. Class oppression needs room for gender and racial articulations, gender oppression needs room for racial and class articulations, and so on.

Any discussion of essence raises questions for theorists of intersectionality. Much work has gone into criticizing the view that what it is to be a woman is to have a certain essence. There are no unique moral, emotional, behavioral, or intellectual peculiarities that all women have in common, even after socialization as women. Attempts to seek out a psychological profile of women in terms of dispositions, interests, endorsed norms, and so on leads to weak generalizations about mostly white, Western, middle-class cis women. Elizabeth Spelman charges gender realists with the mistake of thinking "the womanness underneath the Black woman's skin is a white woman's, and deep down inside the Latina woman is an Anglo woman waiting to burst through an obscuring cultural shroud".⁸⁰ But Weldon's approach does not make any such generalizations about an individual in virtue of their gender, race, or class. This is one

80 *Inessential Woman* (1988), 13

way of taking seriously the worries Mills raises about excluding women of color in generalizations about “women’s” oppression.

Let’s consider how an analytically separable essence for class as a social structure would interact with the practical approach. Suppose that the characteristic dilemma of a poor or working-class person in a capitalist society involves dependence on relationships to the means of production. That’s in virtue of a society-wide fact that most can be excluded from direct use of the means of production.

Given an intersectionality-plus framework, such dilemmas take racialized and gendered forms. Based on race and gender, class oppression may be instantiated through direct dependence on an employer, on charity, or on the state. Alternatively, class oppression may be instantiated through exclusion from the wage labor market such that one’s subsistence is mediated through others working for a wage, relying on charity, or receiving support from the state. Dependence as an instantiation of class oppression might show up not only in dependence on employers, but also on family members, charity, or the state.

This accomplishes the primary theoretical work Iris Marion Young wanted out of the empirical unity approach: comparing the kinds of oppression different groups face. In addition to noticing that white men tend to be economically exploited in the US through capitalists directly, whereas Black and Latinx men are often excluded from the labor market together, we have a unifying explanation of this fact. We can relate various components of oppression to the others, using intersectionality as a framework for the practical approach rather than as a theory of oppression or identity.⁸¹

81 Ann Garry urges this use of intersectionality in contrast to thinking of it as a theory of oppression or identity. See “Intersectionality, Metaphors, and the Multiplicity of Gender” (2011)

What's important about the intersectionality-plus framework for resistance is that each analytically separable essence sets up an intersectional basis for solidarity. We can in principle identify a real ground for solidarity among poor and working-class people that de-centers white men working for a wage. It's important when theorizing oppression to consider what various oppressed people share rather than limiting the discussion to maximally specified groups. That's true even if maximally specified accounts of group experiences might be a necessary first step.

An intersectionality-plus framework also fits well with the interlocking systems approach of the Combahee River Collective.⁸² In terms of theorizing oppression, the Combahee River Collective focuses on seeing racial, sexual, heterosexual, and class oppression as interlocking to create the conditions of people's lives. Black feminism for the Combahee River Collective is the political movement to combat the simultaneous oppressions faced by women of color, recognizing an awareness of how their sexual and racial identity combined resulted in a unique life situation and political struggle. They point out that Black feminists had their participation in American second wave feminism obscured thanks to racism and elitism. Many were active in the civil rights, Black nationalist, and Black Panther movements and became disillusioned by sexism there.

Nevertheless, the Combahee River Collective was committed to a real basis for solidarity across race. While useful for forging identity and gathering strength, the Combahee River Collective thought lesbians or Black women calling for separate spaces was a dead end politically. They noted how class conflict and class division keeps groups of oppressed people unaware of shared situations across race. They rejected white lesbian separatism and felt solidarity with progressive Black men and heterosexual Black women. They thought lesbian

82 See "A Black Feminist Statement" and Barbara Smith and Beverly Smith, "Across the Kitchen Table—A Sister to Sister Dialogue" (1981)

separatism was a narrow politics that only made sense for white lesbians with class privilege. White lesbians with class privilege share no aspect of their oppression with white men. Women of color share oppressed situations with men of color, and face racial violence that has nothing to do with being women.

This all seems to suggest that we should reject an intersectionality-only theory in favor of an intersectionality-plus approach. Maybe so. I worry, however, that *no one* is an intersectionality-only theorist in Weldon's sense. I suggested earlier that Lugones might be sympathetic to calls to take seriously more specific intersectional categories than race and gender. Suppose we had good reason to think ability/disability was co-constituted and fused with race and gender. "Good reason" would take the form of providing more accurate or informative explanations. Lugones could accept this without committing to gender-race-class-ability-ethnicity-sexuality as one conceptually indivisible social structure. She's identified a special explanatory role for the intersection of race and gender in particular.

I'm not convinced that this much different from Weldon's approach. Lugones thinks we need the experiences of the oppressed to identify relevant intersectional categories in terms of experience. Weldon thinks we need social research.

IV. Intersectionality as Grounding

In this next section, I'll be considering an understanding of intersectionality that helps to locate actual disagreement among intersectionality theorists. Sara Bernstein argues that intersectionality is best understood in terms of metaphysical and explanatory priority.⁸³ Rather than understanding the constituent identity categories as grounding intersectional identity, the intersection grounds the constituents. Constituent identity categories are conceptually separable. We should also acknowledge some degree of explanatory separability. It's implausible that the explanatory power of identity categories is completely destroyed when combined in an intersectional category. The oppression of Black women is at times partly explainable in terms of blackness or womanness. Intersectionality theory shouldn't erase a person's blackness because she is a member of an intersectional category.

At the same time, a primary insight of intersectionality is the distinctive explanatory power of the intersectional category. Mere *interaction* between conceptually separable identity categories would guarantee an irreducible explanatory role for the intersectional category. Perhaps this captures Weldon's approach, and helps draw out her disagreement with Lugones and Garry. Lugones and Garry insist that we understand identity categories as "intermeshed" and "fused" rather than merely interacting.

Bernstein suggests understanding the intersectional categories in terms of explanatory priority. It's not that the conceptually separable components *never* have explanatory power or relevance. The category "women" is useful for oppression theory because it captures what various intersectionally specified women share. Given the mutual constitution and construction of identity categories, however, figuring out what's shared requires consulting the intersectional

83 "The Metaphysics of Intersectionality," (2019)

categories directly. Conceptually separable components only have explanatory power in virtue of the intersectional categories. The most informative and accurate explanations involve intersectional categories rather than their components. Explaining the oppression of Black trans women in terms of womanhood is less informative and accurate than appealing directly to transmisogynoir.

Here one might wonder: would we have a better and more accurate explanation using a maximally specific category? If so, we're back to an intersectionality-only framework. Instead of immediately appealing to *gender-race-class-ability-ethnicity-sexuality*, most oppression theorists identify particular intersectional categories, like "colonizer women," or "Black trans women," as having explanatory priority over others. Bernstein's theory predicts that these categories are more fundamental than the constituent category "women." Theorizing "women" is not impossible, but requires considering these intersectional categories first and determining what they share.

What makes "colonizer women" or "Black trans women" the most accurate and explanatory categories? After all, prioritizing these categories risks neglecting the particular experiences of queer, Muslim, and disabled women. We might mistakenly attribute a shared situation *to women* thanks to a limited consideration of colonizer women and Black trans women. Given intersectionality, queer, Muslim, and disabled women might not share in this situation.

Bernstein thinks we are justified in attributing fundamentality—ontological and explanatory—to intersectional categories that are *not* maximally specific:

Increase in a social category's specificity does not always correspond to an increase in explanatory power. As I see it, certain "social category magnets"—joint-carving

social categories akin to reference magnets—are the most explanatory, whether or not they are the most fine-grained.⁸⁴

I think this is the most theoretically promising aspect of Bernstein’s theory. Unfortunately the discussion is limited to the quoted footnote.

Perhaps Bernstein is following something like David Lewis’s distinction between fundamental natural properties and derivative unnatural properties.⁸⁵ “Colonizer women” is a joint-carving natural social category analogous to the property “green.” A more or less specific social category—“queer colonizer women,” “women,” or both—is an unnatural social category analogous to the property “grue.”

The distinction between natural and unnatural properties is not immediately helpful. We’re talking about socially constructed categories.⁸⁶ What could make one socially constructed category the analogue of natural properties and another the analogue of unnatural properties? Jonathan Schaffer suggests that what it means for something to be socially constructed is to be non-fundamental and grounded in social properties.⁸⁷ In particular, distinctive social patterns are the fundamental facts grounding social categories. If that’s true, the distinction between “colonizer women” and “women” will not be analogous to “green” and “grue.” No intersectional category just *is* social properties, and so it cannot be fundamental in the sense of ungrounded.⁸⁸

84 “The Metaphysics of Intersectionality,” (2019), 15

85 *On The Plurality of Worlds*, (1986), 61

86 Or at least partially socially constructed. On Linda Martín Alcoff’s view, for example, gender is partially biological. See *Visible Identities: Race, Gender, and the Self* (2005)

87 “Social construction as grounding; or: fundamentality for feminists, a reply to Barnes and Mikkola” (2016)

88 Marta Jorba suggests that conceptually separable social categories like “woman” are properties in virtue of an individual’s positioning in power structures, and conceptually separable systems of oppression like “patriarchy” are properties in virtue of their positioning in an overall system of oppression. This is an interesting proposal, but it’s hard to see how it avoids attributing ontological and explanatory fundamentality either to constituent identity categories like “woman,” or maximally specific categories as instantiated in persons. See “Beyond Mutual Constitution: The Property Framework for Intersectionality Studies,” forthcoming in *Signs*

We can't distinguish between one socially constructed category as a joint-carving natural social category and another as a non-joint-carving unnatural social category. Non-fundamental entities, including social categories, can still provide significant explanations. In my view, that puts it on the joint-carving continuum.⁸⁹ We need a notion of joint-carving social categories that comes in degrees.⁹⁰ Questions about the explanatory power of different social categories are questions about what grounds what: *not* what is fundamental versus what is derivative. We should expect intersectional categories to be more-or-less fundamental than one another. Of course this assumes a notion of joint-carving that depends mostly or entirely on human thought, human action, and human society. Component social categories like "women," and intersectional social categories like "queer colonizer women," might be grounded by other intersectional social categories like "colonizer women."

What then determines a social category's location on the joint-carving web of grounding relations? Explanatory role in oppression theory, or social theory in general, seems to get us inconclusive results. We might think "Black trans women" is more fundamental because of its explanatory accuracy when considering the situation of members of that category. But we also might think "women" is more fundamental because of its explanatory informativity in capturing what the members of various intersectionally specified groups share.

I'm not going to settle these questions. What I hope to have done is to show that intersectionality is a bit more complicated than intersectionality-only or intersectionality-plus. The conceptual separability of constituent identity categories is compatible with an

89 Here I'm speaking loosely with "continuum." Of course I don't mean there is some linear scale of fundamentality from least to greatest that includes "women," "queer colonizer women," and "colonizer women." What I mean is a more like a web of nonlinear grounding relations. Partial grounding is allowed.

