

## **Identity-Directed Norm Transformations and Moral Progress**

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**ABSTRACT:** Norms inform the social identities of individuals and groups. By accepting and following particular legal, moral, or social norms, individuals can secure key material or epistemic interests, and can play a meaningful part in the life of valued collectives. In this paper, I show how individuals and groups can use changes in norms to vindicate existing social identities and to institute new ones. Analyzing the dynamics of such identity-directed norm transformations illuminates certain problems in contemporary moral and political philosophy, notably the problem of theorizing moral progress. Identity-directed norm transformations, I argue, constitute a distinct form of evidence of moral progress. Furthermore, both identity-instituting and identity-vindicating norm transformations stand as mechanisms through which moral progress can be achieved. The paper concludes by considering the courses of action open to individuals who feel themselves left behind by identity-directed norm transformations, and who, in the extreme case, no longer recognize themselves.

A fringe party moderates its platform in order to attract new voters. A tech company teases its IPO by publishing a list of core principles. A religious convert prepares for confirmation by studying the precepts of her chosen congregation. An embattled celebrity pledges sobriety in hopes of retaining his rich endorsement contract.

All of these cases are familiar from contemporary social and political life. All call attention to the connections between the norms people accept, the interests they pursue, and the identities they claim. In this paper, I provide a targeted analysis of what I call identity-directed norm transformations. These are transformations in norms intentionally undertaken by individuals and groups in order to promote key interests lodged in their identities. Identity-directed norm transformations, I argue, offer important tools to individuals and groups seeking to establish new social identities. At the same time, such transformations stand as crucial resources for agents seeking to vindicate existing social identities in the face of serious challenges.

Besides clarifying the general relationship between norms and identities, my analysis bears on certain specialized debates in contemporary moral and political philosophy. One such debate concerns the possibility, and perceptibility, of moral

progress. Identity-directed norm transformations, I argue, are critical both for achieving and for perceiving moral progress. Such transformations furnish distinctly public evidence of moral progress—thus helping to explain how progress in particular areas or epochs can be perceived. At the same time, such transformations constitute potent mechanisms of progress—thus helping to explain how moral progress can be achieved.

The paper is structured as follows. In Section One I sketch my basic account of norms and social identities. In Section Two I elaborate the concept at the core of this paper, i.e. the concept of identity-directed norm transformations. I explain particularly how such transformations can serve either to institute new or vindicate old social identities. In order to illustrate this distinction, I introduce a case drawn from the annals of the (American) National Association of Realtors. Section Three turns to consider the connections between identity-directed norm transformations and moral progress. Finally, in Section Four, I discuss several courses of action available to individuals who find themselves excluded by identity-directed norm transformations.

## **1. Norms and Identities**

I understand norms as practical prescriptions, prohibitions, and permissions, accepted by individuals belonging to particular groups, organizations, or societies, and capable of guiding the actions of those individuals. This conception excludes the merely statistical notion of a norm.<sup>1</sup> It focuses on norms actually accepted by individuals and groups, thus emphasizing both the “socio-empirical” and the “normative” aspects of norms.<sup>2</sup> Finally, it highlights the role of norms in practical deliberations—both the deliberations of those who accept them and the deliberations of those who do not.<sup>3</sup>

Norms may change in various ways over time. In this paper, I am concerned chiefly with existential transformations in norms—specifically, cases of norm emergence and norm breakdown. Norm emergence refers to cases in which particular

practical prescriptions, prohibitions, or permissions gain acceptance and begin to guide actions within specific groups, organizations, or societies. Norm breakdown refers to cases in which previously accepted norms cease to be accepted or followed by individuals, and ultimately cease to pattern the conduct of groups. Both the emergence and the breakdown of norms may significantly alter the social identities of individuals and groups. The emergence of norms often coincides with the emergence of particular social identities—religious, professional, scholarly, or otherwise. Breakdowns in norms frequently threaten the social identities of groups, when first some individuals cease to accept or follow particular norms, prompting larger portions of those groups’ memberships to respond by also giving up on those norms.<sup>4</sup>

The concept of identity, like that of norms, is multivalent. In this paper, I understand identity in terms of social identities, i.e. those sets of characteristics by which individuals and groups are distinguished from one another in social interactions. My focus on social identities aligns with the approach of social psychologists working from a social identity perspective, who contrast social identities with personal identities, on the one hand, and individuals’ over-arching human identity, on the other.<sup>5</sup> Here, it is important to note the substantial interpenetration of individual and group social identities. Individuals are distinguished from one another at least partially on the basis of the different groups to which those individuals are judged to belong.<sup>6</sup> At the same time, groups are distinguished from one another at least partially on the basis of the different individuals who are judged to compose them.

Individual and group social identities are connected not just by relationships of composition, but also by relationships of reduction. In modern societies, individual men and women face the standing prospect of being identified, and dealt with, solely on the basis of one of their many overlapping group memberships. Acts and policies of

segregation and discrimination, hate crimes and bias offenses, even war crimes and crimes against humanity have been characterized by just this kind of reduction of the social identities of large numbers of individuals to a single, supposedly fundamental group identity.<sup>7</sup> In light of such facts, it makes little sense for skeptics to claim that social identities are merely epiphenomenal. It is true that individuals may readily claim or disavow particular social identities on the basis of their changing beliefs, experiences, or practical commitments. But such first-personal resolutions, or shifts in “self-categorization,” need not have any impact on how one is identified or treated by others.<sup>8</sup>

Group identities can also be reduced to the social identities of particular group members—and this dynamic, as we shall see, likewise creates pressure for identity-directed norm transformations. Bad actions or decisions by individual group members may provoke invidious judgments or hostile appraisals of entire racial, religious, professional, or national groups. A single corrupt cop, cheating ballplayer, or craven politician can set back the interests of large numbers of individuals, as their shared group identity is reduced to the identity of one notorious person.

