THE RACIALIZED SELF: EMPOWERMENT, SELF-RESPECT, AND PERSONAL AUTONOMY

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A dissertation submitted to the faculty of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Doctor of Philosophy in the Department of Philosophy.

Chapel Hill
2006

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Abstract

BRIAN THOMAS: The Racialized Self: Empowerment, Self-Respect, and Personal Autonomy
(Under the direction of Bernard and Jeanette Boxill)

Much of the popular literature sees the inequality of African-Americans as a problem of differential legal standing that is solved through introducing complete legal formal equality with laws that are administered impartially and neutrally. Any further difficulties in the distribution of benefits and burdens are seen mainly as the problem of the group itself, as failures at being self-determining. But recently, social scientists have become increasingly wary of the claim that the blacks are simply failing at becoming self-determining, as even a cursory glance at the major indices of welfare reveal that the barriers to equality for blacks are systemic.

The current view is that the best way to determine policies is to eliminate, or at least to seriously mitigate, the effects of race and racial identity on policies that distribute the benefits and burdens of society. The skepticism about race and racial identity is driven by the concern that racial identity is troublesome from the moral point of view because it is thought that racial identities, especially the racial identities of blacks, are predicated on self-defeating conceptions of race and racial identity. I argue that these views are predicated on a shallow and faulty understanding of racial identity and that with a more nuanced understanding of racial identity we can avoid these problems and we can understand how policies that promote racial identity might empower blacks.

Acknowledgements

There are too many people to thank for the completion of this project, so I will highlight but a few. The persons I thank have helped me to cultivate the appropriate attitudes towards scholarship, service, and learning: Laurie Jean Goldsmith, Cheryl Thomas, and Bernard Boxill.

Table of Contents

CHAPTER 1

THE NATURE OF RACIAL INEQUALITY

If the measuring stick of a country's commitment in word and deed to its principles of equality, fraternity, and freedom lie in the welfare of the worse off then the continuing disparities in the major outcomes lead to the suspicion that the "American Dream" is something to which only certain groups can reasonably hope to obtain. Indeed, when we look to the history of African-Americans[1] in the U.S. we have great cause to doubt that the country has ever been seriously committed to universally applying the principles of equality, fraternity, and freedom.

The great lesson that we learn from the experiences of African-Americans is that since the inception of U.S. culture, race and sex have been and are extremely important characteristics of and for all the people living in the culture because they closely correlate, if not cause, the distributive shares of such persons. This is surprisingly true even in an age of unprecedented economic growth. While the growth itself has been quite profound, we still see that the advances in society continue to be unequally distributed to blacks. The distributions present considerable challenges to those trying to explain their causes, the factors that reinforce them, and the policies that should correct them.

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[1]Throughout this dissertation I plan to use the terms "black" and "African-American" interchangeably for a variety of reasons. One reason is that neither term is used exclusively for self-identification by the persons the terms are meant to pick out. Another reason is that they seem to mean different things, at least they do so in virtue of the different ways the terms are used. Though I will not articulate and explicate what I think these meanings are, there will be times when one term seems more appropriate than another, suggesting a more technical usage of one term over the other. Something like this is already the case given the institutional contexts in which these terms appear (e.g. in various legal forms and the like).

The current popular thinking among conservatives and liberals is that the series of laws and policies put in place during the civil rights era cleared the path to racial equality by dismantling the legal and institutional barriers to full equality. Subsequently, the only remaining barriers to full equality experienced by African-Americans are the result of individual racist attitudes, or quite simply, the failures of African-Americans to become sufficiently self-reliant. But the current popular view has come under fire. When we look at the recent work by Social scientists, we see that the welfare of African-Americans per the major outcomes: mortality, education, income, and wealth, is quite bleak. Reflecting on such outcomes, and in a particularly somber tone, Derrick Bell predicts the unequal distributions that blacks experience will continue:

> We must see this country's history of slavery, not as an insuperable racial barrier to blacks, but as a legacy of enlightenment from our enslaved forebears reminding us that if they survived the ultimate form of racism, we and those whites who stand with us can at least view racial oppression in its many contemporary forms without underestimating its critical importance and likely permanent status in this country. To initiate the reconsideration, I want to set forth this proposition, which will be easier to reject than refute: *Black people will never gain full equality in this country. Even those Herculean efforts we hail as successful will produce no more than the temporary "peaks of progress," short-lived victories that slide into irrelevance as racial patterns adapt in ways that maintain white dominance. This is a hard-to-accept fact that all history verifies. We must acknowledge it, not as a sign of submission, but as an act of ultimate defiance.*[2] (emphasis his)

While Bell's comments reflect a flair for the theatrical, the prospect of lingering racial inequality invites us to ask several general questions: What is the most plausible theory that explains racial inequality? If civil rights legislation has not made African-Americans equal to other groups what is the best explanation for this? Is racial inequality a permanent fixture of

[2]Derrick Bell, Face at the Bottom of the Well: The Permanence of Racism (New York: Basic Books, 1992.

U.S. culture and institutions? If there is racial inequality is it reinforced by sexual inequality? If we cannot end racial inequality, should we be concerned to *redress* the effects of permanent racial inequality or should we be concerned to *alleviate* the effects of permanent racial inequality? How should we determine the best policies to end racial inequality within a liberal democracy?

Consider the question concerning the supposed permanence of racial inequality. Derrick Bell claims that it is easier to reject thinking that racial inequality is a permanent fixture of contemporary U.S. society, than to show that such a claim is false. We cannot simply ignore Bell's claim by treating it as if it were obviously false because he is not alone in thinking that racial inequality is a permanent fixture of our landscape. For instance, Jennifer Hochschild claims that racism is "part of what shapes and energizes the [liberal democratic] body."[3] But, to better understand Bell's and Hochschild's charges we will have to consider whether principles of liberal democracy are implicated in their content or in their recommendations concerning racial inequality.

The truth of the claim that racial inequality is a permanent fixture of U.S. society is an empirical claim. If racial inequality is a permanent feature of U.S. society, then our inquiry changes: instead of considering policies that might end racial inequality, we would have to consider policies that would best mitigate the effects of racial inequality.

Though we cannot simply dismiss the claim that racial inequality is a permanent feature of U.S. society, we need not assume its truth either. But perhaps, for our purposes we

[3]Jennifer Hockschild, The New American Dilemma: Liberal Democracy and School Desegregation (New Haven: Yale University Press, 1994). Hockschild offers several formulations of this view, the most plausible is the Marxist reading according to which a liberal society relies on a capitalist system to create and to distribute wealth (to coordinate cooperative behavior among transactions) and capitalism is essentially tied to the exploitation of workers. In the case of the antebellum south, the country prospered while exploiting African Slaves. I will not consider the merits of this view or of any of the other formulations of the claim since they do not look plausible to me, and the ones that do, particularly the Marxist critique, require substantive discussion, discussion that will take me far from my project.

need not consider very seriously whether racial inequality is permanent and consider the rather different claim that racial inequality is entrenched. To claim that racial inequality is permanent is not to claim that it is entrenched. Perhaps the only way in which we can understand the claim that racial inequality is permanent is to consider the features that in fact entrench it. Thus perhaps the entrenchment of racial inequality is causally necessary for the permanence of racial inequality, but it is not sufficient. I think this is the more plausible avenue of inquiry as we attempt to better understand what it means when we claim that there is a specific form of inequality that is racial in its essence.

Next, consider the last question about how we should determine the best policies to end racial inequality. There have been a growing number of theorists who have taken this last question seriously and some have claimed that in order to eliminate antiblack oppression, for instance, that we have to transcend racial identities, including black identity. To be more specific, some theorists claim that if we are to alleviate racial inequality that we must eliminate, or at least seriously mitigate the effects of race and racial identity on policies that distribute the benefits and burdens of society. The reasons for such a view are twofold. On the one hand, there are theorists who claim that racial identity fails as a means to an end, that is, that it only exacerbates the problem of racial inequality, rather than aiding in its dissolution. Here the main concern is that race and racial identity perpetuate the negative meanings associated with race or that these notions are neither helpful in understanding collective agency in the face of oppression nor efficacious in actually instantiating collective action. On the other hand, there are theorists who claim that we have reasons for rejecting racial identity and these reasons derive from moral principles. The main claims here involve rejecting racial identity because we think it would not be a feature of the ideal society or

because racial identity runs afoul of such moral concepts as impartiality and personal autonomy.

To see skepticism against racial identity, and race, for that matter, one need not look far. Lawrence Blum asks "If there are no races and if racial thinking has morally destructive consequences should we not attempt to 'give up race?"[4] Consider Anthony Appiah when he says "[L]et us not let our racial identities subject us to new tyrannies" or even Richard Wasserstrom who argues that the ideal society is one in which there would be no racial identity, "[W]hile substantial diversity in individual characteristics, attitudes, and ways of life is no doubt admirable…what remains uncertain is the necessity or the desirability of continuing to link attributes or behaviors such as these to the race or sex of individuals."[5] We might even consider Sally Haslanger: "A consequence of my view is that when justice is achieved, there will no longer be White women (there will no longer be men or women, Whites or any other races)."[6]

To understand the worries regarding racial identity, we will have to understand why these theorists take such views about race and racial identity and we will have to consider whether they are correct. We shall also have to consider whether such notions as race and racial-identity ought to removed or whether they will be a part of the features that are constitutive of the just society, in short, of what equality demands. We will have to consider also whether racial identity (and race) are the barriers to alleviating racial inequality that

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[4]Lawrence Blum, I'm Not a Racist But…: The Moral Quandary of Race (Ithaca: Cornell University Press, 2002).

[5]Richard Wasserstrom, "Racism and Sexism." Found in Race and Racism edited by Bernard Boxill, Oxford University Press, 2001.

[6]Sally Haslanger, "What are we talking about? The Semantics and Politics of Social Kinds," Hypatia Vol. 20, no. 4, 2005.

critics assert, or rather whether race and racial identity are the **keys** to understanding and to alleviating racial identity.

In this dissertation I will explore the relations between racial inequality and racial identity. I will argue that those who suppose that racial identity is morally or otherwise troubling and inconsistent with our ideal of the good society are mistaken. I argue that far from being antagonistic to our ideal of the good society, our ideal of the good society **requires** racial identity and I do this by showing its connections to such moral concepts as self-respect and autonomy. I also argue racial identity is crucial to understanding the ways in which we can eliminate racial inequality.

To answer the critics of racial identity we will need to understand the concept of racial identity and we will have to understand why it is a good. We will also have to understand its relation to such notions as equality and to recognition and we will have to consider whether its role should be lesser or greater in instantiation.

We are confronted by weighty issues and if we are to begin to answer the questions that I raised earlier, we will need a framework by which we can categorize and rank the relevant issues and considerations. There are four questions that we can use to guide our inquiry and I borrow them from Richard Wasserstrom.[7] Wasserstrom distinguishes four domains of inquiry that we can use to structure our inquiry. The first is the question of social realities. Within this domain we articulate, or try to articulate a complete description of the existing social arrangements. The second question is devoted to explanation and we ask how things got the way they did and by what mechanisms they tend to be perpetuated or changed. The third question is the question of ideals within which we ask how things ought to be arranged, and question four is a question about instrumentalities: how might we fairly and

[7]Wasserstrom 308-309 .

effectively move from the current state of affairs to the ideal state of affairs. Our task in chapter one is to provide answers to questions one and two. Questions three and four find their answers in chapters two through six.

This chapter has four sections, in section one I consider the function of race in the contemporary U.S., considering the various things that one might consider in determining what it means to be black in the U.S. rather than white; in section two I consider the concept of oppression, offering a brief formal account; while in section three I argue that if we are to understand racial oppression that we will need to better understand how the concept of race underwrites it. In addressing this issue I consider the concept of racism as the main mechanism of oppression whose function is to underwrite the oppression of blacks; and in part four I consider whether liberalism is silent in the face of racial inequality.

The Function of Race

I begin with a description of the empirical conditions of African-Americans focusing on their lived experiences; the ways in which certain divisions of benefits and burdens effect them; their positions in culture; their positions in decision-making hierarchies, and the divisions of labor that effect them. Following Wasserstrom, as I construct the social reality of African-Americans we should look at some of the variables that one might consider important in the sort of life one is apt to lead and to be able to lead if one is black. That is, we should focus on formal legal and institutional rights; access to economic resources; practices relating to racial separation in housing and social interaction; the norms of appropriate behavior and expectations these norms develop and nourish with respect to the

way that African-Americans live their lives and treat one another; and the significance which the dominant ideology places on being white and male rather than being African-American.[8]

In their book, *Black Wealth, White Wealth: A New Perspective In Racial Inequality,* Melvin Oliver and Thomas Shapiro claim that looking at wealth reveals a crucial dimension to the "paradox of continued racial inequality in American society."[9] Oliver and Shapiro claim that wealth inequality has been structured over time through the same barriers that have hampered blacks throughout their existence in America. Since the authors claim that wealth is generated largely by owning land, the historical moments they describe characterize the ways in which blacks were unable to procure land, or in cases in which blacks owned property, the processes that undermined the development of black communities. They characterize three historical moments that displays the factors producing wealth inequality: homesteading, suburbanization, and redlining. It is worth mentioning one of these moments.

A common practice, exposed nationally in 1991, is the practice of redlining, the practice of denying mortgages to certain communities, usually black communities. Recent studies of U.S. suburban neighborhoods showed significant disparities in lending practices.[10,11] These studies merely confirmed what had been known all along, namely that black applicants were being rejected at far greater rates than white applicants. The blacks that did

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[8]Wasserstrom 316.

[9]Melvin L. Oliver, Thomas M. Shapiro, Black Wealth, White Wealth: A New Perspective On Racial Inequality (New York: Routledge, 1995).

[10]Under a 1991 Federal Reserve study they discovered that poorer white applicants were more likely to get a mortgage than a black in the highest income bracket. In 1992 the data were re-considered with credit-worthiness taken into consideration. The rates of differential loaning were not as significant, but the basic conclusions remained accurate. See. Oliver and Shapiro, p. 20-22.

[11]In Kettering, a famous suburban community in Prince George County, Baltimore, Maryland, in which the average income is $65,000 a year, authorities discovered that local banks granted more loans proportionately in low-income white communities than in Kettering, a predominantly black community, or any other high income black community.

own homes in black neighborhoods found themselves frequently turned down by mainstream banks for loans at "normal" rates, instead what occurred was a form of predatory lending that predates current forms of predatory lending in black communities: loans with interest rates of 34%, often conjoined with huge balloon payments.[12] In Boston, more than one-half of the families that borrowed under these conditions, lost their homes to foreclosure. Oliver and Shapiro claimed that a similar pattern emerged with home-repair loans. These practices went unabated owing to an absence of federal and municipal oversight, in which states refused to regulate or to license home repair contractors.[13]

The result of these sorts of practices in which blacks are denied opportunities to acquire wealth, Oliver and Shapiro claim, are directly related to securing opportunities to lead good lives. Without the asset base that owning land affords, black parents cannot easily finance their children's education or form lobbying groups so as to press their economic interests in the electoral process.

In a separate study of the ways in policy has affected African-Americans in Atlanta, Gary Orfield and Carol Ashkinaze note the persistent and growing racial differentials in homeownership, education, and income even while Atlanta experienced significant economic growth during the period of study.[14] Orfield and Ashkinaze claim that residential segregation is the instrument by which one can understand the ways in which opportunities

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[12]Oliver and Shapiro 21.

[13]Redlining itself continued unabated for a variety of reasons, but I will not consider them. It is worth noting that Oliver and Shapiro paint a picture in which government neglect of its duty to protect and to insure that blacks would successfully integrate into mainstream society began with homesteading and thus the government's lack of response in redlining is but a part the government's seemingly default policy of neglect towards the interests of blacks.

[14]Gary Orfield, Carole Ashkinaze, The Closing Door: Conservative Policy and Black Opportunity (Chicago: University Of Chicago Press, 1993).

are distributed. Where there is significant residential segregation, the authors claim the data reveal that whites are far better off than blacks.[15]

In their study they note that suburbs that are 90 percent white experience the lion's share of job growth in the city. The data reveal that the predominantly black communities experienced a job growth rate of five percent to the 71 percent of white suburban communities. Their analysis cuts across the suburb/city divide since most blacks in Atlanta live in the suburbs with the black population growth rate in the suburbs three times that of central city. The suburb/city divide is interesting and it has its own attendant factors which tend mainly to exacerbate growing disparities between black and white suburbs.[16] But much of the creation of new jobs; the creation of commercial sectors; and the choices regarding the distribution of public goods like transportation favor the white suburban communities. The same differentials we see in job growth also appear in education as well in that the schools in the black suburbs and those in the center city were at the bottom of every educational outcome. Poor educational opportunities at the primary and secondary level diminish the chances of the students obtaining a college education. Cuts in federal aid programs combined with tuition increases at state universities perpetuate the already existing inequalities in opportunities for development and self-determination. Current forms of residential and commercial segregation reflect the spirit of legalized segregation in marking

[15]This is not generally true of those blacks, who, for instance, get opportunities to attend school in white suburban neighborhoods. Children from the white suburban neighborhoods outperformed both black children from black suburbs and black children from the inner city.

[16]For instance, the Metropolitan Atlanta Authority (MARTA) refused to extend its lines into suburban communities. This has the consequence of forcing lower income persons who cannot procure reliable transportation to stay within the metropolitan area. Keeping lower-income people in the "city" provides a layer of protection to property values since a lack of reliable transportation is a powerful incentive against moving. The property values in white suburban areas stay high, in part because the community stays pure, while if economic growth occurs disproportionately with most of it happening in the suburbs and away from the city, suburban blacks remain poor, but they remain better off compared to the blacks living in the city because suburban blacks have greater opportunities to cherry pick the growth in white suburban communities.

off African-Americans as degraded and less than fully developed persons fit for full membership in the moral, political, and social community.

The problems with acquiring wealth are interesting and staggering on their own, but if we consider further outcomes we get a broader picture as to the strength of these mutually reinforcing and perpetuating events that place and keep blacks in limited places in the distributions of wealth and power:

- Persistent Poverty: Blacks bear a disproportionate share of poverty. The U.S. Census reported in 1999, that while blacks made up only 12.8 percent of the population 23.6 percent of all black families were below the poverty rate, whereas among the 75.1 percent self-identifying as white, 8.4. percent of those families fell below the poverty line.[17]
- Income and wealth Disparities: In 1996 the median income for black families was $26,520 compared to $47,023 for white families; In 2000, the median income for blacks rose to $34,000 compared to $48,000 for whites; but what is telling is that white households have at least five times the wealth of black households yet earn, on average, just twice as much as blacks households.[18]
- Inadequate Health Care and differential mortality rates: In 1997 the Centers for Disease Control reported that blacks made up 28 percent of all AIDS cases (though they make up 12 percent of the population) and 47 percent of all new AIDS cases; life expectancy between blacks and whites is 8 years with blacks

[17]In absolute numbers, there are more white families living in poverty than there are black families, but this is no surprise given that white families outnumber black families 7 to 1.

[18]Sharmila Choudhury, "Racial and Ethnic Differences in Wealth and Asset Choices", Social Security Bulletin 64:4, 2001/2002. It is worth noting that mean family income have gone up for each of the racial groups in the U.S.

dying, on average, far earlier than whites; and, in general, blacks are likely to receive far worse care when they receive care, relative to the whites who receive care.[19,20]

- Inadequate educational preparation: Among the 800,000 that drop out of high school annually, it is estimated that 40 percent of these youths are black.
- Violence: homicide is one of the leading causes of death among black men and women between the ages of 25-35.[21]
- Job growth and Employment: in 1999 the unemployment rate for black men and women was 7.8 and 7.2 percent respectively compared to 3.2 percent for white men and women. 37 percent of black women employed serve as laborers, operators, fabricators, or service workers.[22]

The examples reflect the ways in which discrimination and racism have derailed many blacks in their march towards equality. We get a richer picture of these problems if we consider, albeit briefly, the experiences of black women.

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[19]The numbers on life expectancy, given in the aggregate conceal more substantive disparities. For instance, black men have a much lower life expectancy than black women and whites. This is true even if one takes into consideration the number of expected years after making it past the stages of age in which one is most vulnerable to death, and for black men, that range is approximately 20-35.

[20]Institute Of Medicine Report, Unequal Treatment: What Healthcare Providers Need To Know About Racial And Ethnic Disparities in Healthcare March 2002.

[21]There are many other outcomes one could mention here as well focusing on the racial disparities in imprisonment and sentencing. But there has generally been wide discrepancies in crime and imprisonment rates between blacks and whites, what has been disturbing has been that the gulf has been increasing. See Pamela Oliver, "Racial Disparities in Imprisonment: Some basic information" IRP Focus 21 (3) pp. 28-31 Spring 2001

[22]Sheila Radford-Hill, Further to Fly, black women and Empowerment (Minneapolis: University of Minnesota Press, 2000). This reference was on page 59-61. These figures are exacerbated by the shrinking industrial and manufacturing sector in the United States since most plants have large concentrations of blacks. In 1992, 28 percent of employed black women worked in service jobs to 17 percent for white women.