90 Ted Sider suggests speaking about joint-carving in this way. See "Substantivity in Feminist Metaphysics," (2017)

understanding of identity categories as “intermeshed” and “fused.” If we consider intersectionality as a view about grounding, intersectional categories ground and have explanatory priority over constituent identity categories. Occupants of intersectional categories motivated to understand their own experiences are well-positioned to identify which categories generate accurate and informative explanations. Black trans women have identified transmisogynoir as more accurate and informative for explaining their situation than misogynoir or transmisogyny.

It’s false that maximally specific intersectional categories must ground and have explanatory priority over less specific intersectional categories. It’s implausible that the explanatory power of identity categories is completely destroyed when combined in an intersectional category. It’s also implausible that any intersectional category has *no* explanatory power, even if that intersectional category is ultimately grounded in more-or-less specific intersectional categories.

The example of transmisogynoir is a bit different from Lugones prioritizing the intersections of race and gender to understand the situation of women. Intersectional categories ground constituent identity categories for both colonized and colonizer women. In contrast, the explanatory power of transmisogynoir in understanding the situation of Black trans women does not similarly entail that cis Black women cannot understand their situation except in terms of the intersectional category they occupy that includes their cisness. It’s true that the web of grounding claims would be *simpler* if each worked like the Lugones example. But simplicity is not the only theoretical virtue. I don’t think understanding intersectionality as a grounding claim forces or rules out either kind of grounding structure.

V. A Set of Dilemmas

Here I'd like to show how the practical approach incorporates the insights of intersectionality by considering the intersection of gender and class. As an example, I'll be considering the historical case of Pennsylvania coal region garment workers from 1940 to 1960. A reconsideration of intersectionality in terms of grounding can help show why the intersection of class, gender, and region has explanatory priority over a maximally specified intersection also including sexuality, disability, race, ethnicity, age, and so on.

Another aim in this section is to clarify my theory of complicity in the context of oppression. I've been suggesting that complicity in the context of oppression has two aspects. One aspect, necessary but not sufficient for complicity, is causal: it's what returns future working-class women to the same dilemmas. I've already argued against the idea that complicity is generically causal: any contributions to social reproduction, even as intended for resistance, play a causal role in the reproduction of oppression. What I'm proposing is that in the case of complicity, society-level causal reproduction takes place *through* particular interactions with employers and husbands. These interactions are the site of characteristic deliberative dilemmas.

The other aspect of complicity is furthering or participating in the aims and projects of oppressors. Employers and husbands can rely on working-class women to further their aims in predictable ways. That's true in virtue of past rounds of the same kind of dilemma: working-class women either relied on a strategy of minimizing harm through satisfying the aims of employers or husbands, or suffered retaliation for refusal to do so. Working-class women have successfully avoided punishment for refusal to satisfy these aims by organizing with fellow workers to mitigate the harm of retaliation. Otherwise, retaliation reinforces the patterns of interaction on which oppressors (and the complicit oppressed) may rely.

A tradition of socialist feminists addressing issues at the intersection of gender and class under capitalism seems sufficient to show this alone is a category with significant explanatory power and reasonable accuracy. It's worth noting that many theorists focusing on the intersection of gender and class characterize their framework as *social reproduction theory* rather than *intersectionality*.⁹¹ Social reproduction theory focuses on the everyday and generational reproduction of workers rather than on the production of commodities. Social reproduction is not limited to biological reproduction, but also involves food, education, and care. Historically, this labor has been raced, gendered, and classed. It is performed both in households and in communities. The labor of social reproduction has been coerced through slavery, the family, and certain kinds of wage labor. For example, waged household labor done for wealthy women counts as social reproduction rather than commodity production. For this reason, social reproduction theorists are interested in the relationship between class exploitation and other forms of oppression. It's a mistake to understand the working class as paradigmatically white men working for wages. The working class includes those excluded from wage labor based thanks to race and gender who engage in the labor of social reproduction.

Where working-class women share characteristic dilemmas across region and immigration status, it's implausible to think there is just one dilemma. Rather, there are a set of dilemmas that cannot be explained solely in terms of gender or solely in terms of class. Many of these dilemmas involve differential dependence on relationships to the means of production. That's in virtue of a society-wide fact that most can be excluded from direct use of the means of production. It's essential to class oppression that working-class people must decide between participation in some employer's projects or lacking basic means of subsistence. For working-

91 See Tithi Bhattacharya and others in *Social Reproduction Theory: Remapping Class, Recentering Oppression* (2017)

class women in patriarchal households, such participation may be straightforward or indirect. Working-class women may depend directly on their employers for a wage. Working-class women may additionally (or instead) depend on another wage-earner for subsistence. If in a patriarchal household performing unpaid domestic labor, a working-class woman indirectly participates in the projects of her husband's employer through the labor she performs for her husband. Working-class women in patriarchal households may also find their husband excluded from the wage labor market. In that case, women may also depend on charity or the state for subsistence. Working-class men excluded from the wage labor market in patriarchal households depend on the wages of a wife, charity, or the state.

I don't think we can understand the intersection of class and gender without direct consideration of working-class women's susceptibility to sexual violence. There's an inescapability of having to accommodate sexual violence—both at home and in the workplace—to avoid losing one's home and means of subsistence. That's true whether one is the primary wage-earner for one's family or whether one exclusively performs unpaid domestic labor in a patriarchal household. Dependence on an employer or husband creates the deliberative background for these dilemmas about sexual violence. Food, shelter, medical care, access to one's children: these things are always pitted against "making a scene" about sexual violence.

Another characteristic dilemma involves expectations that unpaid domestic labor is the sole responsibility of women in addition to wage labor. Christine Delphy distinguishes between two modes of production in patriarchal capitalism: industrial mode and family mode.⁹² The production of goods in industrial mode gives rise to capitalist exploitation. Women's exclusive

92 "The Main Enemy" (1980)

responsibility for unpaid domestic services and child-rearing performed in family mode gives rise to patriarchal exploitation. Working-class women are exploited in both modes of production.

Nancy Holmstrom has some interesting comments on *who* exploits unpaid domestic workers.⁹³ She suggests that capitalists as a class exploit unpaid domestic workers because they control the social conditions that compel this labor. Where a husband is working for wages full-time and a wife is exclusively an unpaid domestic worker, the husband does not exploit her. Both are doing surplus labor, and it's unlikely that the family would be able to pay someone else to do that work. In cases where men and women work equally for wages and women still perform most of the unpaid domestic labor, husbands are doing the exploiting. Husbands rather than capitalists are causing and benefiting from that surplus labor by not sharing it equally.

This is a beginning at addressing the intersection between gender and class. For all Delphy has said, the wives of capitalists are exploited in family mode just like the wives of workers. The super-exploitation of working-class women Holmstrom describes is not shared with the wives of capitalists or with working-class men. We might expect gendered versions of capitalist oppression described through different combinations of exploiters and kinds of labor. Many working-class women are exploited as workers by husbands through unpaid domestic labor, and exploited as workers by capitalists through wage labor. Other working-class women are exploited as workers through unpaid domestic labor, not by their husbands, but by the capitalists who cause and benefit from that labor as the husband's employer.

Of course social reality is a bit more complicated. Aspects of social reality besides gender and class explain other configurations of exploiters and types of labor. In the case of the Pennsylvania garment workers, women performed all of their family's unpaid domestic labor and

93 “‘Women’s Work,’ the Family and Capitalism” (1981), 103-205

were the sole wage-earners supporting their husbands. Here the coal region at this historical moment is significant. With the closing of the mines in the 1930's, working-class families could no longer rely on men as wage-earners. This provided an opportunity for garment factories to employ women for very low wages. Nevertheless, they were still expected to perform unpaid domestic labor in addition to handing over their paychecks to their husbands:

The girls in the factories not only did their factory work, most of them, all of them, did their housework. And they took care of their kids and made the meals. Their husbands didn't do anything to help. Most of them were out of work. They went and stood at bars all day (...) The men would stand outside of the factory and take the girls' paycheck when they came out of the factory on Fridays. And a lot of the girls would be begging A lot of the men drank the money up. "Just let me have enough for the rent, just let me have enough for the rent."⁹⁴

At this point, we might be wondering why it matters who's doing the exploiting given the practical approach. One reason is to avoid complicity. I've been suggesting that complicity involves participating in the projects or satisfying the aims of oppressors. One way to frame unpaid domestic labor is in terms of the dilemma involves the aims and projects of husbands. Another is in terms of employers given capitalism. Thinking about the aims and projects of particular exploiters can help us identify where to look for deliberative dilemmas and to figure out what the complicity option would be.

It's in the interests of capitalists for women to perform unpaid domestic labor within the family and also work for wages. Capitalists would have to raise wages if workers needed to purchase domestic services on the market. When women perform a family's domestic labor for free, capitalists avoid this cost. Further, men's interest in not being the ones performing domestic labor for free is in the interests of capitalists. The very ideology enforcing women's role as fit for domestic work in the home helps confine women as a group to the worst jobs with the lowest

94 *Fighting for the union label : the women's garment industry and the ILGWU in Pennsylvania* (2002), 52

wages. Devalued workers “should” perform devalued labor. Even if most women are working for wages, the same ideology enforcing their position within the family “explains” why they don’t really belong in the wage labor market. This ideology helps ensure that women accept their lower pay and working conditions. Understood this way, the characteristic dilemmas of working-class people are undefined until we consider the gendered versions.

Similarly, the characteristic dilemmas of women are undefined until we consider the classed versions. Middle-class women may benefit from gender-only calls for overcoming discrimination, but the oppression and needs of working-class women are irreducibly intersectional. Given a regional history of organized mine workers in the aftermath of the 1897 Lattimer Massacre, women garment workers organized and advocated for working-class men in the region. In the 1950s, ILGWU leaders testified in congress about the situation of displaced miners so they would get federal aid. This is a different strategy than middle-class women’s struggle for inclusion in men’s occupations. For working-class women, inclusion in working-class men’s occupations is likely to result in depressed wages for all.

While working-class women are faced with real dilemmas as individuals, groups acting together are not constrained in the same way. Resistance through collective action can eliminate or mitigate the sanctions of refusal to accommodate objectionable treatment. Whether these dilemmas can be overcome depends in part on intersectional effects. For garment workers in contemporary Los Angeles, immigration status prevents workers from seeking much-needed childcare assistance. According to a 2015 report, Los Angeles garment workers do not apply for childcare assistance even when unable to pay their childcare providers.⁹⁵ A largely undocumented

95 “Hanging by a Thread! Los Angeles Garment Workers’ Struggle to Access Quality Care for their Children,” Garment Worker Center, Research Action Design, and UCLA Labor Center 2015

workforce cannot access this assistance thanks to fear of deportation, even if their US-born children are eligible.

In the Pennsylvania garment workers case, differences in immigration status and a local history of strikes helped working-class women engage in successful collective action. Before unionization, these working-class women were prevented from voting in elections. They were told that the owner of their factory or husband would have to vote for them. Collective action enabled these women to vote and to avoid retaliation for doing so:

[In Pittston] the mob controlled the polling places and the man [husband or owner] would go in with the woman and they would sign in like they should and then the man would go in and cast the vote for both of them! [W]e took women from down here [other areas of the valley] because the Pittston women were afraid. One woman [at a time] would go into the polling place and when they told her she couldn't vote—her husband would vote for her—she would refuse. She wouldn't sign the roster unless they agreed that she would vote.⁹⁶

In contrast to the Los Angeles situation, strong union membership and a less precarious immigration status enabled the Pennsylvania garment workers to refuse both complicity and punishment.

