

Racism

in Mind

EDITED BY MICHAEL P. LEVINE / TAMAS PATAKI

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Human thought is by no means as private as it seems, and all you need in order to read somebody else's mind is the willingness to read your own.

There are certain scenes that (far more than artifacts dug up out of the ground or prehistoric cave paintings, which have a confusing freshness and newness) serve to remind us of how old the human race is, and of the beautiful, touching sameness of most human occasions. Anything that is not anonymous is all a dream. And who we are, and whether our parents embraced life or were disappointed by it, and what will become of our children couldn't be less important. Nobody asks the name of the athlete tying his sandal on the curved side of the Greek vase or whether the lonely traveler on the Chinese scroll arrived at the inn before dark.

—William Maxwell, *The Château*

level of awareness, and some luck, one's desires, repressions, projections, and denials need not take specifically racist forms. It is not just charity that begins at home, but also the kinds of self-knowledge required to extirpate racism.¹⁸ I think about Martin Luther King's "I have a dream." It has all the qualities of a dream.¹⁹

18. Although it was not always so, the current Israeli-Palestinian conflict is primarily about "racial" and deep-seated prejudice on both sides. A disturbing feature of it is the way the present Israeli government's leaders and propagandists hide behind charges of anti-Semitism to masque their own spiraling racist and murderous prejudices. This is odious in part for historical reasons, relying as it does on connections to anti-Semitism for insidious reasons. The past to which Israel refers is one on which they have no moral purchase. Given that they claim to have learned much from anti-Semitism, one wants to ask how they could do such things to a virtually helpless, humiliated, desperate, and oppressed minority. This barbarism is occurring despite the activity of citizens in the peace movements. It is these people who are pro-Israel, rather than those Jews and non-Jews, Israelis, and U.S. citizens, who support Israel's brutal and politically unwise subjugation of the Palestinians. If the thesis of this essay is right, then Israeli barbarism can be explained, in part, by self-hatred—that is, it is itself a manifestation of anti-Semitism (i.e., anti-Jewish anti-Semitism not anti-Arab). The claim that the conflict is about Israeli security obfuscates and exacerbates the problems—making them seem politically manageable. It is a ploy by the Israeli and U.S. governments and many of their citizens. Silence regarding the actions of Israel is, as they say, deafening. It is a potent reminder that the psychic distance many would draw between themselves and those who stood by while other atrocities were committed is not as great as they feign to believe. Karl Jaspers said in 1946, "We see the feelings of moral superiority and we are frightened: he who feels absolutely safe from danger is already on the way to fall victim to it. The German fate could provide all others with experience, if only they would understand this experience! We are no inferior race. Everywhere people have similar qualities. We may well worry over the victors' self-certainty" (Jaspers 2000). See also Arendt 1994.

19. Malcolm Bowie (1993: 20) remarks,

Dreams are not prophecies but wish-fulfillments. They provide not advance glimpses of future time, but hallucinatory annulments of such time. Prophets and fortune-tellers talk about future events in naively chronometrical and desire free terms, and imagine the charm of dreams to lie simply in their allowing us earlier access to a later point in a single untroubled temporal succession. Psychoanalysts, on the other hand, know better than to remove the perturbations of desire from the study of human temporality: while wishfully propelled towards the future, the unconscious nevertheless constantly retrieves that future into the present of its representations.

SALLY HASLANGER

5 : OPPRESSIONS RACIAL AND OTHER

The term "racism" is used in many different ways and, at least in the contemporary United States, many things count as racist: racial hatred and racial contempt (whether overt or covert); explicit discrimination, subtle exclusion, unintentional evasion, cultural bias in favor of Eurocentric norms of behavior and beauty, negative racial stereotypes portrayed in the media, arts, and public discourse. The list could go on. My focus in this chapter will be on racial oppression. The phenomena of racial oppression in general and White supremacy in particular are ones that anyone concerned with racial justice has reason to attend to, regardless of disagreements about how to use the term "racism."¹ I believe that racial oppression is counted as a form of racism both in popular discourse and in some academic contexts. So an inquiry into what racism is and how we should combat it reasonably includes attention to racial oppression.

What is racial oppression? Group domination is caused and perpetuated in many different ways. Presumably, in order to understand racial oppression, we should consider oppression in general, as well as historically specific instances

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1. I prefer to capitalize the names of races ("White," "Black," "Latina/o," "Asian"). Doing so is warranted, I believe, in order to be consistent between races that are referred to using color terms and those referred to using names of continents, to highlight the difference between ordinary color words and the homonymous use of such words as names for some races, and highlight the artificiality of race in contrast to the apparent naturalness of color (or geography). Moreover, in other work I use the lowercase terms "black," "white," "latina/o," and "asian" to refer to body schemas associated with races and reserve the uppercase terms for racialized groups; making this distinction between "color" and race explicit is, I believe, theoretically important.

where racial injustice is at issue. I believe that an adequate understanding of racism cannot be achieved a priori, but depends on a close analysis of historical examples where race is a factor in the explanation of injustice. Philosophical tools are important, especially at points where the analysis becomes normative, but work done by historians, social scientists, legal theorists, and literary theorists is invaluable in revealing the sometimes subtle ways that injustice is woven through our social life.

This chapter is an attempt to explicate how racism and other forms of social injustice can be seen as structural, and as crucially concerned with power. Work on race and racism in philosophy often focuses on the individual (Piper 1990, Piper 1993, Appiah 1990; cf. Ezorsky 1991); there has even been a move to discredit the idea of structural or institutional racism (Garcia 1996, 1997a, 1999). In the first part of the chapter I develop a contrast between what I will call "structural" oppression and "agent" oppression and discuss briefly the normative basis for the wrong of each. In the second part I consider the *group* component of group oppression. In particular, I ask what link between the group—the race, sex, class, etc.—and the injustice should define group oppression. I will argue that group oppression does not require that the group be explicitly targeted by the unjust institution, but more than just an accidental correlation between the members of the group and those unjustly treated is necessary. My goal is to articulate a middle ground between these two options.

1. OPPRESSION: AGENTS AND STRUCTURES

What is oppression? The notion of oppression has been used to point to the ways in which groups of individuals are systematically and unfairly disadvantaged within a particular social structure.² This said, the notion of oppression remains elusive. Let's start with a brief overview of some circumstances that might reasonably be considered oppressive in order to explore the basic grammar of oppression.

The most familiar notion of oppression is one that implies an agent or agents misusing their power to harm another.³ Drawing on this, we might begin with the idea that *x* oppresses *y* just in case *x* is an agent with some power or authority and

2. It would be interesting to look at the history of the term "oppression" and its uses in the context of political debate. I have chosen this term as the subject of the chapter mainly in order to situate our discussion within a certain tradition of political interpretation central to feminist and antiracist work, and with the hope that by explicating the notion further, those suspicious of this tradition will find it more accessible and valuable.

3. I'm leaving out cases such as "oppressive heat," or "oppressive headache," or "oppressive sadness."

that *y* is suffering unjustly or wrongfully under *x* or as a result of *x*'s unjust exercise of power. This leaves open what sort of power is exercised, and whether *x* and *y* are individuals or groups. Consider, first, oppression's agents and patients. There are four possible combinations: individual oppresses individual, individual oppresses group, group oppresses individual, and group oppresses group.

Are there plausible examples of each type? The fourth definition of oppression listed in the *Oxford English Dictionary* (2d ed.), although marked as obsolete, appears to provide an example in which an individual oppresses another individual: "forcible violation of a woman, rape." Although the use of "oppression" as a synonym of rape is obsolete, people do classify individual relationships as oppressive—for instance, a particular parent-child or husband-wife relationship. An example of the second type (individual oppresses group) is perhaps the most common use of the term historically, as it captures a relationship gone wrong between a sovereign and his subjects: the tyrant is one who oppresses the people. The simplest examples of cases in which groups are oppressors would simply extend the previous ones: if rape is oppression, gang rape would be the oppression of an individual by a group; also lynching, and the torture of an individual by a group. Similarly, if an individual tyrant can oppress the people, presumably so can an oligarchy (or even a democracy!).