Kimberle Crenshaw stands out among a number of black feminist scholars who argue that current theories that analyze the problems of oppressed groups and current policies that aim at ameliorating the problems of black women leave them voiceless and fail to capture the uniqueness of their experiences. She highlights the ways in which black women are powerless and claims that black women's experiences display a certain multidimensionality that resists capture in current discussions within feminist theory, antiracist policy debates, and jurisprudence. She argues that current analyses of black women's experiences occur along a single axis, either along race or gender. When these frameworks are used separately, they erase black women in the "conceptualization, identification, and remediation in discrimination."[23] That is to say black women's experiences are assimilated into the experiences of women *qua* women or they are assimilated into the experiences of black people, but never as the subset of the intersections of these sets: black women. Crenshaw argues that the following court case exhibits the problems mentioned above.

In DeGraffenreid v. General Motors, five black women brought suit against General Motors alleging that the company's seniority system perpetuated the effects of past discrimination. According to evidence adduced at the trial, General Motors hired no black women prior to 1964 and that all the black women hired after 1970 were victims of a seniority-based layoff during a subsequent recession. The circuit court sided in favor of General Motors rejecting the claim that black women constituted a class protected by the Title VII provision of the Civil Rights Act of 1964.[24]

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[23]Kimberle Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." The Black Feminist Reader Ed. by Joy James and T. Denean Sharpley-Whiting (Malden, Mass.: Blackwell Publishing, 2001).

[24]Emma DeGraffenreid, et al., Appellants, v. General Motors Assembly Division, St. Louis, et al., Appellees 558 F.2d 480; 1977 U.S. App. LEXIS 12451; 15 Fair Empl. Prac. Cas. (BNA) 573; 14 Empl. Prac. Dec. (CCH) P7692.

> The Legislative history surrounding Title VII does not indicate that the goal of the statute was to create a new classification of "black women" who would have greater standing than, for example, a black male. The prospect of the creation of new classes of protected minorities, governed only by the mathematical principles of permutation and combination, clearly raises the prospect of opening the hackneyed Pandora's box.[25]

The court bifurcated their claims of discrimination into two: a claim based on race and a claim based on gender. The court threw both of these separate claims out as well arguing that women, as a class, were not the subjects of discrimination since women had been hired prior to 1964. They used the same rationale for race as well: black people were not the subjects of discrimination because blacks had been hired prior to 1964. The court argued that it saw no grounds to create a new class of complainants and they refused to certify black women as an appropriate class that could bring suit.

Whereas in DeGraffenreid the courts did not recognize the distinctiveness and the uniqueness of the experiences of black women, in other cases the courts have been instrumental in endorsing values that marginalize black women along race and gender. Regina Austin presents such a case. In *Chambers v. Omaha Girls Club*, the plaintiff Crystal Chambers offered suit against the Omaha Girls Club alleging that she had been improperly fired from her position as craft instructor. Approximately ninety percent of the program participants at the Girls Club are black and Ms. Chamber, an unmarried black woman in her early twenties, was employed there for two years until she became pregnant with child. The Girls club argued that Chambers' pregnancy violated the "negative role model rule."[26] The staff were trained and expected to act as role models because of the unique nature of the Club's operations, "each activity was premised on the belief that the [participants] will

[25]DeGraffenreid, v. General Motors, 558 F.2d 480; 1977 U.S.

[26]Regina Austin, Sapphire Bound!, *Wisconsin Law Review*, 1989, Vol: 539.

emulate, at least in part, the behavior of the personnel."[27] The Club saw teen pregnancy as severely limiting the available options for teenage girls and thus teenage pregnancy was contrary to its purpose and philosophy."[28] Not surprisingly, the Girls Club argued that allowing Chambers to stay on as an employee would send the message that the Club condoned teen pregnancy. The court ruled in favor of the Girls Club arguing that the role model rule, which was essential to the mission of the Girls Club, was aimed at helping the women they serve reach their fullest potential.[29] The court emphasized that their decision was based on the unique nature of the clubs mission, the age group served and the "comprehensive and historical methods used in addressing the problem of teenage pregnancy."[30]

Though the aims of the role model rule were deemed laudable and appropriate as policy for the Girls Club to combat single mother teenage pregnancy in the black community, Austin argues that the Girls Clubs policy was predicated on racist and sexist assumptions that distorted the choices of Crystal Chambers.

Austin argues that implicit in the Girls Club role model policy is the belief that "the actual cultural practices and articulated moral positions of the black females who know the struggles of early and single motherhood firsthand are both misguided and destructive."[31] Austin says this belief is predicated on the view that the cultural practices encourage teenage

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[27]Austin 6.

[28]Austin 6.

[29]Austin 6.

[30]Austin 6.

[31]Austin 7.

pregnancy by, "subsidiz[ing] it through informal friendship and extended family networks, and justify[ing] it by prizing motherhood, and condoning welfare dependency.[32]

But Austin claims that we might learn more about the choices of black women if we view their choices as brave attempts to "break out of the rigid economic, social, and political categories that a racist, sexist, and class-stratified society would impose upon them"[33] and not as misguided and destructive attempts at promoting their well-being. Black teenage pregnancy, then, is the product of a pursuit of romance, security, status, freedom, and responsibility within the confines of the immediate surroundings.[34] Sex is a means of capturing the affection, exclusive attention, and potential lasting assistance of a partner and, as Austin says, teenage pregnancy is far better than suicide or drug addiction. Instead of focusing on the choices of teens and malevolently targeting the culture of black Americans, Austin suggests that what is needed is an assessment of the sources of economic and social vulnerability. Not surprisingly, recent data have confirmed what many blacks have known all along, namely that young black women actually often rise to the occasion and discharge their responsibilities as well as their white counterparts.[35]

Let me consider the specific ways in which race and gender are axes along which black women's choices are diminished. Austin argues that implicit in the Girls Club policy is

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[32]Austin 8.

[33]Austin 9.

[34]Austin 11.

[35]Arline T. Geronimus argues that there are significant data that suggest that teen childbearing does not harm children. She looked at data on child development, school achievement, and infant health outcomes and says that none of these findings show that the age of the parents plays a detrimental role in the health or development of infants and children *per se*. She even claims that there are data that suggest early childbearing has **beneficial** results in mitigating the severe health risks teen parents face during their reproductive and working years. Delayed pregnancy has been adaptive for whites because it assures them the ability to take advantage of the social privilege that whites already enjoy. See Arline T. Geronimus, "Damned if you do: culture, identity, privilege, and teenage childbearing in the United States", Social Science and Medicine 57: (2003) 881-893.

a victimization of unmarried black women *qua* women. Austin surmises that polices like the role model policy adopted by the Girls Club influence teenage black women to choose childbirth in wedlock instead of out of wedlock because increased wedlock will result in an improvement in the financial resources of the black family.[36] But this rationale is a thin disguise of the long-standing claim that black female leadership of the black family has caused its demise.[37] That black women would have incentives to delay pregnancy might be seen a good thing, and, aside from the obvious sexist tone suggesting that black women should tie their interests to those of men, such a policy might be worthwhile if it were true that the possession of a male partner was the only factor involved in the likelihood of raising healthy children. But this is not the case when both members suffer insufficient employment, limited access to education, and limited wealth. This policy ignores the cultural practices of black communities and the communal support that often occurs, and it pits the interest of women against the interests of men, setting the terms of romantic relations solely based on income, and not on other factors that have far greater relevance.

Implicit in the Girls Club policy is not just a misrepresentation of the particulars of black women's experiences, but of black men's as well, since the policy is predicated on seeing black men as unwilling or unable to assume the obligations of fatherhood, and so these values at best leave black women vulnerable to criticism, at worse, the subjects of policies that actually make them worse off.

The examples that I have provided above give a picture of the current state of the distributive shares of blacks. While I have not provided a complete historical account of the

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[36]Austin, p. 11.

[37]This claim was first articulated by Senator Daniel Patrick Moynihan, Office of Planning and Policy Research, U.S. Dept of Labor, The Negro Family: The Case for National Action (1965).

ways in which these shares came about, this is perhaps not a difficult task. We can easily explain the beginnings of the disproportionate shares of blacks in the U.S. via the institution of human chattel slavery, and the effects of legal segregation and disenfranchisement under Jim Crow up through the Civil Acts of 1964, signed under President Johnson. But I am interested in how these shares might be reinforced and perpetuated and less interested in how such shares came about.

The distributive shares of blacks offer a rather bleak picture and they leave one wondering whether these shares are entrenched. One thing to notice in considering the data I provided above is that they might not be conclusive in convincing someone that black racial inequality is entrenched because the data are not longitudinal. But I am doubtful of this. Though our oldest poverty data for instance, trace back only to 1959, the numbers are still staggering: roughly 29% of all black persons living between 1959 and 2001 lived in poverty.[38,39] The data give a strong presumption that blacks exemplify a representative position of being among the worse off.[40] I surmise that we can claim that to be black is to be a member of a despised minority, one still disliked and oppressed.

Before we move to try to consider theoretical explanations of the forces that create and foster the continued existence of this state of affair we should keep in mind that some level of inequality is inevitable, even when individuals act fairly. This is plausible if one considers the libertarian insight that if we allow persons to choose freely, then we will inevitably see inequalities.

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[38]U.S. Census Bureau, http://www.census.gov/hhes/www/poverty/histpov/hstpov2.html, Accessed November 9, 2005.

[39]Of course there are controversial issues regarding how poverty is defined, how it is measured, and how the data are gathered, but such concerns do not falsify the very bleak outlook of blacks.

[40]I say presumption since we would need to do comparative analyses to see how bleak their outcomes really are.

A Formal Account Of Oppression

When faced with the data and the stories that I mentioned above, the usual response is to claim that blacks are oppressed. And here I want to consider this claim in a bit more detail before I try to account for the mechanisms that create and perpetuate oppression.

According to Marilyn Frye, the experiences of women reveal a systematically arranged set of forces that restrict and penalize. Frye uses the famous birdcage analogy to illustrate the unique ways in which women's choices are influenced and arranged by the kinds of options open, and not open, to them. In the analogy we imagine a bird placed in a certain relation to a bar. The presence of a single bar does not impede the bird's movement in any serious way, neither does the presence of a number of bars. Of course, where there are more bars there is the likelihood of greater obstruction of movement, but what matters is their *arrangement*. When the bars are arranged in certain ways, as they are in cages, the occupant in such an arrangement experiences significant impairment to movement. The analogy of a birdcage illustrates that a microscopic analysis of women's choices in which we just consider discreet choices and discreet interactions, misses the systematic ways in which power is being unjustifiably used to limit the choices of women. The analogy of a birdcage also provides the conceptual space to show that even the most benign of events, when seen in relation to other events, limits the choices of women. One such example is door opening:

> Look at the scene of the two people approaching a door. The male steps slightly ahead and opens the door. The male holds the door open while the woman glides through. Then the male goes through. The door closes after them…"Now how," one innocently asks, "can those crazy womenslibbers say that is oppressive?"

The answer for Frye is that these sorts of rituals have a place in a particular pattern, a pattern that is morally unjustified. When men open doors for women, especially on occasions in

which it is not necessary, the act implies that women are too weak and too frail to open doors for themselves or the act implies that women are the sorts of beings that should be coddled. Door opening does not display an intention to oppress, but displays an intention that might be called oppressive because the act renders women's agency inefficacious and it misplaces women's needs: men offer assistance to women in cases in which the aid is not needed, but when aid is needed, as in rearing children and managing housework, aid is not around. Clearly door opening, by itself, is not oppressive, but it is reinforces the oppression of women when seen in a context of other acts in creating an environment in which women are clearly the subordinates of men.

Frye's account of oppression, and specifically women's oppression, has as its root, a limitation of choices. The choices that women do have are loaded with unacceptable costs, "a network of forces and barriers which are systematically related and which conspire to the immobilization, reduction, and molding of women and the lives we live."[41] The novelty in Frye's analysis is that she is offering an account of women's oppression in which there is an absence of political inequality, coercive force, and intentions to oppress. These features are sufficient, but not necessary for oppression. We can identify three features from Frye's analysis:

A group is oppressed only if

1. The oppressed group experiences an unjust limitation of choices with respect to their choice scenario.
2. The group is identifiable.

[41]Marilyn Frye, The Politics of Reality (Trumansburg, New York: Crossing Press, 1983) 7.

3. The group that oppressed the oppressed group generally benefits from the oppression of the oppressed group.[42]

When Frye speaks of the limitations of the choices that women have she argues that the limitations are promoted by men and generally benefit men. Frye does not talk about which choices women should have or which choices should not be susceptible to interference by men. Instead she focuses on debunking the claim that men are oppressed in the same way that women are, and she subsequently focuses on arguing that the limitations in choice that men experience are the products of their efforts to control the choices that women have.

Frye's account of oppression is interesting and helpful. It gives us a way to understand how seemingly innocuous forms of acting can actually **be** harmful (though the harm might not be experienced) when the act is seen in the appropriate context. And we have the beginnings of a way to understand how we might describe a set of intentions as oppressive without claiming that the agent had the intention to oppress.

Her account raises a host of interesting questions that she does not obviously consider. It is one thing to claim that women's choices are diminished in ways that leave them vulnerable to censure and criticism, but it is another thing to show that these limitations are morally wrong. Of course, to fully consider this claim one needs a theory of justice or a moral theory to explain the ways in which a diminished choice scenario is harmful. Second, Frye does not tell us which choices are the choices that women should have greater control over. Certainly some of the choices that women have little control over are domains where they have as much choice as men. Again, to fully consider this claim one would, for instance, need an account of what it means to fully lead a human life such that the choices

[42]Frye 10.

women face leave them unable to lead such lives. Third, it is not clear whether Frye's account has a way of explaining the ways in which women unjustly interfere with the decisions of other women. Perhaps Frye can claim that when women do so, they do so under the influence of the intentions of men, but surely this will not account for every instance in which a woman unjustly limits the choices of another woman.

Sally Haslanger is also critical of Frye's account. Haslanger calls Frye's account of oppression an institutionalist conception because of the account's reliance upon social structures as the primary unit of analysis, as opposed to individualist accounts that claim that the primary unit of analysis is the individual.[43] Haslanger claims that accounts of oppression like Frye's are vulnerable to several criticisms. Haslanger's main criticism is that institutionalist conceptions of oppression leave too little space to appropriately understand the actions of individuals. Haslanger says that Frye's view allows us to understand the ways in which agents might unconsciously and unintentionally perpetuate oppression through their participation in various social structures, but her view does not allow us to distinguish between those who abuse power to harm others and those who attempt to avoid perpetuating women's oppression.[44] Another objection to Frye's account, one that Haslanger does not explicitly make, but one that can be inferred from Haslanger's account of oppression, is that Frye's view offers us no guidance in thinking about what it means to claim that women are oppressed as *women*. Frye simply assumes that we can understand this but this is not at all clear. There are different questions here that one could ask. One set of questions could be about explanation: does being a woman explain why someone is the target of oppression? If

[43]Sally Haslanger, "Oppressions Racial and Other", Racism in Mind, ed. by Michael P. Levine and Tamas Pataki, (Ithaca: Cornell University Press, 2004).

[44]Haslanger 106.

so, how? Another set of questions is metaphysical in nature: does being oppressed as a woman imply essential properties of womanhood, that is, are we being asked to consider the category "woman" as a biological category or as a social category? And a third set of questions is normative: does being oppressed as a woman preclude being oppressed as a certain type of woman, say a black woman or a Chinese woman?

I claimed that one of Haslanger's objections to Frye's view is the absence of an account of what it means to be oppressed as a woman. I now turn to Haslanger's attempt to answer this very question, not only because the answer may be interesting on its own, but also because it may help us to understand how blacks are the targets of oppression as well. Haslanger's account of oppression is essentially a structuralist approach, bearing much in common with Marilyn Frye's account. Where it exceeds Frye's account is in its attempt to understand what it means to be the target of oppression.

Haslanger begins by construing the wrongness of oppression as a misallocation of power. What sets the range of permissible allocations of power, in cases of group oppression, is a theory of justice, in cases of individual oppression, a theory of ethics. It is not her aim to provide either of these kinds of normative views. In cases of individual oppression, individuals misuse their power in ways that wrongfully harm an agent; in cases of structural oppression, structures distribute power unjustly either creating new unjust distributions or perpetuating existing illegitimate power relations. Haslanger recommends a mixed conception, i.e. of group and individual oppression because it allows one to recognize that individuals and institutions cause oppression, albeit in different ways.

To determine wrongdoing in cases of individual oppression, we need to be able to identify someone having committed the wrong and we need to be able to identify someone as

the victim of the wrong. To remedy cases of individual oppression, we focus on changing the behavior of the person who caused the harm. In cases of structural oppression, Haslanger and Frye agree: responsibility does not have to attach to specific persons and our remedies in cases of structural oppression seek to change the nature of the institution, or the ways in which it is delivered; we do not necessarily change the individuals themselves. This is the case because the oppressive structure may not have been intentionally created to be oppressive. In fact, those responsible for creating the structure might have created the structure for benevolent reasons.

Since structural oppression does not necessarily involve finding an agent that caused the harm, we need to consider two ideas, first, whether or not there is a misallocation of power; second, whether the wrong is linked to membership in a group. Consider the second question. The question looks simple enough: racial oppression, for instance, is oppression in which members of the preferred race are targeted. But the question is not simple when we consider that social groups are dynamic entities and their properties are importantly tied to institutions and the properties of the institution, and so we cannot talk about a group without talking about the institution in which it is embedded. In addition to the trouble this fact presents for the analysis, there are further problems presented when we consider that on some occasions social groups are explicitly targeted by certain policies, while in other cases the group is not explicitly targeted though the policy or practice will differentially effect the group. And in other cases, policies or practices target a group that did not have a previously existing sense of identity as we saw in DeGraffenreid v. General Motors in which the courts refused to recognize black women as a distinct class of agents able to bring suit. If the courts had allowed the black women bring suit, the courts would have authorized the creation of a

new entity in terms of legal precedent. Black women, of course, have always been in existence, but under the law, they have not existed as the sort of entity that warrants legal protection.

Instead of trying to understand what it means to be the target of oppression in the abstract, let us try to understand this idea in the context of her account of oppression:

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

A group is oppressed, as a group, by an institution, in a particular context if and only if in some context there is an unjust relation that is created, perpetuated, or reinforced by the institution, and one's being a member of a group non accidentally correlates with being disadvantaged by that existing unjust social relation. Haslanger's account is meant to capture cases in which some institutions accidentally map onto unjust power relations without being oppressive and cases in which an institution appears to not only map onto an existing unjust power relationship, but also to perpetuate it. As an example, black women are oppressed, as black women by cultural representations of black women as emasculators of men in the contemporary U.S. if and only if being a black woman in the contemporary U.S. non accidentally correlates with the inability to find marrying partners and cultural representations of black women as emasculators creates, perpetuates, or reinforces the negative desirability of black women as a marrying partners. Let me explain some of the pieces of this account.

First, to say that the injustice involves standing in an unjust relation is to go beyond thinking of injustice as consisting of various distributions of goods and services. It includes the things that determine distributions; the specific and varied processes by which the

powerful enact and reproduce their power. Second, according to Haslanger, a non accidental correlation is an attempt to find a middle ground between a group's being explicitly targeted and the group merely suffering adversely from a policy. Some correlations between injustice and a group's composition are merely accidental. This will happen when various group traits are coextensive. For instance, a policy requiring that all NBA players adopt dress codes might be unfair to the players as players, but not to the players *as men*, though in this case being a male and being a member of an NBA squad are coextensive. So we have to be careful in considering the intersectional identities that groups and agents have in claiming that unjust policies target specific groups. But what is important is that the group's being a group of *Fs* be causally relevant to the injustice.

There are two further ways of understanding what it means to be oppressed as a member of a collective, but neither way is ultimately very helpful. One way to understand the idea of targeting is to claim that that the targets of oppression are those who suffer the effects of a given policy. The problem with this view is that many persons whom we think are oppressed may not be oppressed while many persons whom we would not consider oppressed would be oppressed. A second way to understand what it means to be the target of oppression is to claim that the injustices under consideration are motivated by racial animus or some other intention, but Haslanger claims that requirement is too strong since there may not be any persons responsible for the injustice. I think Haslanger too quickly ignores this view, but this seems mistaken to me because all institutional polices ultimately require interpretation at the point of application and there is much room for the choices of agents to be affected by negative affective responses. By calling racial animus too strong, I suspect

that Haslanger understands the animus to be negative or passionate or similarly crude in its expression, but this need not be the case. I will come back to this point soon.

To make the problem even more complicated we have to recognize that one need not self-identify as a member of the collective in order to be oppressed, and so we cannot claim that the targets of oppression are those persons self-identifying in certain ways. There may not be a perfect way to characterize what it means to be the target of oppression as a certain kind, but ultimately what matters is that one's being considered a member of the collective, or a social group, subjects one to unjust policies or practices.