96 See *Fighting for the union label : the women's garment industry and the ILGWU in Pennsylvania* (2002), 69

VI. Conclusion

I hope to have addressed an apparent tension between two main insights of intersectionality, and to have shown why this matters for the practical approach. The first insight is that it's a mistake to erase the explanatory power and relevance of constituent identity categories. Black feminists responsible for shaping the contemporary discussion insist on a real basis for solidarity across race outside of more specific social categories, like Black working-class lesbian. Black working-class lesbians share some forms of oppression with Black men, Black women that are not lesbians, and other Black people who are not working-class. These forms of oppression are not shared with white women. Theorizing Black liberation requires taking this seriously. For this reason, a theory of intersectionality that denies a real basis for Black solidarity across race is unacceptable.

The second insight is that it's a mistake to attribute explanatory and ontological fundamentality to constituent identity categories. The insights of intersectionality theorists cannot be captured in terms of overlapping oppressions, either in terms of additive or multiplicative effects. New treatments show up in intersectional categories that have nothing in common with treatments of those sharing only a constituent identity category. Black working-class lesbians do not share all forms of oppression with Black men, Black women that are not lesbians, and other Black people who are not working-class.

You might think the tension between these two insights can be resolved in the following way. Multiple oppressions produce genuinely intersectional effects. These effects cannot be captured by simply adding oppressions together or expecting an intensified version of each form. Genuinely intersectional effects are based on constituent social categories with explanatory priority over the intersection. Such an interpretation captures a real basis for Black solidarity

across race. It fails to take seriously calls to understand intersectionality in terms of mutual constitution. Mutual constitution understandings of intersectionality have been offered by women of color feminists denying a real basis for solidarity with white women across gender.

In my view, the best way to resolve this tension is to understand intersectionality in terms of grounding. Social categories of intermediate specificity—between constituent social categories like race, and maximally-specific social categories like Black working-class lesbian—have explanatory priority. These intermediate categories ground constituent identity categories. Just because an intersectional category of intermediate specificity, like Black woman, has explanatory priority does not rule out a real basis for solidarity across constituent identity categories. It just means we must directly consult the intersectional category to determine whether a real basis for solidarity exists at the level of constituent identity categories.

These ideas about intersectionality relate to the practical approach in the following way. Christine Delphy's and Nancy Holmstrom's comments on class and gender help characterize a set of interlocking dilemmas that working-class women face. The explanatory power of this intersection suggests that it is more fundamental than the constituent social categories of class and gender. Consider the situation of a working-class woman working directly for a capitalist as a wage-laborer, and also working indirectly for another capitalist because she works for her husband. This is an important aspect of the lives of some working-class women relevant to imagining resistance. Given an understanding of intersectionality in terms of mutual constitution and grounding, gender oppression is indeterminate without attention to its class versions. Gender oppression has working-class versions, which are different from middle-class versions. Similarly, class oppression is indeterminate without attention to its gendered versions. This does not rule out a real basis for solidarity across class or gender, but requires consulting intersectional

categories to see if a real basis for solidarity exists. As the Pennsylvania garment workers example draws out, social reality is complicated. In this case, working-class women work directly for capitalists as wage laborers, directly for husbands as unpaid domestic workers, and have their paychecks controlled by husbands who do not work. Attributing explanatory priority to an intersection is compatible with unlimited complexity in real-life cases.

CHAPTER 5

Gender Oppression and Gender Identity

I. Incompleteness of the Practical Approach

Because women, non-binary and gender non-conforming people are treated in certain ways, they must risk imminent harm or accommodate that treatment. Neither is something a person can do and act freely or succeed rationally. Risking harm means a person cannot live well thanks to compromised safety, verbal attacks, or jeopardizing a career. Accommodating one's treatment by staying indoors, calculating one's testimony, or specializing in domestic labor is also not fully rational.

While illuminating, the practical approach fails to provide an explanation of gender oppression and resistance that I take to be complete. Being valued contingently on one's emotional service work, body parts, or appearance being makes relationships of equality impossible. These aspects of gendered existence shape the deliberative dilemmas women and non-binary people face. Nevertheless, sexual objectification is independently objectionable, even where it does not generate deliberative dilemmas and incentivise complicity. Similarly, restricted bodily comportment and internalized gender ideology capture aspects of gender oppression not necessarily attached to the dilemmatic framework. Further, the incompleteness of the practical approach becomes particularly salient if a primary aim in theorizing oppression is to understand resistance. Liberation from gender oppression requires an understanding of what gender is and should be. The practical approach is neutral on the question of what it is to be a woman or non-binary. In this chapter, I'll distinguish between what the practical approach contributes and what else is necessary to explain gender oppression.

First, the incompleteness of the practical approach. You might worry that the practical approach commits one to a theory of gender as an oppression-constituted social kind. Such an approach is in tension with trans (and other) feminisms that envision gender liberation as the freedom to live and take pride in one's gender.⁹⁷ Mari Mikkola points out that gender as an oppression-constituted social kind would make the eradication of women a feminist political goal.⁹⁸ She thinks this is unacceptable. Being viewed and treated as women and men is the problem, whereas *being* women and men is not. Thanks to gender oppression, treatment as a woman is disadvantageous, not merely different. Traits and activities associated with women are seen as inferior, and having these traits and activities paired exclusively with one gender can make things harder for everyone. For example, childcare as women's work ensures that women are at a career disadvantage, and men have difficulty obtaining parental leave when desired. Mikkola thinks an oppression-constituted social kind is incompatible with positively valuing or taking pride in one's gender or race.⁹⁹ A politically acceptable theory needs to account for the freedom to live as a trans woman as liberatory rather than irrational.

Understanding gender solely as an oppression-constituted social kind is not required by the original specification of my theory in (i) through (ix). For all I've said there, the practical approach is neutral on the question of what it is to be a woman or non-binary. I've offered a theory of oppression, including gender oppression—not a theory of gender. It's true that the deliberative dilemma focuses on oppression-constituted social kinds that we occupy independently of what we think and do about the matter. These social kinds are crucial to

97 Within the bounds of moral permissibility. Trans and non-binary masculinities that involve disrespectful ways of relating to women and femmes should be subject to criticism rather than pride. See Cressida Heyes, "Feminist solidarity after queer theory: The case of transgender" (2003)

98 "Ontological Commitments, Sex and Gender" (2011)

99 Ibid, 75

understanding the obstacles we face in navigating the world. I face real threats of harm because I am taken to be and treated as a woman, regardless of whether I identify as such (and setting aside the question of whether I am a woman). However, focusing on the oppression-constituted social kind for the purposes of understanding oppression and resistance does not rule out other aspects of gender. It's plausible that gender has several aspects or kinds. Another aspect or kind might be the product of women's struggle and assertions: a chosen, trans-inclusive social identity that gives life meaning.

There's a nearby worry about the practical approach that can't be brushed aside. It misses something important, not just about gender, but about gender oppression. Even the oppression of a straight cis woman is not exhausted by the practical approach. Among other things, the deliberative dilemmas facing a straight cis woman involve expected care work and emotional service, sexual objectification, restricted bodily comportment, and internalized gender ideology. These aspects of gendered existence are not necessarily attached to the dilemmatic framework. Sexual objectification is still objectionable in cases where it does not generate deliberative dilemmas and encourage complicity. The practical approach is an incomplete theory of gender oppression because it fails to capture these other essential aspects.

Further, we may suspect that the aspects of gender I've been silent about—the products of women's struggle and assertions, or a chosen, trans-inclusive social identity—are required for theorizing *liberation* from gender oppression. A theory of oppression that cannot explain liberation is irrelevant to the oppressed person deliberating about what to do.¹⁰⁰ If understanding liberation requires taking seriously what gender is and should be, this is another reason the practical approach is incomplete. Queer and trans feminists challenge popular existential and

100 María Lugones brings out this point in "Structure/Antistructure and Agency Under Oppression" (1990)

other deflationary understandings of gender and sexual identity. I'll be taking on their challenge to consider what a queer and trans feminist metaphysical understanding of gender and sexual identity could be, and how it helps us theorize liberation from gender oppression.

Finally, I'd like to call into question characterizations of gender oppression as targeting gender as class to the exclusion of gender as identity. The liberatory promise of gender as identity has perhaps been underestimated by some feminists. Nonetheless, it would be a mistake to ignore gender as identity as a site of gender oppression. Expressing one's gender identity often amounts to a choosing of the harm option given a deliberative dilemma. In addition to requiring collective action to mitigate punishments for failure to conform to the gender binary, social movements are required to constitute genuinely valuable gender identities. Otherwise, valuing one's gender identity might come to participation in the subjugation of self and other. Given a consideration of gender oppression involving gender as identity, we find new possibilities for resistance not recommended by the general framework of the practical approach.

I take these not as reasons to abandon the practical approach, but as an invitation to account for what's been left out. Working at this level of abstraction, however, requires a bit of defense. There's a worry that on some understandings of intersectionality, there's nothing to say about gender oppression *as such*. On an intersectionality-only model of social structural interaction, it wouldn't make much sense to contrast gender oppression with other forms of oppression. There is one social structure responsible for oppression: gender-race-class-ability-ethnicity-sexuality. The gender aspect can't be abstracted away from the rest. There is no universal womanhood. There is no common gender oppression across race, class, sexuality, ability, and nation.

The point is not that we can only theorize oppression at a high level of abstraction. On the contrary, theorizing oppression given an intersectionality-only framework must be extremely fine-grained. The work of oppression theory involves considering each precise intersection of characteristics under consideration. Even if we deny that only one social structure is responsible for all forms of oppression, assuming that conceptually separable components have explanatory priority over more specific categories comes uncomfortably close to intersectionality-denial. A consideration of gender in isolation from other social categories may generate inaccurate and uninformative explanations. This is why, for example, María Lugones denies that colonized women and European women share a gender. Discussions of patriarchy and gender as an oppression-constituted social kind ignore the historical fact that European colonizers established a distinct gender system for the colonized.¹⁰¹ Opposing gender ideologies are imposed on colonized and colonizer women through violence, labor exploitation, and cultural expectations. Based on racialization, women are treated as fragile, passive and pure; sexually aggressive and workable to death; or both at once.¹⁰²

Respecting the insights of decolonial feminists, we might avoid making generalizations about intersectionality that do not focus on women of color as subjects.¹⁰³ But even within the category of colonized women, one might deny that gender is shared across class, ability, ethnicity, or sexuality. It's important that an intersectional frame avoids centering the dominant. To talk about the gender of colonized women as such risks centering the dominant rather than marginalized withing that group: the gender of middle class, heterosexual, able-bodied colonized

101 "Heterosexualism and the Colonial / Modern Gender System," (2007)

102 Lugones credits Yen Le Espiritu with pointing out how contradictory gender norms and expectations apply to Asian Americans of all genders.

