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Commentary on Ann Cudd's *Analyzing Oppression*

DEBORAH TOLLEFSEN

Department of Philosophy

University of Memphis

327 Clement Hall

Memphis, TN 38152

dtollfsn@memphis.edu

Analyzing Oppression offers us a rich and empirically informed discussion of the nature of oppression, how it originates and how it is maintained. According to Cudd, oppression is a group-based phenomenon. It is "an institutionally structured unjust harm perpetrated on *groups* by other *groups* through direct and indirect material and psychological forces" (24). Thus, the notion of a social group looms large in her analysis. In what follows, I will focus my comments primarily on Cudd's theory of social groups which she develops in Chapter 2.

Cudd's theory of oppression is intentionalist. It appeals to individual human actions and the individual beliefs and attitudes that cause those actions. Her theory is deeply

rooted in rational choice theory and contrasts with sub-intentional explanations of oppression, those that appeal to evolution or psychoanalysis, and supra-intentional explanations, those that appeal to social forces that determine the course of human affairs (e.g., Hegelian theories). But a theory of oppression that appeals to the beliefs and desires of individuals will ultimately involve appeal to social facts. Individual beliefs and actions are constrained and informed by the socio-historical context in which they arise. "Since social facts constrain actions so narrowly, social facts will be crucial variables in our explanatory theory of oppression" (32).

Reference to social facts, and in particular social groups, does not mean that one need embrace collectivism (the view that groups have an ontological status over and above the individuals that comprise them) however. Cudd wants to be an ontological reductionist without being an explanatory reductionist. Consider the macro-economist, for instance, who appeals to the GNP in order to explain human economic behavior. The GNP is just an aggregate of individual human behavior and so nothing "over and above" human actions, but still the concept plays a significant explanatory role. According to Cudd,

...these things (the actions of the Federal Reserve Board chairman, the actions of individual investors in the stock market, or presidential election outcomes) cannot be explained by referring to the individual actions, prices, and so on because of the referential opacity, or intensionality, of those facts. That is, the Federal Reserve Board chairman and individual investors, and probably many voters as well, consider the inflation rate, GNP, and the unemployment rate, in deciding what to do, they do not consider the actions of individual buyers, sellers, and employers, and job seekers. It would take a professional

economist who is privy to some specialized government accounting procedures as well as an incredible amount of data to reconstruct the aggregate numbers from data on individuals (34).

Likewise, Cudd argues, when we attempt to explain oppression, appeal to social facts will be inevitable.

Cudd wants her theory of social groups to capture myriad types of groups. She makes a distinction between voluntary and non-voluntary social groups. The debates between intentionalism and structuralism in the philosophy of social science have often focused on one of these types of groups to the exclusion of the other. The structuralist claims that social groups are features of the social environment formed by rules and practices which need not be consciously determined by the individuals within the group. Thus, structuralism focuses its attention on non-voluntary groups such as classes. The intentionalist on the other hand thinks that social groups are formed and maintained by individuals who intentionally enter into them and consciously develop a set of rules to govern themselves. The intentionalist, then, sees the social club or political committee as the paradigm case of a social group. Cudd adopts a form of compatibilism in which she attempts to preserve what is right about both camps. She writes: "...while all action is intentionally guided, many of the constraints within which we act are socially determined and beyond the control of the currently acting individual" (36).

Having established her compatibilist stance, Cudd provides the following definition of a social group:

A social group is a collection of persons who share (or would share under similar circumstances) a set of social constraints on action that are structured by social institutions (44).

Both voluntary and non-voluntary groups fit this description. In voluntary groups the social constraints are manufactured by the members themselves. On Margaret Gilbert's account of voluntary social groups for instance, which Cudd discusses, the individuals form a plural subject and therefore voluntarily take on a set of constraints; whereas, in the non-voluntary case the cause of the social constraints is external to the members themselves.

What are social constraints? Cudd defines *constraints*, in general, as facts that one does or ought to rationally consider in deciding how to act or how to plan one's life, or facts that shape beliefs and attitudes about other persons. They are to be understood very broadly as guides or frames for action. They often guide by consciously entering into deliberations about what to do. In other cases, we are not aware of these constraints and they act as frames for action, by constraining or influencing our judgments. Not all constraints are social. Some are biological, psychological, or physical. A physical disability, for instance, will constrain one's choices and actions. Nor are all constraints harmful. Some constraints will be beneficial to the wellbeing of individuals.