In order to better understand the risks, as well as the benefits, arising from these relationships between individual and group social identities, we should distinguish the different kinds of interests that lodge in such identities. In this paper, I adopt the principle of normative individualism, i.e. the principle that individuals are the ultimate bearers of interests and the ultimate experiencers of value. Individuals may be interested in their own social identities, and in the social identities of the groups to which they belong, for various reasons. Here, I will consider three.

First, social identities ground legal rights and entitlements.<sup>9</sup> These include political rights to self-government or self-representation; economic rights to resource

consumption or to vocational or professional practice; and procedural rights to information and counsel in the face of various kinds of legal proceedings. Exactly what characteristics of individuals and groups are fit for grounding particular legal rights and entitlements is a matter of debate among both philosophers and politicians. What is clear is that all individuals have significant interests in such identity-based legal rights and entitlements.<sup>10</sup>

Second, social identities affect individuals' epistemic interests. Some social identities confer privileged access to knowledge and its sources—whether in the form of books and journals, lab benches, or peer networks. In other cases, social identities serve as markers of epistemic authority. To be sure, social identities can also inhibit epistemic access and authority—as when homeless persons are denied entry to libraries and lecture halls, or when members of disenfranchised groups are excluded from political debate.

Finally, social identities are sources of meaning for individuals. It is difficult to give a precise characterization of the way in which individuals experience their identity as meaningful, and it is important to state explicitly that no individuals experience *all* of their group ties or shared features in this way. To be a driver's license holder in the U.S. confers important legal rights and conveys epistemic benefits, but it is not necessarily experienced as a crucial component of individuals' identities, even if there are some persons for whom the freedom of the open road is a major part of their self-conception. Not every group affiliation, in other words, plays a constitutive role in individuals' social identities, and the subset of those that do is mutable.<sup>11</sup> All the same, it is hard to overestimate the lengths to which individuals and groups will go in order to maintain or magnify the meaningfulness of particular social identities. In this paper, I will understand this meaning-making property of social identities in terms of the sense of

self-worth that comes from being able to affirm the particular characteristics by which one is distinguished in social interactions.

Having sketched my basic view of norms and identities, I want now to consider how changes in norms can aid individuals and groups seeking to modify, or preserve, their social identities. I want, in other words, to turn more directly to my subject of identity-directed norm transformations.

## **2. Identity-Directed Norm Transformations**

When norms change, individuals feel the effects, and groups exhibit them. Individuals may find their interests frustrated by the emergence of new norms, or advanced by the breakdown of existing ones. Groups may shed members following changes in norms, or else see their ranks swell in the wake of such transformations. Often, such transformations exacerbate contrasts between groups that appear, superficially, to have much in common; occasionally, they serve as a basis for rapprochement.

Sometimes, individuals and the groups to which they belong actively work to produce changes in particular norms. Identity-directed norm transformations can be understood as a subset of identity-affecting transformations in norms, comprising those transformations that are intentionally initiated by individuals or groups in order to promote the interests lodged in their social identities. Later in this section I will seek to outline some general features of such transformations. First, however, I want to consider a specific historical case that illustrates both the power of transformations in norms to establish new social identities and their power to vindicate existing identities.

### *2.1 Transforming Identities Through Norms: The Case of the NAREB*

In the early 20<sup>th</sup> century, a subset of American real estate agents staged a campaign for social recognition as reliable business professionals. Agents involved in this campaign

sought to distinguish themselves from so-called curbstoners—unscrupulous dealers who conned clients into purchasing poor quality, overpriced, or improperly titled properties. One step taken by proponents of professionalization was the formation, in 1908, of a National Association of Real Estate Exchanges (later Boards, hence the acronym NAREB). A second step was the creation, in 1913, of a Code of Ethics for real estate agents.<sup>12</sup>

Included in the inaugural edition of the Code were numerous rules still observed by licensed real estate agents today. These include a requirement to disclose any personal financial stake one might have in an advertised property, and a prohibition on appraising properties sight unseen. But not every rule adopted by members of the NAREB in its early years has proved lasting. Notably, Article 34 of the revised edition of the Code adopted in 1924 prohibited agents from “introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individual whose presence will clearly be detrimental to property values in that neighborhood.”<sup>13</sup> This explicit prescription for pursuing race-based segregation was removed from the NAREB’s Code of Ethics in 1950. A full shift towards rules favoring equality of treatment across racial and ethnic lines did not occur until 1974, when the Association adopted a rule prohibiting agents from “deny[ing] equal professional services on the basis of race, creed, sex, or country of national origin.”<sup>14</sup>

Within this capsule history we can find examples of both changes in norms aimed at instituting new social identities and changes norms aimed at vindicating existing social identities. The creation of the Code of Ethics by professionalizing real estate agents in 1913 illustrates the concept of an identity-instituting norm transformation. The creation of the Code was not the only tactic employed by agents in their larger campaign for legal advantage, epistemic privilege, and social distinction. It

was preceded by the creation of a national professional organization, and followed, in 1950, by the trademarking of the term “realtor” itself. Together, these initiatives succeeded in instituting a new and valuable social identity for American real estate agents.