103 Nikol Alexander-Floyd calls on scholars investigating other social groups to respect intersectionality as a body of research focused on women of color under the scholarly authority of women of color. See "Disappearing Acts: Reclaiming Intersectionality in the Social Sciences in a Post-Black Feminist Era" (2012)

women. A defense of focusing only on gender and coloniality must be situation-specific: in a certain time and place, gender and coloniality are the salient intersecting characteristics for explaining some injustice.

An intersectionality-only framework need not commit one to the view that all social characteristics are equally salient for explaining oppression at all times. Ann Garry points out that different degrees of intersectional analyses are needed depending on the situation.¹⁰⁴ For example, we don't need an intersectional analysis to determine whether a gay couple is discriminated against by the prohibition of same-sex marriage. That's true whatever their race, class, or gender. On the other hand, we do need a thorough intersectional analysis to determine the degree to which a gay couple faces economic oppression.

Garry proposes a concept of intersectionality where each kind of oppression and privilege—race, class, gender, and so on—is shaped by and works through the others. These intermeshed (rather than additive) oppressions produce our social relations and experiences of identity. Intersectional identity may be most *salient* to the multiply oppressed, but it's important to note that *everyone* has an intersectional identity. This can help prevent white bourgeois women from generalizing their experience to all women, or Black heterosexual men from generalizing their experience to all Black people.

Even if we acknowledge contextual demands for intersectional analysis, considering particularity should be the default on an intersectionality-only framework. If one takes seriously the idea that, say, gender is co-constituted with ability/disability, it would be a mistake to assume that there are true generalizations about the oppression of colonized women. The practical

104 "Intersectionality, Metaphors, and the Multiplicity of Gender" (2011)

approach recommends investigating the deliberative dilemmas imposed on each intersectionally-specified group by every other intersectionally-specified group.

Investigating the deliberative dilemmas imposed by intersectionally-specified groups allows us to compare different forms of oppression. Rather than comparing the dilemmas different groups face thanks to oppression in general, the approach specifies which oppressor group is responsible for which dilemmas. For example, considering dilemmas imposed in terms of intersectionally-specified groups could help explain the different dilemmas Black women face thanks to white women, non-Black women of color, men of color, and white men.

Identifying the different dilemmas helps to illustrate the specific unfreedom of oppression. Thanks to various other social groups, the options of an oppressed person are reduced to very few: all objectionable. Because of recurring opportunities for complicity, an oppressed person faces a targeted appropriation of agency rather than a generic double-bind situation. The appropriation of agency is connected to specific intersectionally-specified groups because complicity satisfies the current or past aims of some of their members. Given an intersectionality-only framework, the practical approach contributes an identification of *whose* projects the complicit oppressed take part in.

Perhaps an intersectionality-only framework best captures the insights of intersectionality. If so, I'm glad the practical approach has something to contribute to oppression theory in terms of how to proceed. As it stands, however, I'm not convinced that we should accept an intersectionality-only framework. I'm interested in considering how the practical approach interacts with an intersectionality-plus framework. We might understand an intersectionality-plus framework as refusing to attribute ontological and explanatory fundamentality to either

component social groups like gender, or maximally specific social categories involving gender, race, class, ability, ethnicity, and sexuality.

An intersectionality-plus framework calls for an investigation of gender oppression as analytically separable from other forms of oppression. Of course, the separability of gender, race, and class is not expected at the level of individual experiences. Gender, race, and class oppression are lived and experienced simultaneously. This is one of the basic insights of Black and women of color theorists of intersectionality. Because of race and class, not every woman, femme, non-binary, or gender non-conforming person experiences gender oppression in the same way. If we're thinking about intersectionality in terms of grounding, an investigation of gender as analytically separable from race and class may require first consulting intersectional categories. Component social categories like "women" might be grounded in the more specific category "colonizer women."

Iris Marion Young draws our attention to the role of gender, race, and class concepts in understanding structural harm and injustice.¹⁰⁵ Structures involve relatively stable institutional, legal, or cultural rules and norms, interactive practices and routines, mobilization of resources (including time and money), physical structures, and possibly unintended social outcomes as a result of individual actions. Young points to the sexual division of labor and normative heterosexuality as examples of gender structures. The sexual division of labor consists in the status of care work as primarily unpaid, in private homes, and done by women. Care work outside the home is low-paying, in addition to other wage-labor compatible with home caring responsibilities. Among other things, normative heterosexuality consists in the association of heterosexual masculinity with force and command in the military, police, prison system,

¹⁰⁵ These are the categories I will focus on here, though Young also notes the importance of caste, ethnicity, age, and sexuality. See "Lived Body vs. Gender: Reflections on Social Structure and Subjectivity" (2005)

corporations and bureaucracies. Neither normative heterosexuality nor the sexual division of labor require a shared identity among those facing harm or injustice.

I'll soon raise questions about screening off identity from a structural analysis of gender. Identity as a social phenomenon is not identical with an individual's experiences. In any case, experiences are not identical with the structural, even if they reflect the structural through dependence on available social concepts. Reflection on personal experiences is what leads oppressed people to wonder what structures are responsible for their situation. A structural analysis of oppression in terms of gender, race, and class works at an intermediate level of abstraction between oppression in general and individual subjectivity. That's where I'd like to situate this discussion.

II. Another Moral Kind?

I've offered an account of oppression as a unified moral kind. An alternative to a purely sociological or historical theory of gender oppression is that gender oppression is also a distinct moral kind. What would it come to for gender oppression to be a distinct moral kind as well?

One possibility is that each normatively individuated kind of oppression—including gender oppression—generates corresponding dilemmas with characteristic contents. Lisa Tessman provides examples of such dilemmas.¹⁰⁶ Given poverty, a person is repeatedly forced to choose between life necessities that can't all be afforded. She must choose between enlisting in the military to fight an unjust war or forgoing a college education; spending money on the subway or walking through dangerous areas; working enough hours or spending sufficient time with her family. Given partner abuse, a person must choose between killing their partner or sacrificing their own life by staying. Given the gender binary, a person must choose between expressing a non-binary gender identity and being harassed, or internalizing the view that a non-binary self cannot be expressed in public.

Tessman's point in bringing up these examples is different than mine. She wants to show how oppression harms the oppressed by forcing them into moral failure. Outstanding moral demands are impossible to satisfy. Others make legitimate demands for our attention or resources. We ignore our families to satisfy work obligations. Family members have a legitimate demand on our time and affection that we fail to meet. But the reason we're working in the first place is to provide the basic necessities that we also owe to our families. Every available option is a moral mistake.

106 "Idealizing Morality" (2010)

You might find it implausible that limited resources and limited agents makes moral failure unavoidable. That's the normal situation, and good moral agents navigate it well. What's significant about the recurring dilemmas of oppression in my view is that they are maintained by group failures of the moral community. While choosing complicity to avoid harm is rarely an individual failure, the sense of regret that an oppressed person feels is reasonable.

We might understand Tessman's examples of recurring dilemmas as dilemmas in this sense. Perhaps some of them are specific to gender oppression. Not every woman or non-binary person will face the same recurring dilemmas given intersectional difference, but there are a class of dilemmas that are the recurring dilemmas of gender oppression. An important project in feminist theory would be to identify these dilemmas without centering the dilemmas facing white women. We've already considered one such dilemma in Chapter 3: a gendered and often racialized dilemma about whether to calculate one's testimony.

Identifying the recurring dilemmas of gender oppression is one way of making out gender oppression as a moral kind given the practical approach. Recurring dilemmas with characteristic contents makes sense of how gender minorities are unfree. Acknowledging how the particular dilemmas facing gender minorities depend on other social positionings respects intersectionality without reinforcing gender binaries or fixed gender identities.

Recurring dilemmas with characteristic contents is not the only way to make out gender oppression as a moral kind. We might think gender oppression is distinctive in virtue of its other normative dimensions. Oppressed people do face recurring dilemmas, but it's unclear that we should understand them as particular to gender oppression, racial oppression, or class oppression. Consider Frye's cheerful smiling example, or having to calculate one's testimony in the face of expected discounting or dismissal. These dilemmas are recurring for many women and non-

binary people. It's difficult to make out how they are specific to gender oppression. Racialized people also face these dilemmas, and not always in virtue of their gender.

What would we have to add to the deliberative dilemma to get gender oppression as we know it? An answer to this question could help us identify gender oppression as a moral kind without committing to characteristic contents in recurring dilemmas. Suppose that we take away the physical aspects of gender and history of patriarchal oppression. Consider a world where roughly half of us find ourselves with an arbitrary marker signaling that we will defer, obey, and work for those without the arbitrary marker. Those without the arbitrary marker can enforce threats of harm should bearers of the arbitrary marker refuse to play along. These patterns of group-level expectations and threats structure social interactions between pairs of individuals. What are we missing that would make this pattern count as gender?

One suggestion is that we're missing the specificities of the labor involved. Christine Delphy describes a domestic mode of production where within a family unit, the husband is “the boss” who can bring the wife to work and then control the product.¹⁰⁷ Delphy's aim is to show that the family is the primary location where women are economically exploited. Women aren't merely indirectly sustaining capitalism through ideologically indoctrinating future producers. They constitute a specific class with a specific relationship to production.

Husbands work for themselves, whereas women work for husbands without pay. Where wage-workers can do more work, or higher-paying work, wives can only marry richer men to improve their material conditions. Wage earners sell their labor and depend on a theoretically unlimited number of employers. Even where women marry into a higher social class, they do not control the income and lose it upon divorce. In many cases, women also work outside the home

107 “The Main Enemy” (1980)

to provide for themselves. They are still expected to provide housework and child rearing without pay.

We may suspect that contemporary expectations about gendered labor rely on this history of women being wives with no alternatives for production, consumption, affection, and reproduction. It's not just any unpaid labor expected of women, but primarily care work and emotional service like conflict resolution and expressions of affection.

Kate Manne argues that given contemporary misogyny in the US, men treat women neither as subhuman objects nor human beings, but human *givers*.¹⁰⁸ Men value women contingently on their giving of life, love, focus, deference, listening, pleasure, nurture, sustenance, comfort, attention, soothing, concern, acceptance, kindness, care, sympathy, respect, and admiration. Based on race, class, and family/partner status, men feel that they and their children are entitled to these forms of care work and emotional service from women. Even where women refuse to live with and have sex with men, there are still enforced norms in the family and workplace about taking on support roles for men or doing childcare.