We will look shortly at senses of oppression that do not imply an oppressing agent (group or individual), but before doing so let's start by disentangling two distinct sources of power in the definitions and examples we've considered thus far. Often examples of oppression concern an unjust exercise of power where the source of power or authority is social or institutional; such examples presuppose a background social hierarchy (possibly just, possibly unjust) already in place. Consider the example of rape. In a contemporary context, where rape is often acknowledged to be about social power and not just about sex, it is easy to read cases of rape in these terms: men who rape are exercising their social power over women unjustly through coerced sex. (Plausibly in rape they are exercising their *unjust* social power unjustly!)

However, it is arguable that some rapes aren't exercises of social power: it isn't inconceivable for a rapist to have equal or even less social power than the rape victim (recall the possibility of same-sex rape). If we continue to think of rape as a paradigm of individual/individual oppression, then perhaps we should conclude that oppression's wrong lies in the use of power—not just social power but power of any kind, including physical power—to harm another unjustly. In short: *x* oppresses *y* iff *x* unjustly causes harm to *y*. On this view oppression is more than simply causing harm (allowing that causing harm is sometimes just or warranted, for example, in self-defense);⁴ but oppression is not necessarily

4. If one maintains that the notion of "harm" is of *wrongful* injury, then of course the point should be restated so to allow that causing injury is sometimes warranted.

about the exercise of social power: a terrorist may oppress a hostage through brute force (capture, torture, or the like). The hostage-taking may even be motivated by the fact that the hostage has greater social power and authority than the terrorist himself.

So is this notion—causing unjust harm—the core notion of oppression? It may seem promising insofar as it defines oppression in terms of something that is clearly morally wrong;⁵ and as we've seen, the term is sometimes used to capture the harm that one individual, the oppressor, inflicts on another, the oppressed. And yet, unless more can be said about *unjust* action as distinct from *immoral* action, oppression would just collapse into wrongful harm. This suggests that there is something missing from the account.

Undoubtedly there is more than one way of thinking about oppression and its wrongs. However, it is helpful, I believe, to begin by contrasting two sorts of cases. In one sort of case, oppression is an act of wrongdoing by an agent: if oppression of this kind occurs then a person or persons (the oppressor(s)) inflicts harm upon another (the oppressed) wrongfully or unjustly. Let's call these, unsurprisingly, cases of *agent oppression*. It is not clear that *all* cases of an agent wrongfully causing harm should count as oppression; the quote we started with suggests that the harshness of the action and the abuse of power are factors that may distinguish oppression from other sorts of wrongful harm.

In the other sort of cases, the oppression is not an individual wrong but a social/political wrong; that is, it is a problem lying in our collective arrangements, an injustice in our practices or institutions. Consider tyranny. Tyranny is wrong not because (or not just because) tyrants are immoral people intentionally causing harm to others, but because a tyrannical governmental structure is unjust. Theorists will vary on what exactly constitutes its injustice, but key considerations include such matters as the fact that tyranny is not a structure in which individuals count as moral equals. (On a broadly liberal account one could argue that such a structure could not be justified in terms that a community of reasonable equals would accept, and the distribution of power and resources under tyranny depends on invidious and morally problematic distinctions between individuals and groups.) The oppressiveness of a tyranny may be compounded by the evil designs of the tyrant, but even a benign tyrant rules in an oppressive regime. Let's call this second kind of case *structural oppression*.⁶

In cases of agent oppression, the focus is on individuals or groups and their actions; it is the job of our best moral theory to tell us when the action in question is wrong. In cases of structural oppression, the focus is on our collective

arrangements—our institutions, policies, and practices—and a theory of justice should provide the normative evaluation of the wrong. Of course there are contexts where we need to consider both the individuals *and* the structures, the moral *and* political wrongs.⁷

The idea of an agent oppressing another is relatively familiar; it may be less familiar to think of laws, institutions, and practices as oppressive. So it will be helpful to consider some plausible cases of structural oppression:⁸

- Cases of explicit formal discrimination appear to be straightforward cases of structural oppression: for example, "Jim Crow" legislation enforcing racial segregation in the United States; the disenfranchisement and broad disempowerment of women in Taliban-ruled Afghanistan.
- Under "Jim Crow," poll taxes and (often rigged) literacy tests prevented nearly all African Americans from voting; although such practices did not explicitly target Blacks, they were oppressive. In 1971, the U.S. Supreme Court considered a case in which Blacks were systematically disqualified for certain jobs due to mandated tests that could not be shown to correlate with successful job performance. The Court found that "practices, procedures, or tests neutral on their face, and even neutral in terms of intent, cannot be maintained if they operate to freeze the status quo of prior discriminatory practices" (*Griggs v. Duke Power Co.* 401 US 424).
- U.S. civil rights legislation of the 1960s has been interpreted so that policies and practices that have an unjustified disproportionate adverse impact on minorities can be challenged. In 1985, the Supreme Court recognized that injustice toward the disabled can occur when, for example, architects construct buildings with no access ramps (*Alexander v. Choate* 469 US 287). In the opinion, the Court emphasized that unjust discrimination can occur not just as a result of animus but simply due to thoughtlessness and indifference.
- Cultural norms and informal practices that impose unfair burdens on or create disproportionate opportunities for members of one group as opposed to another are oppressive. Gender norms concerning child care, elder care, housework, appearance, dress, education, careers, and so forth oppress women.
- Cultural practices and products that foster negative stereotypes of particular groups are oppressive, not simply because they are insulting to

7. The boundaries of moral theory and political theory are by no means clear. I will tend to speak of moral theory as a theory of human conduct, so concerned primarily with individuals (and by extension, groups); the focus of political theory is our collective arrangements, i.e., our practices, institutions, policies, etc. Of course it is consistent with this that individual wrongdoing and structural injustice are both morally wrong.

8. Thanks to Elizabeth Anderson for suggesting some of these examples.

5. This criterion for an acceptable analysis of racism is suggested by Garcia 1997a: 6.

6. This form of oppression, sometimes more narrowly construed, has also been called "institutional oppression" ("institutional racism"). See, for example, Ture and Hamilton 1992, Ezorsky 1991, Blum 2002: 22–26.

members of those groups or foster contempt or hatred toward them, but also because they can have a distorting effect on the judgment of those who are asked to apply discretionary policies. We'll consider some cases of this below (Roberts 2002, 47–74).

I suggested above that oppression is importantly linked to the abuse of power. This fits well with a paradigm of power being abused by an individual who wields power without due regard for moral constraints. But how do we make sense of this in the structural cases? Focusing entirely on individuals and their wrongdoings can prevent one from noticing that social power—the power typically abused in oppressive settings—is relational: it depends on the institutions and practices that structure our relationships to one another (Foucault 1978, Fraser 1989a). When the structures distribute power unjustly, the *illegitimate imbalance* of power becomes the issue rather than an individual abuse of power per se.

For example, in certain contexts (though not all) professors have greater power than their students by virtue of the rules, practices, and expectations in force in academic contexts. Individuals can gain power by developing skills in navigating the practices; they can also lose power by failing to understand or conform to them. If the professor/student relationship in question is structured justly, then we should plausibly look for individual moral failings to account for any wrongs that might occur under its auspices. For example, consider a case in which the practices and institutions constituting the role of professor are just, but an individual in that role, let's call him Stanley, gives low grades to all women of color who take his class, regardless of their performance. In such a case, the injustice arises through the abuse by the particular individual of what would otherwise be a legitimate relationship of unequal power. In cases where the practices constituting a social relationship are just, if someone is wrongly harmed, it is plausibly due to one party or the other acting immorally.