Haslanger tries to avoid the problems of understanding what it means to be a target of oppression by trying to find a middle ground by considering the ways in which a policy or a practice constructs or affects the identity of the group as well as its position within the broader sociopolitical system.[45] Tying inappropriate allocations of power to the identity of the group, or to properties of the group, is not without its problems, but it might be a promising starting point for understanding how a member of an oppressed group is targeted as a member of that group.[46]

Unfortunately, Haslanger does not offer a way to understand how unjust policies or practices construct or affect the identity of the group. But perhaps she could get traction on this project if she argued either that policies and practices that affect a group's position

[45]Haslanger 110.

[46]The problems do not seem insurmountable and the problems have more to do with looking at policies or practices rather than group identity. The first problem is that given the history of the oppression of some groups, there may be a tendency to define the group in question in such a way so as to disqualify persons who suffer the injustice, but whose claims get passed over precisely because they are thought not to have group membership; the second problem is that we cannot look solely at stated policies, to be fruitful the account must be extendable to informal practices and unstated policies; the third problem is that focusing on policies might give the impression that the policy errors in its intention because it makes group membership a condition of the policy's application; the fourth problem is that we cannot rule out the cases in which groups are targeted in virtue of racial animus. A further problem that Haslanger does not consider is whether or not this view privileges group identity over racial identity. In the least, we need an account of the relation between the two unless one assumes that the identity of the whole is simply the aggregate of the identity of the parts.

within the broader sociopolitical system construct or affect a group's identity or if she argued that policies and practices that construct or affect a group's identity thereby affect the group's position within the broader sociopolitical system.

Notice that Haslanger's view relies for its explanatory power in a number of cases that there be previous injustice. But this may not, and need not, be the case where the group is explicitly targeted and nor is it the case when a policy creates new unjust power relations. Haslanger does not provide any examples of what it might look like to claim that policies create new unjust power relations, but we can imagine some of them, for instance, policies that deny recent undocumented immigrants driver's licensees or the absence of work regulations governing the employee relations between undocumented workers and employees. Such policies, or their absence, render a group more vulnerable to exploitation.

How does this account help us to understand racial inequality? Haslanger's account allows us to describe the ways in which policies, norms, or institutions might perpetuate antecedent misallocations of power or how such phenomena create new morally suspect allocations of power. Her view also helps us to understand how individuals might be oppressed and it helps to guide us in evaluating claims that a group is oppressed when policies reinforce or perpetuate their disadvantage. For instance, white males at UNC could not claim that affirmative action policies oppress them because being a white male at UNC is not non accidentally correlated with being disadvantaged and affirmative action policies do not create, reinforce, or perpetuate the disadvantage. But we do not have the resources to fully answer whether a group is oppressed or not since we do not have an account of the just allocations of power.

But I am not convinced that Haslanger's account of oppression is of any help in understanding how a black person is the target of oppression *qua* black person. The examples she cites are ones in which blacks are targets of oppression in virtue of being a member of a group that's had a history of being oppressed. In such cases being the target of oppression is derivative on identifying a group that's already been disadvantaged. If this is correct then we can understand what it means to be a target of oppression by understanding what it means to be classified as an F and by understanding that F's are oppressed. We can understand new ways in which F's might be oppressed, but we do not have a way of understanding what it means to be target of oppression as a P if there is no group of P's that have been disadvantaged. To answer these questions we do need the notion of race to play a substantive role in the account. That this account, or Frye's for that matter, does not helps us to understand the precise ways in which racial oppression involves race is not a reason for rejecting them. I think what this shows is that we need to consider the specific ways in which race is implicated as a mechanism in bringing about oppression.

The Mechanisms of Oppression

I just claimed that we need a more precise way of understanding the role of race in oppression if we are to better understand what it means to claim that policies and practices are morally dubious if they influence or construct a group's identity in ways that negatively affects the group's position within the broader sociopolitical system. Haslanger offers a formal way to understand the question and here I want to consider in more detail a view that she rejects, namely racial animus. The way to make this out is to see that there is another advantage in understanding the role of race in racial oppression, namely that we get a way to

understand how the specific mechanisms of oppression, for instance the adverse and unjust policies, and the like, might be underwritten by race. Let me illustrate what I have in mind by considering sex.

Sexism is currently thought to be the face of women's oppression. I think we can see such a view in Frye's work on sexism. Frye claims that sexism characterizes the cultural and economic structures which create and enforce patterns of sex-marking and sex-announcing, dividing the species along sex lines into dominators and those being dominated.[47] And to be separated into groups of dominators and those being dominated is for one group, namely those being dominated to stand in an oppressive relation to the dominators. Sexism underwrites women's oppression by constructing and legitimizing women's nature in ways that infect practices and norms and the lack of meaningful choice within these norms **is** women's oppression.

In the same way, any view about race, or any theory that characterizes racism will underwrite racial oppression by constructing and legitimizing racial essentialism in ways that infect practices and norms where the lack of meaningful opportunities for self-development and self-determination are oppressive.

What we see in Frye's work is that the relation between sexism and oppression is not just epistemological but it is causal or constitutive. That is to say, in making reference to oppression we cannot do so without making reference to sexism.

There have been a number of attempts to offer a plausible account of racism and I will not consider them all because not all of them are candidates that could underwrite

[47]Marilyn Frye, The Politics of Reality (Trumansburg, New York: Crossing Press, 1983) 38.

oppression. I consider Jorge Garcia's account since it has attracted much attention and debate.[48]

Garcia's view evolves over several publications but I will treat the view as it appears in his most recent article *The Heart of Racism*.[49] The impetus behind the account is an agreement with such theorists as Robert Miles who argued that construing racism as a view about people's beliefs ignores racism as a sociopolitical reality. Similarly Antony Flew has objected to defining racism in terms of beliefs arguing that to do so sets a dangerous policy of thought control of demanding that persons renounce various propositions, irrespective of any evidence.[50] In addition to these criticisms of construing racism as a matter of cognitive content, Garcia is also dissatisfied with most accounts of racism, claiming that they do not capture or seriously consider that when we use the term "racism", we are using it to morally condemn the person to whom it is meant to apply. Thus, an adequate account of racism, Garcia surmises, is one that captures its normative features.

What this view attempts to take seriously is that we often tie racism to hatred and to contempt, these being the terms that readily come to mind when, for instance, we think of the three men who were convicted of murdering James Byrd or the frequent lynchings of black men during the early part of the nineteenth century. In these cases there is an apparent animosity, or a hatred.

This is an account in which we fix the descriptive and the normative features behind our claiming that some person, like Archie Bunker for instance, is a racist. Once we fix those

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[48]It is worth noting that structuralist accounts of racism cannot obviously underwrite racial oppression.

[49]Jorge Garcia, "The Heart of Racism", found in Race and Racism Ed. Bernard Boxill (New York: Oxford University Press, 2001).

[50]As will become clear, Garcia wants to consider racism as a sociopolitical reality but he does not endorse a structural conception of racism in which institutions are the unit of analysis. On Garcia's view, the individual is the unit of analysis and the project is to understand institutional racism in light of this.

features we can understand what it is that makes other phenomena racist, i.e. beliefs, motives, speech expressions, institutions, actions, and practices.

On Garcia's view racism is immoral behavior; it is a form of morally insufficient regard for persons implied by the virtues of justice and charity. In its common form, the morally insufficient regard is hatred or ill-will directed against a person or a set of persons on account of their race; in its derivative form, it is an absence of care or insufficient care towards or about people assigned to a racial group. The attitude need not be especially negative or passionate, nor need it be especially negative or crude in its expression.[51] The morally insufficient concern infects actions and behaviors in several ways, namely in the most commonly reported attempts to injure people assigned to a racial group because of their race; or in objective failures to take care not to injure because one disregards the interests of the person or the interests of the group because of their race; in cases in which someone acts on the basis of a belief about other people, in which that is held because of racial disaffection towards the targets assigned race. This last case also includes adopting someone else's beliefs, or rather, taking another person's claims as true without considering the merits of the beliefs, and such epistemic promiscuity results from racial disaffection towards the targets assigned race. [52]

There are two features of Garcia's view that make it unique. The first feature is that his account is an individualist account of racism. That is to say, the individual or the *person*

[51]Garcia 274.

[52]This idea is from Garcia's controversial example of the Kiplingesque person who thinks that members of certain groups are not sufficiently developed for taking on certain behaviors, and so they require much aid by more civilized persons. Garcia suggests that the Kiplingesque person, despite initial appearances may hold that such persons are inferior out of selfish motives, usually in maintaining domination. If she does hold that members of certain groups are inferior, the content of the belief is morally troubling because it derives from ill-will and the very entertaining the idea that the natives need civilizing is morally troubling because that belief is accepted in virtue of racial ill will. Thus racial disaffection can influence our recognizing, holding, and believing certain beliefs.

is the unit of analysis when we talk about racism. But even here, Garcia's account is reductive in that the units of analyses are not beliefs and actions. Since these are not the units of analyses, their source becomes the unit of analysis, namely character. Beliefs and behavior offer evidential support to our assessments of whether or not someone's character displays the moral defects we attribute to it. Notice that since there must be an individual that is a racist, this view has to admit forms of racism that are subconscious. I take this to be a worthwhile feature that any account of racism should consider.

The second feature that is unique about the account is that it is an infection model of racism. As an infection model, actions, attitudes, and ways of believing are racist when they derive from racism in desire, wishes, and intentions, as opposed to it being the case that actions and beliefs are racist when they lead to undesirable effects. Thus, as I have hinted, antipathy for members of others racial groups leads to various beliefs, and subsequently, to various behaviors.

Since Garcia locates the morally troubling features of oppression with the individual the consequence is that it is the individual that is the locus of our attention, even in cases in which we think that racism is institutionalized. The task is how to explain the relationship between the two in such a way that individual racism is the locus of the troubling aspects of racism, and not the institution, without rendering the notion of institutional racism devoid of meaning. On Garcia's view, the infection of racial disregard infects the actions of the individual and ultimately infects the institution's aims and plans. Institutional racism is not primitive on Garcia's view, we understand it only in virtue of the actions of the members of the institution.

Tommie Shelby and Charles Mills have separately criticized Garcia's view.[53] They both raise a number of objections not limited just to the core of the view, but to the methodological assumptions behind Garcia's analysis. I am not concerned with all of the objections offered by Mills and Shelby, but only those that I think are the most interesting and the most telling. Both Shelby and Mills object to the core contention of Garcia's view, namely that beliefs play only a secondary and inessential role in racism. Shelby does not disagree with Garcia's claim that beliefs are often used to rationalize racist actions, but Shelby thinks, as Mills contra Garcia, that beliefs are essential and sufficient for racism.

Shelby's objections seem predicated on the claim that the only way in which we can understand how race influences the deliberation and action of agents is via beliefs. Shelby wants to show first that volitional disregard in Garcia's sense is not sufficient for an action to be racist. Shelby claims that we cannot claim that someone's intentions are racist without positing that the person has a belief about races. This claim is motivated by the fact that one's animosity towards someone cannot be racist simply because the object of the animosity is raced. That is to say, one might hold a view towards another person that expresses animosity, but that animosity cannot be racist if all there is to the case is that the persons involved are of different races. The animosity might be explained by a number of factors, many having nothing to with the racial membership of the persons involved. To determine the presence of racist animosity, we would need to know whether the animosity was directed in virtue of having a belief about the supposed racial characteristics of the group.[54] Next, Shelby claims that someone may have an attitude that is racially based but having an attitude

[53]Tommie Shelby, "Is Racism in the Heart", Journal of Social Philosophy, Vol. 33, No. 3, Fall 2002: 411-420; Charles Mills, "Heart Attack: A Critique of Jorge Garcia's Volitional Conception of Racism", The Journal of Ethics 7, 2003: 29-62.

[54]Shelby 414.

be racially *based* is not the same thing as being *racist*. Shelby's example is one in which a white person with pro-black sympathies comes to have an unfavorable attitude towards a black person for behavior that the white person thinks is inappropriate for a black male committed to black liberation. Shelby maintains that the white person may harbor animosity towards the black person because of the black person's race, but their belief is not racist until we know what the white person believes about blacks.

Next, Shelby denies that racist attitudes are necessary for racism. Shelby does not deny that people often have negative attitudes towards members of other groups, the issue rather, is whether racism occurs only when such attitudes are present. Shelby imagines that someone who grows up socialized to believe blacks inferior, but does not harbor any ill will or hatred toward blacks cannot be called a racist on Garcia's account. That is, since this person does not have any ill will towards blacks, she cannot be racist on Garcia's account. But if we imagine that her uncritically adopted belief about blacks infects her decisions, especially those that influence her to undermine the welfare of blacks, we would call her actions racist.[55]

What is Garcia's response to cases like these? Given my earlier description of the account, one strategy Garcia could, and does adopt, is to claim that a person who grows up believing blacks inferior is really animated by racial ill-will because her acceptance of the claim that blacks are inferior is driven by animosity. Given that this is Garcia's strategy, and Garcia admits this in his discussion of the Kiplingesque racist, that ones beliefs are unconsciously and at least partially motivated by racial ill-will, I think Garcia can respond that it may be logically possible to hold the sorts of beliefs that Shelby's case presents, but that it is not psychologically possible to hold the beliefs without holding animosity in the

[55]Shelby 418.

relevant sense. Garcia does not make this claim, perhaps because it concedes too much. But where there are cases in which one could not plausibly claim that one's beliefs are influenced unconsciously by racial animosity, Garcia concedes that such persons cannot be racist in their beliefs, actions, or attitudes. [56]

What about the first counter-example of the person who has pro-black sympathies who shows ill-will towards a black person? Since to display racist animosity is to withhold from someone what they are owed, this case could not be a case in which such a person could be racist, because the agent of the animosity is not withholding anything that is due because of someone's assigned race. That is to say, the ill-will that Shelby has fixed upon in that case is not the right kind of ill-will.

Let me mention another response one can make on behalf of Garcia and that is that there is a difference between having a racist belief and believing something racistly. On the former, it's what is believed that Shelby is concerned with, in the later, it's the reasons for entertaining the belief itself. I think Garcia can claim that on his view, what makes someone a racist is not what they belief, but what compels them to believe what it is that they believe. And in cases of animosity, one believes certain things out of animosity. So on the response I am presenting, Shelby and other proponents of belief-centered accounts of racism talk past proponents of volitional accounts of racism. What is believed is not at issue, but why one believes what one believes. I find this response attractive because there are perhaps many cases in which people do not give up beliefs even when presented with the relevant evidence.

[56]Garcia claims in a quote: "Having said all this about some who are what I have called Kiplingesque racists and about some people in these situations, some involved in racially oppressive social systems, will not themselves be racist in their attitudes, in their behavior, or even in beliefs (at least, in the stronger sense of being racist in holding her beliefs", Jorge Garcia, "The Heart of Racism", found in Race and Racism, Ed. Bernard Boxill (New York: Oxford University Press, 2001) 276.

This seems especially true when the beliefs come to define who we are or bear some important relation to our identity.

Charles Mills's objections echo Shelby's as he argues that unless we understand beliefs to play a greater role in Garcia's account, we will be not be in a position to call something racist. Mills's strategy, similar to Shelby's, is to construct cases according to which we can plausibly call someone racist only in virtue of having certain beliefs with specific content. Thus imagine someone who has been a victim of aggression by white persons and assume that the victim has ill-will towards whites. We would not claim that that person was racist unless that person had a belief about whites that was based on race. That is, if the victim's ill-will is based on the belief that white people are bad because of their intrinsic nature then we would count their attitude as racist, but if she simply believes that most white people are bad we cannot call such a person racist and if this is correct, then ill-will cannot be sufficient for racism.[57] But I doubt this objection should move someone away from Garcia's view. Since to display racist animosity is to withhold from someone what they are owed, this could not be a case in which such a person could be racist, because the victim of the aggression is not withholding anything that is due. That is to say, the ill-will that Mills has fixed upon is not the right kind of ill-will.

Mills, similar to Shelby, thinks that ill-will is not necessary for racism as well. Here the strategy is to construct a case in which someone has a positive attitude towards blacks, but the possession of that attitude is racist. As before, it is the presence of certain beliefs that licenses the charge of racism. Mills considers a case that Garcia himself considers, namely someone having a positive attitude towards a group while believing that that group is culturally or morally inferior. In that case, Garcia's strategy is to argue that benevolent

[57]Mills 42.

racists really are malevolent racists, that is, their good attitudes and actions are predicated on advancing their own selfish plans. Such persons act on malevolent intentions, and as such, we can call them racist, or the actions that follow from such attitudes, racist. Mills simply denies that Garcia is entitled to claim that those with benevolent intentions are unconsciously being driven by malevolent intentions. We have no reason to suspect that the apparent intentions to aid are not legitimate unless we know what specific beliefs generate them and in doing so, we have to appeal to beliefs to entitle us to call such a person racist, or her actions racist. The responses I gave to Shelby work against this counter-example. Of course, if these responses are satisfactory Garcia might otherwise bite the bullet and put these cases aside as anomalies. But I do not find Shelby's or Mills's objections to Garcia's view conclusive.

What has received inappropriate attention in the debate between Mills/Shelby and Garcia is the nature of the negative perception of racial groups, and subsequently, the negative perception of the members of racial groups. Someone might claim, as I believe Mills and Shelby have tacitly done, that Garcia has not sufficiently described what it means to have ill-will towards another person and he has not given us reasons for thinking that racial ill-will is a special kind of ill-will or whether racial ill-will is just generic ill-will whose only distinguishing feature is its target.[58,59]

One of the benefits of Garcia's view is that it helps us to understand the nature and perhaps the extent of would be barriers to empathy between whites and blacks. For instance,

[58]I note that Garcia can not distinguish racial ill-will from generic ill-will merely in virtue of its target. This move would be inconsistent with other things he says, for instance, he claims that distinguishing feature of institutional racism is not its target.

[59]I take it that Mills and Shelby maintain that what distinguishes racial ill-will from generic ill-will is the presence of various believes about the assigned racial group of the target of their antipathy or behavior.

Derrick Bell maintains that whites do not, in general, feel empathetic concern for blacks. Janine Jones maintains a stronger claim, namely that whites **cannot** feel empathetic concern for blacks. For Jones, that whites cannot develop empathetic concern for whites is not a failure of having certain beliefs, it is a failure in having the right kinds of experiences.[60] If Jones is correct, we can see yet another way in which racial antipathy might be a mechanism in underwriting the oppression that blacks experience.

Thus far I have claimed that we can see racism as an important mechanism for oppression and I have considered an account of racism rooted in volitional disregard for persons in virtue of their assigned racial group. But before I move on let me consider a contrary account of the mechanisms of racial inequality. I have claimed that we should understand racism as a mechanism for oppression. Glenn Loury offers a different, more benign mechanism of racial oppression. Loury claims that self-confirming stereotypes, which are biased social cognitive functionings of sorts, reproduce inequality over time.[61] Self-confirming stereotypes are statistical generalizations about classes of persons whose evidential support is underdetermined. A self-confirming stereotype is racial when the generalization is predicated on racial classification. What makes a self-confirming stereotype self-confirming is its appearance of reasonableness: agents act with the generalization in mind (so-called rational statistical inference), setting in motion a sequence of events that results in confirmation of the initial judgment (a so-called feed back effect). Imagine this process is recursive, and Loury claims that the process results in equilibrium in which mutually confirming beliefs and behaviors converge. Loury specifically has in mind the

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[60]Jannine Jones "The Impairment of Empathy in Goodwill Whites", What White Looks Like: African-American Philosophers on the Whiteness Question, ed., George Yancy (New York : Routledge, 2004).

[61]Glenn C. Loury, The Anatomy of Racial Inequality (Boston: Harvard University Press, 2002).

cases in which agents can influence the ways in which the generalization receives confirmation.

Here's a simple example to illustrate the point. Suppose a black male is hired to serve some function within an organization. Now suppose that all employees are subject to a probationary period in which their employment is at will (i.e. the employee can be fired without cause), and assume that the black male is supervised by a white male who believes that blacks are lazy. Suppose as well that the black male also believes that white males think black males are inferior or lazy. Loury claims that the beliefs held by the two agents will result, first, in the black male not trying as hard as he would have because he believes that he will not get the job; second, the supervisor will take a more critical view of the black person's underperformance than he would have if the applicant were not black,[62] having expected sub-standard levels of work; and, third, confirmation: the black male is not hired thinking that he never had a fair shot, and the supervisor finds further confirmation that black males are poor candidates for employment of certain kinds. Loury offers other examples as well involving taxi drivers and police officers in which taxi drivers refuse fares to black males, and police officers racially profile black males.