Another way of identifying the specificity of gender oppression focuses on the role of the physical body and sexuality. One aspect of gender oppression involves sexual objectification. Women and femmes are routinely identified with their body or body parts or reduced to their appearance. Sandra Lee Bartky points out that sexual objectification is often done against the will of women as a way of maintaining dominance:

It is a fine spring day, and with an utter lack of self-consciousness, I am bouncing down the street. Suddenly I hear men's voices. Catcalls and whistles fill the air. These noises are clearly sexual in intent and they are meant for me... The body which only a moment before I inhabited with such ease now floods my consciousness. I have been made into an object. [...] They could, after all, have

108 *Down Girl: the Logic of Misogyny* (2017)

enjoyed me in silence. [...] There is an element of compulsion in this encounter, in this being-made-to-be-aware of one's own flesh; like being made to apologize, it is humiliating.¹⁰⁹

Bartky sees this as a ritual of subjugation rather than sexual arousal. Women are perceived by others in a sexual light when inappropriate and unwelcome. The original pattern of sexual objectification is between two persons, but this leads to sexual objectification of the self. Women are also made to see themselves as objects when unrelated conversations and interactions are constantly directed towards their physical attractiveness. Women internalize a duty to "make the most" of their appearance. Not only do women come to evaluate themselves "as a body," but it turns out that there is always something wrong with them as a body:

"Even within an already inferiorized identity (i.e., the identity of one who is principally and most importantly a body), I turn out once more to be inferior, for the body I am to be, never sufficient unto itself, stands forever in need of plucking or painting, of slimming down or fattening up, of firming or flattening."

This is one way that the practical approach fails to capture the specificity of gender oppression. The way we feel while performing whatever action we choose under the male gaze is not captured by calculation. The feeling and the knowledge of how we will be treated does factor into our calculation, but it is not identical, and would be objectionable even if it were somehow screened off from deliberation.

In addition to offering an account of sexual objectification, feminist phenomenologists bring out other aspects of the irreducibly gendered character of life as embodied agents. Iris Marion Young follows Merleau-Ponty who situates subjectivity not in the mind but the lived body.¹¹⁰ For Merleau-Ponty, the transcendence of the lived body is an unconscious, fluid, goal-

109 "On Psychological Oppression" (1990)

110 "Throwing like a Girl: A Phenomenology of Feminine Body Comportment, Motility and Spatiality" (1990)

and object-oriented, unbroken directedness on the world. Possibilities in the world depend on the bodily “I can.” The body as transcendent subject has to take the world as object rather than itself.

However, the fluid, goal-oriented movement Merleau-Ponty describes only seems typical of young white men. In feminine existence, Young characterizes the bodily “I can” as ambiguous rather than confident. Feminine bodily existence is partly about action directed toward the world, but also partly about seeing the body as an untrustworthy “prodded along” object. Feminine bodily existence takes itself as object in addition to the world. Attention is divided between world and body, ruling out the world-directed lack of self-awareness characteristic of young white men.

Young suggests that these experiences are common to contemporary women not thanks to anatomy or a feminine essence, but socialization. Having to think of their own bodies as objects rather than subjects is conditioned by the social structure of gender. Women in sexist society are physically inhibited, confined, positioned, and objectified. Feminine bodily comportment is a protective stance against invasion of bodily space, from assault to touching. It's true that others will be looking, touching, and interfering with women's bodies, and it's no mistake to defend one's body against harm. But this is not pure rational calculation about material harm. There's also trained socialization with lasting effects on the body. Part of the explanation is limited opportunities and encouragement to develop bodily skills during play and work, but that's not all. Girls are told to acquire and practice timid bodily habits in particular.

This connects up to another possibility in terms of identifying the specificity of gender oppression. If we take gender as ideology seriously, not all the negative and oppressive aspects of gender are captured by the deliberative dilemma. Gender also gets in people's heads. Perhaps gender socialization instills false-consciousness leading girls and women to reproduce male

power. Identifying as a girl or woman partly consists in taking on a deferential personality, restricted bodily comportment, and so on. Socially reproduced false beliefs constitute an additional unfreedom irreducible to the deliberative dilemma.

It's often not transparent whether women and girls have internalized gender ideology. This is brought out by Carol Hay in "The Obligation to Resist Oppression." Hay considers an exchange between David Foster Wallace and a friend after she gets off a ride at the Illinois State Fair. The ride operators stopped the ride as Wallace's friend was upside down such that her dress fell over her head. Wallace was outraged at the ride operators ogling his friend, but his friend had a different response to the situation: "Assholes are just assholes. What's getting hot and bothered going to do about it except keep me from getting to have fun?...Fuck 'em."

One interpretation is that refusal to feel humiliated or allow objectification to demean one's moral status is genuine resistance to harms to one's rational nature. But that's hard to know. Another interpretation is that Wallace's friend has actually internalized the view that sexist harassment and objectification is not unjust so that she does not have to think of herself as oppressed. She might also be self-deceived about how isolated incidents of sexist oppression add up in harming us psychologically. Women and femmes come to believe they have no right to expect better. Because they come to doubt their own value, they don't experience calculation as worth complaining about. Independent of the deliberative dilemma, women and femmes often live as objects where they should be subjects.

It's plausible that gender oppression as a kind involves a distinct character of embodied agency, including accepting gender ideology in one's body and habits if not also beliefs. If this is true, we should avoid thinking of gender in terms of negative oppression-constituted class

aspects and positive identity aspects. Gender as identity may provide an additional domain for oppression in need of consideration.

There's a worry, however, that looking for a shared situation among women reveals colonial and Eurocentric ideals of attempting to reduce the irreducible. There is no universal womanhood, no universal femme identity, and no common gender oppression across race, class, sexuality, ability, and nation. Attempts to homogenize or standardize the situation and interests of a social group under the guise of universalist neutrality seems a bit too familiar for feminists. Perhaps understanding gender oppression and resistance requires a more fine-grained identity politics. In particular contexts, particular disadvantages are produced by salient aspects of intersectional identity. Resistance should include those sharing the salient aspects of identity—not necessarily every aspect of identity.

This makes sense of the Combahee River Collective's rejection of lesbian separatism and insistence on solidarity with progressive Black men and heterosexual Black women.¹¹¹ In the background are two related insights about resistance. The Combahee River Collective maintained that the most profound politics come out of one's identity rather than working to end someone else's oppression. At the same time, they held that the most transformative politics were coalitional. Black women share oppressed situations with Black men that have nothing to do with being women, and so addressing the oppression of Black women requires addressing anti-Black racism in general. White mobs lynched Black women in the US before 1960 because they were *not* viewed as women (even when pregnant).¹¹² This is different from the sexual assaults and intimate partner murders that happen to all women. While calls for separate spaces among

111 Barbara and Beverly Smith, "Across the Kitchen Table: A Sister-to-Sister Dialogue" (1981)

112 Warning for extremely graphic descriptions and photographs of violence:
<https://kathmanduk2.wordpress.com/2012/02/01/black-women-in-america-black-women-lynched/>
<https://kathmanduk2.wordpress.com/2007/08/13/at-the-hands-of-persons-unknown/>

lesbians or Black women make sense for forging identity and gathering strength, the Combahee River Collective thought this was a dead end politically.

On the other hand, perhaps feminist solidarity does not require shared experiences of oppression or identity, but political commitments to resist injustice. Jean Harvey sets out some challenges about the role of coalitional work in resisting oppression.¹¹³ The Combahee River Collective focus on identity-based solidarity and working to end one's own oppression is compatible with motivation based solely on self-interest and shared goals. Harvey thinks there's a moral obligation we have to stand in solidarity with the oppressed, and self-interest and shared goals are insufficient for satisfying this obligation. She acknowledges a strictly practical "political solidarity" or "activist solidarity," but it's not the morally desirable "moral solidarity" she cares about. Temporary alliances for specific practical aims can make sense, but the relationship often ends after the goal is achieved. Solidarity is a relationship that involves more than correct action.

Further, being fellow members of an oppressed group is insufficient for solidarity according to Harvey. Shared lived knowledge of injustice is compatible with selfishness on the part of each of the group members. The value of moral solidarity isn't the consequence of ending oppression, but the expression of respectful caring and building of moral community. While difficult, the privileged can develop relationships of solidarity with the oppressed. Oppressed people share emotional configurations in response to social facts. Moral solidarity requires the privileged to learn from the the oppressed through empathetic transformation and relationship-building. To avoid paternalism, the privileged must defer to articulate victims of oppression. This takes up the Combahee River Collective's insights about profound politics originating in the

113 "Moral Solidarity and Empathetic Understanding" (2007)

oppressed rather than their allies. Even if concerned about injustice and benevolently motivated, the privileged have to acknowledge their ignorance about the situation of the oppressed and suspend their arrogance.

Resisting oppression through moral solidarity would not constitute full freedom for the oppressed: thanks to the oppressors, the oppressed still have to resist rather than pursue their own plans. But a solidaristic mode of thought and action is more than instrumentally valuable for overcoming collective action problems. Solidarity is also valuable for the relationships of equality it brings into existence. In my view, it marks the beginning of the moral community that liberation seeks to bring into existence. The oppressed and their privileged allies are learning to interact without the anticipation, adjustment, accommodation, and evaluation required by oppressive social scripts. On a small scale, solidarity brings an end to the collective failure of complicity. It's one step towards instituting an adequate lived morality.

III. Gender as Class, Gender as Identity

I'd like to further explore the relationship between gender as an oppression-constituted social kind and other kinds or aspects of gender. Gender as an oppression-constituted social kind leaves out what many women, femmes, and non-binary people value about their gender: identity, experience, and subjectivity. We may be tempted to think of the negative aspects of gender consisting in gender as class, whereas the positive aspects of gender consist in gender as identity.

Following Toril Moi, Iris Marion Young thinks dispensing with gender and sex makes sense for theorizing identity, experience, and subjectivity.¹¹⁴ Toril Moi suggests that we should replace categories of both sex and gender with the category of the *lived body*. The lived body is the experience of agents facing the physical and social environment plus physical bodily facts like having certain body parts, reproductive capacity, and sexual desires. It's the physical body acting and experiencing in a specific sociocultural context. The point is to capture the way material features of our bodies play a role in our subjective sense of self, without giving a reductionist, biological account of embodiment. Bodies are enculturated all the way down to bodily comportment. There's no inner core of identity, no binary of masculine/feminine, no question about the combination of group identities like gender, race, and class. Each person is a distinctive body with dissimilarities and differences to others. Gender, race, and class are unchosen structures that position persons but not group identities. Individuals take up and act on them in their own way. The concept of lived body can articulate how persons live out the opportunities and constraints produced by their positionings in social structures. But how does the lived body relate to the *identities* that people adopt and take to be relevant to how to live or who they are?

114 "Lived Body vs Gender: Reflections on Social Structure and Subjectivity" (2002)

I'd like to consider how any theory of resistance to sexist oppression that calls for, or even allows, the eventual abolition of gender could be compatible with trans feminism. If it turns out that getting rid of characteristic deliberative dilemmas ultimately means getting rid of the kind "woman"—we might wonder whatever happened to the importance of identity. Here I don't just mean the importance of social kinds, but the importance of self-identifications that are subject to some degree of agential control. This is not identity like "I am white (thanks to bodily features I cannot control conferring social privilege)," but "I am queer (because I endorse certain actions and values, and I am serious about certain politics)." After all, I could have chosen a bisexual identity. I could have chosen the closet. Despite having this degree of choice, it would be inauthentic to adopt a straight or lesbian identity. There are facts about how I relate to others as a bodily subject relevant to whether a straight or lesbian identity is available to me. Maybe there are facts about the self, independent of what we do and how we're classed by others, that it would make sense to come out about and makes sense to think of as what we are. This might even come apart from what we value and endorse.