In other cases, however, the problem lies in the structure of relationships and the distribution of power. Contrast the case of the benighted professor, Stanley, who abuses the power granted him within a just social framework, with a case of institutional injustice in which, for example, only males and White women are allowed to serve as professor and to enroll as students. The women of color treated unfairly in the former case are not structurally oppressed, although they are the victims of Stanley's moral wrongdoing. In the latter case they are structurally oppressed, even if the educational resources were made available by professors attempting to undermine the unjust framework: perhaps another professor, Larry, opens his classrooms to unmatriculated women of color.

If we consider only agent oppression, then if some are oppressed we should look for the oppressor. But in cases of structural oppression, there may not be an oppressor, in the sense of an agent responsible for the oppression. Practices

and institutions oppress, and some individuals or groups are privileged within those practices and institutions. But it would be wrong to count all those who are privileged as oppressors.⁹ Members of the privileged group, for example, Larry in the case above, may in fact be working to undermine the unjust practices and institutions. Nevertheless, in the context of structural oppression, there may be some who are more blameworthy than others for perpetuating the injustice; they may be more responsible for creating, maintaining, expanding, and exploiting the unjust social relationships. In such cases an individual counts as an oppressor if their moral wrongdoing compounds the structural injustice, that is, if they are agents of oppression within an oppressive structure.¹⁰ But not all those who are privileged by an oppressive structure are oppressive agents.

These considerations suggest that both agent oppression and structural oppression can sometimes be intentional and sometimes not, and sometimes there are individuals to blame for the harm and sometimes not. In the case of agent oppression, the question is whether the agent has wrongfully harmed another through an abuse of power.¹¹ Malicious or hostile intentions are not required: one can abuse one's power to wrongfully harm another by being insensitive and indifferent. Whether the agent is blameworthy is a further matter still; in some cases blameworthiness will depend on the agent's intentions, yet in other cases what matters is the agent's negligence with respect to determining the full impact of his or her actions.

In the case of structural oppression, the question is whether the structure (the policy, practice, institution, discursive framing, cultural norm) is unjust and creates or perpetuates illegitimate power relations. Again, the oppressive structures in question may be intentionally created or not. A structure may cause unjustified harm to a group without this having been anticipated in advance or even recognized after the fact; those responsible for the structure may even be acting benevolently and with the best information available. Whether an individual or a group is blameworthy for the injustice will depend on what role they play in causing or maintaining the unjust structure.

9. For a useful discussion of attributions of blame in contexts of oppression, see Calhoun 1989.

10. The precise conditions for being an oppressor will depend on one's background moral theory; the question is: when does someone's moral wrongdoing compound the structural injustice. On some accounts one's actions may be morally wrong if one is simply a passive participant in an unjust structure; on other accounts not.

11. I am suggesting here that oppression involves an abuse of power or an imbalance of power, though I have not argued specifically for this claim, nor will I resolve here whether we should ultimately endorse it. It is a promising way, however, to distinguish oppression from other forms of moral and political wrong.

II. INDIVIDUALIST AND INSTITUTIONALIST APPROACHES

An important factor motivating the distinction between agent oppression and structural oppression is that although sometimes structural oppression is intentionally caused, say, by policy makers, it is possible for a group to be oppressed by a structure without there being an agent responsible for its existence or the form it takes. Admittedly, individuals play a role in creating and maintaining the social world, but most of the practices and institutions that structure our lives, although made up of individuals and influenced by individuals, are not designed and controlled by anyone individually. The government, the economy, the legal system, the educational system, the transportation system, religion, family, etiquette, the media, the arts, our language, are all collective enterprises that are maintained through complex social conventions and cooperative strategies. And they all distribute power among individuals—for example, a public transportation system that is inaccessible to the disabled disempowers them relative to the able-bodied. Rules of etiquette that preclude women from asking a man on a date, or that require a man to pay for all expenses incurred on the date, are not neutral with respect to the distribution of power.

In some cases social institutions have relatively costless exit options. But even what might seem to be the most malleable practices depend on background expectations and communicative cues that are not within the control of a single individual; so it would be wrong to think of them, except in the rare instance, as created or directed by an individual (or collective) agent.¹² If power resides in the relationships created by practices, and no individual agent is responsible for a particular practice, then there is an important sense in which the distribution of power may be unjust and yet the injustice not be properly explicated in terms of an agent's wrongdoing.

This point, that social structures are often beyond the control of individual agents, counts against what we might call an *individualistic approach* to oppression. On an individualistic approach, agent oppression is the primary form of oppression and the agent's wrongdoing is its normative core: oppression is primarily a moral wrong that occurs when an agent (the oppressor) inflicts wrongful harm upon another (the oppressed); if something other than an agent (such as a law) is oppressive, it is so in a derivative sense, and its wrong must be expli-

12. Moreover, although it may be possible to determine in the case of an individual's action what the "meaning" of the action is, for example, by considering the intention behind it, social practices and institutions are embedded in a complex web of meanings with multiple consequences that might be relevant to evaluating their point or purpose. Although in some contexts we are offered legal opinions or transcripts of legislative debate that help sort out the intention behind a law or policy, most institutions are governed by informal norms based in conflicting traditions.

cated in terms of an agent's wrongdoing. For example, one might claim that laws and such are oppressive only insofar as they are the instruments of an agent (intentionally) inflicting harm. The individualistic approach rejects the idea that structural oppression is a distinct kind of wrong.¹³

As I mentioned, a theoretical reason to reject the individualistic approach is that it cannot account for some forms of injustice for which no individual is responsible. Although I've suggested some examples to support this, a fuller discussion would consider specific individualist proposals that attempt to accommodate such cases.

However, there are also more pragmatic reasons for thinking that the individualistic approach is inadequate, viz., what counts as evidence for oppression and what counts as an appropriate remedy. For example, to show that a group suffers from agent oppression, we must establish that there is an agent(s) morally responsible for causing them unjust harm; but tracing the wrong back to an agent (perhaps also determining the agent's intentions) may not be possible. In contrast, to say that a group suffers from structural oppression, we must establish that power is misallocated in such a way that members of the group are unjustly disadvantaged. Likewise, the remedy in the first case will plausibly focus on the individual agent(s) responsible for the harm, whereas in the second it will plausibly focus on restructuring society to make it more just.

Of course both kinds of situation certainly obtain and are of concern: our societies are unjustly structured, and immoral people with power can and do harm others. Moreover, individual and structural issues are interdependent insofar as individuals are responsive to their social context and social structures are created, maintained, and transformed by individuals. Nonetheless, there will be situations that are clearly unjust even when it is unclear whether there is an agent responsible for the oppression; we don't need a smoking gun to tell that a system of practices and policies that result in women being denied adequate health care is unjust. I also submit that we should have more hope in the prospects of social and political change bringing about a significant improvement in people's lives than in the prospects of anything like the moral improvement of individuals. As Liam Murphy (1999: 252) suggests: "it is obviously true that, as a practical matter, it is overwhelmingly preferable that justice be promoted through institutional reform rather than through the uncoordinated efforts of individuals—a point worth emphasizing in an era characterized by the state's abandonment of its responsibility to secure even minimal economic justice and by politicians' embrace of 'volunteerism' as a supposed substitute." I will not attempt to justify

13. Although Garcia does not frame his discussion of racism in terms of oppression, his view of racism seems to fall under what I describe here as an individualistic approach to oppression (Garcia 1996, Garcia 1997a, Garcia 1999). See also the debate between Garcia and Mills (Mills 1997, Garcia 2001a, Mills 2002).

this hope in structural as opposed to moral reform here. But in my experience, not only is structural reform usually more sweeping and reliable, but it also allows ordinary individuals who unwittingly contribute to injustice to recognize this and change their ways, without the kind of defensiveness that emerges when they find themselves the subject of moral reproach.