If the 1913 creation of the Realtor’s Code of Ethics illustrates the concept of an identity-instituting norm transformation, the adoption of Article 10 in the revised Code of 1974 provides an equally good illustration of the concept of an identity-vindicating norm transformation. This change was made chiefly in order to preserve a reputation for fair dealing in the wake of an inversion in government policy and a clear shift, though not quite an inversion, in public opinion.<sup>15</sup> Indeed, this example makes clear the high stakes that can be involved in efforts to vindicate an existing social identity. Only through such a change could realtors acquire a characteristic implied by their existing social identity, but not actually warranted by their past actions or normative attitudes.<sup>16</sup>

## *2.2 Three Features of Identity-Directed Norm Transformations*

Expanding on this specific historical case, I want to make three general claims about identity-directed norm transformations. First, it is possible for individual and group social identities to survive even radical transformations in norms. The case of realtors presents not just a breakdown but an inversion in formally codified rules concerning racially segregative practices. The breakdown of the rule prescribing differential treatment based on race was succeeded, albeit slowly, by the emergence of a rule prohibiting differential treatment based on race. Though the pressures giving rise to this particular inversion in norms seem to have been mainly legal and political, in other cases groups may alter major norms as a result of changes in scientific knowledge, or in consequence of demographic changes within the group or society at large. What separates such cases from cases of identity-instituting norm transformations is the fact



that the relevant changes in norms do not tend to create a new social identity, but rather to save an existing one in the face of serious challenges.<sup>17</sup>

Second, the various interests that individuals and groups have in their social identities are often mutually reinforcing. In the case of realtors, the interest of the NAREB persuading government actors to adopt or adapt industry rules concerning house sales and financing into law and policy was not independent of, but integrated with, efforts to gain a reputation amongst homebuyers as business professionals. Other examples show how epistemic interests of individuals complement their interests in rights and entitlements—as in the case of tenured university faculty, whose right against termination without cause helps safeguard their access to knowledge and secure their epistemic authority.

Third, the pressures that make changes in norms necessary for instituting, or preserving, particular social identities may originate from within or from outside of particular social groups. We should distinguish between emerging and established social groups. In first decade of the 20<sup>th</sup> century, prior to the creation of the NAREB or the adoption of the first Code of Ethics, it is difficult to identify precisely a bounded group of real estate dealers, but as these organizations and institutions developed it became possible to speak of a clearly demarcated group, with an expanding set of distinguishing characteristics, whose members were engaged in cultivating a specific social identity. In the early 1970's, by contrast, the established (and trademarked) group of Realtors first fought, and then reluctantly adapted to, changes in norms of real estate sale and finance imposed externally through legislation.

Where no socially recognized group yet exists, it will generally be some small set of individuals who first see a need to create one. This was true in the case of the various individuals who led the charge for the creation of a professional identity for real

estate brokers. Where a socially recognized group already exists, by contrast, we may find evidence of widespread or even unanimous support for a change in norms designed to vindicate that group's social identity. Even in such cases, multiple motives may underlie uniform responses. Some individuals may support changes for the kind of external reasons mentioned above, while others may be convicted by a sense of hypocrisy or pangs of consciences that provide an internal sense of necessity for the proposed changes in norms.

It should be clear that I am talking here about practical, rather than logical, necessity. It may well be logically possible for individuals and groups to create or preserve particular social identities without undergoing changes in norms, but this need not be evident to the individuals involved. History offers many examples of individuals and groups who have felt it practically necessary to undertake identity-directed norm transformations. Concerning identity-vindicating norm transformations, the resolution by American Quakers in the 18<sup>th</sup> century to abstain from political participation because of its perceived incompatibility with their "holy experiment" illustrates the internal pressures that can occasion identity-directed norm transformations. The recent adoption of rules requiring the use of body cameras by members of some U.S. police departments, in response to public pressure, further illustrates the external pressures that can occasion such transformations.

Turning to the case of identity-instituting norm transformations, we also find many cases where the rejection of certain currently prevailing norms appears necessary to those seeking to cultivate a particular social identity. Politicians running on anti-corruption platforms may find it necessary to reject bribes even where these are permitted by social norms, and to abjure elite patronage even where this is prescribed. Anti-war groups may find it necessary to reject moral norms permitting self-defense

and prescribing rescue of the defenseless in order to secure their identity. At one extreme here are groups, like anarchists or nihilists, whose social identities rest on the rejection of all norms belonging to established law or common morality; at the other extreme are those groups, like anti-vaccine activists, whose social identity is founded entirely on the basis of the rejection of particular prescriptive norms.

Consideration of these cases suggests the following general characterization of internal and external pressures for identity-directed norm transformations. In internal cases, some individuals feel that their ability to affirm their own identity—i.e. to experience that identity as valuable, as a source of self-worth—would be eroded in the absence of a given change in norms. In external cases, powerful stakeholders from outside a given group turn particular changes in norms into conditions for the preservation or receipt of valuable rights and privileges.

In the real world, the pressures that give rise to identity-directed norm transformations are likely to be mixed, with some individuals or sub-groups more effected by one than the other. This is understandable, since even individuals who jointly belong to a particular group will typically be distinguished by many other characteristics and commitments, and thus may arrive at widely divergent interpretations of shared practical problems. I will say more about this point in Section 4 below. For now, I want to consider the moral significance of identity-directed norm transformations, particularly their significance for current theories of moral progress.