So far, my consideration of oppression and resistance hasn't included anything about the adoption of a social identity. We might distinguish here between gender as social class and gender as identity: two related but possibly irreducible aspects of gender.¹¹⁵ The deliberative dilemma focuses on oppression-constituted aspects of social kinds that many of us occupy—or not—independently of what we think and do about the matter. These social kinds are crucial to understanding the obstacles we face in navigating the world. I face real threats of harm because I am taken to be and treated as a woman, regardless of whether I identify as such. If I confront a sexual harasser, I risk serious harm. My harasser may try to get revenge; I may lose important

115 In "Amelioration and Inclusion: Gender Identity and the Concept of Woman", Katherine Jenkins argues that trans-inclusive definitions of "woman" and "man" require that social position and identity are taken as equally fundamental in a theory of gender.

personal or professional relationships with those who want to avoid conflict; I may be labeled as a troublemaker or a liar. If I avoid a harasser, I also risk serious harm. I miss out on important social or professional activities that include my harasser, and I lose meaningful relationships within my community. Additionally, I fail to take part in changing a sexist culture for others, including my future self. All this is true even if I reject the identity of woman, self-identify as non-binary, and take steps to be seen as non-binary by others.

Expressing a non-binary identity comes with the risk of violence, social ostracism, and workplace discrimination. Without this risk of harm, gender identities might be more straightforwardly connected with dispositions for behavior and outward presentation. Merely identifying as non-binary as a matter of one's psychology subjects one to deliberative dilemmas. There's an unfreedom for those whose outward behavior and presentation do not correspond with their identity. Hiding one's identity is an unfortunate best response to avoid harm. The deliberative dilemma is not restricted to gender as a class, but also involves gender as an identity. Nevertheless, serious obstacles that some of us must include in our deliberation is not the end of the story about social kinds.

It's controversial whether liberation from racist and sexist oppression should also end raced and gendered social identity. Suggesting that we aim at "getting past" race and gender is politically unacceptable, given how often this has been proposed by white men who want to preserve the status quo. Pretending that we're past race and gender while privileging whiteness and masculinity is unconscionable. However, a possible consequence of the view that race and gender are constituted by oppression is that they might disappear along with oppression in the distant future.

Karen and Barbara Fields suggest that race is the core concept of racism, and that it's a serious mistake to reanimate such concepts out of a desire for identity and belonging. In their view, race is nothing more than a disguised transformation of racism into "something the target is."¹¹⁶ It's true that having an ambiguous racial identity in the US is experienced by many as a privation, and can subject one to social exclusion. Racialized rules and routines are enforced by all racial groups, including the oppressed. That's no reason, argue the Fieldses, to self-impose "America's imprisoning social forms."¹¹⁷

Linda Martín Alcoff disagrees. She suggests that gender and race as social identities are independently valuable, and unlikely to disappear with the end of oppression.¹¹⁸ We should take care to distinguish between these two kinds of arguments against the eventual abolition of gender and race. One kind of argument says it's not going to happen. Another kind of argument says it's not worth making happen. Alcoff denies that people of color could become de-raced like Irish and Jewish people in the US. This is because people of color threaten fundamental US legitimization narratives by bringing to mind historical and ongoing settler-colonialism, annexation of lands, slavery, and genocide. Irish and Jewish people have been subject to discrimination in the US, but weren't colonized or subject to genocide like they were in Europe. That is why those groups were able to become de-raced in the US, unlike people of color today. Since de-racing is not going to succeed as an antiracist strategy, transforming the meaning of race becomes attractive.

116 *Racecraft: The Soul of Inequality in American Life* (2014), 10, 17, 69

117 *Ibid*, 44

118 *Visible Identities: Race, Gender, and the Self* (2005)

This is implausible as resistance. We shouldn't resign ourselves to racial social identities because people of color bring colonialism, genocide, and slavery to mind. Resistance can't take the stance of the white world as given. We need to explicitly undermine US legitimization narratives or there will never be any kind of justice for the survivors of settler-colonialism and slavery. Alcoff provides a good explanation of why there will be state-sponsored repression of Black and Indigenous political movements. It's not an explanation of why we should aim to keep racial identity around after liberation.

Alcoff offers a different argument for why gender is unlikely to disappear that avoids this kind of objection. It's not that oppressors make it unthinkable that we get rid of gender. Rather, biological markers make it true that some of us are of a kind. According to Alcoff, females have a different relationship to biological reproduction than males, and this will probably continue until human reproduction does not require wombs or biological material from both males and females. Here biological reproduction includes not just conception—which may or may not involve heterosexual sex—but also pregnancy, childbirth, and childcare. Our relationship to reproduction plays out in terms of practices, expectations, and feelings. The details of these responses also depend on other factors like culture, age, class, and sexual identity.

The idea is not that gender necessarily involves deliberative relationships to biological reproduction. Rather, this is one factor at play in sexed identity that can vary in importance based on context. For all Alcoff has said, feminist transformation could eventually make gender no longer fundamental to the self or to organizing our social roles. Subjects can alter their contexts, and this is a possible outcome of women's struggle and assertions. Because of the role biological correlates play in gender, however, social transformation might require biological and technological advances. In contrast, there are no biological or technological obstacles to a

transformation into a world without race. Racial categories have no biological correlates like gender supposedly has in human reproduction.

Instead of understanding gender and race primarily in terms of oppression, Alcoff suggests that we understand social identity in terms of *positionality*. Positionality is the social location and history from which we interpret the world and construct a meaning. Identities have epistemic relevance and aren't available to everyone. For example, Alcoff suggests that race contributes to our perspective on media reports about police violence. The idea is not that social situations contain some features only perceptible to Black people but not to white people (or vice versa), but that some features are likely to appear more-or-less-salient to a person based on her race. Whether a person is inclined to trust police testimony is partially determined by experiences with the police, which are racialized experiences. While having a point of view, a field of perception, cannot be overcome, the particular perspective we have is flexible. Our habits in interacting, feeling, and perceiving can be altered once they become apparent to us. We can learn to be sensitive to features that are not immediately apparent to us, but our default starting place and the work required to change our perception is often distributed along racial lines.

Understanding race and gender in terms of positionality in addition to being subject to deliberative dilemmas is compatible with my view. Maybe it's a better way of making out what embodied agency comes to. Alcoff is not understanding the structure of our perception simply in terms of knowledge and feelings, but also in terms of our unconscious bodily mannerisms. How we greet each other, speak to each other, and stand near one another, says Alcoff, is gendered and raced.

What's controversial is whether positionality as something that would or should survive the abolition of the oppression-constituted social kinds. We can accept the current reality and

importance of positionality without defending its persistence beyond oppression.¹¹⁹ Let's distinguish between two ways of thinking about gender. One possibility is that gender has several independent aspects or kinds. If gender has independent aspects or kinds, it's easy to imagine abolishing the unacceptable aspects or kinds and leaving the rest. An alternative view is that gender's aspects or kinds are recursively interrelated. If we think about gender as a nested structure of kinds, it seems less plausible that we can abolish the oppression-constituted kind without fundamentally changing the life-affirming kind.

I suspect that Alcoff is committed to the nested structure. Currently, structural barriers preserve a diversity of epistemic positions. Or, consider a biological or reproductive basis that is not yet gender. Because of this, an array of social identities become available. We have genuine agency in our social identities. A chosen identity as a woman might consist in taking on particular resistance-strategies. It also might consist in a positive cultural mode of life. What's important is that this kind—the one that might give a life meaning and unify one's experiences—is currently dependent on more-or-less involuntary social/epistemic positionings, which are dependent on structural barriers or facts about reproduction. It's unclear that we can simply detach nested kinds from one another.

Part of why non-binary identity threatens traditional gender categories is that it is an identity open to everyone and imposed on no one. That might be a better way of conceptualizing one's life than around gender identities imposed on some and unavailable to others. Instead of seeking to abolish current gender categories, we might alternatively opt for making them open to all and imposed on none. Alcoff denies that this would be possible or desirable. Future gender categories will be metaphysically continuous with current gender categories, in part because they

119 Catharine MacKinnon expresses skepticism about positive social identity in "Difference and Dominance: on Sex Discrimination" (1985): "Gender might not even code as difference, might not mean distinction epistemologically, were it not for its consequences for social power."

will not be available to all. Alcoff suggests that biological reproduction would continue to limit the kinds of lives we are capable of acting out. Females would likely share a distinctive relationship to reproduction even without oppression, because pregnancy and childbirth involve female bodies. This would continue even without social injustice and violence related to reproduction.

From a trans feminist perspective, a gender based on female pregnancy and childbirth, denied to some and imposed on others, is not worth keeping around. There are better ways to understand the self and organize our social roles. Alcoff's strongest argument for keeping gender around appeals directly to its goodness. Identities are positively good, says Alcoff, giving meaning to our lives and unifying our lived experiences. This is not an explanation of why identity is likely to persist, but why it would be good for it to persist. A good human life requires the adoption of a practical identity, and eligible practical identities have to come about somehow.¹²⁰ I think this is the main argument worth considering.

Christine Korsgaard defends the need for practical identities in a good human life. A practical identity, "a description under which you value yourself, a description under which you find your life to be worth living and your actions to be worth undertaking," is the source of our reasons and obligations.¹²¹ Being a human being is a necessary practical identity, but other practical identities like being a parent, comrade, or religious believer are contingent. Nevertheless, we need at least some particular practical identity in addition to being human in order to have reasons to live and do particular things. Otherwise, we only have moral reasons.

120 In "What should white people do?" (1998), Alcoff suggests that white people should identify with a tradition of white antiracism to find meaning in life. Commitment to a history, community, or project that extends beyond one's lifetime could be understood as providing the basis for a positive white identity.

121 *Self Constitution* (2009), 10

Even if we reject Korsgaard's explanation of the value of practical identity, other articulations of identity might be able to do the same work. Maybe being a loving partner is good, and doing that is partly dependent on our concept of being a loving partner. Life is complicated enough that we don't succeed at being loving partners by accident. We have to think about what we are doing and how it relates to our concept in order to succeed. That's true even though our thoughts and concepts aren't what makes success good. Some things we do are good, and they are what we do partly through our concepts of them.

Being a woman, being Latina, and being Black might provide important meaning-giving practical identities that we occupy in addition to being a human being. The structure of a good life understood in this way might provide a model for a transformation of race and gender into something valuable and worth keeping around. As culture and meaning is added to a previously oppressively-characterized kind, perhaps it becomes independently adoptable.

Thinking about various gender and sexual identities might help explain our intuitive discomfort with abolishing race and gender completely. Set aside the important roles of these identities in resisting sexist oppression.¹²² After the end of sexist oppression, would the end of these social identities be a loss? If gender identities provide a way to explore possibilities rather than accepting default ways of interacting with others, this exploration actually helps us avoid falling into stereotypes rather than creating new ones. We need to interact with and relate to other people as bodily subjects, whether we are oppressed or not. There are many permissible options. Nevertheless, there are likely to be defaults, or ways of interacting and relating that work well for many, but not all of us. Gender and sexual identities help us avoid having defaults imposed on us, not by threat of material harm, but by limiting our imaginations.