This mechanism is benign, Loury claims, and I think it is likely a fruitful hypothesis applying in a number of cases. But I think Loury's account is too simplistic to do any real explanatory work. Now Loury's aim is not to make normative judgments about self-confirming stereotypes, claiming that accepting unproven generalizations is natural given the limited information agents usually have about the person(s) with whom they immediately interact. But if the relevant generalizations are going to be confirmed, or rather if they are not going be disconfirmed, much more complex cognitive biases have to occur, and I doubt

[62]I take it that the supervisor would also undervalue the black male's putative superior performance as well.

Loury's account can accommodate them in a plausible manner. For instance, if a generalization about a group, Y, is predicated on some property P, where that property appears present in another group S, in order for the generalization involving P to influence behavior, the cognizer has to believe, or convince herself, or entertain some other sort of cognitive denial, into believing that P is disvaluable only in certain cases and not others. So for instance, if the white supervisor notices that white males do not work as hard as black males but nonetheless believes that black males are lazy, then the white supervisor has to either revise her belief about white males, or revise her belief about black males (e.g. black males are lazy, but not nearly as lazy as white males). But now it becomes less clear what counts as evidence and how, in particular, the white supervisor's belief will receive confirmation. The evidential support cannot come from past experiences in any meaningful way, unless of course, the white employer holds that all of the lazy whites and all of the keen blacks she sees are anomalies. But this sort of cognitive self-deception is neither natural nor plausible. At least, if one is truly going to be this inconsistent in her judgments, I suspect it is the case because she antecedently harbors antipathy or indifference towards blacks and as a consequence believes either that blacks are fit objects of ridicule and aversion or she believes that blacks are inferior. One's being blind is just this way is to harbor some form of affective animosity towards one group. If this is correct, then beliefs play a much more limited role in these cases than we are lead to believe.[63]

If we do not posit volitional disregard as an explanatory factor in the acceptance of holding these inconsistent beliefs, we face a difficult task in explaining in what equilibrium consists. It appears that we can understand how equilibrium might occur in the employer

[63]I actually think Loury would agree to this view since he introduces the notion of stigma to do just the sort of work that I am claiming is not a part of the notion of self-confirming stereotypes. See footnote 62.

case involving the white supervisor, but even this is doubtful if we consider the myriad of other experiences with blacks that the white supervisor must have. More specifically, how are we to understand cases in which confirmation is underdetermined? That is to say, what makes us think that the phenomena that confirm various beliefs actually does the work in confirming the belief? For instance, surely what plays a greater role in explaining the beliefs of the taxi drivers is not repeated instances or stories of black crime against cab drivers, but the articulated and pervasive understandings of the social meaning of blackness. Taxi drivers need not look far for representations of the inferiority of blacks in the culture and these representations would counteract the would be evidence that would disconfirm the hypothesis regarding the supposed dangerousness of blacks. How else could taxi drivers maintain, in places such as Washington D.C. where there are large communities of wealthy blacks, that black males are inherently dangerous? Thus there must be an asymmetry with respect to belief acquisition that Loury has not admitted. That is, the taxi driver seemingly needs less confirmation to hold the belief she holds while black males do not.

We can see the force of the claim that cognitive delusion plays a greater role in Loury's account than he realizes when we consider cases in which some property, P confers negative value on another property, N, even when the possession of N is normally valuable, as when certain forms of dancing or reasoning, though usually innocuous or praiseworthy, are considered vulgar or glib when performed by members of certain groups. Again, this sort of cognitive functioning requires a fair amount of cognitive delusion that is not obviously entailed by Loury's theory.[64]

[64]In a subsequent chapter Loury introduces the notion of stigma as a tool to describe the attitude of indifference of whites towards blacks. His account of stigma is unclear to me, but it is not meant to describe cognitive malfunctionings of the kind I am presenting and I am doubtful that it can be brought to bear to save the notion

In any event, it seems clear that Loury's view cannot adequately explain the precise ways in which self-confirming stereotypes begin, nor can he explain how they are sustained, especially when counter evidence is present or when lack of confirming evidence is present. What does explain the continued holding of various generalizations even in the face of counter-evidence or a lack of evidence, is volitional disregard. Now I do not reject Loury's view as it is consistent with what I have claimed about racism, but I reject his thinking that self-confirming stereotypes are as fecund as he thinks they are in explaining the mechanism of racial inequality without positing volitional disregard which makes them morally charged.

Returning to our earlier question on how best to understand the relation between racism and oppression. I suggested that racism is the mechanism that underwrites racial oppression, and ostensibly racial inequality. Racism, being predicated on the view that blacks are the fit objects of volitional disregard leading in many cases to the view that they are naturally inferior for personhood, creates and reinforces patterns of race-marking and race-announcing into groups of dominators and subordinators in which the subordinators stand in an oppressive relation to the dominators. Racism underwrites black oppression by constructing and legitimizing black's nature in ways that infects practices and norms and these practices and norms determine the distributive share of blacks. That is racism underwrites the oppression of blacks in ways that effectively limits the choices of blacks.

Liberalism and Racial Inequality

We now have an account of the social reality of blacks and an account of their oppression that explains their social reality. At this stage we should consider whether the

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of self-confirming stereotypes without abandoning the would be benefits of using stigma that it supposedly secures.

liberal response to racial inequality is one of silence and if it is, whether that silence derives from the liberal conceptual framework or whether the silence derives from the adverse impact of deeply held principles manifested in various policies. I should emphasize that my aim in this section is not to show that egalitarians are antagonistic or indifferent towards the interests of persons of color, but rather why persons of color might believe that they are. This project entails separating the more plausible arguments for believing that liberalism cannot describe and remedy the problems of racial inequality from those arguments that are not as plausible.

This section has two parts. I consider whether certain deep commitments within liberal thought leave liberalism unable to characterize and remedy racial inequality; and second, I consider whether specific egalitarian views perpetuate racial inequality.

Obviously there have been a number of objections to various forms of liberalism and one must decide which objections to liberalism are worth considering. I consider several broad objections to any form of liberalism, and in some cases I specifically have egalitarianism in mind and this is because egalitarianism is the most promising theory when talking about racial inequality because the egalitarian is committed to the claim that equality is a morally promising ideal, on a par with other important values, if not trumping them.

The objections I raise come largely from feminists since they have pushed the liberal to more seriously consider the status of women and minorities and also because there have been far more critiques of liberalism by philosophers regarding the status of women, than there have been critiques of liberalism regarding the status of race.[65]

[65]There are also criticisms of specific egalitarian views that I ignore. For instance, I ignore the many objections to Rawls's *A Theory of Justice*. As the reader will see, I consider Rawls specifically in this section as exemplifying egalitarianism, but my aim is not to show that Rawls's theory is misguided. There are also criticisms of Rawls that can be construed as criticisms of liberalism as well, and some of these criticisms might

In my discussion of liberalism I shall try to separate its "theory" from its "politics." In providing a broad account of liberalism I will be providing some of its core features though my aim is not to provide a thoroughgoing presentation of liberalism. Liberalism is not a single position, it is a family of positions roughly associated with the following predecessors Rousseau, Locke, and Kant, and their successors: e.g. John Rawls, Robert Nozick, Joseph Raz, and Ronald Dworkin. Liberalism begins with the intuition that each person is of equal moral worth. This equal moral worth, or dignity, is grounded in the power of moral choice manifested in an ability to plan one's life in accordance with one's chosen ends or chosen means.[66] This power of moral choice is predicated on having the ability to reason.

This idea is most powerfully articulated in the work of John Rawls. Beginning with the idea of society as a fair system of cooperation, John Rawls articulates a political conception of persons in which they are free in virtue of the possession of reason and in virtue of the possession of a capacity for a sense of justice and for a conception of the good.[67] These features allow persons to understand, to apply, and to act from a public conception of

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be relevant to the concerns of race and gender but only tangentially. I have in mind Cohen's objections to Rawls concerning the basic structure. Cohen's objections begin with Carol Pateman's claim that Rawls's theory disadvantages women by leaving the family outside the basic structure ostensibly, leaving the family ignored by the two principles of justice. Cohen's objection is a point of departure, he is not concerned that the family is left out of the basic structure, rather he is concerned to show that Rawls's understanding of the basic structure is deeply misguided. This kind of objection to Rawls I do not consider, because the problem is not a problem about race or gender. See G. A. Cohen "Where the Action Is: On the Site of Distributive Justice", Philosophy and Public Affairs 26, 1997, 3-30; and Carol Pateman, The Sexual Contract (Stanford: Stanford University Press, 1988).

[66]Martha Nussbaum, Sex & Social Justice. New York, New York: Oxford University Press, 1999.

[67]John Rawls, Political Liberalism (New York: Columbia University Press, 1993). When I use the phrase "fair system of cooperation" I mean that persons, in the sense mentioned above choose the principles of cooperation which are to regulate their cooperating from the same initial situation with the same choice scenario. I call the conception political as Rawls does in Political Liberalism, he does not call the conception of persons "political" in the 1971 version of theory.

justice and to form, revise, and pursue a conception of one's rational good.[68] Rawls argues that this conception of a person captures the idea of a being that can take part in social life in respecting rights and duties in a system of social cooperation.

Martha Nussbaum says that liberalism adds a third intuition to the two beforementioned intuitions, "that the moral equality of persons gives them a fair claim to certain types of treatment at the hands of society."[69] With these values in mind the good society is one in which these values are instantiated. That is to say that the good society must protect the dignity of each individual and promote individual autonomy and self-fulfillment. Given all this, the fundamental problem for the liberal is to devise social institutions that protect each individual's right to a fair share of the available resources while simultaneously allowing persons the maximum opportunity for choice and self-fulfillment.

I note that liberalism is a view committed to the creation of a state in which persons are morally equal. I also note that many liberals do not interpret moral equality to imply strict material equality. The common view is that moral equality recommends having enough material resources to live out one's life, it does not entail strict material equality.[70] When we look to such authors as Rousseau and Hobbes, we see that equal liberty is the result of free decisions by persons with a conception of the good. This "contract" provides the moral justification for the freedom that individuals have and it provides the justification for the limits of freedom in the state. Contemporary liberals have focused on the precise

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[68]Rawls, p. 19. In Political Liberalism, persons are reasonable and rational; being reasonable, they have the capacity for reciprocity, that is, they can act in accordance with principles that regulate cooperation, and, being rational, they have an ability to choose their conception of the good.

[69]Nussbaum, p. 57.

[70]See Harry Frankfurt, "Equality as a moral ideal", The Importance of What We Care About (New York: Cambridge University Press, 1988).

interpretation of equality with debates between and among egalitarians and between and among so-called libertarians.

Alison Jaggar in *Feminist Politics and Human Nature* claims that liberalism is committed to a form of abstract individualism, that is, that the essential human characteristics and properties of individuals are given independently of any particular social context. [71] Jaggar claims that such a conception of persons is exclusionary since it ignores the experiences of women, and misguided, since it ignores the profound effects of one's social setting. Such a view, she claims, cannot be the appropriate place to derive basic principles for modeling basic rights and interests.

Martha Nussbaum disagrees with Jaggar's charges. Nussbaum claims that these conceptions are not problems with liberalism and that the liberal conception of the person is one that can be used to organize women. Nussbaum dismisses the objection that the liberal conception of the person is too individualistic in the sense that we imagine human beings "cut off from all others and yet thriving."[72]

The objection Nussbaum takes seriously is the claim that the abstract conception of persons promotes normative self-sufficiency. Nussbaum agrees that the liberal conception of the person offers the appearance of humans thriving in conditions of isolation, it "urges people, that is, to minimize their needs for one another and to depend on themselves alone."[73] And of course, by encouraging self-sufficiency as a goal, liberalism subverts the values of the family and community. But Nussbaum claims that normative self-sufficiency

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[71]Alison Jaggar, Feminist Politics and Human Nature (Totowa, NJ.:Rowman & Allanheld, 1983).

[72]Martha Nussbaum, Sex and Social Justice (New York: Oxford University Press, New York, 1999), 60.

[73]Nussbaum, p. 61. She thinks Spinoza, for instance, espoused some form of normative self-sufficiency, but his supposed endorsement was the conclusion of argument, not an assumption.

should not be dismissed without an argument. Nussbaum agrees that some enlightenment thinkers have endorsed normative self-sufficiency, but they have done so with powerful arguments that have to be addressed.[74]

Nussbaum claims that self-sufficiency and detachment are not strongly linked to liberalism and that even if liberals did hold that our most basic desires could be satisfied independently of relationships to others, the normative conclusions about self-sufficiency would not follow. This is because frequently moral theories demand that agents do things not seemingly amenable to their own interests and we could demand that people show concern for other persons where that concern does not come naturally.[75] Liberals do, Nussbaum claims, value benevolence, the family, one's community and the duties that agents have to these institutions.

The emphasis on the individual is justified when we consider what it means to take the individual as the basic unit of political thought. This is simply to acknowledge that persons are different from one another in life plans and conceptions of the good, that each person is separate in body and in rationality. Since institutions are made up of individuals, liberalism focuses on individuals, not collectivities, as ends in themselves.[76]

Next, Nussbaum has two responses to the charge that liberalism has a conception of the individual that is disassociated from history and social context. Nussbaum claims the objection can be stated in two different ways. One way of stating the objection is to claim that the liberal's conception forces her to adopt a purely formal notion of equality that in the end cannot make individuals equal because of the reality of social hierarchies that make

[74]Nussbaum 61

[75]Nussbaum 61

[76]Nussbaum 62.

persons unequal.[77] Using the language of formal equality under the law, Nussbaum says, one might be able to justify types of behavior that do not show equal respect for persons. Nussbaum claims that one could plausibly justify segregation using liberal language. But on the whole, liberal thinkers have rejected thinking of equality in purely formal terms. Nussbaum notes that there are examples in which philosophers and legal practitioners have argued that pure formal equality is not enough in expressing the worth of equality for persons.[78] Nussbaum says that this is not consistently argued by all liberals but that the problem poses no serious threat to liberalism.

But the problem of abstraction from history and social context can be stated in another way. Liberalism, so the objection goes, ignores such "morally irrelevant" features of persons as race and sex and various other social and historical features that shape the identities of persons.[79] The objection itself is not entirely clear to me, but I think the objection is that the essential features of a person that the liberal ascribes to that person do not include the features of persons that affect their identities. That is to say, the features that people care about and that express who they are as social persons; that determine the capacities, opportunities, and welfare in society are excluded by liberalism. But Nussbaum thinks this objection is misguided. The liberal is looking for a feature that is universally shared among persons and those features, Nussbaum claims, are choice and freedom, not determinate social identities. The liberal does not ignore these other features because they inform the agency and to some extent, the rational and moral personhood of persons. If this essentialist conception is mistaken, Nussbaum asks what will be put in its place and who will

[77]Nussbaum 67.

[78]Nussbaum 69.

[79]Nussbaum 70.

decide which features we make relevant to the conception of the person? Nussbaum is doubtful that there are any better candidates for this task.

Another way one might consider the egalitarian silent to the problem of racial inequality is in an inability to justify policies that might remedy it. For instance, Howard McGary is doubtful of liberalism's ability to remedy racial inequality because of liberalism's inability to explain the necessity of reparations. Assume that compensating African-Americans for slavery and its continued effects requires massive redistribution. McGary doubts that the liberal principles could justify such an expenditure. As an example McGary claims that Rawls could not endorse redistribution along the lines just mentioned because it will be difficult for the Rawlsian to pick out the worse off persons. Some white persons are as badly off as black persons, and some blacks are as well off as some whites, so the Rawlsian would not have a way of picking out the correct persons. I am doubtful that this objection is telling. What is telling is that the amount of resources needed to finance and coordinate such an endeavor would certainly be anathema to the better off if it turns out that it gives them disincentives from developing their talents.[80] This is just to say that reparations will be unacceptable, on Rawls's view, if it offsets the cooperative surplus derived from social cooperation.[81]

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[80]Most current discussions of equality in the literature balance personal responsibility against the distribution of natural assets. This project is an attempt to distinguish the features of persons that are not within one's control, like one's looks or native talent capacities, from the features of persons that are within one's control, like one's preferences. One might think that the problem for reparations is that those not responsible for the harms of ante-bellum slavery might claim that we ought not consider past wrongs as a criteria in determining how we dole things out. Or someone might simply claim that we cannot include within the domain of personal responsibility, responsibilities for past wrongs, in discussions of equality. Since contemporary whites are not responsible for slavery, one might claim that we should not shift the resources away from whites to the potentially disadvantaged blacks, irregardless of the effects of slavery.

[81]But this line that I am attributing to Rawls is one that might not be taken by an egalitarian who thought that we should redress the features of the natural lottery. Rawls's aim is not to redress but to mitigate their effects on the life chances of persons, and I think a commitment to mitigating, but not redressing natural inequalities forces

It is difficult to say whether this objection is telling or not because it is not obvious how we should consider reparations within ideal theory. Certainly, Rawls's conception of egalitarianism considers the interests of the worse off so we cannot claim that reparations in that sense is inconsistent with the original position. If we consider reparations as a potential policy whose adoption and implementation is considered within a particular constitutional arrangement, we have a different matter altogether. That is to say, when the abstract principles of justice are implemented in a constitutional arrangement, reparations, as a policy becomes subject to the schemes of political rules and norms of deliberation determined by free and equal citizens. Of course, it may be unlikely that reparations will win out in the market place of legislation, but its failure need not implicate ideal theory per se.

McGary offers another, more telling objection. McGary suggests that the frustration that African-Americans have experienced is describable as a form of alienation.[82] This type of alienation is an estrangement from ever becoming a self that is not defined in the hostile terms of the dominant group. On this account, those alienated become hostile towards themselves in such a manner that renders them "incapable of shaping a self-image in more positive terms because social forces impose upon them negative and hostile self-conceptions."[83]

McGary claims that if the liberal is going to characterize alienation then she will have to use the framework of rights and opportunities. McGary suggests that we think of alienation as the denial of a right to equal concern and respect and to be denied the right to

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Rawls's accept that various injustices will occur. It is a trade-off the Rawlsian can accept if the worse off benefit from the surpluses created by the better off.

[82]Howard McGary, "Racism, Social Justice, and Interracial Coalitions" The Journal of Ethics 1 1997: 249-264.

[83]McGary 251.

equal concern is to be considered less worthy than whites. [84] Now we do not usually consider a right to equal concern among the set of legal and political rights that are protected by the law, but this is not a problem for the liberal, liberals frequently claim that people are owed equal concern and respect.

The problem with the lack of concern and respect blacks experiences is that it is foremost an attitudinal problem of whites. Such an attitude is harmful to blacks, as for example when whites perceive blacks to be thieves regardless of their social standing. McGary doubts that the liberal is willing, or perhaps able to do anything about the attitudes of persons

> Since liberals assign great weight to individual liberty, they are reluctant to interfere with actions that cause indirect harm to others. So even though they recognize that living in a society that has an attitude of disrespect towards African-Americans can constitute a harm, and a harm caused by others, they are reluctant to interfere with people's private lives in order to eliminate these harms.

McGary claims that if the liberal is to do anything about the attitudes of whites towards blacks directly, the liberal would have to interfere with the individual liberties of whites and such a position is likely be rejected by most persons as intrusive and illiberal.

One might contend that what the liberal can do is to endorse educational and awareness programs to educate whites about the evils of racism and discrimination, and perhaps these changes might result in appropriate behavior change in whites (as well as in blacks). But McGary claims that such programs have failed in the past and that they are unlikely to succeed in the future as well.[85]

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[84]Howard McGary, Race and Social Justice (Malden, Mass.: Blackwell, 1999) 16.

[85]In agreement, Derrick Bell claims "we fool ourselves when we argue that whites do not know what racial subordination does to its victims. Oh, they may not know the details of the harm, or its scope, but they

But the liberal should not despair at this as McGary himself does not reject liberalism.[86] McGary denies that the effects of alienation are experienced by all black persons and he denies that all of the blacks that suffer alienation are rendered powerless by it. Many have resisted the effects of alienation through various efforts, most notably through networks and communities of care in which blacks are nourished. So McGary does not reject liberalism, he merely notes that liberalism is powerless to do anything about one of the mechanisms of oppression. While one might not agree with his characterization of alienation, I think the point still stands if we consider what the liberal would have to commit herself to if she were trying to eliminate racism. The liberal can only offer convincing arguments that prohibit specific racist acts, like those found in employment or housing, but the liberal cannot convincingly claim that the law ought to prohibit people from entertaining certain beliefs or from having certain attitudes. McGary's considerations amount to claiming that the liberal cannot eliminate the mechanisms of oppression, and racial oppression completely, without interfering with the liberties of persons. If McGary is correct, the liberal can work to limit some of the effects of oppression, but there is a threshold to what she can argue, having to balance individual liberty with state coercion, leaving various pockets of interactions, like the family, for instance, free from state coercion.

Let me now consider whether specific egalitarian views perpetuate racial inequality. Here I focus on the complaint against formal equal opportunity since it is often implicated as a barrier to alleviating the oppression that blacks experience. As Patricia Williams says about equality of opportunity:

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know. Knowing is the key to racism's greatest value to individual whites and to their interest in maintaining the status quo." See Derrick Bell, Faces at The Bottom Of the Well: The Permanence of Racism (New York, New York: Basic Books, 1992).