However, those who emphasize the force of social structures in our lives, and reject an individualistic approach to oppression, sometimes err in the opposite direction. A structuralist or—what may be a better term to avoid other connotations—an *institutionalist approach* to oppression takes structural oppression as the primary form and either denies that individuals can be oppressors or maintains that acts are oppressive insofar as they contribute to maintaining an oppressive structure (Frye 1983, chaps. 1–2, esp. p. 38). Although it is important to capture the sense in which all of us perpetuate unjust structures by unthinkingly participating in them, it is also important to distinguish between those who abuse their power to harm others and those who are attempting to navigate as best they can the moral rapids of everyday life.

On the view I've sketched here, oppression is something that both agents and structures "do," but in different ways. Structures cause injustice through the *misallocation* of power; agents cause wrongful harm through the *abuse* of power (sometimes the abuse of misallocated power). Allowing space in our account for both kinds of oppression provides greater resources for understanding the ways in which social life is constrained by the institutional and cultural resources available, and the ways in which we have agency within, and sometimes in opposition to, these constraints.

For example, one theme in discussions of oppression is the systematic, and one is sometimes tempted to say inescapable, constraint imposed upon the oppressed (Frye 1983, chap. 1). The idea that oppression is a structural phenomenon helps capture this insight. Return once again to the contrast between the benighted professor (Stanley) in a just system and the morally responsible professor (Larry) in the unjust system. The relevant contrast between the two cases and those like them is not simply the degree to which the constraint is avoidable (Stanley may be very powerful, the institution of segregation quite weak), nor is it the systematic nature of the harm (the benighted professor can be quite systematic). Nor is it the multiplicity of the barriers (presumably just the illegality of marriage alone would be enough to oppress gays and lesbians), or the macroscopic aspects of social phenomena (it may be that one has to look at the minute details of a practice to see its injustice) (cf. Frye 1983, chap. 1). The contrast lies in the extent to which the injustice resides in the structure of the institutions and practices—for example, the ways they distribute power—and the extent to which the wrong is located in the particular acts and attitudes of individuals within them. Structural oppression occurs where the structures are unjust, not where the wrong lies simply in the moral failings—the acts and attitudes—of an agent.

At this stage I have not provided an argument for the conclusion that the notion of oppression should be "analyzed" in terms of agent and structural oppression; nor have I argued that such an analysis should be framed as the misuse or misallocation of power to cause harm. I have simply suggested that a concept of oppression developed along these lines is useful for those concerned with group domination. I believe that an individualistic approach to group domination is inadequate because sometimes structures themselves, not individuals, are the problem. Likewise, an institutionalist approach is inadequate because it fails to distinguish those who abuse their power to do wrong and those who are privileged but do not exploit their power. I recommend a "mixed" approach that does not attempt to reduce either agent or structural oppression to the other. I've opted to use the term "oppression" to cover both kinds of case.

III. GROUP OPPRESSION

So far I have suggested an outline for a theory of oppression that provides placeholders for accounts of justice and of individual moral wrongdoing. At this point it might seem that further progress in understanding oppression depends on providing substantive normative theories. As an example of a structural account of justice I have pointed toward a broadly liberal sentiment that requires of a social structure that it be one that reasonable equals could accept. To this (and related) liberal sentiments I am sympathetic, though one can endorse the kind of approach to oppression I've outlined without endorsing liberalism. Obviously I cannot develop and defend full accounts of justice and moral wrong in the context of this chapter. So what further can be accomplished?

As indicated at the outset, a crucial task for a theory of oppression is to explicate the link between groups and wrongs that make for group-based oppression. In what follows I will focus on this link in structural as opposed to agent oppression in order to understand structural racism, sexism, and the like. Of course my discussion will not be normatively "neutral" between competing conceptions of justice. In the background will lie a broadly democratic, egalitarian, and materialist sensibility, but this will not be articulated or made the focus of discussion.¹⁴ No doubt there are particular conceptions of justice which, if

14. It may be helpful to make explicit some background assumptions that will continue to guide the discussion. First, injustice occurs not just in courts and state houses, but in churches, families, and other cultural practices. Second, although an understanding of justice and oppression must employ a meaningful notion of "group," we must avoid overgeneralizing about the attitudes, experiences, or social position of members of the groups. Third, those in subordinate positions are not passive victims of oppression, nor are those in dominant positions full agents of oppression. Society "imposes" dominant and subordinate

plugged into my account, would yield unacceptable results by any standards. However, my goal at this stage is simply to make progress in understanding how an account of structural oppression can be sensitive to multiple group memberships without falling back on an individualist model that specifies who suffers oppression in terms of an agent's (or agents') intentions. I will be happy if I can describe a framework within which further discussion of the different factors and their interplay will be fruitful.¹⁵

So, what makes a particular instance of structural oppression "group-based oppression," such as racist, sexist, or class oppression? As I see it, there are two parts to the question. One part is to determine whether there is oppression: whether there is a misallocation of power causing wrongful harm. This is a part where one must rely on a substantive theory of justice. Another part is to determine how or whether the wrong is linked to membership in a group. In many cases one can at least analytically distinguish between the fact that something is unjust and the fact that the injustice is specifically "racial" and/or "sexual."¹⁶ It is this latter question to which we turn now.

On its face, the issue seems simple enough: sex oppression is injustice that targets women; racial oppression targets members of racial minorities. But how should we understand this idea of "targeting"?

Several ideas come to mind: perhaps whether something counts as a "racial injustice" depends simply on whom the injustice affects; does it affect almost all and almost only members of a particular race in a particular context? This, at least stated this simply, can't be right. There are racially homogeneous contexts in which an injustice affects virtually everyone, but we wouldn't want to say that the injustice was racial. For example, a Japanese company with all Japanese

identities on members of both groups, and groups negotiate and transform them. However, some identities are more empowering and more empowered than others. Fourth, oppression cannot be explained by reference only (or primarily) to any single factor, such as the attitudes or psychologies of social groups, economic forces, the political structure of society, culture. Fifth, injustice, and so the wrongs of structural oppression consist not simply in unjust distributions of goods, opportunities, and such, but in inequalitarian social relationships, that is, in relational obligations and expectations that distribute power hierarchically (Anderson 1999b: 312; Young 1990a, chap. 1).

15. Methodologically, I see the search for counterexamples to a proposed account useful in understanding the phenomenon, even if they show that the proposal as it stands fails. Presumably, an account of justice that cannot capture the broad range of phenomena that are plausibly structurally oppressive would be, for that reason, inadequate. Some have argued that Rawls's account of justice is inadequate for this reason (e.g., Cohen 1997).

16. I leave open whether there are some inherently racial or sexual wrongs, where the wrongness of the act or the injustice of the structure is not separable from its racial or sexual meaning. Hate crimes could be an example.

workers might exploit those workers, but this would not make the exploitation a racial injustice.¹⁷

Moreover, given that individuals are always members of multiple overlapping groups, even when a group is adversely affected, it is not always clear under what guise they are being subjected to injustice. For example, since the 1970s socialist feminists have argued that class exploitation and sex oppression should not be seen as two autonomous systems each with their own distinctive causal/explanatory principles and their own (overlapping) target groups (Young 1980). Instead, class exploitation and sex oppression are intertwined, not just in the sense that there are some who suffer both, or that one system affects the other, but in the sense that the relationships that distribute power along the lines of class also distribute power along the lines of sex. Broadly speaking, this is the phenomenon of *intersectionality* (Crenshaw 1995). So to analyze the situation of Mexican-American domestic workers by looking only at class, or only at nationality/ethnicity, or only at race, or only at gender, would be inadequate. An account that correctly determines whether a particular situation is just or not must include multiple categories of critical analysis; it must also attend to the different ways, in different kinds of relationships, that the demands of justice may be violated. The particular form injustice takes may depend on the mix of group memberships in the target population.¹⁸

Alternatively, one might insist that the injustice must be motivated by racial animus or intended to disadvantage members of a racial group. But as we've seen, this requirement is too strong, for not only are there cases of racial injustice where racial animus is not the cause, but there may not even be an individual or group of individuals in any clear sense perpetrating the injustice. So effects alone and motivations alone are not the key. Where should we look next?