122 For helpful discussion of butch and femme identity in resisting oppression, see Elizabeth Marston's "Rogue Femininity" (2011), Zena Sharman's "Looking Straight At You" (2011), and Jewelle Gomez's "Femme Butch Feminist" (2011)

Victoria Brownworth worries that the acceptance of transgender identity plus acceptance of a strict gender binary means that masculine lesbians and feminine gay men will be pressured into transitioning when they might not be transgender.¹²³ Straight society has no corresponding social roles for the variety of legitimate gender roles in queer society, and so assimilation means we will lose important possibilities for relating to one another. It's unacceptable to characterize transgender social movements in general as a threat to queer people—many such social movements are simultaneously challenging the gender binary. It's still a loss if those with distinct and legitimate ways of relating to others are pressured into occupying default social positions.¹²⁴ Making room for and celebrating non-default options through identity makes them eligible as ways of being that are just as visible and respectable as the defaults.

I've been attracted to this kind of view for explaining why gender oppression is so bad for queer and trans people. It's not just that we are prevented from having sex, or even having loving relationships, with people who have certain kinds of bodies. Of course this is happening and it's bad. Nevertheless, a central problem with gender oppression not captured by interference with bodily interactions is the limiting of the imagination.

In addition to imposing default social roles, group-level limiting of the imagination creates serious problems for resisting gender oppression. Successful resistance requires the oppressed to imagine what gender *should* be. María Lugones suggests that an oppressed person can imagine resistance in the oppressor's reality—also described as a *culture* or *world*—when she remembers herself functioning in another reality.¹²⁵ A person acts, thinks, and feels

123 “No Butches, no Femmes: the Mainstreaming of Queer Society,” (2011)

124 In “The New Politics of Butch,” (2011) Jeanne Córdova suggests that butch identity is no longer limited to lesbians, but also trans men and genderqueer people, thanks to both the transgender and genderqueer movements.

125 “Structure/Antistructure and Agency Under Oppression” (1990)

differently depending on the reality/culture/world. Some of these realities/cultures/worlds are dominant, and others are subordinate. Each reality comes with different norms. A person cannot unify their actions, thoughts, and feelings between realities because actions, thoughts, and feelings have very different meanings in different realities.

In the realities relevant to resistance, the options of an oppressed person are not controlled by the oppressor. Memories of the self in such a reality helps an oppressed person to identify what is blocking them from doing what they would do, feeling what they would feel, or being who they would be, were they not subject to domination. For example, such memories might include a time before colonialism, women's and girls' spaces within the home, or queer community. Oppressed people sharing these memories and diagnoses of structural limitations in the oppressor's reality can lead them to transform that reality through collective struggle. This speaks to the importance of imagination in resistance.

Liz Mason-Deese proposes that US feminists follow Latin American feminists in adopting a *politics in feminine*, a term coined by Raquel Gutierrez, a Mexican feminist theorist.¹²⁶ A politics in feminine is inclusive grassroots organizing based on personal relationships between women, including trans women and others who face gendered violence. It's a revolutionary challenge to patriarchy and capitalism without trying to take state power. Rather, it

...displaces the state and capital's capacity for command and imposition, and it pluralizes and amplifies multiple social capabilities for intervention and decision-making over public matters.

Mason-Deese is quick to point out that a politics in feminine is organized around joy and flourishing rather than women's sacrifice, suffering, and victimhood. Striking against femicide is not just interrupting certain forms of labor, but committing to transformative activities, and

126 "From #MeToo to #WeStrike: A Politics in Feminine" (2018)

thinking about the possibilities when we stop reproducing gendered hierarchies and gender roles. The point of imagining or remembering different ways of relating to one another is not limited to causally efficacious resistance.

bell hooks expresses worry about liberation movements motivated by hatred for enemies rather than a vision of possibility for human flourishing.¹²⁷ Attacking men can't substitute for women developing themselves politically, envisioning a social order without capitalism and imperialism. If we are serious about revolution, it's important to realize that not just the "enemy oppressors" must change. Everything that feels safe, including us, must also change.

Group-level limiting of imagination closes off options, rules out the practical identities we would most authentically adopt. Bodily interactions figure into queer practical identities, but it's a mistake to reduce them to orientations towards bodies and sex. The value of practical identities—not just queer ones—consists in a diversity of social positions and ways of relating to others.

The group-level limiting of imagination I'm worried about could be understood as part of what Robin Dembroff calls *ontological oppression*. For Dembroff, ontological oppression "occurs when the social kinds (or the lack thereof) unjustly constrain (or enable) persons' behaviors, concepts or affect due to their group membership."¹²⁸ The relevant aspect of ontological oppression might be a society-wide failure to construct social kinds that explicitly recognize queer and non-binary ways of relating to one another. Or, we might think adequate social kinds have been constructed subculturally. The society-wide failure is instead a failure to recognizing important social kinds.

127 "Feminist Revolution: Development Through Struggle" (1984)

128 "Real Talk on the Metaphysics of Gender" (2019)

In the face of oppressive social relations, positive social identities allow us to begin acting out morally adequate cooperative practice and cultural specialization on a small scale. Practical identity unifies our experiences and gives life meaning. It makes possible participation in projects that extend before and beyond our lifetimes. Unless we occupy a default social position, we live in our practical identities reflecting on their value.

Though practical identity is an important part of queer and trans identity and liberation, I'm not sure that it's the whole story. I'm worried about the idea that whatever is worth preserving about identity is simply something about a life rather than something about the self. Not every kind of interference with the adoption or development of practical identity is another version of the unfreedom queer and trans people face. Being a philosopher is pursuing truth and insight as a life-project, but that need not say anything important about what we are as a person. It doesn't commit us to anything about the self beyond, say, being a bearer of obligations, or a subject of experiences. There is no need to posit a deeper ontological explanation of being a philosopher. Yet being a philosopher is quite unlike having a gender or sexual identity. The meaning of identity in the case of gender and sexual identity involves important attributes of the self relevant to embodied subjecthood that are not assimilable under Korsgaard's general formula.

IV. Identity in Queer and Trans Liberation

Taking seriously actual testimony about gender and sexual identity might help us to understand what underlies certain forms of identity and not others. I've considered the view that gender and sexual identity are about what we're doing. I've considered the view that gender and sexual identity are about the practical identities we adopt. If that's all there is to gender and sexual identity, it's hard to make sense of actual claims made by queer and trans people about gender confirmation, discovery, and transition.

I'm not suggesting that we take all testimony about gender confirmation and discovery at face value. Claims about trans identity are often calculated in response to deliberative dilemmas, if not made on the basis of internalized gender ideology. In the US, "correct" testimony about gender and the self is required to access medical care, surgeries, and hormones.¹²⁹

Nevertheless, there's something to the idea of a malleable psychological basis for gender and sexual identity that's implausible for other forms of practical identity. Maybe there are facts about the self, independent of what we do and how we're classed by others, that it would make sense to *come out* about and makes sense to think of as *what we are*. This might even come apart from what we value and endorse. Such a claim is not incompatible with a relational understanding of gender and the self. Gender as a malleable psychological essence could be embedded in systems of oppression and subject to change by social movements. Given the political value of understanding trans identity in terms of confirmation and discovery, I think it's worth considering what that might come to.

In "Trans Identities and First-person Authority," Talia Mae Bettcher distinguishes between metaphysical and existential understandings of identity. If we understand gender

¹²⁹ See Alexis Shotwell and Trevor Sangrey, "Resisting Definition: Gendering through Interaction and Relational Selfhood" (2009)

identity as a metaphysical question, there's a fact about the world that is probably not up to us, for which we are not directly responsible. If we understand gender identity as an existential question, we're talking not about *what* we are, but *who* we are. Existential identity is what moves us, what we stand for, and what we care about. It's plausible that we should be taken at our word.¹³⁰

It's true that self-deception or wishful thinking can cloud our judgment about our own attitudes, values, and commitments. The reason we should be taken at our word on the question of identity is not necessarily that we are in a position of epistemic privilege. After all, a therapist might really know best. Rather, Bettcher suggests that we have moral authority over our identity given that we are responsible for our own attitudes. Even if we don't have direct rational control over who we are, we are responsible for the social consequences.

It's important to note that one's existential identity is not simply what one believes about herself on Bettcher's theory. Being a woman is not merely believing that one is a woman. It sometimes makes sense to believe that one is a woman, and so there must be a reason for that belief.¹³¹ Arguments by trans women about what makes a woman a woman are at least intelligible, which would make no sense if being a woman consists in believing that one is a woman.

I doubt that respect for the intelligibility of arguments between trans women is compatible with existential understandings of identity. It's uncharitable to interpret the content of

130 This is what Cat Saint-Croix and Robin Dembroff mean by self-identity, but not by social identity. They emphasize that the social aspect of social identity requires a genuine attempt to occupy a social role. Perhaps one may self-identify in a certain way, but requesting to occupy a social role on its basis requires a "coming out," so to speak, or an externalization of our values, motives, and commitments. See "Yep, I'm Gay": Understanding Agential Identity," forthcoming in *Ergo*.

131 This is also true on Saint-Croix and Dembroff's theory of self-identity. In particular, self-identity is not simply a belief about the self, but feeling a kinship and solidarity with other members of the social group, where that feeling shapes our attitudes and priorities. We could be wrong about our self-identity if our attitudes and priorities are not affected.

these arguments as limited to what a person must stand for, care about, or be moved by, to count as a woman. Arguments by trans women about what makes a woman a woman are intelligible because some trans women have metaphysical understandings of identity. Bettcher is changing the question “Who am I?” into “What am I doing?” in a way that makes real metaphysical disagreements invisible.

Robin Dembroff thinks it’s a mistake to think gender kinds should track trans-inclusive (or any other) metaphysical facts about gender kind membership.¹³² Given a relational conception of gender, current gender kinds might be unjust. A society-wide refusal to recognize or construct certain gender kinds might also be unjust. Following current metaphysical facts about kind membership risks entrenching unjust practices. The problem is “a tendency to ignore the contextual nature and plurality of gender kinds while remaining committed to the idea that trans and queer identities track real gender kinds.”¹³³

Dembroff’s solution is to suggest that there are many gender kinds, and these gender kinds operate differently in different communities, contexts, and historical moments. One’s gender identity can be veridical—though possibly erased or unintelligible—even when it fails to align with the gender kinds operative in one’s present context. Veridical identity can be indexed to other contexts rather than changing based on context. A trans woman claiming her identity in a transphobic context can be veridical in virtue of trans-inclusive contexts.¹³⁴ Nonveridical identities, in cases where a gender kind does not yet exist in any context, can be important for the construction of new gender kinds.

132 “Real Talk on the Metaphysics of Gender” (2019)

133 Ibid, 11

134 The claim that a trans woman a man is also veridical on this view, indexed to transphobic contexts. Dembroff suggests this is an acceptable consequence because it captures a morally objectionable fact that is nonetheless a fact. Ibid, 17-19

Maybe it's true that a trans-inclusive metaphysics of gender is currently false. Of course current gender kinds are unjust. However, a relational conception of gender shows why it's important to consider what a trans-inclusive metaphysics of gender *would* be. Gender kinds—including metaphysical facts about kind membership—can be changed by social movements.. The purpose of thinking about what a trans-inclusive metaphysics of gender could be is to see what trans feminists should be aiming at through social movements. That's what I'd like to think thorough in this section.