### **3. Identity-Directed Norm Transformations and Moral Progress**

Identity-directed norm transformations are often morally trivial. A fashion designer who overturns the rule that stripes and checks don't mix does not thereby incur significant new moral obligations. A university that eliminates its undergraduate swimming requirement does not thereby diminish the moral standing of its degree

holders. In other cases, however, identity-directed norm transformations can have clear moral consequences. In particular, such transformations can make important contributions to our understanding of, and efforts to achieve, moral progress.

I understand moral progress to consist in the substantial increase of objectively right actions, potentially (but not necessarily) in combination with true moral beliefs or attitudes.<sup>18</sup> I assume that objectively right actions exist, and that there can be more or less of them. I assume further that the moral domain is not balanced in such a way that advances in right action in one sphere must result in losses in another. My discussion is, finally, restricted to the progress in moral actions that individuals may achieve as a result of their association with particular groups or collectives, rather than acting as “lone moral pioneer[s]” or conducting isolated “experiments in living.”<sup>19</sup>

I defend two basic claims about the connection between identity, norm transformations, and moral progress. First, identity-directed norm transformations furnish an important form of evidence of moral progress. They thus count among the signs by which moral progress can be perceived. Second, such transformations provide an important mechanism with which campaigners for moral progress can pursue their goals. They thus count among the means by which moral progress can be achieved.

### *3.1 Identity-Directed Norm Transformations as Evidence of Moral Progress*

Philosophers routinely point to changes in norms as evidence of moral progress. Commonly cited examples include: the outlawing of slavery, early marriage, and dueling; the permission won by women to vote and to hold political office; the condemnation of torture and *de jure* segregation; and the prescription of humane treatment of non-human animals.<sup>20</sup> In order to understand just what sort of evidence these examples are supposed to offer, we should recall the distinction between norms understood as statistical regularities and norms understood as action-guiding

prescriptions, permissions, or prohibitions. On my definition of moral progress, it is possible for progress to occur simply through changes in patterns of social behavior, without any systematic change in people's normative attitudes. For philosophers who adduce changes in norms as evidence of progress, however, it is the properly normative conception of "norms" that is crucial.

Significantly, philosophers do not restrict themselves to changes in moral norms in their pursuit of evidence of moral progress. Changes in legal and social norms appear equally important. Some go so far as to suggest that changes in moral beliefs and attitudes may be better understood as consequences than as causes of morally progressive norm transformations.<sup>21</sup> While my conception of moral progress admits this as a possibility, I want to note that changes in legal or social norms do require changes in normative beliefs and attitudes—just not changes in properly moral beliefs and attitudes.

Identity-directed norm transformations offer a distinct form of evidence of moral progress. Unlike other types of norm transformations, which may or may not affect social identities, identity-directed norm transformations are, as I have argued, undertaken intentionally in order to create or preserve particular social identities. Because of this close connection with identity, the specific norms accepted or rejected during such transformations can be objects of introspective knowledge for the individuals involved. That is to say, these norms—their proper interpretation, their range of application, their defeating conditions, etc.—can be known by these individuals not only by consulting publicly-accessible decrees or resolutions, but also by simply reflecting on one's own normative attitudes and the attitudes of those who share the relevant part of one's identity. Introspective knowledge of norms of this kind can serve, in turn, as a special source of testimonial knowledge for others: knowledge

not grounded in public laws or proceedings, but in personal statements or recollections by individuals of what it is like to accept and follow specific norms.

In fact, it is quite common for individuals and groups that have been on the forefront of specific campaigns for moral progress to offer testimony concerning their experience pioneering new norms. In the American context, this tradition of testimony extends from the colonial period, in the records of Quakers and other religious minorities, to the early Republican period, when reports by persons involved in utopian communities proliferated, to today, when testimony from those who participated in Civil Rights era struggles for changes in laws and social norms is ubiquitous. Again, my claim is that individuals with introspective knowledge of the dynamics of norm transformation can provide, through testimony, a distinct form of evidence of moral progress.<sup>22</sup>

To say that this form of evidence of moral progress is distinctive is not to say that it is decisive. Morally progressive laws, though achieved after long struggle through the efforts of committed individuals, may so widely violated that no net gain in right action is achieved. Arguably this is the case with the prohibition on torture, which Allen Buchanan cites as evidence of moral progress. Another way in which identity-directed norm transformations can fail to provide evidence of moral progress is when individuals who seek to convey knowledge of those transformations fail due to delusion, self-deception, or simple breakdowns of memory. There is, furthermore, a specific structural problem associated with such transformations, eloquently described by Jeffrey Spinner-Halev. This is the problem that, at the same time that changes in laws and institutions provide evidence of moral progress for some, or perhaps many, members of particular societies, the very same transformations serve to make visible enduring *injustices* suffered by others. Spinner-Halev proceeds to argue that our concepts of progress and

of historical injustice are genealogically related: without the former, we would not have the latter.<sup>23</sup> If he is right, then we should not be surprised when hard-fought changes in laws or policies, themselves celebrated as clear evidence of moral progress, at the same time raise awareness of moral failings in other social domains.