[86]In fact he does not reject capitalism either.

> My dispute is perhaps not with formal equal opportunity. So-called formal equal opportunity has done a lot but misses the heart of the problem: it put the vampire back in its coffin, but it was no silver stake. The rules may be colorblind, but people are not.[87]

Williams is claiming that equality of opportunity is not an ineffective tool in ensuring that people are equal because racism, sexism, and classism profoundly affect the ways in which opportunities are equally attainable by all members of society. To a lesser extent her objection might be an objection made by Derrick Bell, among others, that the policies for ensuring equality of opportunity, such as the creation and enforcement of discrimination laws, are failing to ensure equal opportunity, and their failures derives, on Bell's view at least from racial animus.[88]

Technically, Williams has mis-described the egalitarian position, if one has in mind John Rawls since the second principle of justice has as a part, *fair* equality of opportunity. Rawls rejects formal equal opportunity as a principle that persons in the original position would choose because policies that promote it do not mitigate against natural and social contingencies. Policies that promote formal equal opportunity or that are predicated on formal equal opportunity take the existing distributions of natural and social assets as a given. But Rawls claims that these assets are not relevant from the moral point of view and so persons in the original position would choose principles that would mitigate against their effects. Fair equality of opportunity is to insure that the system of cooperation is one of procedural justice, that is, that the benefits of cooperation are distributed by a fair process.

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[87]Patricia Williams, The Alchemy of Race and Rights (Boston: Harvard University Press, 1991).

[88]This, of course, will be true in some cases, but if what I said about structural oppression is correct, then there must be cases in which we find oppression without there being obvious animus. Perhaps someone endorsing Garcia's position would deny this, claiming that with a fuller picture of the reasoning of persons, that there is ill-will based on racial membership. See the above discussion of Haslanger for a clearer elaboration of the issues.

Such policies seek to mitigate the influence of various social contingencies and natural fortunes on distributive shares. Such policies require for instance, equal access to education regardless of one's social class.[89]

Williams's objection would be forceful if it turned out that fair equality of opportunity **exacerbated** existing inequalities or created **new** inequalities where there were none before. But now we need to understand how such a principle **could** exacerbate existing inequalities. The principle might not prevent all continued inequalities as this will be impossible, not just because of various biases by persons but also because of various other transaction costs relating to efficiency and efficacy (or fairness for that matter). But even if fair equal opportunity does not eliminate all inequalities, we should not be surprised. No institution can be delivered perfectly and no series of transactions are without wastes.

Turning the Corner

The challenge facing those who want to argue that liberalism is not bereft of the resources to remedy the oppressions that occur along race or gender, is to provide a conception of liberalism that is predicated on seeing such relations as essential to ideal theory rather than seeing race and sex as features that are deviations from the ideal.

I have considered a number of objections to liberalism and to egalitarianism and I have found that some of the objections to liberalism rely on misrepresentations while other problems are more telling. Also, in considering the problem of racial inequality I have

[89]In the *Law of Peoples*, Rawls claims that fair equality of opportunity means more than legal equality, it means that roughly background social conditions are such that each citizen, regardless of class or origin, should have the same chance of attaining a favored social position, given the same talents and willingness to try. Of course there will be barriers to obtaining such a position, some barriers, as I have presented above, may be structural and others individual. But such barriers do not, again, show that fair equality of opportunity is intrinsically misguided. Fair equality of opportunity might be problematic but it is perhaps fairer than any alternatives such as an aristocracy or the competitive market, as a way of distributing various primary social goods.

merely scratched the surface in detailing its nature. If the relation between the mechanisms of oppression and oppression itself is one of creating and reinforcing patterns of race-marking and race-announcing into groups of dominators and subordinators in which the subordinators stand in an oppressive relation to the dominators then we need to better understand what race-marking and race-announcing amount to and how they separate persons into relationships of oppression.

We must also return to liberalism because I think the issues presented here are merely the beginnings of understanding liberalism's relation to racial inequality. The argument for my view will develop over the subsequent chapters, returning once again to the egalitarian response to racial inequality in the final chapter. Before we can answer the critics of racial identity, and perhaps answer those who think racial inequality is a permanent fixture of society, we need a framework by which to organize the discussion, we need to understand racial identity, and we need to understand why we should care about it. Let me being this task by considering the notion of empowerment.

CHAPTER 2

THE NATURE OF EMPOWERMENT

The term empowerment has enjoyed widespread usage in the popular press as well as in the academic literature for quite some time. What is surprising is that there is widespread disagreement concerning its meaning. Some of the diversity that we see with respect to discussions of empowerment owe themselves to the differing disciplines that seek to instantiate and to operationalize their conception of empowerment. In such disciplines we see similar difficulties finding an adequate theory of empowerment that brings our intuitions about the conditions of empowerment (or the conditions most conducive to empowerment) in line with our intuitions about the agency of the person(s) to whom the theory applies. Such intuitions are present in our everyday usages of the term "empowerment" as when we claim, for example, that subsidies for education in the form of Pell Grants empower low income students in their pursuit of an education. We reasonably think that such provisions empower qualified students because, first, we know the rising costs of education make attaining an education difficult, and second, we know that obtaining higher education is a key tool in ending cycles of poverty in low income families, and, third, the students that qualify for these students earned them. We find this state of affairs empowering not because we consider the subsidies handouts to the downtrodden, but tools that give those who have shown promise an

opportunity to continue to develop their talents and abilities.[90] It is no secret that the appropriateness of using the term empowerment in such cases derives in part from some antecedent conception of justice, namely that as a matter of justice, low-income students deserve an equal opportunity to develop their talents and abilities. But this does not undermine the claim that the term "empowerment" captures our intuitions. Perhaps what it shows is that empowerment operates in a larger theoretical context, one in which certain values determine the appropriateness of the term. Indeed, we would not think that pell grants empowered wealthy students. The illustration above shows us that empowerment involves some combination of various subjective and objective criteria. The task is to articulate what those pieces are and to articulate them in such a way that they are equally important.

The term "empowerment" is used nearly in as many ways as the term "autonomy" in modifying various nouns. For instance, autonomy is used to apply to persons, to groups, to wills, and even to organizations. In the same manner empowerment is used in a variety of ways: in some instances persons are empowered; in others, organizations are empowered. In some instances procedures are empowering, in other instances, "environments" are empowering. Such widespread usages create more problems rather than solving them. What also exacerbates discussions of empowerment is that theorists often times conflate empowerment with autonomy. To be sure, I am not denouncing a conceptual relationship between autonomy empowerment, but I am claiming that it is a mistake to think that autonomy exhausts the meaning of empowerment. I suspect that the most plausible theory will contain and explain the relations between such concepts as choice and power, while the

[90]This is not, of course, an analysis of this case. Later in the chapter I consider more rigorous ways to explicate the ideas behind such statements as: X empowers Y; Q is empowered by R; or simply, S is empowered. But I am not conducting a ordinary language analysis and I will not offer recommendations such that we clean up our linguistic conventions if we find a plausible account of empowerment. I am interested in meaning rather than usage.

values that we associate with empowerment will appeal to such notions as recognition, justice and fairness. I will not consider the values behind empowerment in this chapter, as this is the weightier project.

In what follows, I spend part one considering the ways in which the concept of power is present in discussions of empowerment. There, my aim is to highlight the problems present in discussions of empowerment that are found in the empirical literature. In part two I suggest what the concept of power might do in thinking about empowerment and I present several pitfalls in using the concept of power in thinking about empowerment. In part three I consider several interpretations of the concept of power and I critically consider whether such interpretations help us to understand the concept of empowerment. In part four I turn to a positive usage of power, so called transformative power and I critically asses it. In part five I consider Thomas Wartenberg's field theory of power and I consider some recent criticisms of his view. Finally, in part six, I consider the results of the previous sections and I articulate a theory of empowerment.

Review of Empirical Literature

There are serious problems with most theories of empowerment in which they ultimately suffer from one of four problems: First, the articulation of an overly simplistic theory of empowerment. This problem is present in at least a couple of forms. Empowerment is often seen as increased choice. But increasing an agent's choice scenario is not obviously empowering and can in some instances be disempowering. What is needed if such accounts are to become plausible is a discussion of *meaningful* choices, but the problem there lies in articulating a plausible account of meaningful choices that does not beg any

questions. Similar considerations apply in thinking of empowerment in terms of thin conceptions of autonomy. If to promote one's autonomy is to promote one's ability to choose, then simply promoting one's choice may not be empowering. This problem is usually the product of under-describing why empowerment is needed, and in some cases, avoiding a discussion of what makes empowerment a good.

Second, theories of empowerment appear overly simplistic also in treating empowerment synonymously with power. Most accounts, where there is even an explicit discussion of the problems involved in using the notion of power treat empowerment as if it were simply acquiring more power. But similar to the claims I made about choice, simply getting more power may be disempowering. To be sure, any theory of empowerment worth considering must come to grips with the ways in which power is articulated and distributed in and through our institutions and to the extent that any theory of empowerment is plausible that theory must and be informed by a theory of power while also realizing that empowerment involves more than just having or acquiring power.

Third, theories of empowerment often fail to provide a convincing, and in some cases coherent, causal account of the ways in which various outcomes are caused by the agent to whom the outcome is attributed. Theories of empowerment are meant to be explanatory theories and they exist typically as causal accounts. The intuition is that we have good reason to think that empowered people play some role, usually a direct role, in their empowerment. But the problem here is one in making out the description in such cases to show the precise relations such that the person or persons to whom the theory applies are not reduced, explanatorily, to fifth wheels, or to mysterious benefactors of divine providence.

And finally, the fourth problem with most theories of empowerment is that they too quickly characterize empowerment as involving a competition, usually over resources. Such characterizations construe empowerment as an exercise of control and conquest over other parties. Thus when one group is empowered, some group is necessarily disempowered. This account, so critics claim suffers at least three problems, first, it is descriptively false in that it fails to account for a number of cases in which agents seem empowered, but are not on this account because there is no competition over resources that we can identify; second, such accounts privilege the so-called masculine values over non-masculine values forcing empowerment to be viewed as a competition between self-interested rational parties while ignoring the role that affect plays in empowerment; and, third, such accounts privilege the individual over the community in that empowerment is something that persons do in isolation through their own efforts, not in concert with others.

The set of problems that I mention above is not exhaustive. That is, the problems I mention above are the places in which most, perhaps all, theories of empowerment falter, and many theories will often involve more than one of these problems. But there are other problems that theories of empowerment suffer and I will mention some of them only in passing. But any plausible theory of empowerment must avoid these problems, or at least mitigate the conceptual problems that these present. Later on I argue that we will need to make certain compromises in order to advance even a minimally plausible account of empowerment.

The disciplines where there appear to be sustained theorizing about empowerment are in the fields of Psychology, Health Promotion (including Nursing), and Human Resource Management. Discussions of empowerment are present in other fields and I will make

reference to them though most of my comments will focus on these fields. But I want to look to these fields as illustrations of the sorts of problems that are present in thinking about empowerment.

First, there are problems in attempting to explicate empowerment with power and we get an example of this problem when we look to the field of health promotion. Lawrence W. Green defines health promotion as "any combination of health education and related organizational, economic, and environmental supports for behavior of individuals, groups, or communities conducive to health."[91] The aim of those in the field is to help people exchange unhealthy forms of behavior for "healthier" forms of behavior. In the past, the primary method used in helping persons make better health decisions was to provide them the information they need to make better health decisions. Thus, smokers are told of the ill effects of smoking. Today, the focus has broadened to include influencing the environments that affect mortality. For instance, public health officials in California lobbied congress to change regulations regarding smoking, limiting smoking in public spaces.

David Hagner and Joseph Marrone, two health promotion practitioners, claim that empowerment is seen almost always as a good and they claim that practitioners disagree about the meaning of empowerment, the level at which empowerment is discussed, and the resulting effects of empowerment. [92,93] At its most basic level, Hagner and Marrone claim

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[91]Green, L. W. and Kreuter, M.W. Health Promotion Planning: An Education and Environmental Approach (Second Edition), (Mountain view, Calif: Mayfield, 1991).

[92]Hagner, David, and Marrone, Joseph, "Empowerment Issues in Services to Individuals with Disabilities, Journal of Disability Policy Studies 6:2 1995: 18-33. The claim that empowerment is always a good is also found in "Empowerment: the holy grail of heath promotion," Christopher Rissel, Health Promotion International 9:1, 1994: 39-47.

[93]Practitioners even disagree on what to call empowerment. Empowerment has been called a process, a theory, a construct, a framework, and plan of action, and a goal. Ellen Hawley McWhirter "Empowerment in Counseling" Journal of Counseling Development 69 1991: 222-228.

that empowerment is a "process of assumption or transfer of legal power and official authority."[94] Where there is a disagreement over the meaning of empowerment, Hagner and Morrone claim that the disagreement has to do with a transfer of power or authority. There is wide divergence over the specific nature of the assumption of transfer and there is significant disagreement over the nature of power at issue.

Hagner and Marrone claim that practitioners distinguish between external power; actual control over resources or events, and authentic power, something psychospiritual or something attitudinal. The debate, as Hagner and Marrone see it, is which of these forms of power is fundamental to thinking about empowerment. For instance, some practitioners claim that empowerment is defined as an increase of authentic power leading to a transfer of external power while other practitioners see empowerment as fundamentally external; as a process of a transfer of "power or control over decisions, choices, and values from external entities."[95] But even in thinking about empowerment as external power, Hagner and Marrone note that there are at least three different ways of thinking about power, namely as dominance, as the ability to act, or as the ability to resist.[96]

Hagner and Marrone are aware that both senses of power, *vis-à-vis* authentic and external, are problematic. Hagner and Marrone think that the idea of authentic power is problematic because powerless individuals do not necessarily experience their lack of power, and thus identifying empowerment with an internal feeling can be problematic because the supposedly empowered person may not necessarily feel empowered. In the least, having a feeling of a certain sort need only be necessary for empowerment, but not sufficient. Perhaps

[94]Hagner and Marrone 19.

[95]Hagner and Marrone 19.

[96]Hagner and Marrone 19.

the greater problem with associating empowerment with an attitude or a perception is that the attitude or perception might be mis-directed and then the theory of empowerment will need a theory of perception that distinguishes accurate perceptions or attitudes from inaccurate ones. Hagner and Marrone may be correct in thinking that there are problems in thinking about empowerment as something that which is experienced. It is not implausible to claim that empowered people feel confident and it is not implausible to claim that people feel something when they are powerless, namely a sense of powerlessness. What is implausible is thinking that the same sorts of feelings, or their opposites, must be present when one is not empowered as when one is empowered. But in any event, we need to know what is meant by a feeling in order to fully assess its plausibility in understanding empowerment.

Thinking of empowerment in terms of external power is complicated because there are different ways to discuss external power and each way creates its own problems.[97] A related issue concerns whether a transfer of power results in a loss of power for some person or group. Put another way, does the empowerment of some person or group necessarily result in the disempowerment of some person or group? Some practitioners claim that the exchange of power in becoming empowered results in a loss of power for some other agent while some claim that becoming empowered does not result in a loss of power for some agent. Christopher Rissell, another health promotion practitioner, claims that the answer to this question depends on the unit of analysis. Rissel claims that individual empowerment does not result in a loss of power for other persons while community empowerment, which involves conflict over scarce resources, does.[98]

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[97]Hagner and Marrone 19.

[98]Christopher Rissel, "Empowerment: The Holy Grail of Health Promotion," Health Promotion International 9:1 1994.

The problem with discussing power in these contexts is that it is not known what the conceptual relationship is between power and health.[99] What we know are generalities, e.g. that wealthier people tend to be healthier than poorer people. But even this supposed fact should be qualified. For instance, Normal Daniels has argued, using data from the World Health Organization, that the relationship between power measured in terms of wealth, is not strongly correlated with lowered mortality. For example, persons in Cuba, a poor country that spends significantly less proportionally on health care than does the United States, live on average as long as Americans. Daniels uses the data to show that relative inequalities in a country better determine mortality rates in that country than do total health care expenditures.[100]

Hagner and Marrone are sensitive to the problems of power and perhaps this explains their reticence in endorsing a theory of empowerment. But their analysis progresses in any event by contextualizing their discussion of empowerment to the experiences of disabled persons in the context of their interactions with health care delivery service professionals. And here we should be clear as to what these interactions are. There are a range of services that disabled persons receive, ranging from social assistance, e.g. aid in making income decisions, counseling and support, to case management, e.g. aid in finding jobs, housing, and other types of needs. Thus the relationship between a case worker or service provider and disabled persons can be a form of dependence in which health care providers act paternalistically in making decisions that purport to represent the disabled persons good.

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[99]Rissel 43.

[100]Normal Daniels, et al., "Justice, health and health policy," Ethical Dimensions of Health Policy Ed. Danis, M., Clancy, C., and Churchill, L (New York: Oxford University Press, 2002).

While there is disagreement over the meaning of empowerment, Hanger and Marrone claim that there is widespread agreement over what sorts of behaviors are disempowering when talking about the existing environments of persons with disabilities.[101] These behaviors range from negative attitudes by health care professionals about persons with disabilities to poor service decisions for persons with disabilities. These disempowering behaviors are located in the delivery of services for persons with disabilities and not in the very design of the system. Unfortunately, Hagner and Marrone do not consider the idea that disempowerment might be symmetrical with empowerment and so we are left to wonder whether there is a relation between assertions of empowerment and assertions about disempowerment. But if practitioners think that empowerment and disempowerment are symmetrical, then we will need a reason for thinking this.

It is no surprise that Hagner and Marrone agree that at least formally, the aim in empowering disabled persons is ultimately to create a state of affairs in which persons with disabilities lead their lives in the same way as non-disabled persons, but they are unclear as to what role empowerment is meant to play in bringing about that state of affairs. What they are committed to claiming is that in order to empower persons with disabilities, there must be a decrease in the amount of power that service providers have over them, including health care professionals.

But in claiming that the effects of empowerment are ultimately greater control over one's life, it is a mystery how this is related to the idea of a transfer of power. Persons with disabilities are dependent on service providers to aid them in living out their lives, but this relationship is but one factor involved in making persons with disabilities the social equals to persons without disabilities. That is to say, until we get a clearer idea of what external power

[101]Hagner and Marrone 21.

is and what role it plays within the contexts of talking about the agency of the persons needing empowerment we will have little hope in attempting to make any progress in thinking about empowerment. One thing is certain, whatever empowerment is, it is more than just having **power**.[102]

But even if greater decision making were achieved by disabled persons, it would not automatically show that those delivering health services had less power over them, nor does having greater choices obviously entail empowerment. Here we must be careful not to confuse the things that are associated with power with power itself. And I think asking whether empowerment results in the loss or gain of power confuses the things associated with power, resources and the like, with power itself. This sort of confusion is difficult to avoid since we may claim that empowerment has to do with choices, but the best way to measure choices is by using things like resources.

That having a wider choice scenario is not obviously empowering is argued by recent feminist theorists. Of some relevance to our discussion here is the work by Carolyn McLeod and Susan Sherwin. In their paper *Relational Autonomy, Self-Trust, and Health Care for Patients Who Are Oppressed*, they argue that so-called increases in choice scenarios with respect to certain procedures actually undermines one's well-being. For instance, hormone replacement therapy at menopause appears to have beneficial results, namely, keeping women looking younger, reducing the risk of heart disease and osteoporosis, and even reducing the risks of Alzheimer's disease. The lack of clinical evidence, which they attribute to bias against women in the design and administration of clinical trials, should give us pause in thinking that this form of increased choice is a good.[103] Sherwin and McLeod argue that

[102]It is even a mystery what role practitioners play in the empowerment of persons on their view.

the choice for this sort of procedure is often influenced by prevailing standards of beauty that themselves are oppressive "The problem is that cultural attitudes that consistently value young (looking) woman over older woman are oppressive to every woman."[104] This problem extends also to decisions about plastic surgery. My point is not that the medical community is simply evolving in its understanding of menopause, but that the treatment options in dealing with it, while giving women greater choices, were driven by prevailing sexist ideas that did not obviously represent the interests of women.

But there seems to be a further problem with the view of empowerment offered by Hagner and Marrone, namely, that they seem to define power and control in terms of one another. They argue that empowerment is having the power to control one's choices, but the only plausible account of what it means to have control over one's choices is simply having a certain amount of power. If this is correct then their account is doomed to be vacuous.

When we look to business management we see an overly simplistic account of empowerment in which it is construed as increased choice. Its problems are brought to the surface when we specify the empirical conditions of empowerment and when we ask whether empowerment is a good.