In *Justice and the Politics of Difference*, Iris Young suggests that oppression occurs when a social group suffers any of (at least) five different forms of subordination: exploitation, marginalization, powerlessness, cultural imperialism, and systematic violence (1990a: 48–63). Although tremendously valuable for its insight into the variety of forms oppression can take, for the most part Young's discussion assumes preexisting social groups and examines the variety of structural injustices they might suffer. As a result, she avoids some of the questions that arise in understanding the relationship between the group membership and injustice.

17. Although this is true in general, it isn't guaranteed, for if the company relied on particular Japanese cultural norms or practices to exploit the workers, it might count as a kind of ethnic oppression. Thanks to Roxanne Fay for pointing this out.

18. Given that there are laws against some forms of discrimination and not others, it can matter tremendously how to characterize the group basis for the injustice. See, for example, *DeGraffenreid v. General Motors* (413 F. Supp. 142 [ED Mo. 1976]).

Let's pause to reflect a bit on the idea of a group. Some groups are well-defined social entities whose members recognize themselves as such and take their membership in the group to be important to their identity (Young 1990a: 44–45). However, some social groups have little or no sense of themselves as a group, and may in fact come to understand themselves as such only as a result of policies imposed on them. Consider two cases: suppose at a particular company, call it BigCo, wage employees are required to submit to drug testing as a condition of continued employment. One might argue that the policy is unjust, and the injustice extends to all wage employees even if some have no objection to being drug tested.¹⁹ (If you are unhappy with the suggestion that mandatory drug testing is unjust, then substitute your own example of an unjust burden placed on the employees in question.) In many work contexts, the distinction between wage employees and salaried employees is a meaningful division that organizes the individual interactions within and between the two groups. The imposition of a policy that relies on this distinction may reinforce the division and affect the groups' interactions, but the division was meaningful prior to the policy.

However, policies can also make divisions meaningful that were not before. Suppose that BigCo distinguishes types of job by numbering them from 1 to 100. The salaried positions are coded from 80 to 100 and the wage positions 1 to 79. If the company institutes the drug testing policy for employees in positions coded 25–50, this might well make salient a distinction among the wage employees that was not significant before. The employees in these categories may come to identify with each other, may organize against the policy, and may come to interact quite differently with employees in other categories. If the policy is unjust, however, it would be wrong, I think, to claim that oppression only occurs once the employees see themselves as a group and identify *as* members of the group. So to say that someone is oppressed *as an F* is not to imply that they *identify as an F*. Rather, the point can be that one is oppressed by virtue of being a member of the *F*s; that is, being an *F* is a condition that subjects them to an unjust policy or practice (regardless of whether being an *F* is meaningful to them or not).

Social groups are dynamic entities whose membership and sense of identity change in response to sociopolitical circumstances. Their origin, shape, and development is crucially bound up with the institutions within which they are embedded and the history and future of those institutions (Lieberman 1995: 438–40). So the question before us can't simply be: Is this preexisting (racial, sexual, socioeconomic) group being exploited, marginalized, or the like (cf. Young 1990a, chap. 2)? But rather: How does a particular policy or practice construct or affect the identity of the group, as well as its position within the broader sociopolitical system? To answer this question we will need to ask such questions as: Do different institutions define the group in the same way? Does the policy

divide a social group into new groups, granting benefits to some members and not others?

However, there are disadvantages in focusing too much on policies and practices that name or specify the oppressed groups *as such*. First, as we've seen, given a history of group domination, the effects of earlier injustice position subordinate groups socially and economically so that their members have much more in common than their group membership. Policies framed to pick up on these other commonalities can reinforce the unjust social divisions (Lieberman 1998: 11). This is sometimes called "secondary discrimination" (Warren 1977: 241–43; Rosati 1994: 152–59).

Second, although for convenience we've been considering explicitly stated policies, we want the account to apply to both formal policies and informal practices.

Third, sometimes policies and practices that are articulated in a way that is "blind" with respect to a social group may nonetheless be motivated by animus toward the group and may have serious consequences for its members. In fact, as oppression is identified and condemned, it is a familiar tactic of the dominant group to reframe discriminatory structures to have the same effects without the discrimination being explicit.

Fourth, if oppression requires that the policy or practice make membership in a group an *explicit* condition for the policy's application, then there is a temptation to think that the basis for the wrong is in the intentions of the policy's framers. But this is to return to a more individualistic approach to oppression. We want to allow that a structure motivated by good intentions may be unjust in its distribution of goods and power and in the social meaning of the relationships it creates.

Thus it appears that in some cases the institution in question targets a social group explicitly; in some cases it does not explicitly target such a group but has clear ramifications for it; and in other cases its target is a group that has not previously had an established sense of itself. Is there some useful way to organize these different sorts of cases?

IV. STRUCTURAL OPPRESSION OF GROUPS: AN ATTEMPT AT A DEFINITION

RACE-LADENNESS

In analyzing the Social Security Act of 1935 and its legacy for contemporary race relations, Robert Lieberman offers the term "race-laden" to describe institutions that perpetuate racial injustice without doing so explicitly:²⁰

20. This characterization of "race-laden" does not quite capture what Lieberman is after

19. For insight into the effects of such policies on employees, see Ehrenreich 2001.

By "race-laden," I refer to the tendency of some policies to *divide the population* along racial lines without saying so in so many words. . . . But race-laden policies are *not simply programs whose tendency to exclude by race is merely incidental or accidental*. . . . Moreover, they can be expected to *affect Blacks and Whites differently in the normal course* of their everyday operations, whether or not their framers or administrators intended that result. (Lieberman 1998: 7, italics mine)

The notion of "race-laden" policies is suggestive. Some institutions may accidentally map onto unjust power relations without being oppressive; but some institutions that appear to map only accidentally onto unjust power relations are not only rooted in a history of such injustice but also perpetuate it.

Drawing on these insights, here's a first proposal for understanding structural oppression of groups:

(SO_1) Fs are oppressed (as Fs) by an institution I in context C iff_{df} in C $(\exists R)((\text{being an } F \text{ nonaccidentally correlates with being disadvantaged by standing in an unjust relation } R \text{ to others}) \text{ and } I \text{ creates, perpetuates, or reinforces } R.)$

Consider a couple of examples:

- Nonfluent English speakers are oppressed (as such) by English-only ballots in California in 2002, iff in California in 2002 being a nonfluent English speaker nonaccidentally correlates with being disadvantaged by being disenfranchised, and English-only ballots create, perpetuate, or reinforce the disenfranchisement.
- Women are oppressed as women by cultural representations of women as sex objects in the United States in the late twentieth century iff being a woman in the United States in the late twentieth century nonaccidentally correlates with being subjected to systematic violence, and cultural representations of women as sex objects creates, perpetuates, or reinforces the systematic violence.