Although Cudd does not provide a definition of the phrase "social constraint" she does provide a list of what she considers to be social constraints including legal rights, obligations and burdens, stereotypical expectations, wealth, income, social status, conventions, norms and practices. Social constraints can be universal in the sense that they affect every member of the community or they can simply affect a small class. And in some cases these social constraints are applied intentionally (the law for instance) and in other cases unintentionally (stereotyping). Some social constraints are institutionally structured in that they are controlled by a social institution of some kind. Social constraints affect human actions through the penalties and rewards that one

can expect from them. They often act as default assumptions or stereotypes that affect individuals' beliefs and attitudes and constrain human action because when one is stereotyped they are often allowed or not allowed to do certain things.

The discussion of stereotyping and the subsequent penalties and rewards which are associated with them lead us to Cudd's analysis of group membership. In the case of voluntary groups, membership is entered into willingly and the constraints formed by voluntary members allow for the identification of group members. In the case of non-voluntary groups, social constraints are imposed in a non-voluntary way and identification is a result of there being certain signs that are recognized as typical traits of group members.

There are different signs for group membership depending on the social group, but in each case membership is assigned by others through default assumptions that go into effect when they recognize or think they recognize some typical trait or behavior that is very salient in the culture for grouping. So, for instance, skin color, hair length, voice pitch, word choice, size, walking or sitting style are all well known signals of race, gender, class, and sexual orientation (45).

In both cases, voluntary or non-voluntary, group membership is determined externally. According to Cudd:

What makes a person a member of a social group is not determined by any internal state of that person, but rather by objective facts about the world, including how others perceive and behave toward that person (36).

I found Cudd's discussion of social groups exceedingly clear and very persuasive. Her attempt to define groups in a way that encompasses both voluntary and non-voluntary groups is a real improvement over theories that exclude either type. In what follows, I will raise a number of questions about her theory of social groups and end with a more general concern regarding her analysis of oppression. I do so in an effort to help clarify an already well-developed theory.

As we have seen, Cudd's theory of group membership is externalist. As she describes it "what makes a person a member of a social group is not determined by any internal states of that person, but rather by objective facts about the world, including how others perceive the person and behave toward that person" (36). But if Cudd counts the perceptions of others as an objective fact, then by what means can she rule out self-perceptions? The perceptions of others are surely internal states of those individuals. Why do the internal states of others count as objective facts, whereas the internal states of the individual member do not? Cudd doesn't want membership to depend on an individual's subjective states—feelings of belonging or desires to belong—but on what she calls "objective" constraints; constraints either voluntarily accepted in the case of voluntary groups or imposed from without in the case of involuntary groups. The idea is that no matter how much one thinks she belongs to a group, this isn't sufficient for membership. Apparently, however, others thinking she belongs is sufficient. But why do these perceptions play a role and self-perceptions do not? Others perceptions are no more "objective" than one's own perceptions. If the subjective nature of self-perceptions is the problem, then other peoples' perceptions should be equally problematic.¹

There are additional concerns regarding how one will identify the objective constraints. Cudd's theory seems to presuppose that there are objective constraints which would apply to all

men and all women (all blacks and all whites) such that there would be an easy way to divide them into separate groups. But how does one characterize those constraints in a way that doesn't make reference to the very groups which the constraints are supposed to identify? According to Cudd, it is an empirically open question whether there are objective constraints that apply to all men or all women (or all blacks or all whites). She writes:

To compare the constraints that form the social groups of men and women one must compare within race, class, and other significant social groupings (groupings whose significance can be determined only empirically). While it may be difficult to measure with precision the effect of constraints, or worse, to weigh different sources of value like psychological well-being vs. life expectancy, these difficulties do not tell against the existence of the patterns of difference in social constraints, and so the existence of non-voluntary social groups (48).

Cudd seems to be leaving it up to the social sciences to figure out which objective constraints constitute non-voluntary social groups. She suggests that one way to begin is to look at statistics of "various collections of persons" to see whether they have different incomes, life expectancies, and so on, from "other identifiable collections." But talk of "collections of people" is, it seems, just talk of social groups. How will the social scientist individuate between one "identifiable collection" and "another identifiable collection"? She cannot appeal to constraints which individuate these collections as these constraints are exactly what she is seeking to identify and if she identifies these groups via some other method then there already seems to be a theory of social groups in place. Is Cudd's theory meant to replace this theory?