In their article *The Road to Empowerment: Seven Questions Every Leader Should Consider*, Robert E. Quinn and Gretchen M. Spreitzer claim that the most daunting problem in appropriating the notion of empowerment in business management is the difficulty in implementing the concept.[105]

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[103]In fact, Hormone Replacement Therapy is no longer seen as the panacea that it was thought to be.

[104]Carolyn McLeod and Susan Sherwin, "Relational Autonomy, Self-Trust, And Health Care for Patients Who Are Oppressed," Relational Autonomy: Feminist Perspective on Autonomy, Agency and the Social Self Ed. Mackenzie C, Stoljar N (New York: Oxford University Press) 259-79.

The empirical conditions of empowerment here are distinct from the circumstances I presented in health promotion. This setting is best described as a command-control bureaucratic setting in which business leaders have a moral duty to maximize the profits of shareholders. It is a controlled setting with assigned roles and tasks.

As with their counterparts in health promotion, Quinn and Spreitzer note the widespread disagreement about the meaning of empowerment. In their research, they claim to have uncovered two distinct definitions. In one account, empowerment is about "delegating decision making power within a clear set of boundaries"; in another account, empowerment is a "process of risk taking and personal growth." [106] Quinn and Spreitzer refer to the former view description as mechanistic, the latter as organic. The mechanistic approach is a top-down process in which senior leadership develop and communicate a clear vision to the rest of the organization. The organic conception is a bottom-up approach in which employees take risks. This form of empowerment is decentralized and allows employees to identify with and to promote the goals of the organization.[107]

Both accounts of empowerment aim "at increasing the discretionary decision-making authority or influence of organizational members in their organizations" and they differ only in the extent to which managers and senior management are involved in the process. [108] But make no mistake about either of these views of empowerment; the outcome of empowerment is maximized employee productivity.

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[105]Robert E. Quinn and Gretchen M. Spreitzer, "The Road to Empowerment: Seven Questions Every Leader Should Consider," Organizational Dynamics (Autumn, 1997): 37-49.

[106]Quinn and Spreitzer 38.

[107]Quinn and Spreitzer 38.

[108]Frederick G. Bird and Jeffrey Gandz. "The Ethics of Empowerment," Journal of Business Ethics Volume 15 1996: 383-392.

Quinn and Spreitzer argue for a view in which the meaning of empowerment includes both approaches "the successful implementation of empowerment does not require a choice between the mechanistic or organic views. It requires something much more complex-the integration of both."[109] Empowering employees, they argue, involves the sharing of information, providing structure, offering training, and the offering of rewards to employees by managers.

Giving greater discretionary power in the form of increased choice is the vehicle by which employees become more productive and they realize their own personal goals through identifying with the organization.[110] But the extent to which employees become empowered depends on management's trusting in their abilities to make effective choices. This makes empowerment something completely subject to the whims of management, or to the effectiveness of various company policies.

The problem with their account of empowerment is that it is tied to increased productivity. They argue that empowered people are more productive than persons not empowered (why else argue that empowered people are valuable?) and since increased worker productivity is the aim, then it follows that companies desiring productive employees, need empowered people. To make their picture of empowerment work, they will need to argue that increased productivity of a certain sort, is caused by empowerment, but this claim is likely to be met with suspicion because many people, e.g. CEO's are productive and not empowered on their account.

I am not the first in identifying this problem. In her article *Empowerment: theory and practice* Adrian Wilkinson offers a rather skeptical view of the coherency of talking about

[109]Quinn and Spreitzer 39.

[110]Bird and Gandz 384.

empowerment.[111] Wilkinson says that a central problem with empowerment is that academics and practitioners have used the term too loosely. She also points out that empowerment has been associated with a redistribution of power, but in practice it is seen as a form of increased employee involvement that does not result in a sharing of power:

> While some forms of employee involvement may provide employees with new channels through which their influence is enhanced, employee involvement does not involve any *de jure* sharing of authority or power.[112]

Wilkinson says this is the case because the onus is on employers to give the employees the opportunity to be involved. This criticism cuts to the efforts of articulating a coherent conception of empowerment and it undermines efforts in instantiating empowerment. A further fact seems to undermine thinking about empowerment here, and that is the precarious nature of employment. Since the aim of the company is to maximize share holder value, companies are required to eliminate sectors that do not contribute to maximizing profits. Thus empowerment projects are offered with this caveat: become empowered, or you are fired! It makes little sense to even talk of empowerment, let alone to try to implement an empowerment program, under such coercive conditions.

Wilkinson argues that the current understanding of empowerment in business organization (or human resources) results from a misunderstanding of the history of empowerment. Wilkinson thinks that business management theorists have appropriated empowerment from liberation movements without noticing the key difference, namely, that those movements were rooted in adversarial relationships in which there was conflict resulting in a group dominating another group. Thus empowerment did double duty: first it

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[111]Adrian Wilkinson "Empowerment: theory and practice," Personnel Review, Vol. 27: 1, 1998: 40-56.

[112]Wilkinson 45.

was seen as a tool used to highlight the supposed unjust inequalities that resulted from domination; second, it was used to articulate the necessity of action by dominated groups to nullify the domination. This is in contrast to those talking about empowerment in business management theory where the relationships are not adversarial in the relevant sense, and those in power drive the empowerment movement in business.[113] Of course we should be careful not to prejudge the usages of empowerment and claim that those who do not use it in ways in which it was used (i.e. in discussions about oppressed persons becoming liberated) do not offer plausible theories. In the least, those in business organization have mis-understood or mis-described the necessity for empowerment and they have mis-understood the empirical conditions of empowerment.[114] That is to say, companies want their employees to become more productive, but many companies are unwilling to do the things that might make its employees more productive, e.g. redistributing power, eliminating hierarchies in the company, or increasing the opportunities for self-development such as providing continuing education for workers and day care for the children of workers. If we are to understand Wilkinson correctly, the features listed above, assuming they are the conditions for empowerment, are not likely to become present in empowerment plans because these features are inconsistent with the nature of corporate culture and its systems of rewards and punishments.

Next, I want to be more explicit in thinking about the causal nature of empowerment and the problems therein. This problem is already present in the accounts of empowerment that I began with, but I think in the field of nursing, they are most easily seen.

[113]Wilkinson 46.

Cynthia Ellis-Stoll and Sue Popkess-Vawter offer a definition of empowerment that is a synthesis of some of the definitions they claim are present in the literature; as a "motivational approach and process using counseling techniques as effective intervention to assist clients in making health-promoting behavior changes"; as a "dyadic process involving thinking and behaving"; and as an enabling process originating from nurses "enabling individuals to feel effective so that they can successfully execute their jobs."[115]

Ellis-Stoll and Popkess-Vawter offer a contextualized definition of empowerment as a participative process occurring between a nurse and a client "designed to assist the client to develop proactive healthy behavior."[116] They claim that individual empowerment is a motivational approach and process using counseling as an intervening device in aiding clients make health-promoting decisions.[117]

Ellis-Stoll and Popkess-Vawter, like their counterparts in health promotion, argue that the locus of empowerment is power and control. They claim that its defining attributes involve participation and they see empowerment as essentially a cognitive process.[118] Since the effects of empowerment have to do with making clients make better health decisions, power and control are circumscribed to health choices. They see empowerment not only as a process, but also as an outcome.

Ellis-Stoll and Popkess-Vawter make two basic assumptions about empowerment that they have found in the literature, namely that each individual has the potential to become

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[115]Cynthia Ellis-Stoll, Sue Popkess-Vawter, "A Concept Analysis on the Process of Empowerment," Advances in Nursing Science 21(2) December 1998: 62-68.

[116]Ellis-Stoll and Popkess-Vawter 63.

[117]Ellis-Stoll and Popkess-Vawter 63.

[118]I claim that the process is essentially cognitive because I am inferring from their claim that empowerment involves knowledge acquisition wherein clients and nurses learn, or assent to various propositions, that play a causal role in effecting the choices of the members of the dyad.

empowered and that empowered individuals empower communities to achieve a mutually defined goal for that community. They believe the first assumption is true because it is implied when thinking of empowerment as (mainly) a cognitive process.

To claim that each person has the ability to be empowered is an interesting claim. But in what does the capacity for empowerment consists and in virtue of what features of a person is it the case that that person has the capacity for empowerment? How is the capacity for empowerment different than the concept of empowerment? Does the capacity require certain deliberative capacities or levels of self-awareness?

There are other interesting questions that one can ask as well: are only persons empowered? Which persons? And at which times? Is empowerment something passive or is it something active when it requires the actions of another person? Do those that do the empowering need empowering by others?[119] Furthermore, there is a danger in conflating having the ability of being empowered with having the ability of being aided. Of course, one's being aided can be a condition that comprises the capacity for empowerment, but we need Ellis-Stoll and Popkess-Vawter to distinguish between these two different ideas. The key question is what is the division of labor behind empowerment and whether Ellis-Stoll and Popkess-Vawter can offer an account of empowerment that distinguishes authentic cases of empowerment from more fraudulent ones.

In fact there is a degree of skepticism by theorists in nursing that talk of empowerment is likely to describe the success of patients in following the orders of health care professionals. The worry is that empowerment masks paternalistic interventions where health care professionals make choices on behalf of the patients for their benefit. Robert

[119]This point is raised by M. Lewis in his paper "Flogging the dead horse: the myth of nursing empowerment?" Journal of Nursing Management 8 2000: 209-213.

Skelton thinks that perhaps a way around this difficulty is to shift one's focus from the discreet interactions of nurses and those seeking health services to the broader and political context.[120] Skelton suggests that effective empowerment programs depend on expanding the range of choices that patients have to include decisions that occur at the organizational and management level.[121] But if the concern is that a patient's choices might be undermined by those with greater knowledge or power at the micro level, there is little reason to believe that that will not occur at the macro level.

There are a host of questions to be answered when trying to offer a descriptive theory of empowerment that relies on one agent's actions, but these problems are only multiplied when our descriptive theory is predicated on the actions of someone acting **on** another person. Such accounts seem vulnerable to the charge that any theory of empowerment will have a fifth wheel. That is to say, if empowerment describes the actions of some agent on the actions of another agent, what should convince us that the aided actors' actions were necessary at all? If help was necessary then the acted-upon agent could not have been empowered without aid and thus it will look as if the concept of empowerment is meaningless, or that it describes the actions of the wrong agent. For instance, if it is necessary for empowerment that a nurse aid me in making better health decisions, what makes the aid necessary? If the aid is necessary, then what is it about the aid that makes it necessary? If the aid consists of a nurse enhancing my mobility then it does not look as if human intervention is necessary as a device could do the trick. Is the device necessary then? Not obviously, because without its inventors, the device would not be present. Such

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[120]R. Skelton, "Nursing and empowerment: concepts and strategies," Journal of Advanced Nursing 19 1994: 415-423.

[121]Skelton 418.

questions already reveal the difficulty in building the actions of other agents into the understanding of empowerment.

The most promising work in theorizing about empowerment is found in Psychology and in Community Psychology. In both fields empowerment is studied as a cognitive phenomenon whose reach extends to structural considerations. It also here that we see further general problems and concerns about empowerment, specifically we see the problem that I mentioned in construing empowerment with concepts that favor men more than they do women, and in thinking of empowerment as competition over scare resources.

Marc Zimmerman's account of psychological empowerment is based on three underlying assumptions. First, he says that empowerment takes different forms for different persons. Zimmerman says that, for instance, the empowering strategies that a pregnant woman might need are different from the strategies that an unemployed worker might need. Zimmerman goes so far to say that the needs of agents differ with respect to factors like age, race, or socioeconomic status, so we cannot assume that persons will be empowered in the same way.[122] This concession is puzzling because it invites the question of whether Zimmerman thinks differences in persons affects whether they are empowerable. If the answer is affirmative then Zimmerman needs to distinguish the capacity for empowerment from empowerment simpliciter.

Second, Zimmerman claims that empowerment takes on different forms in different contexts. Here, Zimmerman thinks that different sorts of organizational structures might encourage or stifle participation in different ways, so we should not assume that various strategies that work in one organizational structure will work in another (even if the organizations or organizational structures are the same). But this claim is problematic

[122]Zimmerman 586.

because now we need some criteria telling us what counts as empowerment **prior** to asking what in fact is empowering. Otherwise we will not have a way to distinguish successful empowerment from failed empowerment. But I do not want to down play what is correct about this admission namely, that not every activity that looks empowering is empowering, and not every activity that looks disempowering, is disempowering. To answer such questions we need to consider context.

Third, empowerment is dynamic.[123] That is to say, persons who are empowered can at times become disempowered, with fluctuations between the two poles. To say that empowerment is dynamic is just to say that we can describe persons as being empowered on some occasions and disempowered on others. So someone can be empowered and disempowered at the same time, perhaps even with respect to the very same issue. This is not a surprise since empowerment depends on context, population, and a certain "developmental" period. But the first two concessions seem rather damaging to Zimmerman's theory because they seem to undermine the predictability of his theory by not limiting enough factors to predict empowerment. But perhaps this concession means that one cannot tell *a priori* whether or not one is empowered without checking the world. If that is what the concessions amount to, then they are the correct assumptions to make because they seem to recognize that the borders of the concept of empowerment are determined in part by instantiation, not solely through conceptual analysis.

Psychological empowerment, Zimmerman claims, is firmly rooted in a "social action framework that includes community change, capacity building, and collectivity."[124,125]

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[123]Zimmerman 586.

[124]Marc Zimmerman, "Psychological Empowerment: Issues and Illustrations," American Journal of Community Psychology Vol. 23:5 1995: 581-599.

Psychological empowerment is not simply pro-attitudes about one's abilities; it includes activity in one's community and, apparently, an awareness of various resources and factors that can influence one's efforts to effect change.[126] Formally, empowerment is a process by which people, organizations, and communities gain mastery over issues of concern to them.[127]

Zimmerman's descriptive account consists of three pieces: an intrapersonal, an interactional, and a behavioral component. The intrapersonal component refers to how agents think of themselves. This includes perceived control (or the perception that one has the ability to influence various domains in one's life), self-efficacy, motivation to control, and mastery.[128] The interactional component refers to the understanding that agents have of their community and related sociopolitical issues. The interactional component, also describes the means/ends thinking of agents and the determinations about which avenues most effectively meet certain ends. Finally, the behavioral component refers to actions taken to directly influence outcomes. This could mean, for instance, joining various organizations or committing to various sorts of behavioral changes.[129]

Zimmerman says that psychological empowerment is a feeling of control, a critical awareness of one's environment, and an active engagement in it. Psychological empowerment is not a form of power-over because power-over implies a position of power

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[125]This is a view held in Social Work as well. Empowerment is a process that simultaneously affects individuals and communities. See Ellen Hawley McWhirter, "Empowerment in Counseling." Journal of Counseling and Development Vol. 69:3 1991: 222-227.

[126]Zimmerman 582.

[127]Zimmerman 581.

[128]Zimmerman 588.

[129]Zimmerman 590.

and psychologically empowered persons are not necessarily powerful. Zimmerman holds this view in part because be believes that empowered persons do not necessarily experience an increase in power.

As a process, empowerment consists of opportunities to control one's choice scenario or to influence decisions. Psychological empowerment is a practical process in that agents learn which avenues are more effective in obtaining various ends, so part of psychological empowerment is refined instrumental reasoning. Empowering processes affect other agents in that they become more involved (in community development); they develop a co-identity, they work with other members as "equals"; and they create opportunities for other members to develop their skills.[130] Empowered outcomes are simply, the effects of the processes by which one measures the effectiveness of the processes. The particular outcome depends on the process.

What are the logical relations between these different components? The intrapersonal component looks necessary for empowerment but not sufficient. One could quite possibly have these feelings of control under deception or in error in a way that would undermine whether empowerment is genuine.[131]

This problem highlights a common problem with terms such as these, and I have already hinted at this problem, namely that there seems to be no critical thinking about what it is that makes empowerment a **good** or what kind of good it **is**. Perhaps a prior question that we have to ask of Zimmerman's account is why we want empowered persons. Our

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[130]Zimmerman 584.

[131]In an interesting article, Roderick J. Watts argues that what undermines Blacks from being empowered is the racism that they have internalized. Thus we have even another way in which the intrapersonal component might be undermined. See "Sociopolitical Develop as an Antidote for Oppression-Theory and Action," American Journal of Community Psychology Vol. 27:2 1999: 255-271.

intuitions about empowerment seem to indicate that empowerment is a remedy for some state of affairs that we find in need of correction. Empowerment is always seen as a good thing and yet there are no reasons why we should think it is always good. This sort of question becomes most relevant when we consider whether such groups as the Klu Klux Klan or Nazi's actually empower people. If we think empowerment is always a good, then we must be able to say why these are not instances of empowerment. Also, if we are willing to allow that the such groups as the Klu Klux Klan empower people then we have to admit that, at best, empowerment is instrumentally good and not intrinsically good. Of course, Zimmerman's project appears neutral with respect to the normative considerations that I present, but the examples that he uses to illustrate his account are all morally positive, or at best morally neutral, not morally condemnatory cases.

Talking about psychological empowerment as a feeling avoids having to worry about reducing empowerment to various pro-attitudes. The rub is in trying to understand empowerment as a feeling and the psychological phenomenon it still presupposes. If empowerment is a feeling, then we will need to know whether it is a sort of feeling with intentional content and whether the feeling is amenable to normative criticism. Bodily feelings typically lack these features. If we claim that empowerment is merely a feeling, does this mean that empowerment is neither cognitive nor affective?

If empowerment is characterized by a certain set of mental concepts because of its relations to the other levels of empowerment, then we will need to know what it is about those levels that necessitate these characteristics. Thus for instance, empowerment consists in improved means/ends reasoning for Zimmerman. The improvement in means/ends reasoning is supposed to allow us to determine empowerment on the assumption that

empowered persons are more efficacious in brining about the ends that they desire. But why should *reasoning* characterize empowerment, or be privileged in the account over the emotions? I will come back to this criticism in a slightly different form shortly.

With any theory of empowerment, the devil is in the details. Zimmerman claims that empowerment is the integration of perceptions of personal control with behaviors to exert control. The question is what is the casual nature behind the perceptions of control and the various changes of states of affairs that are the effects of empowerment.

Stephanie Riger expresses similar concerns in her article *What's Wrong with Empowerment*. Riger raises two criticisms about the way in which theorists have studied empowerment. First, she claims that the features that have been associated with empowerment, namely, mastery, control, and agency, have been traditionally the concerns of men rather than the concerns of women. [132] Her concern is that focusing on these components sets up theorizing about empowerment as one of conflict rather than cooperation. Riger argues that discussions of empowerment are no more than discussions about how competing groups (or persons) can successfully respond to competitors whose interests are supposedly antithetical to their own. Given that empowerment describes a fierce competition, those that we think are empowered manifest the values and qualities that get traditionally associated with men: self-confidence, self-respect, rationality. And they are empowered by using methods that traditionally favor men, namely, following abstract principles of rationality or by following abstract moral principles. And, drawing out the further implications of Riger's claims, we readily identify the outcome: partial or complete conquest of an adversary.

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[132]Stephanie Riger, "What's Wrong with Empowerment?" American Journal of Community Psychology Vol. 21 No. 3, 1993.

Perhaps one could also infer from her criticism of empowerment that it ignores that ways in which women resolve conflict through cooperation and it ignores the ways in which a women's sense of self is determined through relationships embedded in a community. The language of empowerment, Riger claims is inconsistent with cooperation and achieving a sense of community. Riger claims that it is not her intention that the concept of community comes to dominate in discussions of empowerment, but that community and individuality are equally important is discussing empowerment.[133] She suggests that psychologists should spend more time understanding the ways in which communities shape persons so that they develop a sense of community instead of focusing on specifying the conditions that facilitate personal efficacy and control.[134] Empowerment, it seems on Riger's view, should bring persons together rather than further separate them.

The role that community plays in one's agency is present in the lives of rape victims. Riger claims that where women have nurturing and caring communities to rely on that their choices are enhanced and that they provide safe spaces for development and for protection. She says this is present in the life of Migael, a middle class white women, and Altavese Thomas, a poor black woman. Both women have been raped, but only Migeal had the support of a network of friends and family to nurture and to aid her in her time of crisis.[135] The result of an absence of such networks, is predictable: Altavese refused to prosecute her rapists for fear of reprisal, while Migael chose to do so.

The implication of Riger's argument is that discussions of empowerment that are predicated solely on the model of choice, agency, and control, ultimately undermine the

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[133]Riger 287.

[134]Riger 288.

[135]Riger 287.

sense of community and solidarity that persons in societies have. Were we to focus on the community, Riger claims, we would shift our thinking from individual rights to group rights; our rhetoric from describing the competitions of solitary self-interested individuals, to describing the ways in which social self-interested persons seek to promote their interests in the context of creating a stable and cohesive society. Thus we can see Riger offering a conception of empowerment in which it is instrumentally good because empowerment is aimed at bringing about a more stable and cohesive community.