As mentioned before, I leave open for present purposes the large and important issue of how to understand the specific requirements of justice. However, there are several elements of this proposal that deserve further discussion:

because it does not distinguish between just and unjust institutions. Although in the context it appears that he intends the term "race-laden" to refer to unjust policies, it is possible for an institution to "reflect" racially structured power arrangements and to have differential racial effects, but also function to lessen injustice. One might argue that certain affirmative action plans designed to aid socioeconomically disadvantaged groups reflect racially structured power arrangements; and have racially differential effects, but are nonetheless just.

1. How does this analysis of *group* oppression apply to individuals: under what condition is an *individual* oppressed by a structure?
2. Why am I supposing that the injustice involves being disadvantaged by a standing in an unjust relation?
3. What is meant by a *nonaccidental correlation* between the group membership and the injustice?
4. What sort of relation between the institution and the injustice counts as *creating, perpetuating, or reinforcing*?

I will speak to each of these in turn.

First, the proposal thus far is ambiguous in its mention of "Fs being oppressed" for it is unclear whether the claim is that (in the context in question) *all* Fs are oppressed or only *some* Fs are oppressed. Is the claim in the second example that *all* women in late-twentieth-century America are oppressed by the cultural representation of women as sex objects, or that *some* women are?

My view is that the practices in question are oppressive to all members of the group, but of course to different degrees and in different ways, depending on what other social positions they occupy. For example, a wealthy woman who can afford to take a taxi whenever she is anxious about her security on the street is not oppressed by the prevalence of violence against women to the same extent as a poor woman who must use public transportation and walk several blocks home from the bus stop after her shift is over at midnight. But that women are at greater risk of rape, domestic violence, and sexual harassment than men is an injustice that affects all women, whether or not they are ever the direct victim of such acts, and whether or not they are typically in a position, by virtue of their wealth or their location, to protect themselves. As a result, I would endorse the general claim for any individual x :

x is oppressed as an F by an institution I in context C iff_{df} x is an F in C and in C $(\exists R)((\text{being an } F \text{ nonaccidentally correlates with being disadvantaged by standing in an unjust relation } R \text{ to others}) \text{ and } I \text{ creates, perpetuates, or reinforces } R.)$

Further examples would include:

- Tyrone is oppressed as a Black man by race/gender-profiling in the United States in the early twenty-first century iff Tyrone is a Black man in the United States in the early twenty-first century and in that context being a Black man nonaccidentally correlates with being subjected to police harassment and brutality, and race/gender-profiling creates, perpetuates, or reinforces the police harassment and brutality.
- William is oppressed as a gay man by the health insurance policies at BigCo in 1990 iff William is a gay man employed at BigCo in 1990 and in

that context being a gay man nonaccidentally correlates with an inequitable distribution of benefits based on sexual orientation, and the health insurance policies create, perpetuate, or reinforce the inequitable distribution.

Some may prefer to limit oppression to those who suffer directly from the specified disadvantage (the victims of violence, those denied benefits, and the like). However, plausibly the imposition of certain risks on groups is itself oppressive, so I endorse the wider account; I will not defend it here, however, and it is open to one who prefers the narrower account to qualify the proposal as indicated.

Second, on relations: I've indicated several ways that injustice is relational: it concerns relative distributions of goods and power, and relationships that define the expectations, entitlements, and obligations of the different parties. In oppressive circumstances there will be, then, a background framework of relationships that disadvantages some and privileges others. Consider Young's example of powerlessness (Young 1990a: 30–33). Although it may be possible to define, say, powerlessness in nonrelational terms (e.g., lacking autonomy in crucial areas of life), powerlessness occurs within a system of social relations that defines the spheres of freedom and control within which we are entitled to act. My proposal, as it stands, is articulated to encourage a recognition of such background relational structures.

Third, on “nonaccidental correlations” between group membership (*F*) and injustice (*R*): Let me first note two points: First, in order for there to be a correlation between *being an F* and *being a G*, it is not necessary that all *F*s are *G*, or that only *F*s are *G*. There might be a nonaccidental correlation between smoking and lung cancer even if not all smokers get lung cancer and some nonsmokers do. Similarly women in the United States might be oppressed by wage discrimination even if a subset of women earn fair wages and some men don't. Second, in requiring that the correlations must be “nonaccidental,” the point is to find a middle ground between requiring that the unjust policy or practice *explicitly target* a group, and requiring only that there be *some adverse effect* of the policy on the group. In some circumstances unjust policies will affect a group “merely accidentally” without there being any evidence that the group identity is relevant to the injustice. For example, suppose NASA implements an unjust policy applying to all astronauts; in fact, there will be a correlation between those affected by the policy and White men. But in most such scenarios it would be wrong to maintain that those White men affected by the policy are thereby being oppressed *as White men*.

What might count, then, as a nonaccidental correlation? In general, a correlation counts as nonaccidental because it supports certain kinds of counterfac-

tuals; the idea is that the group's being a group of *F*s is causally relevant to the injustice. A full account should specify exactly what counterfactuals are necessary and sufficient for the kind of nonaccidental correlation in question. I will not be able to provide that here; instead I will offer a series of examples that suggest a set of relevant counterfactuals to consider.

EXAMPLE: RACISM AND CHILD WELFARE

Let's turn to a more sustained analysis of a real life case. In her work *Shattered Bonds*, Dorothy Roberts argues that current child welfare policy is racist. She uncovers ways in which state intrusion into Black families in the name of child welfare systematically (i) reinforces negative stereotypes about Black families, (ii) undermines Black family autonomy, and (iii) weakens the Black community's ability to challenge discrimination and injustice (Roberts 2002: ix). But as Roberts acknowledges, we must be careful in charging that the system is racist, for there are other variables that might explain why the Black community is disproportionately affected: “Because race and socioeconomic status are so intimately entwined, it is hard to tell how much of what happens to Black children is related to their color as opposed to their poverty” (47).

There is evidence that Black children are more likely to be separated from their parents than children of other races, that Black children spend more time in foster care and are more likely to remain in foster care until they “age out,” and that Black children receive inferior services. This, of course, is disturbing, but by itself it doesn't show that the system is racially biased; it could also be that there are other features of the cases in question—level of poverty, degree of substance abuse, incarceration of parents and other family members—that better explain the rate of removal, time in foster care, quality of service, and so forth. Is there further evidence that race is the relevant variable that explains the disparity in the numbers? The evidence is mixed.

Roberts points to considerations supporting the conclusion that the system is racially biased. First, there is a huge racial imbalance in child welfare involvement between Black and non-Black families, even though studies show that children in Black families are no more likely to be mistreated than children in non-Black families (Roberts 2002: 47–52). Yet both popular opinion and expert studies are ridden with racial stereotypes and misunderstandings of cultural differences that sustain the belief that Black families are dysfunctional and dangerous. Because decisions about removal and reunification are “discretionary,” the result is that removal of children from Black families often appears warranted when it isn't.

Such a random process for identifying maltreated children could not so effectively target one group of families without some racial input. I am not

charging that [caseworkers and judges] deliberately set out to break up Black families because they dislike their race. To the contrary, they may believe that they are helping Black children by extricating them from a dangerous environment. But race negatively affects their evaluation of child maltreatment and what to do about it, whether they realize it or not. (Roberts 2002: 55)

Second, looking at the history of child welfare policy, Roberts notes that there has been a major shift in its goals and policies. Whereas once the idea was to provide programs to help families in need, currently "The system is activated only after children have experienced harm and puts all the blame on parents for their children's problems. This protective function falls heaviest on African-American parents because they are the most likely to suffer from poverty and institutional discrimination and be blamed for the effects on their children" (Roberts 2002: 74). Over the past thirty years, the changes in the system have correlated with the racial makeup of the population it serves: "child protective services have become even more segregated and more destructive. As the child welfare rolls have darkened, family preserving services have dried up, and child removal has stepped up" (Roberts 2002: 99). And yet, the harsh policies do not address the deeper social problems: "At the same time that [the child welfare system] brutally intrudes upon too many Black families, it also ignores the devastating impact of poverty and racism on even more children. . . . The child welfare system reinforces the inferior status of poor Blacks in American both by destroying the families who come within its reach and by failing the families who don't" (91).