In a recent study, Henry Richardson distinguishes between two broadly different types of moral progress. “Authoritative moral progress” occurs when gaps in the contents of objective morality are filled in through the authoritative creation of new moral norms. “Epistemic moral progress,” by contrast, occurs when individuals and communities gain new insight into “what morality always required of us.”<sup>24</sup> The evidence of moral progress that identity-directed norm transformations provide is, I believe, chiefly evidence for progress of the second, epistemic kind. Such transformations reveal individuals and groups coming to new understandings of what morality has always required of them. What I want to consider next is how such transformations can serve more directly as mechanisms of moral progress.

### *3.2 Identity-Directed Norm Transformations as Mechanisms for Moral Progress*

Whether local or global, retrospective or prospective, plausible theories of moral progress must provide an account of the pathways and processes by which progress occurs.<sup>25</sup> Some familiar processes include: moral education, achieved through exposure to compelling texts, images, or oral narratives; reforms to social, political, and economic institutions; and the operation of group-based moral emotions, such as moral shame. In some cases, as with economic development, these processes may influence moral progress without this being consciously intended by the individuals or groups involved. In other cases, as with moral education, helping individuals and groups achieve moral progress may be the explicit aim of participating parties. I use the term “mechanisms of moral progress” to refer to both intentional techniques and unintended

processes that in fact do promote moral progress, as I have defined it, in particular instances.

Identity-directed norm transformations are important mechanisms of moral progress. Such transformations may promote progress intentionally, as in the campaigns against slavery and early marriage mentioned above. Alternatively, they may promote progress without this being the intention of those undertaking them. In these latter cases, individuals and groups may act in order to advance the non-moral interests of themselves or others, and through this act produce a morally positive result. The case of the NAREB's 1974 revision to its code of ethics might, on a pessimistic reading, exemplify this latter path—though it seems likely that at least some individuals involved in that revision believed strongly in the moral, and not just the material, benefits of the change.

We might still ask what, if anything, is distinctive about identity-directed norm transformations as mechanisms of moral progress. Here I want to say that the particular way that such transformations implicate the identities of the individuals and groups involved helps to make the moral advances they promote more durable. Because individual and group social identities ground various kinds of interests, norms that are regarded as practically necessary for the institution or preservation of those identities are more likely to continue to be accepted and followed over time than norms lacking such a connection. Where norms have this kind of connection with identity, it is possible to critique failures not only as breaches of rules but also as betrayals of self. Nor is it just external monitoring that is likely to be stronger in such cases; rather, individuals have a greater incentive to monitor themselves in such cases—at least those individuals who continue to see themselves as sharing significant features of their identities with other members of the groups in which new norms circulate.



In suggesting that both identity-instituting and identity-vindicating norm transformations can serve as mechanisms of moral progress, I hope to make a revision to the claim made by Allen Buchanan in his article, “Moral Progress and Human Rights.” Buchanan argues that “revolutionary” changes in our moral conceptions are never merely cognitive, but involve “remarkable alterations in our moral sentiments, in our commitments, and in how we perceive ourselves and others.”<sup>26</sup> What Buchanan calls changes in perception of self and others I have called changes in social identity; insofar as identity-instituting norm transformations are concerned, his account concurs with my mine. But Buchanan does not consider alternative cases of moral progress produced by identity-vindicating norm transformations—i.e. morally progressive transformations in norms that are undertaken not in order to change, but to confirm, existing social identities. Taking Buchanan’s up preferred example, we can note that several key human rights-related transformations in legal norms, such as the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms, seem to have been undertaken in order to vindicate old, rather than introduce new, social identities.<sup>27</sup> The account of identity-vindicating norm transformations that I have offered explains why efforts to preserve social identities through changes in norms can be just as consequential, from the perspective of moral progress, as efforts to create new social identities through such changes.

#### **4. Exclusion from Social Identities: Evolution, Exit, Alienation**

Identity-directed norm transformations, I have argued, can have significant moral consequences. They can increase the prevalence of objectively right actions, thus contributing to moral progress in fact. And they can furnish evidence of moral progress, thus increasing our understanding of how and when such progress occurs.

Not every member of the particular groups, organizations, or societies that undergo morally progressive changes in norms need recognize them as such. The burdens of judgment are such that some members of these collectives may see these changes as morally neutral, or even morally regressive.<sup>28</sup> In extreme cases, such transformations may render individuals utterly unable to affirm significant features of their social identities. They may be left, that is, in the uncomfortable position of failing to recognize themselves.

When I say that an individual fails to recognize herself, I mean that some feature of that individual's social identity fails to align with her own core values or commitments. Earlier, I argued that the social identities of individuals and groups are subject to reciprocal acts of composition and reduction. Having one's individual identity reduced to a particular group membership can be bad in itself; having one's identity reduced to a group membership that one can no longer reflectively endorse is especially distressing. Here, I compare three courses of action available to individuals who find themselves left in this position by identity-directed norm transformations. These are exit, evolution, and alienation.

#### *4.1 Exit*

Exit denotes departure from a physical territory in which particular laws, moral codes, or other norms apply. It may also signify quitting non-territorial groups or institutions. Both senses of exit are relevant here. While I am concerned chiefly with efforts to exit non-territorial collectives, thinking about territorial cases highlights the costs that individuals often bear in order to escape unwanted norms and disvalued identities.