Riger's second objection to current theorizing about empowerment is that models like Zimmerman's are too individualistic in that they downplay the influence of situational and social factors while playing up the agents perceptions.[136] Focusing on an agent's perceived sense of power is not to address the structural issues that determine the distributions of power. The result of this sort of myopia is that we conflate power-to, the ability to act, with power-over, the ability to exert power over another human being. That is to say, Riger claims that most empowerment efforts aim to increase the agent's self-esteem but do little to effect their opportunities to affect the distributions of power and resources.[137] As she says, "The question arises, then, whether attempts to enhance a sense of empowerment create the illusion of power without affecting the actual distribution of power."[138]

What shall we make of these criticisms? It is hard to know how to evaluate them. It is correct to claim that agency, control, and power are often associated with empowerment, but it is not obvious that these concepts favor men over women. In fact much of the 70's women's movement was predicated on the claim that women were owed the right to make

[136]Riger 281.

[137]Riger 282.

[138]Riger 282.

their own choices over the important things in their lives: their bodies, their lovers, and their well-being.

I am sympathetic to the claim that talking about empowerment as a competition between persons or groups undermines the solidarity and stability of the community as a whole. Thus we need to consider empowerment in light of such issues. In the least, when articulating a theory of political empowerment, one must be clear that empowerment is being predicated of a well-ordered society. I have assumed this is the case thus far, because I have also made the assumption that a well ordered society is a good under certain conditions.

But I am less convinced about her charge that discussions of empowerment are too heavily characterized as competitions over (scarce) resources. The metaphor of a competition is misleading because it implies winners and losers when it is obvious that such terms are seldom accurate or theoretically fruitful. And here it is worthwhile to consider the claim, one that I made in chapter one, that domination and oppression do not consist in one group being dominated solely by another group. These forms of unjust power-over are articulated in ways that involve the actions of other groups, practices, and institutions. Second, we cannot assume that empowerment consists simply in a redistribution of resources because not every redistribution of resources is empowering. Thus if empowerment is the antidote to oppression, and if we view empowerment solely as a competition between two groups, then we will misleadingly confuse the things associated with power, with power itself and we will mis-describe the persons or groups involved in empowerment, leaving out some obvious cases, while including some that need not be included.

But it is clear to me the concept of a community has a role to play in empowerment. The question is can we make out what that role should be in light of the descriptive task of

elucidating even a plausible account of empowerment. I think I have shown that there are a number of difficulties to even getting such a project off the ground in any interesting or plausible way. There are great difficulties in offering a plausible causal account of empowerment and perhaps such an account does not exist. If looking for such an account is akin to looking for a needle in a haystack, then we would be better suited in offering a more limited theory with more modest aims. Given the putative complexities of what it is that is being described it seems that for any theory that we offer we cannot guarantee its predictions will be correct. This concern has real world implications: we have no way of guaranteeing that our favorite means of empowering people will empower them!

It is here that we should be careful to recognize the force of this skepticism. While it is the case that no theory of empowerment will be immune to counter-examples or to various skeptical concerns, we should see this sort of skepticism as an invitation to shift our focus from solely thinking about empowerment as an ascriptive term used to describe the successful endeavors of agents to using empowerment as a structural term describing institutional conditions, social structures and practices. Perhaps this means that we should focus our attention on describing the ways in which states of affairs are empowering rather than focusing on what it means for an agent to be empowered. But we do not jettison the individual from thinking about empowerment because we need to articulate a set of capacities necessary for the empowerment of persons and for the empowerment of groups. Just what these capacities are, in part, depends on what the value of empowerment is. In addition to articulating the capacities for empowerment, we will focus on the structural conditions that promote empowerment. In chapters three and four, I begin the former, in

chapters five and six, the latter. But before we begin this project let me summarize the issues we have seen in discussions of empowerment.

A Brief Recap

First, we have seen wide discrepancies in discussions regarding the effects of empowerment. This is so because the practitioners that we have seen each offer a theory of empowerment that reflects the needs of their own fields (e.g. Business Management theorists claim that empowerment has to do with greater decision-making so that employees might be more productive). Second, we have seen different meanings attached to empowerment. In Health Promotion and in Psychology we see that empowerment has to do with increasing the power that persons have. These theories are conspicuous in their emphasis on the cognitive aspects of empowerment (having been discussed as a feeling for instance). In Business management theory we see that empowerment has to do with greater decision-making and shared authority. Here, power is seen simply as having a greater choice scenario.

Third, it is worth noting again that, there are increasing awareness of the role of power in thinking about empowerment. It is important to think about power in talking about empowerment, but it is also important to have a clearer view of power even though I have claimed that the end of empowerment is not simply having or exerting power. The question becomes what role should the concept of power play and how to argue for it. Fourth, most theorists have focused their attention to only one level in which empowerment operates. The basic unit of analysis for empowerment is the individual. Individuals are empowered and those individuals empower groups. In some cases, some theorists argue that individual

empowerment is mingled with group empowerment, on other occasions, individual empowerment is mediated through participation in a group.

Just what is it that a theory of empowerment must capture? A theory of empowerment seems to do at least three things: The theory captures the relationship between an agent and a set of outcomes, broadly construed, in which the relation between the agent and the outcome is non-accidental rather than, for instance, merely correlated. Two, it presupposes and implicitly describes what I take to be the initial conditions of empowerment: what the agents are like who need empowering and what sorts of capacities are required for empowerment. One potential problem here is that empowerment often occurs *via* some sort of transformation on the part of the individual and the theory should capture that (or else, why do we linguistically carve out this space for the term empowerment?). There are even cases in which a person's settled sense self has to be interrupted before they can act. Thus transformational experiences seem to play a role in empowerment, the question is what that role is and what is the most plausible description of it. Three, it describes the structures and institutions that said individuals find themselves in. Empowerment happens in a context, and that context must be described.

Much of the recent work in the fields I have surveyed has suggested that discussions of empowerment are incomplete without a discussion of power. That is, the absence of a discussion of power creates a gap in one's theory of empowerment which may have devastating results for the resulting theory of empowerment.[139] While many discussions of

[139]Seth Kreisberg claims that avoiding the concept of power is problematic because it leaves theorists devoid of the conceptual space to characterize the nature of the relationships among those becoming empowered and, correspondingly, the actions of empowered persons. It is not clear to me why someone should find themselves bereft conceptually to this extent in virtue of avoiding the concept of power. The term power has many different meanings and it is misleading to make any claims about purported instantiations of the concept without fully articulating the dimensions of a particular meaning of the term. Seth Kreisberg, Transforming Power: Domination, Empowerment, and Education (New York: State University of New York Press, 1992).

empowerment are devoid of a discussion of power and this is particularly true of business management theory, we cannot claim that all discussions of empowerment are. In some cases, the differences between the discussions occur at the level of description, in other cases, as we saw in comparing the various empirical fields, the differences are more profound.

If it is indeed true that the absence of a discussion of power can result in an implausible conception of empowerment then we can provide, at least provisionally, a formal description of the role that the concept of power has in developing a conception of empowerment. I suggest that what an appropriately articulated conception of power provides, perhaps, is a way to describe the inner workings of empowerment, giving one the conceptual space to characterize the actions of the persons to whom the theory of empowerment applies. The problem is that theorists do not seem to know **how** and in **what way** a theory of power, if it does at all, figures into discussions of empowerment.

This project, if it is going to be even minimally successful, must begin with the empirical fact that many of our formal and informal relationships are arranged hierarchically. That is to say, many of our formal and informal relationships are laden with power differentials and the effective distribution of some our institutions requires this if we are to plan successfully and deliberately in meeting our needs at all. But while some of our institutions require hierarchy of some form, like the family, some institutions do not obviously require it, like the church. But even recognizing that some of our institutions are arranged hierarchally does not imply that they ought to be. [140]

[140]Here it seems that parents have to exercise authority over their children, for instance, and thus the family in this sense must be hierarchal. Were we different sorts of beings that did not require care, then this fact would be contingent. Whether there is any other institution that could manage without hierarchy of any sort is an open question.

One route in explicating the concept of power in a way that informs the notion of empowerment is to describe the ways in which power is articulated in and through the various institutions that people find themselves acting. While this project sounds interesting it needs explicating if it is to aid in thinking about empowerment. A more grounded route is suggested by Seth Kreisberg who argues that an analysis of power be used to describe the nature of the relationships of persons in the process of becoming empowered or in describing the actions of those already empowered.[141] This avenue, Kreisberg claims, helps us to understand the process of empowerment. I am less interested in understanding the process of empowerment as I am the concept of empowerment since we are better able to understand particular conceptions of empowerment once we understand the concept of empowerment. But all three of these ways of discussing power are worthwhile and we should keep them all in mind as we proceed.

Seth Kreisberg claims that there is a conceptual gap between the concept of power and the concept of empowerment and that theorists have ignored the gap. Seth Kreisberg claims that this gap, in part, derives from a confusion concerning the notion of domination. Kresiberg claims that theorists have ignored talking about the concept of power because theorists have held the view that what characterizes oppression are relationships of domination, and a theory that purports to characterize the strategies and policies that end oppression must not itself be predicated on the same conception of domination.[142] This view relies on construing domination as if all instances of it were negative, and as we shall see, this is not a position that can be supported by argument or experience.

[141]Kreisberg 22.

[142]Kreisberg 22.

I want to begin my account of empowerment by articulating a conception of power-over. That I am focusing on the notion of power-over does not imply that the notions of power-to and power (simplicitor) are being over looked in discussions of empowerment. I do not begin with the notion of power-to because our task in thinking about power is comparative and the sorts of questions that we will look to answer have to do with articulating what it means for an agent to have, borrowing from Alvin Goldman, *social power*. Thus we need to understand power in such a way that allows us to describe conflicts of power and to make comparisons between persons. In short, if we hope to understand the relations between power, freedom, and justice, we will need to understand what it means to have power over another person. Because our search is for a particular way in which power is used, I do not articulate and defend a conception of power either. There is a further reason for not articulating a conception of power namely, that the concept of power-over is neutral with respect to the notion of power, as it is with respect to the notion of power-to for that matter. That is, the two ideas are logically distinct. As I said before, the star of the show is power-over, the supporting actors are the concepts power and power-to.[143]

Instead of arguing for a "theory" of power-over, I want to describe my project as offering an *interpretation* of power-over. In doing so, I am not claiming that my interpretation is **the** correct interpretation of power-over because I suspect that the range of cases will underdetermine any interpretation of power-over that it purports to explain. Thus, my interpretation of power-over can be consistent with any number of other interpretations of

[143]I also do not think there is a wide chasm between the notions power-to and power-over. To have power over someone presupposes some account of having the capacity to act in certain ways. As I have already said, I am less concerned, right now at least, with what that capacity is as I am interested in articulating what the capacity can **produce**.

power-over, so long as there are no obvious logical inconsistencies or contradictions that could be derived from the interpretation itself.

Another point, by way of clarification, that I want to make in my discussion of power-over is that we can more clearly understand the ways in which the notion of power-over may function in talking about empowerment if we situate power-over in a circumscribed context. By circumscribed, I mean that we consider power-over in a setting in which particular norms and rules are explicit. While I ultimately want to talk about agents, institutions, and their relations, we can better articulate the ways in which power is articulated and subsequently understand the ways in which an agent can have power over another agent, in a setting that is easier to manage in a stripped down context, like that of a competition.[144]

In their book *The Miner's Canary*, Lani Guinier and Gerald Torres begin, and to some extent, situate their discussion of power in a competition. They begin by retelling the events that transpired during a neighborhood cookout involving girls and boys and the game that the groups played during the event. The children were set to play a game and the adults were to determine a process by which the girls and boys could use to determine which group chooses the game. The adults also determined what the victor of the competition could choose. Whichever group was in the majority was allowed to choose the initial game that both groups were to play. As it turned out, it was the girls and they picked a game that they were better suited for than their male counterparts with the unsurprising result, victory for the girls.[145] In virtue of winning they got to pick the subsequent game to play and they choose a

[144]Again, the metaphor of a competition is a heuristic device that I bring to bear merely to get the analysis off the ground.

game that, again, favored them more than it favored their male counterparts. The actual details of the games are not important, but what is important for the discussion is that the game involved a set of rules that determined which sorts of behaviors were admissible and which one's were not; a set of rules that determined victory in the competition; and a set of rules that determined what the victors could choose.[146] Power, Guinier and Torres claim, is manifested in this setting in several ways: first, as the ability to win in a competition; second, as the ability to determine or to manipulate the rules of the competition; and third, as the ability to mobilize various norms or rules to exclude or to include individuals or groups in decision making processes or conflict.[147] Guinier and Torres argue that the meaningful instantiations of power are not exhausted at the level of discrete interactions present at the level of competition, but at the levels in which rules or norms are created and manipulated to solidify the power of a group.[148]

The idea of a competition and rules allows us to see that not all of our interactions are clean or neat. Many important interactions appear discrete even though they are a part of chain of actions that reveal the ways in which power is distributed showing a multitude of ways in which an agent has power over another agent. When we cannot focus on and connect various actions it becomes difficult to talk about distributions of power in any meaningfully way other than as a competition.

There are certain pitfalls that I think must be avoided, if one intends the notion of power-over to inform one's conception of empowerment. The first pitfall lies in articulating

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[145]The Miner's Canary: Enlisting Race, Resisting Power, Transforming Democracy (Boston: Harvard University Press, 2002).

[146]Guinier and Torres 110.

[147]Guinier and Torres 110.

[148]Guinier and Torres 111.

a theory of empowerment that involves some notion of power that does not reduce empowerment to that notion of power. This is important because, as I have tried to show, empowerment is more than just having power. The second pitfall in articulating a theory of empowerment via the notion of power was raised by Riger, namely that talking about power might draw one into a view of empowerment that is too narrowly focused. That is to say, if empowerment is ultimately a competition over resources, then we will have offered a theory that is not obviously enlightening and that will be false on some occasions. There is a third pitfall as well, namely that the usual ways in which power is discussed do not exhaust the features that are important in discussions of empowerment. For instance, we know that having a secure sense of self is necessary for human flourishing. But having that sense of self is not recognized as a form of power. It is not recognized as a form of power because having a secure sense of self is not an *achievement* or the sort of achievement that accounts of power recognize.

There is a fourth pitfall that we must avoid in talking about power-over, namely conflating an account of what it means to have power with an account of what it means to have power over another. We are ultimately interested in the latter, not the former. This is a different type of problem from the problems that I mentioned above and this problem is more pervasive in the literature. And it is here that I think we should begin.

The Nature of Power

In her book *Black Feminist Thought*, Patricia Hill Collins claims to have synthesized two main approaches to power, though only one is of interest to me. It concerns the "dialectical relationship linking oppression and activism where groups with greater power

oppress those with lesser amounts." [149] The notion of power exists in a context in which there is an antecedent antagonistic relationship between two groups in which one group undermines the interests of the subordinate group. And power is the medium by which that conflict is expressed. Power is organized around and refers to adversarial relationships in which those adversarial relationships are predicated on power being unequally distributed and there being a continual conflict over that power. Certain groups have greater amounts of it, while many groups have lesser amounts of it, and the distributions that matter are those between groups whose interests are opposed to one another. Ultimately this interpretation of power is one in which power is a resource and not one in which power simply refers to structures of domination and subordination.

As Amy Allen notes, this view of power has a rich history, having been articulated by such theorists as John Stuart Mill and Susan Moller Okin.[150] Allen claims that theorists such as Mill and Moller Okin presuppose a conception of power as a resource in their theories of women's oppression. According to Allen, Mill claimed that equal opportunity to political power was denied to women. The form that the opportunity for power took was that of voting and Mill argued that what made men and women unequal was the fact that men had the right to exercise political power via the vote, while women did not. Since the right to vote carries with it a voice in determining one's share of the benefits and burdens of society, Mill argued that giving women the right to vote gives them an effective tool for adequate representation and inclusion into the political sphere equal to men. The problem of political

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[149]Patricia Hill Collins, Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment. (New York: Routledge Press, 2000).

[150]Amy Allen, The Power of Feminist Theory, Domination, Resistance, Solidarity (Boulder, CO, Westview Press, 1999).

power, according to Allen, is one of distribution: access to political power is not equally distributed.

Moller Okin considers power a different type of resource, though it is still a resource. According to Moller Okin, power is one among several critical goods such as prestige, self-esteem, and opportunities for self-development that are unequally distributed in the family.[151] Power is an important resource, though it is not exactly clear what the term refers to in Moller Okin's usage. The unequal distribution of power, as well as the other critical social goods in the family owes itself to a variety of factors, many of which are institutional, but the main factor that explains the unequal distribution of power in the family is the gender division within the family according to which the paid work performed outside the home is valued to a far greater degree than the labor performed within the household, labor usually conducted by women. To remedy this state of affairs, Moller Okin argued that redistributing the labor in the family would result in a more equitable distribution of the critical social goods, including power. It is not obvious how redistributing the division of labor would promote a more equitable distribution of critical social goods unless the distribution of critical social goods is tied to labor and not to gender. But this worry is not a worry we need to resolve.

The explanatory power of the view power-as-resource is present in cases in which we aim to describe conflicts of interest and in cases in which we aim to make comparisons of power. These ideas are implicit in claims such as "Bill Gates is more powerful than Andre The Giant" and in such cases as "Bill Gates is the most powerful man in Washington." In understanding just what these claims amount to, we use power as a marker that allows us to speak of the likelihood of an agent bringing about certain outcomes and when we offer

[151]Allen 9.

comparisons of power between persons we are asking which of a given number of persons is better able to bring about an outcome under consideration. Thus we describe the various power relations as various patterns of distributions and we speak of distributions of various resources in ways that aid bringing about certain outcomes. For example, assuming that political power is an important tool for brining about certain outcomes, on Mill's view men were more powerful than women because they had access to the means, and subsequently greater access to the political power itself. As the means to promote equality, women should have similar amounts of power to men; that is we should re-distribute the means to political power as a way of creating a more equal distribution of power. This view is predicated on it being the case that possessing political power allows one group to better bring about outcomes of its choosing than groups with lesser shares of the resource. Political power is the item of choice in which power is measured.

But in many cases, the distribution of one type of resource does not make the agent better able to bring about an outcome relative to another agent. That is to say, if I and Andre the Giant were attempting to lift a very heavy object, Andre the Giant will lift it, while I would not. In that case, strength is unequally distributed in such a way as to make Andre more powerful than I am with respect to that outcome. But this supposed advantage might be illusory when we consider that other resources can be brought to bear to bring about that outcome. Given the nature of any endeavor, there will be many resources that will be efficacious in brining about certain outcomes. Thus while Andre can lift the particular object and I cannot, I can build a crane to lift it. Thus Andre may be more powerful than I am as a physical fact with respect to a current outcome, but I am more powerful than he is with respect to the same outcome with respect to a different resource. Thus we can see that the

view the power-as-resource, when combined with idea of distribution offers much explanatory power in describing various human relations, but its plausibly as an explanation depends on the context.

Power-as-resource is not tied to a single measure of power though there is a danger of appearing ad hoc if the proponent of this view can simply pick and choose which measures count and which measures do not count in comparing the distributions of power among and between groups. But the view is not committed to claiming that for any outcome, there is but one resource that is necessary to bring it about. The range of resources, and necessary activities needed in deploying the resource will always overdetermine any theory purporting to compare social relations in distributional terms.

I am not going to dispute Allen's interpretation of Mill or Moller Okin because I think the view "power as resource" is intuitive and it has a linguistic following.[152] But it is clear that this is not an interpretation of power-over and we cannot evaluate it as an interpretation of power-over. My project is not to give an account of power that fixes its identity, but to give what may be called a use theory of power. And by this I mean that we are looking at the particular uses of power and looking at the uses of power allows us to characterize the kinds of relationships that we are seeking to characterize. An account of what power is, does not sufficiently allow us to characterize the kinds of relationships we are interested in describing. At best, the view tells us whether one person is more powerful than another person but it does not offer us a way of describing what it means to say that a person has power over another person. But we should not simply ignore the view because many

[152]Although it is interesting to note that Allen claims that Moller Okin sees power not completely as a negative influence, but as a positive one in certain contexts. When it is the case that we redistribute labor in the family, women will have a greater access to such critical social goods as work, prestige, self-esteem, and economic security. See Allen 9.

theorists treat the view as if it were a theory of power-over and while I have offered, albeit briefly, an account of its merits, let me quickly mention some of its demerits.

Iris Young and Thomas Wartenberg have separately argued that such interpretations of power are misguided. First, Young claims that such views obscure the fact that power is usually seen as a relation rather than as a thing and that it is simply a confusion to claim that such things as money and the right to vote, things needed for the exercise of power, **are** power.[153] The upshot of this complaint is present in the next objection.