Third, Roberts considers the claim that the child welfare system is not racially biased because—*all things being equal*—Black families are no more likely to be disrupted than White families. Roberts argues that even if this were true, "all things are not equal" (Roberts 2002: 94) for there is, of course, a history of racial oppression that has systematically disadvantaged Black families. If Black families make up a disproportionate number of those in extreme poverty—due in part to a history of racial oppression—and if those in extreme poverty suffer unfair disadvantages (which research clearly shows), then the unfair treatment of the poor in fact perpetuates the injustice Black families have suffered.

This point is important for several reasons. Our focus at the moment remains on nonaccidental correlations. In the case we're considering a history of unjust institutions has explicitly targeted African Americans, and these institutions are largely responsible for the current disproportionate number of Blacks in poverty. Recent child welfare policies, however, unjustly disadvantage those in poverty. It would be plausible to claim that Black families suffer the current injustices in child welfare because of the history of racist policies: if Blacks as a group hadn't suffered historical injustices, they wouldn't be suffering the current ones in the child welfare system. I maintain that this is sufficient to count as a non-accidental correlation between being Black and being subject to demeaning and

disempowering child welfare policies. The point is that the racial correlation occurs, not because those designing and implementing the policies have intended to harm Blacks as such, but because an adequate explanation of the current disadvantage must rely on the history of unjust policies that have targeted Blacks.

Clearly the Roberts analysis is highly controversial, and I have not attempted to summarize the research supporting her view. But for our purposes, whether her analysis is ultimately correct is not the issue. The point is to illuminate some of the ways that there *could be* a nonaccidental correlation between group membership and injustice. Drawing on the form of Roberts's arguments, we can articulate several factors that are relevant in determining whether there is a nonaccidental correlation of the type required by the proposed definition of oppression (this list is not intended to be exhaustive):

1. Does the unjust institution *I* in question explicitly target (or was it designed to target, but not explicitly target) those who are *F*?
2. Does the unjust institution *I* allow discretion in its application, in a context where there is widespread misperception of and bias against *F*s?
3. Does the history of the institution *I* reveal a correlation between an increase in the harshness/injustice of its policies and practices and the *F*ness of the target population?
4. Is there a history of injustice toward the group *F*s which explains how members of that group are now affected by the injustice resulting from *I*?

THE SLOGS

Even with these considerations in mind, however, a problem remains.²¹ Consider a fictional society in which there is a group, call them the Slogs, who are truly lazy. They don't like to work, and when they are given work they are irresponsible about getting it done and do it badly. Let's suppose too that this laziness of the Slogs is not the result of a previous injustice. Further, in this society the Slogs and only the Slogs are lazy, and the Slogs and only the Slogs are poor; although the Slogs are provided at least the minimum that justice requires, everyone else earns a more generous income and has a significantly better standard of living. Suppose now that the society imposes a harsh policy affecting the

21. Thanks to Jimmy Lenman for this example. A similar one was brought to my attention by Roxanne Fay and Ishani Maitra: If it isn't an accident that astronauts are predominantly White men, then an unjust policy that targets astronauts may be sufficient for a "nonaccidental correlation" between being a White man and being subject to the injustice. But intuitively this would not be a case of "White male oppression." The revised formulation below would avoid this because the privileges granted White men don't count as a primary oppression of them.

poor—for example, the denial of medical care to those who can't afford to pay for it. Note that in this society there is a nonaccidental correlation between being lazy and being denied medical treatment. Should we say then that the Slogs are oppressed *as lazy*? Is this a case of secondary discrimination against the lazy, or only primary discrimination against the poor? On the proposal as articulated, because of the nonaccidental correlation between laziness and poverty, and between poverty and denial of medical care, the case would satisfy the conditions for “laziness-oppression”—that is, if we substitute “lazy” for *F* in the condition, then we seem to have a case of group oppression of the Slogs (and individual Slogs) *as lazy*.

Let me be clear: the issue is not whether there is primary oppression against the poor. This can be granted. The question we are addressing is not just who is oppressed, but what groups are oppressed *as such*. In our fictional society the Slogs are oppressed because they are poor and the poor are being unjustly denied medical care. But are they oppressed *as lazy*? Could the Slogs claim that an injustice has targeted them as lazy? Or only as poor?²²

If, as seems plausible, we don't want to allow this to be a case of “laziness oppression,” then the example highlights that “secondary discrimination” does not occur in every case in which one is subject to injustice due to the effects of a prior condition, but occurs only when there is a primary injustice on which the current injustice piggybacks. In keeping with this, one might argue that it is not an injustice that the Slogs are poor, given their laziness (recall that they were initially provided the minimum that justice requires). It is an injustice, however, that they are now denied medical care, given their poverty. The proposal I've offered does not capture this distinction. Drawing on the Roberts example, here is the kind of secondary discrimination we want to capture, in contrast to the Slogs case:

Blacks are oppressed *as Blacks* by child welfare policies in Chicago in the 1990s because in that context being poor results in having one's family unjustly disrupted, and being poor nonaccidentally correlates with being Black *due to a prior injustice*, and the child welfare policies cause or perpetuate unjust disruption of families.

Hopefully, this captures what we're after in a more general way:

$(SO_2) F_s$ are oppressed (as F_s) by an institution I in context C iff_{df} in C
 $(\exists R)((\text{being an } F \text{ nonaccidentally correlates with being unjustly disadvantaged either primarily, because } \textit{being } F \text{ is unjustly disadvantaging in } C, \text{ or secondarily, because } (\exists G) (\textit{being } F \text{ nonaccidentally$

22. Although this question may seem to be splitting hairs (see note 18 above), it is often a matter of serious political and legal concern whether a form of injustice or a crime is group based or not, and if so, what the relevant group is.

correlates with *being G* due to a prior injustice and *being G* is unjustly disadvantaging in C)) and I creates, perpetuates, or reinforces R .)

On this account, Blacks are oppressed both *as poor* (primarily) and *as Black* (secondarily), in the context in question. The Slogs, however, are only oppressed primarily, viz., as poor.

Fourth and finally, let us address the question: What is involved in saying that an institution *creates, perpetuates, or reinforces* injustice? In considering oppression it is important to ask three separate questions:

1. Does the institution *cause* or *create* unjust disadvantage to a group?
2. Does the institution *perpetuate* unjust disadvantage to a group?
3. Does the institution *amplify* or *exacerbate* unjust disadvantage to a group?

There is a tendency to focus on (1) when asking whether an institution is oppressive. But (2) and (3) are no less important to promote justice.

We considered above how the child welfare system perpetuates racial injustice. Consider also the situation of women in a context where women were not educated and so, for the most part, were not literate. If one then argued that women should not have the vote because they were not literate, the policy would perpetuate sexism, even if sex were not a basis for discriminating between those eligible to vote and those not. This suggests that in order for a system or a structure to be nonracist it must not remain “neutral” with respect to the impact of past racial harms. Institutions conveniently becoming “race” or “gender” blind after great harm has been done are not just; systems that remain “neutral” in such contexts actually perpetuate injustice (see MacKinnon 1989, esp. chap. 12).