Chandran Kukathas has discussed one important set of cases, in which moral or legal norms considered integral to the social identity of particular communities cannot in good conscience be followed by some members of those communities.<sup>29</sup> Kukathas

proposes that an unrestricted right of exit from territorial collectives is the best way to resolve such cases. He denies that states or other political units are obliged to provide compensation or make accommodations for individuals within their ranks who claim compelling moral reasons not to obey core norms. On this account, the negative liberty to exit an unwanted social identity is understood as sufficient protection against the most serious failures of self-recognition that individuals and groups can experience.

Actual physical exit is not always necessary for individuals and groups seeking to escape unwanted norms or disfavored identities. Many liberal political societies offer exceptions from otherwise binding legal norms for individuals and groups who claim the kind of conscientious objections that Kukathas describes. In the United States, for example, members of certain religious communities may be exempted from laws concerning compulsory education, or compulsory military service. These exceptions provide an internal form of exit from unwanted norms or disfavored social identities. Nevertheless, there are limits to the capacity of this internal form of exit to resolve failures of self-recognition. One limit concerns those individuals and groups who manifest extreme intolerance. Another limit might be reached if such a large number of individuals and groups opted out of shared norms that key governing institutions could no longer function. Where these limits are exceeded, internal forms of exit from unwanted social identities may be foreclosed, leaving physical exit the only option of this kind.

#### *4.2 Evolution*

Not every individual who experiences a failure of self-recognition responds by taking steps to escape unwanted norms or disfavored identities. Evolution refers to the gradual process of coming to accept new norms (or, alternatively, the loss of old ones) despite initial misgivings, and through this process gradually accepting a change in one's social

identity. The term has become familiar in popular parlance through its use by various politicians seeking to describe a principled way of abandoning an old policy position and taking up its opposite. Insofar as groups also have declared positions on particular questions of policy, strategy, or ethics, it is possible for groups, like individuals, to undergo evolutions in identity as a response to societal changes in norms. For groups to do so, however, there must first be successful lobbying by some set of individuals within the larger group to get the relevant positions changed.

It might be objected that evolution is not comparable to exit as a response to identity-directed norm transformations, since exit is an active, generally costly, process, whereas evolution might occur without a person's knowing it, and at little or no cost to her key interests. A first response to this is that it applies more to individual-level, rather than to group-level evolutions in identity, for the reasons just stated. At the level of individuals, we might further distinguish between the process of changing one's normative attitudes and attendant self-identity, on the one hand, and the affirmation of such changes, on the other. Individuals do sometimes undergo changes in normative attitudes that are not consciously initiated, and that do not seem to be under their control. Affirming that such changes have taken place, however, requires reflective judgment. In some cases, such affirmations may involve sacrificing certain interests, or certain social identities, for the sake of others.

Two further worries about evolution as a response to identity-directed norm transformations deserve consideration. One is the worry that evolutions in individual or group social identities reflect nothing other than adaptive preferences.<sup>30</sup> Another is the worry that, on the account I have offered, such evolutions can only occur in cases where identities are instituted through norm transformations, but not where they are vindicated.

In response to the first worry, I would suggest that coming to accept a new norm does not require forming an all-things-considered preference for that norm. We sometimes refer to individuals evolving in ways that suggest their preferences still lie elsewhere. Evolution, in other words, need not end with full internalization of new norms; it may sometimes imply simply a gradual erosion of the felt need to fight them. This observation seems sufficient to show that evolutions in identity, of the kind I am considering here, do not necessarily depend on adaptive preferences. It is another matter to rule out the effects of adaptive preferences entirely. I suspect that such adaptations frequently occur, and that this lies behind whatever negative connotations the term “evolution” has acquired.

In response to the second worry, I would note that changes to a single norm or set of norms are not usually sufficient to seriously threaten an individual or group’s social identity. If this is true for norm transformations generally, it should also be true for that sub-set of transformations in which the vindication of an existing social identity is intentionally pursued through a change in norms.

#### *4.3 Alienation*

Both exit and evolution represent methods of moving out of the position of failing to recognize oneself. There is another sort of response to such failures of self-recognition, however, which involves not so much moving beyond as sinking more definitively into this uncomfortable position. This response can be referred to generally as alienation, which I define as the condition of feeling oneself deeply disconnected with some or all of those people with whom one continues to share a particular feature of one’s social identity.

Alienation has some features in common with resignation, which Robert Goodin characterizes as “settling for something when we could (and could and should have

known we could) have done better.”<sup>31</sup> Like resignation, alienation has an epistemic component: it makes no sense to say that a person is alienated from a particular collective but does not know it, though it can happen that a person may be alienated without yet knowing the precise reasons for her alienation. Nevertheless, alienation seems to me a broader category than resignation—one that may take some forms that do not involve “settling” of any sort. While some who are alienated may resign themselves to feeling a certain disconnection from those with whom they share particular social identities, others may contribute to an active oppositional culture, trying to change group norms from within, through licit or illicit means. In extreme cases, alienated individuals or groups may use violent means to try to alter the normative beliefs and attitudes of others. The strategic, as opposed to the moral, risk of employing such methods is that they seem better suited to instituting new than to vindicating old social identities. This is because association with violent acts is itself a characteristic that can be used to draw distinctions between individuals and groups. To put the point plainly: revolutions rarely actually end in the restoration of a desired prior status quo, even if their leaders begin with such aims.

Neither resignation nor violent opposition, on this account, seem promising as a response to identity-directed norm transformations. Are there other forms of alienation that do better? It is possible that, in some cases, the silent protest or boycott may succeed in overthrowing a newly-adopted norm, or restoring a recently rejected one. Such non-violent expressions of alienation are not the same as exit, even the internal form of exit mentioned above, for exit does not typically aim at exerting moral pressure on members of the majority within a group, while silent protest does.