Much work has gone into criticizing the view that what it is to be a woman is to have a certain essence. Some of this is practical: purported essences have been used to justify women's social inequality in relation to men of their race and class, and to. Others think it's just false that women have an essence. There are no unique moral, emotional, behavioral, or intellectual peculiarities that all women have in common, even after socialization as women. Attempts to seek out a psychological profile of women in terms of dispositions, interests, endorsed norms, and so on leads to weak generalizations about mostly white, Western, middle-class cis women.¹³⁵ Despite a variety of gendered experiences based on race, ethnicity, class, and sexual identity, many women and trans people experience gender as essential to who and what they are. It's worth considering what it would mean for this to be true.

Charlotte Witt defends an essentialist view about gender that supposes no common property that all women share.¹³⁶ Rather, she tries to make sense of the idea that people experience gender as essential to who they are by attributing an *individual* essence. That's a step in the right direction in acknowledging the diversity of ways in which people experience being a

135 Elizabeth Spelman, *Inessential Woman: Problems of Exclusion in Feminist Thought* (1988)

136 "What is Gender Essentialism?" (2011), 11

woman. But what is it that unifies these individual essences, and what's the point of calling them gender?

Witt goes on to suggest that we are persons and human organisms with intrinsic features whether or not there's a social world. But we're also social beings, where what this comes to is being subject to social norms that we may fail to satisfy. Rather than considering women as the persons or human organisms with intrinsic features, Witt thinks of women as social individuals subject to social norms. Gender holds a special role in the social individual by unifying all the other social positions we occupy, like being an academic and parent. Norms of being an academic take on a different character depending on how that academic is gendered.

I think it's a mistake to privilege gender in this way as the unifier of all other social roles. Why not think norms of being an academic also take on a racialized character? Nevertheless, I think there's something to the idea of individual essences. There are no properties definitive of membership in gender categories, even within a single culture. There is no universal womanness independent of other identity properties like race, class, and sexual identity. Properties do make individuals the individuals they are, where some of these properties are relational rather than intrinsic.

It's important to avoid confusing a psychological essence with biological essentialism. Nancy Holmstrom points out that essences need not be biological, unique, common to all group members, or have any evaluative implications.¹³⁷ For Holmstrom, the point of essence is explanatory function. Essences are structures that explain behavior. Given that humans are social beings, any underlying explanatory structures for behavior must be understood as socially constituted and historically evolving. Holmstrom offers the Marxist theory of historical

137 "Do Women Have a Distinct Nature?" (1982)

materialism as an example of changeable social human essences. Different forms of human labor, relative to modes of production and societies, generate and explain human behavior. Such a theory says nothing about biology or how humans ought to live. It need not make claims about all humans, addressing legitimate concerns about capturing diversity within a culture. Social essence can be understood as a cluster or disjunctive concept. Suppose women have a social essence based on the sexual division of labor. That leaves space for race or class instantiations of this essence in one of two ways. Black and working class women might have a particular subset of gender traits shared with other women. They may have genuinely intersectional traits that result in part from the sexual division of labor, but are not shared with other women. Women deciding to live differently would not violate their nature, but show that their nature has changed.

Suppose that gender and sexual identity are about what and who we are as a psychological entity. We're embodied social and sexual beings, with dispositions and desires involving our own body image and how we interact with others. Such a proposal relates to Alcoff's identity as positionality, given that the structuring of our perception also has a malleable psychological basis. Even without oppression, different genders and sexual identities might correspond to different habits with respect to perception and bodily comportment.

Our psychologies are socially conditioned. A psychological essence need not be fixed, but attributes of a self that can change over time. Changes in one's social situation make sense of discovering, confirming, and coming out as what one always was. It also makes sense of fluidity in gender and sexual identity. People change. The world changes. Despite these changes, it still makes sense to see the struggle of queer and trans liberation as one of freedom to live safely as one is.

We might consider the *lived body* as an another articulation of individual essence compatible with the goals of trans feminism. Toril Moi and Iris Young suggest replacing gender with the lived body for theorizing identity, experience, and subjectivity.¹³⁸ The lived body is the experience of agents facing the physical and social environment plus physical bodily facts like having certain body parts, reproductive capacity, and sexual desires. The question “What am I?” is not replaced with the question “What am I doing?”: its answer is a body in the world. This is not a material object with biological capacities independent of others. Rather, the self is a bodily being constituted by capacities for meaning-laden sexual, affective, and communicative interactions with other humans. Its nature depends on what one is capable of doing with the others a person finds themselves with.

Ann Ferguson offers a theory of the self as formed and maintained through social relations. An embodied process of thinking, feeling, and willing is framed by the social meaning of one’s body *for others* in addition to for oneself and how one identifies socially.¹³⁹ For example, sexed body images that children can think themselves into depend on the sexed body images available in their society through their parents. As social creatures trying to understand the unchosen meanings others put on their bodies, many children internalize the body image of their expected sex. If trans, children internalize another body image that becomes a core part of their sense of self. Ferguson suggests that children also adopt a racial body image, and later their identity becomes ethnicized and nationalized in addition to racialized and gendered.

Gender and sexual identity, understood as rooted in a changeable relational self, might come apart from descriptions under which we value our lives. It seems perfectly intelligible for

138 “Lived Body vs Gender: Reflections on Social Structure and Subjectivity” (2002)

139 “Can I Choose Who I am?” And How Would That Empower Me?” (1996)

someone not to endorse what nonetheless they are. All-too-common examples of this are thanks to internalized misogyny or homophobia, a lack of self-knowledge, or hermeneutical injustice. Gender and sexual identity also come apart from practical identity in cases that aren't so straightforwardly problematic. While identity is partly what each of us makes of it, parts are clearly outside of our control.

Ann Ferguson argues that reconstituting the self by changing gender or racial categories and norms requires a social movement.¹⁴⁰ Even if one manages to change their bodily habits or interactions with others, their intended meanings won't come off if only done individually. New meaning is probably created subculturally, but it's still got to be social to make sense as gender. For example, a professional woman not wearing makeup may come off as resisting oppressive norms given a feminist social movement. In the absence of a social movement, such a woman will likely be interpreted as not caring about her appearance. A man repudiating aggression as an individual is likely to be dismissed as a gender deviant. In the context of a men's antiwar movement, a man repudiating aggression could help change the social meaning of masculinity. Not all social meanings connected to gender and racial categories are obvious, and may be obscured by one's social position. Privilege can obscure disrespectful habits in relating to others, making it difficult to reconstitute the self through social movements.

I'm postulating aspects of our psychology relevant to gender and sexual identity that are discovered rather than created. The social labor that goes into discovering and articulating gender and sexual identity is similar to the social labor that goes into formulating concepts like heteronormativity and white privilege. Heteronormativity and white privilege have certainly

140 "Can I Choose Who I am?" And How Would That Empower Me?" (1996)

been around longer than we've had the concepts to talk about them. José Medina addresses the difficulty of communicating one's experience as a minority:

It is crucial to develop a hermeneutical sensibility with respect to embryonic and inchoate attempts at communicating about experiences that do not yet have standard formulations. Nascent meanings may be in an embryonic process of formation, and their tentative expressions may not yet be accepted by the mainstream public (or even by most publics) within a culture. And this goes not only for negative experiences of suffering that are silenced, but also for positive experiences and life-affirming situations that new emerging publics may be struggling to make sense of, or simply struggling to convey to others.¹⁴¹

I'm thinking this is true not just about what we experience, but what we are. Serious work may be required to discover what one has always been, what one was, or what one has become. Questions about the self are always going to be asked in the context of conceptual labor about what can be articulated and shared as a public identity. Queering gender identity, for example, only makes sense as a social practice. Discovery and articulation of what we are is then contingent on the participation of others.

141 "Hermeneutical Injustice and Polyphonic Contextualism: Social Silences and Shared Hermeneutical Responsibilities" (2012), 209

V. Conclusion

We lose sight of important opportunities for resistance by characterizing gender oppression solely as an instantiation of the dilemmatic structure shared with other forms of oppression. The practical approach is best understood as a general framework that leaves room for individuating various kinds of oppression. One way to individuate kinds of oppression is sociological—perhaps based on the markers providing a basis for objectionable treatments. Another way to individuate kinds of oppression is moral. It's characteristic of a kind of oppression that thanks to specific facts that constitute the dilemmatic situation, a person is unfree. Sexual objectification, internalized gender ideology, feminine phenomenology, and gendered versions of labor are different aspects of gender oppression irreducible to the dilemmatic framework. Consider gender oppression as individuated by dilemmas and mechanisms of enforcement that subjugate one's sexual and reproductive labor to men. Women and non-binary people are thereby unfree to live certain kinds of bodily, social, meaning-laden lives. This understanding of gender oppression as a moral unity doesn't require a nature that all women and non-binary people share. Rather, women and non-binary people share an unfreedom to live a certain kind of life thanks to sexual objectification, material deprivation, and sexual violence.

Concern with an inclusive queer and trans feminist theory of oppression leads us to consider another site of gender oppression: gender as identity. Suppose that gender and sexuality as identity track a changeable psychological essence and relational self that includes bodily capacities for meaning-laden sexual, affective, and communicative interactions with others. If we take this seriously as a proposal about *what* a person is, oppression based on gender and sexuality clearly functions through identity. Without presenting themselves for harm, persons

cannot exercise a whole range of bodily capacities for valuable meaning-laden sexual, affective, and communicative interactions with others. If you're queer, trans, non-binary, gender non-conforming, femme, there's an important sense in which you are unfree to be what you are.

While the unfreedom of limiting the imagination is irreducible to interference with bodily interactions, the two are intimately related. Growing up prevented from engaging in a range of valuable embodied social interactions makes it impossible to relate to others *as one is* except through struggle to know the self. This sets up a version of the thought that queer and trans liberation consists in seizing positively-valued possibilities for interaction with others independently of their origin in oppression. It also provides an answer to the questions raised by Alcoff about the relationship between gender as an oppression-constituted kind and gender as an independently valuable social identity. The valuable social identity that could outlast oppression and the identity required for successful resistance both intimately involve meaning-laden bodily interactions with other bodily agents. "Woman" and "non-binary" function as both the resistant subject of gender oppression and the agent of a positive way of living partially under agential control. The struggle to resist oppression is also the struggle to live as one is through a valuable social identity.

Women and non-binary people experimenting with new ways of associating with one another may not seem directly subversive to gender oppression. Given our consideration of gender oppression as a necessary addition to the practical approach, however, it becomes clear how living out one's gender and sexual identity amounts to resistance. Given an understanding of identity as social, it's impossible to resist oppression by living out one's gender and sexual identity alone. Given an understanding of gender and sexual identity as involving sexual and bodily interpersonal aspects, we see that gender and sexual identity-based oppressions seek to

limit bodily activity and the imagination with respect to these aspects of identity. A direct way to seize the freedom opposed by gender oppression is through avowing and self-determining an identity with others as the subject of a lived body.

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