One could argue that there is a way to avoid this circularity by appeal to some intrinsic physical features which correlates with some social feature (height, for instance, with income level²) but are there really intrinsic physical features that would uniquely identify all and only women, or all and only African Americans, and so on? I'm doubtful. The history of race and racism suggests that which physical features one focuses on can vary widely from culture to culture and across time and so the choice of physical features itself is tightly connected to the sorts of social constraints the social scientist is seeking to identify in an objective manner. But further, even where there appear to be clear physical or biological features which distinguish one collection of people from another collection (in the case of women and men, for instance), there are compelling arguments to suggest that there is nothing clear about it.³

There are a number of additional concerns one might raise about Cudd's reliance on the social sciences. Cudd seems to want the social sciences to provide some sort of objectivity. The constraints identified by the social sciences will somehow be the *actual* constraints out there. But the idea that social science is able to get to "objective" constraints seems to presuppose a very traditional view of science and objectivity. The social scientists themselves are going to be working with folk conceptions of these social groups and these concepts are infused with the very stereotypes that establish the unjust constraints. The categorization of data, its analysis, the selection of subject pools, and choices about methodology will all be informed by the racism and sexism which informs the thinking of "ordinary" people. How will that contribute to identifying "objective" constraints?

But suppose we do leave it up to the social sciences to reveal the objective constraints shared by collections of individuals, defining social groups in terms of social constraints is going to produce a whole lot of social groups. Cudd acknowledges

that the different social constraints faced by whites and blacks in the U.S. means they are to be categorized into different groups (presumably also white women and black women). Consider also the different constraints that a poor white male might face compared with the constraints a rich white male might face or the difference between the constraints faced by a middle class black man in the south faces and a poor black man in the Northeast. Given the difference in constraints, Cudd's theory requires that we individuate classes more finely (poor black men in the south, poor white men of the northeast, rich black men of the middle Atlantic states and so on)? But just how finely can we go? Will there be as many social groups as there are people? This seems ontologically excessive.

Cudd admits that her theory will include beautiful woman as a class, and bald men as a class and many others like these, but rejects the view that these classes are trivial and useless for social scientific purposes. They will not be trivial precisely because they point to the unique ways in which people are seriously constrained. But doesn't this response suggest that terms like "African American" or "women" are useless because they are simply too broad. Will the term "women" refer to the women in the U.S. or women in the southern U.S. states, or the women in a particular town, or (given the broad notion of social constraint) women reading this article right now? And how will we use the term in a way that manifests the distinct "cluster of social constraints" (49) we want to identify? What implications does Cudd's theory have for the semantics of terms such as "women"?

I also wonder whether Cudd's theory and the proliferation of social groups it produces doesn't support eliminativism regarding social groups and the terms we use to refer to them. Cudd argues the terms used to identify social groups will have an important explanatory role. They will serve as "terminological devices to discuss the clusters of constraints

that certain collections of persons face" (49) and because these terms are intensional concepts, concepts that have meaning for individuals and inform their perceptions of others and themselves, these "devices" will play a role in explanations of oppression. She also seems to want groups to be causally efficacious; oppression is a function of groups acting on groups. At the very least she wants to be able to *posit* social groups as causally efficacious. "I will argue that without positing social groups as causally efficacious entities, we cannot explain oppression or many other aspects of human behavior" (34).

But it is the social constraints, not the groups themselves, which produce the harm. Why not dispense with talk of groups altogether and talk instead of social constraints? What matters to individuals are the constraints that affect them, not necessarily the term used to refer to these constraints. Given that it is the constraints that are causally efficacious rather than the groups themselves and one's self identification with a group, according to Cudd, does not matter for membership in a group, there is no explanatory reason not to reduce groups to sets of constraints and eliminate talk of race, gender, and class altogether (as some race theorists have suggested regarding race).⁴ Indeed, given that these terms are simply too coarse to capture the unique constraints facing different collections of individuals, I don't see how they could be explanatorily useful.