In some cases institutional “blindness” to groups keeps groups in an unjust status quo; in other cases it actually exacerbates the problem. Returning to Roberts, she argues that recent child welfare policies not only perpetuate racism, but exacerbate it by, for example, disrupting the Black community. What's at issue is the effects of the policy, not just on individuals or particular families, but on the Black community more broadly. So *even if* a policy doesn't discriminate between similarly situated Black and White families, it still may be the case that it affects Black and White communities differently. If the Black community starts out in a bad position due to past racism and the policy makes things worse, then it doesn't just perpetuate the unfairness but amplifies it. Poor White communities are also unfairly disadvantaged, for the policies augment their class oppression, but there is a racial dimension to the disadvantage that affects Blacks as a *racial group*: by systematically perpetuating racist stereotypes and preventing the Black community from becoming more powerful in having its needs addressed, Blacks suffer a racial injustice.

V. RACIAL OPPRESSION

Given the definition of structural oppression offered in the previous section, we can now explicitly apply it to races or ethnoracial groups. Let the *F*s be the ethnoracial group in question. Earlier examples of oppression and the Roberts case study have, I hope, given sufficient examples of what could be plausible sub-stituents for *I* and *R*.

I have not attempted to explicate what it means to be oppressed *simpliciter*. Some may want to reserve the claim that someone *is oppressed* for only those cases in which they suffer from substantial and interconnected oppressive structures, on the grounds that to show that a single policy oppresses someone is not to show that they are oppressed. Nothing I say here counts against such a view. Of course, not all oppressive structures are equally harmful, and they should not all be regarded with the same degree of concern. My goal has not been to analyze ordinary uses of the term "oppression" or to legislate how the term should be used, but to highlight how we might better understand structural group domination.

That said, it is worth considering whether the proposal for understanding structural oppression is also useful in thinking about agent oppression. We saw before that an agent may oppress another without intending to. Unconscious racism and sexism are common. So just as we needed to ask what "links" an unjust structure with a group to constitute *structural* oppression, we should ask what "links" an agent's action with a group to constitute *agent* oppression, that is, a racial or sexual wrong. Here's a straightforward application of the first proposal to agent oppression (*O* = oppressor, *V* = victim):

O oppresses *V* as an *F* by act *A* in context *C* iff_{df} in *C* (*V* is an *F* (or *O* believes that *V* is an *F*) and (being an *F* (or believed to be so) nonaccidentally correlates with being morally wronged by *O*) and *A* creates, perpetuates, or reinforces the moral wrong.)

For example, Oscar oppresses Velma as a woman by paying her less than her male counterpart at BigCo iff, at BigCo, Velma is a woman (or Oscar believes that she is) and being a woman (or being believed to be so) nonaccidentally correlates with being wrongly exploited by Oscar (i.e., Velma's being exploited is at least partly explained by Oscar's belief that she is a woman), and Oscar's paying Velma less than her male counterpart contributes to her exploitation. The point again is that membership in the group (or groups) in question is a factor in the best explanation of the wrong. As before, we'll need to complicate the proposal to take into account the issue of secondary discrimination in the agent case. (I leave this to the reader.)

One might object, however, that the account I've offered is not helpful, for

whether group membership is relevant in explaining an injustice will always be a matter of controversy. In short, the account does not help us resolve the very disagreements that gave us reason to develop an account of group oppression in the first place.

Admittedly, in depending on the notion of "nonaccidental correlation," I inherit many of the philosophical concerns about such connections—for example, by what method should we distinguish between accidental and non-accidental correlations? Empirically, they will look the same. If the difference between them rests on counterfactuals, don't we need a clear method for evaluating the relevant counterfactuals? Such a method is not readily available.

Note, however, that the point of this discussion has not been to offer an *epistemic* method or criterion for distinguishing oppression (or group oppression) from other rights and wrongs. In many cases the judgment that an action or policy is oppressive is convincing on its face, and the question is how to understand the content of our judgment and its implications. Of course there are controversial cases for which it would be helpful to have a clear criterion for resolving our disagreements: Does affirmative action oppress White males? Does pornography oppress women? Does abortion oppress fetuses? However, in a majority of the controversial cases, the real disagreements are moral/political—they concern one's background theory of right and wrong, good and bad—rather than epistemic. Even if the parties to the controversy agreed on relevant counterfactuals (e.g., if no one in the United States produced or consumed pornography, then women in the United States would not be coerced to perform sex acts on film), they would still disagree on the moral conclusion. Because I have bracketed substantive moral and political questions, my discussion cannot render verdicts in such controversies. Instead, my hope is that I have clarified the content of some claims being made and identified where the agreements and disagreements lie.

Finally, one might complain that I am helping myself to racial categories that are illegitimate. If, as many argue, there is no such thing as race, then by what rights am I invoking races as groups that suffer oppression? I have argued elsewhere that we can legitimately employ the term "race" for racialized social groups (Haslanger 2000). If one is unhappy with this terminology, then one may speak instead of "racialized group" rather than "race"; the issue then becomes "racialized group-based oppression" rather than "race-based oppression" (Blum 2002, chap. 8).

How does all this help us understand racism? Bigotry, hatred, intolerance, are surely bad. Agreement on this is easy, even if it is not clear what to do about them. But if people are prevented from acting on their bigotry, hatred, and intolerance—at least prevented from harming others for these motives—then we can still live together peacefully. Living together in peace and justice does not require that we love each other, or that we even fully respect each other, but rather that

we conform our actions to principles of justice. Should we be concerned if some members of the community are hypocrites in acting respectfully toward others without having the "right" attitude? Of course, this could be a problem if hypocrites can't be trusted to sustain their respectful behavior; and plausibly hatred and bigotry are emotions that involve dispositions to wrongful action. Nonetheless, for many of those who suffer injustice, "private" attitudes are not the worst problem; systematic institutional subordination is.

Moreover, love, certain kinds of respect, and tolerance are no guarantee of justice. A moment's reflection on sexism can reveal that. For women, love and respect have often been offered as a substitute for justice; and yet unjust loving relationships are the norm, not the exception.

Persistent institutional injustice is a major source of harm to people of color. Of course, moral vice—bigotry and the like—is also a problem. But if we want the term "racism" to capture all the barriers to racial justice, I submit that it is reasonable to count as "racist" not only the attitudes and actions of individuals but the full range of practices, institutions, policies, and suchlike that, I've argued, count as racially oppressive. Cognitive and emotional racial bias do not emerge out of nothing; both are products of the complex interplay between the individual and the social that has been a theme throughout this chapter. Our attitudes are shaped by what we see, and what we see, in turn, depends on the institutional structures that shape our lives and the lives of those around us. For example,

Is it hard to imagine that young White people who look around and see police locking up people of color at disproportionate rates, might conclude there is something wrong with these folks? Something to be feared, and if feared then perhaps despised? . . . Is it that difficult to believe that someone taught from birth that America is a place where "anyone can make it if they try hard enough," but who looks around and see that in fact, not only have some "not made it," but that these unlucky souls happen to be disproportionately people of color, might conclude that those on the bottom deserve to be there because they didn't try hard enough, or didn't have the genetic endowment for success? (Wise 2000)

Of course, individuals are not merely passive observers; attitudes are not inert. We stand in complicated relationships to the collectively formed and managed structures that shape our lives. Structures take on specific historical forms because of the individuals within them; individual action is conditioned in multiple and varying ways by social context. Theory, then, must be sensitive to this complexity; focusing simply on individuals or simply on structures will not be adequate in an analysis or a normative evaluation of how societies work.

In this chapter I have been especially keen to highlight the role of structures in oppression to offset what I find to be an undue emphasis on racist *individu-*

als and racist *attitudes* in recent philosophical work. Unjust societies full of well-meaning people can exist and even flourish. Working for social justice while ignoring structural injustice is, I believe, a sure recipe for failure. The battle to end racism and other forms of oppression must take place on many fronts, but without due regard for the power of structures to deform us—our attitudes, our relationships, our selves—we cannot hope to end racial oppression in particular, or group domination in general.