## 5. Conclusion

“Our social personality,” Proust observes, “is created by the thoughts of other people.”<sup>32</sup> This claim is more or less alarming depending on how open the thoughts of others prove to our influence.

Norms help to form individual and group social identities. Changes in norms help to institute new identities—or to vindicate old identities that have fallen into doubt. My analysis of identity-directed norm transformations in this paper has helped to untangle the complex connections between norms, interests, and identities. I have explained the relationships of composition and reduction that obtain between individual and group social identities; distinguished three different kinds of interests that individuals may have in their social identities; and demonstrated how identity-directed norm transformations can contribute to our understanding of, and efforts to achieve, moral progress. Finally, I have sketched the position of individuals and groups left behind by identity-directed norm transformations, and compared three different responses available to them.

In focusing on the specific category of identity-directed norm transformations, I have had to set aside some important questions about other pathways by which changes in norms can affect social identities. By way of conclusion, I will mention two of these.

First, groups and their individual members are often taken by surprise by changes in their social identities triggered by apparently trivial norm transformations. Small changes in the words or phrases used in company or governmental policies directed at members of particular minority groups may cause significant damage to those institutions’ reputations, for example. Specifying general conditions under which such consequences are likely to follow from norm transformations would be a valuable social scientific achievement. Any such inquiry faces a significant challenge, however,

in the fact that the various kinds of interests lodged in social identities are not always connected with each other in obvious or predictable ways. So, specifying a new legal right attaching to a particular social identity can have consequences for the kinds of meanings that individuals draw from that identity, or the kinds of knowledge they are able to achieve, without there being prior indications such consequences.

A second question concerns the reliability of the relationship between identity-directed norm transformations and moral progress. Must identity-directed norm transformations always aim at increasing right action, or can such transformations also exhibit indifference to, or hostility towards, moral considerations? Here I think we must acknowledge that identity-directed norm transformations are, in themselves, morally neutral. Breakdowns in shared norms may license intergroup violence, or encourage indifference to suffering. Pursuit of material gain may motivate some to adopt or endorse discriminatory norms. Such cases show that identity-directed norm transformations need not serve virtue, but may aid vice. It is all the more important to understand the dynamics of such transformations, their uses, and their limits.

### Notes

1. See Lina Eriksson and Nicholas Southwood, "Norms and Conventions," *Philosophical Explorations* 14:2 (June 2011), 195-217.
2. See Geoffrey Brennan, Lina Eriksson, Robert Goodin, and Nicholas Southwood, *Explaining Norms* (Oxford: Oxford University Press, 2013), 3.
3. Neil Roughley, "Might We Be Essentially Normative Animals?" In Neil Roughley and Kurt Bayertz (eds.), *The Normative Animal? On the Anthropological Significance of Social, Moral, and Linguistic Norms* (Oxford: Oxford University Press, 2019), 3-37.



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4. See Karisa Cloward, *When Norms Collide: Local Responses to Activism against Female Genital Mutilation and Early Marriage* (New York: Oxford University Press, 2016); Cristina Bicchieri, *Norms in the Wild: How to Diagnose, Measure, and Change Social Norms* (New York: Oxford University Press, 2017).
  5. See for example Matthew Hornsey, "Social Identity Theory and Self-Categorization Theory: A Historical Review," *Social and Personality Psychology Compass* 2:1 (2008), 204-222; also Galen Boddenhausen, Sonia Kang, and Destiny Peery, "Social Categorization and the Perception of Social Groups," in Susan Fiske and C. Neil Macrae (eds.), *The Sage Handbook of Social Cognition* (London: Sage, 2012), 311-329.
  6. As a matter of empirical fact, this observation is shared by most of the major philosophical investigations of identity that have appeared over the past several decades. See for example Charles Taylor, *Multiculturalism and 'The Politics of Recognition'* (Princeton, NJ: Princeton University Press, 1994); Will Kymlicka, *Multicultural Citizenship* (New York: Oxford University Press, 1995); Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005); Iris Marion Young, *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 1990).
  7. See David Luban, "A Theory of Crimes Against Humanity," 25 *Yale International Law Journal* 85 (2004).
  8. See Hornsey, op. cit., pp. 208-209.
  9. I focus here on legal rights and entitlements in order to avoid certain meta-ethical debates about the ultimate grounds of moral rights and obligations. Henry Richardson is one of several philosophers who argues that moral norms, and the rights and obligations they establish, can be distinguished from legal

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norms precisely by the fact that they prescind from the “particular identities” of agents. Although my own account of moral norms relies on a different salient distinction between moral and legal norms, I want to set aside this meta-normative dispute for the purposes of this paper. Hence the focus here on legal rights and entitlements. See Henry Richardson, *Articulating the Moral Community: Toward a Constructive Ethical Pragmatism* (Oxford: Oxford University Press, 2018), 5-6.