The final issue I would like to raise is related to Cudd's acknowledgement that her theory of social groups will allow for a good many groups that others will not. I want to highlight a group that Cudd doesn't discuss but which turns out to be a social group on her account: children. Further, given her account of oppression, children turn out to be an oppressed social group. Their exploitation both sexually and economically across the world puts them on par with other oppressed groups such as women. The four conditions Cudd

identifies as jointly necessary and sufficient for oppression (the harm condition, the social group condition, the privilege condition, and the coercion condition,) are met in the case of children. And just as all women are oppressed in virtue of their membership in the social group women, regardless of the fact that they may not be direct victims of violence or psychological harm, all children will count as oppressed in virtue of their membership in the social group.

This means that we all come from oppression, in virtue of our membership in the social group “children” and now, as adults, systematically benefit from the oppression of children (though not all of us are oppressors as this requires, on Cudd’s account, an intention to gain from the oppression of another). This is an odd result. Oppression appears to be a universal. We are born into it and return to it (as the elderly will count as an oppressed social group on Cudd’s account as well). We are all oppressed at some time or other in our lives. Odd too, is the fact that some of us can escape it, at least for a time, by simply growing up. If only all forms of oppression were that easily escapable.

As I was reading Cudd’s book I found it counterintuitive to see myself (a white, educated, affluent (by most standards) woman, not subject to domestic violence and so on) as oppressed in virtue of my being a woman, but I chalked this up to false consciousness and reminded myself that I don’t work at my office at night precisely because of my fear of sexual violence. But I can’t seem to shake the counter intuitiveness of the child case. When I consider my own childhood and the life my children lead, it is difficult to see them (and myself as a child) as oppressed, especially when I reflect on the vast numbers of children who are “really” oppressed. To consider my children as oppressed seems to trivialize the oppression of children who face horrible sexual and physical abuse daily. I don’t think I can chalk this up to false consciousness. It is the painful awareness that many

children are exploited and abused that leads me to deny that my own children are oppressed. My children’s choices are limited, and in many ways unjustly, but I wouldn’t call them oppressed.

Cudd might respond by saying that oppression comes in degrees. A person can be oppressed to a greater or lesser extent. “To every life falls a little drop of rain” and in some lives even more.⁵ But I have difficulty thinking of oppression as a continuum concept. A little oppression isn’t oppression at all. After a certain point I think we are probably dealing with a whole different concept. Here is quotation from Cudd’s book describing sexual slavery in Thailand:

Because of the highly sexist attitude toward females, in addition to their low economic value, families find it acceptable to sell their daughters to brokers for the brothels. There are other means for filling the brothels with sexual slaves. Sometimes the agents of the brothels lure girls with promises of factory or domestic work. Some girls who are forced into prostitution are simply kidnapped. They are then initiated into sex work violently so that they will do anything, even accept having sex with 15 clients a night, for fear of being beaten or killed (97).

When I compare my daughter’s life and my own with the realities facing sex slaves in Thailand and elsewhere, it seems clear to me that the difference is not one of *degree* but of *kind*. An analysis of oppression should reflect that difference. Whereas Cudd’s analysis of social groups runs the risk of propagating social groups to the point of excess, her analysis of oppression seems to risk trivializing oppression.⁶

References

- Cudd, Ann. 2006. *Analyzing Oppression*. Oxford: Oxford University Press.
- Fausto-Sterling, Anne. 2000. *Sexing the Body: Gender Politics and the Construction of Sexuality*. New York: Basic Books.

¹ Thanks to Mary Beth Mader for helping me articulate this concern.

² Thanks to Sally Haslanger for this example.

³ See for instance Fausto-Sterling (2000).

⁴ It might be useful here to recall debates regarding eliminativism in the philosophy of mind. If mental states are just brain states and it is the brain state that has causal powers, then why not simply get rid of propositional attitude talk? I am not an advocate of eliminativism when it comes to propositional attitudes. I think there are good reasons (including the normativity of the mental) to keep folk psychology around. But someone might run the same argument against folk sociology and I wonder how Cudd would respond.

⁵ Thanks to Mary Beth Mader for reminding me of the Longfellow quote and its relevance to Cudd's discussion of oppression.

⁶ I'd like to thank Sally Haslanger and Mary Beth Mader for their helpful comments and suggestions. I'd also like to thank Ann Cudd for her wonderful book.