- 10 . As Chandran Kukathas has pointed out, grants of special legal rights may sometimes proceed, rather than follow, the formation of distinct group identities. While such cases show the malleability of social identities, they also provide support for my claim that such rights constitute one of the principal interests that groups – and ultimately, individuals – have in creating or maintaining particular social identities. See Chandran Kukathas, *The Liberal Archipelago* (New York: Oxford University Press, 2002), 79.
11. I thank an anonymous reviewer for pressing me on this point.
- 12 . According to historian Jeffrey Hornstein, “The code of ethics was in a sense a containment strategy, an attempt to draw an unbreachable line between the curbstoner and the high-class broker. If the national association were able to effectively regulate its members’ behavior and expel the unethical curbstoner, the public would perceive brokers like other ostensibly self-policing, autonomous professionals.” See Hornstein, Jeffrey, *A Nation of Realtors®* (Durham, NC: Duke University Press, 2005), 63.
13. National Association of Real Estate Boards, “Code of Ethics,” 1924, 7. Available online at <http://www.realtor.org/about-nar/mission-vision-and-history/1924-code-of-ethics>

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- 14 . Salvant, Lucien, “30<sup>th</sup> Anniversary of the Fair Housing Act,” *REALTOR®Mag* (April 1998). Available online at <https://magazine.realtor/news-and-commentary/feature/article/1998/04/30th-anniversary-fair-housing-act-many-neighborhoods-one>
  
  15. As evidence of the success of this identity-vindicating norm transformation in preserving realtor’s reputation for fair dealing, we can look to a 1982 article in the newly founded *Journal of Business Ethics*, whose authors praise the NAREB for adopting a “clear and comprehensive mandate against racial, religious, sexual, or ethnic discrimination” and for maintaining that mandate “for a lengthy period of time.” See Jeremiah Conway, and John Houlihan, The Real Estate Code of Ethics: Viable or Vaporous? *Journal of Business Ethics* 1:3 (August 1982), 208.
  
  - 16 . In developing this case at some length, I have sought to follow Elizabeth Anderson’s injunction to “take special care to tell the epistemic story accurately” when writing about historical cases of changes in moral norms, and particularly her appeal “to be meticulous about the social processes by which a group changed its convictions.” See Elizabeth Anderson, “The Social Epistemology of Morality,” in Michael Brady and Miranda Fricker (eds.), *The Epistemic Life of Groups: Essays in the Epistemology of Collectives* (New York: Oxford University Press, 2016), 78.
  
  17. Geoffrey Brennan et al have discussed cases in which changes in norms coincide with the preservation of pre-existing norms, but do not address cases in which changes in norms are practically necessary in order to preserve those identities. See Brennan et al op. cit., 173-174.

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18. This definition is close to the “naïve conception” of moral progress defended, with slight modifications, by Dale Jamieson. See Dale Jamieson, “Is There Progress in Morality?” *Utilitas* 14:3 (November 2002), 318-338. For the distinction between progress in moral beliefs or attitudes and progress in moral action, see Michelle Moody-Adams, “The Idea of Moral Progress,” *Metaphilosophy* 30, n. 3 (July 1999), 168-185; also Allen Buchanan, “Moral Progress and Human Rights,” in Cindy Holder and David Reidy (eds.), *Human Rights: The Hard Questions* (New York: Cambridge University Press, 2013), 399-417.
  19. See Cheshire Calhoun, “An Apology for Moral Shame,” *Journal of Political Philosophy* 12:2 (2004), 127-146; also Elizabeth Anderson, “John Stuart Mill and Experiments in Living,” *Ethics* 102, n. 1 (October 1991), 4-26.
  20. See Buchanan op. cit., 405; Jamieson op. cit., 336-8; Moody-Adams op. cit., 174. See also Kwame Anthony Appiah, *The Honor Code: How Moral Revolutions Happen* (New York: Norton, 2010); Jeffrey Spinner-Halev, *Enduring Injustice* (Cambridge: Cambridge University Press, 2012).
  21. Buchanan op. cit.
  22. The kind of testimony I have in mind here is akin to the sort of non-expert, but authoritative, moral testimony discussed by philosopher Linda Zagzebski. As she explains, “I might judge that somebody else is in a better position to get the moral truth in some situation than I am, not because he has better epistemic powers in the moral domain than I have, but because he has more experience or is in a better position to judge.” Linda Zagzebski, *Epistemic Authority: A Theory of Trust, Authority, and Autonomy in Belief* (New York: Oxford University Press, 2012), 165.

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23. Spinner-Halev op. cit., 49-55.
  24. Richardson op. cit., 14.
  25. Jamieson op. cit., Moody-Adams op. cit. See also Philip Kitcher, “Is a Naturalized Ethics Possible?” *Behaviour* 151 (2014), 245-260.
  26. Buchanan op. cit., 400.
  27. The Preamble to the European Convention claims for its signatories “a common heritage of political traditions, ideals, freedom and the rule of law” [emphasis added]. See James Nickel 2007, *Making Sense of Human Rights*, 2<sup>nd</sup> Edition (Malden, MA: Blackwell, 2007), 198. For a skeptical philosophical interpretation of the reasons behind U.S. and U.K. adoption of the 1948 UN Declaration of Human Rights, see Anderson 2016, 94.
  28. John Rawls, John, *Political Liberalism* (New York: Columbia University Press, 2005), 54-58.
  29. Kukathas op. cit.
  30. Jon Elster, *Sour Grapes: Studies in the Subversion of Rationality* (New York: Cambridge University Press, 1985).
  31. Robert Goodin, *On Settling* (New York: Princeton University Press, 2012), 61.
  32. Marcel Proust, *Swann’s Way*, Vol. I, trans. Scott Moncrieff (London: Chatto & Windus, 1971), 22.