Young claims that a distributional account of power-over cannot account for domination as a structural phenomena. That is to say, a distributional account of power as resource misses the ways in which the powerful enact and reproduce their power, and for Young, they do so through processes rather than through patterns of distributions. As a result of certain processes, many agents have power, or are powerful, without their having to act. Thus, Bill Gates might offer his favorite peon significant power and that power might not at all depend on the peon's abilities. As a matter of luck, this person is powerful, but this person's power is not in virtue of having a greater share of resources. Cases of these kinds are common because power is often conferred on persons. Examples such as these are problematic for the view power-as-resource because there is no obvious resource that the peon has according to which she is powerful. The proponent of this view could perhaps claim that Bill Gates himself is a resource or someone might maintain that the property being-liked-excessively by Bill Gates is unequally distributed, but such moves are clearly implausible. But, if we understand power as a relation mediated by certain processes, we can, first, understand how one can gain power in the absence of a favored resource, second, how it is the case that people have power without exercising it, and third, we can understand

[153]Young 30.

why it is the case that certain redistributions of resources do not change the tenor of the oppressive relation between the oppressor and the oppressed.[154] This example does not show us that we should abandon conceiving of power as a resource, but it does show us that the view is limited as an explanatory account.

Thus far I have discussed power as if all its instances were negative, but this need not be the case. One such positive usage of power-over is paternalism. Paternalism is used most often in a pejorative sense as if all instances of it were morally troubling; but we readily recognize positive instances of paternalism present in such policies as seat-belt laws and motorcycle helmet laws. Here one uses power, in the form of legal sanctions to benefit the agent in one sense e. g. lowered mortality, even as it involves not benefiting her in another, e.g. coercing her into certain choices. What makes such policies paternalistic is that they are interventions into the affairs of the agent for the agent's own good. These types of paternalistic interventions are predicated on the agent's being incapable of rationally determining her own good. The absence of this capacity is present in most of the standard range of cases of positive paternalism: the cognitively impaired, the young, or the psychologically impaired. In such cases, it is quite easy to justify paternalistic intervention. The difficulty arises in cases in which the capacity for rational thought is instantiated. The worry in such cases is whether or not someone's will is being substituted by the will of another person. But once it is admitted that there are positive uses of power, the difficulty is in determining which courses of behavior instantiate it and which one's do not. Since there are clearly occasions under which exercising power over another agent can be a good, this suggests that an appropriate interpretation of power-over must be neutral with respect to its

[154]Young 32-33. Logically, such redistributions might also not effect the tenor of more positive relationships as well such as the relationship between a parent and the child. Parents still have authority over their children even if, for instance, children become wealthier than their parents.

moral content, i.e. that the view must not assume that all instances of power-over are morally blameworthy. Let me turn to a view that is focused on positive uses of power that has received much interest and debate.

Most feminist accounts of power-over have attacked the supposed androcentricity of mainstream accounts of power-over (as they do in criticizing mainstream accounts of empowerment as well), but out of such discussions, feminists have articulated a positive conception of power-over. This positive conception of power-over is known as *Transformative Power*. Transformative power emerged from recent discussions of mothering among feminists as many feminists have argue that we can understand transformative power through mothering.

Now I will not entertain the claim that mothering best helps us to understand transformative power for two reasons. First, that debate will take me far from my aim. And second, one can reject the claim that mothering helps us to understand transformative power without rejecting the coherency of transformative power itself.[155]

As I said earlier, in their attempts to describe male domination, recent feminist theorists have focused a critical gaze on mothering. Such theorists describe the ways in which the practice of mothering was and is shaped in sexist societies, and such attempts have put mothering in a less than flattering light. For instance, many so-called third wave feminists argue that mothering does not accurately instantiate transformative power because mothering has been shaped by masculine values and instead of existing as the locus of transformative power it instead is just another form of power-over. So the objection goes, mothering has been shaped by sexist attitudes and the capacities that we associate with

[155]As I said, there is no logical tie between mothering and transformative power. Some theorists, most notably Eleanor H. Kuykendall, using the work of Luce Irigaray, tie transformative power to nurturing and not to mothering.

women are those capacities that are allowed in oppressive societies because they generally promote men's interests, namely, providing care for and nurturing children, and, the care and nurturing of men (which includes ego and sexual services). Thus these co-called mothering capacities actually reinforce sexist stereotypes between men and women through the deployment of, and transmission of, a set of sex roles that assign various duties in the family according to sex. When the sex roles themselves are transmitted to future mothers and fathers, one will see a further separation and legitimating of women performing unpaid undervalued labor, and men performing paid and overvalued labor.

What is more, bell hooks worries that romanticizing mothering conceals the norms that inform it, norms that disparage the experiences of many women

> [R]omantizing motherhood, employing the same terminology that is used by sexists to suggest that woman are inherently life-affirming nurturers…feminist activists reinforce central tenets of male supremacist ideology. They imply that mothering is a woman's truest vocation; that woman who do not mother, whose lives may be focused more on a career… are missing out….doomed to live emotionally unfulfilled lives[156]

hooks is worried that conceptions of mothering in which women are seen inherently as nurturers implies an essentialist conception of women, one that fits a small class of women. What is more, those who choose not to mother are devalued as persons. These are just some of the objections that theorists have raised to thinking that mothering represents transformative power or that mothering represents a special experience of power.[157]

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[156]hooks 135.

[157]Thomas Wartenberg claims that the problem with arguing that mothering instantiates transformative power is that theorists have been forced to idealize mothering and that they privilege mothering as the only mode of nurturing. He also claims that it is far from clear which practices in mothering are transformative and which one's are not. Much recent empirical work on the parent child relationship has shown that mothering is far from transformative in the positive ways the advocates of the theory seem to claim that it is.

Many feminists, having taken seriously the effects of male domination on mothering, and the criticisms raised by such theorists as bell hooks, have attempted to offer accounts of mothering that are stripped of its influences of male domination. In essence, their attempts have been to uncover a pure, untainted version of mothering, one that offers a positive instance of mothering and one that best instantiates transformative power.

The crux of the view is that woman's transformative abilities stem from a positive capacity that grows out of feminine traits, capabilities, and practices. [158] On this view "power is the capacity or creative ability that individuals have *to do* something, rather than a dominance that is wielded *over* others."[159] Women display a special type of power that is a positive capacity that exists in the role of care-giver. For example, mothers exert their supposed power, i.e. the abilities that we traditionally associate with mothering such as caring, comforting, and healing, over their children in a way that aids the development of the child.[160]

> One instance [of woman's effectiveness] is in women's traditional role, where they have used their powers to foster growth of others-certainly children, but also many other people. This might be called using one's power to empower another-increasing the other's resources, capabilities, and ability to act.[161]

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[158]Allen 21.

[159]Amy Allen, The Power of Feminist Theory, Domination, Resistance, Solidarity (Boulder, CO: Westview Press, 1999.

[160]Thomas Wartenberg and Amy Allen disagree whether transformative power is an instance of power over. I will largely ignore this debate though I think the heart of the matter is whether we can call actions that are transformative manifestations of using power-over another person. The answer to this question, empirically as well as *a priori* is affirmative to me. But I will only assume for the sake of argument that transformative power is an instance of power-over. If transformative power is not an instance of power-over, it is up to proponents of such a view to articulate just what kind of power it is and they have to do so in such a way that is not implied by power-over. Since this is not my project, I choose to proceed in the more fecund manner and assume that transformative power is an instance of power-over.

[161]Wartenberg 189.

As I understand the view, transformative power consists of a dominant agent and a subordinate agent.[162] But unlike negative instances of power-over in which the dominant agent seeks to negatively affect the choice scenario (or action-environment) of the subordinate agent to her detriment, the dominant agent seeks to **benefit** the subordinate agent in ways that render the hierarchy unnecessary.

Wartenberg, who endorses transformative power, claims that this conception is fundamentally distinct from paternalism. While paternalism is concerned (sometimes) with using power to benefit an agent, this form of power-over seeks its own end in that the dominating agent exercises her power over the subordinate agent in such a way that undercuts the power differential such that the necessity of hierarchy becomes **obsolete**. Again, if we assume that the teacher/student relationship is an instance of transformative power, the power imbalance between the teacher and the student is but a platform in which the teacher helps the student develop her talents and abilities to the point in which the relation of hierarchy is unneeded. The subordinate agent, on this view, becomes self-sufficient, or complete in some manner, that necessitates an end to the hierarchal relationship. This account is teleological in nature as the function of power consists in its being used for a particular end and the end is the termination of a need for further interference. The relationship in question determines the capacities that facilitate the transformation.

At its core, transformative power is predicated on a transformation, and it is here that the view begins to appear problematic. The question is what is transformative about this conception of power. We know that the view is predicated on the transformation of the subordinate agent, what we do not know is **how** this transformation is to come about and we do not know what that transformation looks like. The real problem is not one of describing

[162]I use these terms in a neutral manner merely to indicate a hierarchy between two agents.

how the transformation comes about since that is to a large degree the work of the empirical sciences, the really interesting question is what the transformation looks like and whether it is **essentially** tied to its process.

A more pressing concern is that Warternberg's account of transformative power is ambiguous between being an account that is predicated on the usage of power that promotes the development of certain skills, what I call the weak account, as distinct from being a view that is predicated on the usage of power that promotes the development of certain skills that **undercut** the power differential, what I call the strong account. In the strong account, the aim seems to be the dissolution of a power differential, in the weak account the aim seems to be the inculcation of certain skills.

What I have called Warternberg's weak account of transformative power is clearly plausible. Using power in ways that promote the development or instantiation of the agent's skills, is to my mind, intrinsically good. It seems to be a good even if the person uses those skills for evil. But such an ideal is too formal to get us very far and it subsequently offers little explanatory power as a theory. There is nothing to disagree with if the debate stops here.

What I have called the strong view is more contentious. The first problem is a problem about means: do some acts essentially contribute to ending the necessity of power from those that do contingently? If the aim is to end a power differential, then promoting the development of certain skills of the subordinate person is but one means to that end and as a means to an end, it may be poor. This problem shows that the strong account lacks an account of the relation between the development of capacities and its relation to the dissolution of power. We can readily identify some hierarchal relationships that do not

dissolve even after some level of self-sufficiency is obtained. Such relationships are obvious in religious institutions. For example, it is not as if the Pontiff is any more pious than any of the other Cardinals even though the Pontiff assumes authority over them. In fact, it is doubtful that the Pontiff is any more pious than some of the Priests running local Perishes. But, of course, quite the opposite is present in the student/teacher relationships. Once students achieve a level of self-sufficiency in intellectual development, the need for teachers to have power over them is dissolved.

In some cases, particularly in institutional settings, we can determine the conditions of self-sufficiency and their relation to the end of the power differential, in other cases, neither of these features are clear. But what I think we should resist is unreflectively endorsing the claim that self-sufficiency is necessary for the dissolution of hierarchal relationships because the connections between self-sufficiency and the dissolution of power differentials are multifarious and sometimes, opaque. Thus, I am not treating eventual self-sufficiency as necessary or sufficient for undercutting the power differential.

The second problem is a problem about ends. We need an argument that shows why the dissolution of a power differential is a good, either instrumentally or intrinsically. I doubt we can make a case for its intrinsic goodness in such a short space as it will involve many controversial and perhaps question begging assumptions about human nature or about human flourishing. I think matters are less problematic if we claim that the dissolution of a power differential is instrumentally good, though even here we would need to provide a fair amount of context. But the problem is that the view lacks an account of why we should care about dissolving power differentials at all. Absent an argument to support this claim, it looks

doubtful that the end of using power is, or should be, to render the necessity of that power obsolete.

Wartenberg's Theory of Social Power and My Account of Empowerment

Finally, I want to turn to Thomas Wartenberg's interpretation of power-over, which he calls the field theory of (social) power, "A social agent *A* has power over another social agent *B* if and only if A strategically constrains B's action-environment."[163] The key notions to understand in this definition include the notion of constraint and the concept of an action-environment.

An action environment is the "space" within which an agent acts. As an agent, her environment consists of action-alternatives which amount to various kinds of choices. Wartenberg's picture of agency is one in which social agents use practical reason to choose between a set of action-alternatives. On his view, the assessment of a given action-alternative involves an understanding and an evaluation of the available options.[164] Warternberg construes having power over another individual as one in which either the agent's deliberations about various action-alternatives is constrained or the action environment itself is constrained.

While it is the case that many events may constrain and agent's action environment, not all of the instances are properly instances of power over. To mark those that are of the appropriate form we need the concept of intention.[165] Thus, to say that the interfering

[163]Wartenberg 84

[164]Though Wartenberg claims that agents do not use a rational process all the time in choosing among action-alternatives.

[165]In the least, the concept of intention provides a sufficient conditions for the sorts of behaviors we want to pick out. I see nothing in Wartenberg's account that requires that it be necessary as well.

behavior is "strategic" on Wartenberg's view is simply to make explicit the intentional nature of power-over, "It indicates that attributing power to an agent involves an understanding of the reasons why an agent acts as she does."[166] It is not the case that every constraint is an instance of power-over, but those that are strategic. In calling certain actions strategic, Wartenberg creates the space for the role that intention plays in a way that allows us to do identify which events are instances of power-over and which events, though structurally similar, are not.

The most important idea in Wartenberg's account of what it means to have power over another agent is the idea that power over involves a certain kind of constraining of choices. The problem that Wartenberg aims to avoid is limiting instances of power-over to only the discreet interactions of agents. We can best understand the problem by considering the claim that husbands have social power-over their wives. That power is exerted in cases in which the husband limits certain of the wife's activities, e.g. spending.

Theorists who try to capture this idea usually locate the power that the husband has in the husbands acting in a manner that can be described using the language of dispositions. Thus we can use a dispositional account to articulate that the husband has power over his wife just when it is exercised. It is a power that is present, but it needs to be actualized.

Warternberg does not want to abandon the idea that we can use the language of dispositions to describe the power over another agent that an agent may have. The problem is the location of the disposition itself. Wartenberg claims that the property of having power over is mistakenly construed exclusively as a property that the husband has when in fact it is a property of the relationship itself and thus the husband has power over the wife even when the husband does not exercise his power in action. That is, the power that the husband has

[166]Wartenberg 85.

over the wife is present not merely in cases in which the husband actually exercises the power. The power is present, and exists, as a defining feature of the relationship.

Wartenberg uses the analogy of a magnetic field to capture this idea. When a piece of metal comes into the presence of a magnet, the metal is constrained. That the magnet has the property of constraining metal is not a dispositional property of the magnet, instead it is a property of the magnetic field that is generated by the magnet itself. In the case at hand, the power over that an agent has influences the social space in which the subordinate agent acts, much as the way that a magnetic field shapes the space of an object that is susceptible to the influences of magnets. The point is that the space is influenced even when the magnet is absent and in the same way, the subordinate agent's space is influenced even when the dominant agent does not act and their power over the agent need not be manifested in the dominant agent's actions.

Warternber's theory is not simply a dispositional account of power-over. That is to say the power that an agent has over another agent is not predicated on having the ability to exercise power over the subordinate agent. Wartenberg clams that his theory displays power over as an occurrent state of affairs.

That an agent's action environment is strategically constrained is characterized formally. That is, there are various ways in which an agent's power over another agent is instantiated. The specific form of the constraining is present in such examples as coercion, force, influence, and manipulation.[167] These manifestations, Wartenberg claims, are not only specific types of power-over, but also these instances of power over are internally related and mutually enforcing, existing as pieces in an overall structure. When these features are used

[167]I will not take the time to define these terms since their meaning is not essential to understanding Wartenberg's argument, but his explications of these terms are consistent with common understandings of their meaning and usage.

collectively in manifesting power over another agent in ways that do not benefit the agent the result is a state of affairs that can be properly described as dominating.

The articulations of power just mentioned are simply a means to establishing domination. Domination occurs over time with the successful deployment of coercion, manipulation, influence, and force. Given that it is the articulation of power that has an aim or a purpose, namely domination, we can infer that articulations of power themselves are content neutral. The articulations are harmful or beneficial when it is the case that they serve some further end.

Wartenberg's account of power-over is historical and not a time-slice conception of power-over. Power-over is principally a dyadic relationship between parties that is sustained by the intended or unintended actions of numerous other agents and arrangements over time. Domination results from the successful articulations of power, e.g. instances of force, coercion, violence, manipulation, over time. These articulations, establish an *alignment* of behaviors by third party agents. The notion of alignment, for Wartenberg refers to

> [T]he structures of peripheral social agents through which a situated power relationship is constituted…The behavior of the agents external to the power dyad can be seen as oriented around the actions of the two central agents, for it is their actions that the peripheral agents use to structure their treatment of the subordinate agent. Furthermore their *coordinated* actions are needed to create a smoothly functioning power relationship, even though they are not the central location of the relationship itself.[168]

The notion of alignment allows Warternberg to account for the organic and systematic nature of interfering behaviors and they help explain the difficulty in getting out of dominating relationships. Domination, or oppression if you like admit of the following formal properties: the interfering influence of the dominating agent(s) is nearly inescapable (or else

[168]Wartenberg 150.

we would not say that the person is oppressed); those who are oppressed cannot escape the controlling influence without significant ingenuity and aid. That oppression can take on many forms also allows us to explain how one's oppression might result from the unconscious and unintentional actions of other agents. As I mentioned in chapter one, such behaviors as door openings might be oppressive in that they imply that women are unable to handle trivial tasks, but this sort of behavior might be an established norm in a particular society.

Wartenberg's content neutral interpretation of power-over purports to be exhaustive in describing the ways in which agents have power over other agents. But Jean Harvey argues that Wartenberg's account of power-over misses two kinds of acts. The first, Harvey labels "indirect support power."[169] This form of power-over is exercised where there is a context in which one agent has authority and that authority is protected against retaliation. Harvey's example is one in which a loan officer turns down an obviously qualified loan applicant for no apparent reason. This person's arbitrary decision goes unpunished because like-minded individuals with similar decision-making power support that person. These like-minded individuals simply "cover" or "support" the initial arbitrary decision. This interpretation of power-over is very much like Wartenberg's notion of alignment and it is not clear to me that Wartenberg's theory does not already include this idea. To be sure, the organic nature of domination is sustained by decisions that are obviously complicit to the harm being done and if this is the idea that Harvey intends to capture, then I think she has not offered a new interpretation of power-over that is not already implied by Wartenberg's interpretation.

[169]J. Harvey, Civilized Oppression (Lanham, MD: Rowman & Littlefield, 1999) 41.

The other interpretation of power-over that Harvey describes she calls "interactive power."[170] This is a form of power-over in which agents have the

> [P]ower to take initiative in a relationship: in beginning or ending a relationship, in insisting on its being modified, and in taking a number of communication initiatives like the power to begin or end a specific contact, to insist on being listened to and on being given answers to reasonable and pertinent questions.[171]

Harvey says that this form of power-over is a major part of the power that persons have in assigned positions in which the relationship is governed by explicit or implicit norms or rules of conduct.[172] This interpretation of power-over is not obviously a form of power-over. Harvey defines it as an ability and it is not clear to me what makes it intrinsically a form of power-over other than the context. As I said about her other interpretation of power-over, this ability seems to be a part of an alignment of norms and behaviors that are implied by Wartenberg's theory of domination. If Harvey's point is to argue that Wartenberg's theory of domination does not offer a way of explaining how agents have certain kinds of privilege or false entitlement, then Harvey's arguments simply provide an account of the inner workings of alignment but they do not show any **new** interpretations of power-over. Furthermore, Harvey's examples appear content laden. That is, they presuppose, for their plausibility, that the relationships described are unjustified in certain ways.

Wartenberg's field theory of power is content neutral and robust enough to capture many of the features we would like captured in a theory of power-over. But in order to make Wartenberg's field theory of power useful in thinking about empowerment, we must

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[170]Harvey 43.

[171]Harvey 41.

[172]Wartenberg calls such relationships "situated" and his stock example is the teacher/student relationship.

substitute the term "influence" for the terms "strategically constrain." One reason for doing so is that the term "influence" is evaluatively neutral in ways that the terms "strategically constraining" are not, and the term "influence" is semantically broad enough to encompass the role of intentions. What we also learn from Wartenberg's field theory is that power is articulated in various ways to the agent's benefit or to the agent's detriment.

When the articulations of power are used in concert Wartenberg claims that the power over an agent that another agent has is dominating. What we do not have in Wartenberg's account is a reason for thinking that the articulations of power result in domination or something less benign like paternalism. And here I suggest that we follow Alvin Goldman in claiming that power-over another person is present regarding issues that make a difference to the person's well-being.[173] The notion of welfare guide us in selecting which issues are unjustly not in a person's control and a denial of those choices or affairs warrants us in using the terms domination or oppression. Instances of domination are morally unjustified, but they are not morally unjustified in virtue of the ways in which they come about, they are morally unjustified in virtue of undermining an agent's welfare. Let us no move to incorporating these ideas into a theory of empowerment.

A Political Conception of Empowerment

My aim is not to give a general theory of empowerment, though the account I present may be extensionally equivalent with other theories of empowerment. And in arriving at such an account, I think our intuitions are revealed in several cases, some of which I have already introduced. Recall, that I began the chapter claiming that Pell Grants empowered the students to whom they are meant to advantage. I also claimed that such grants would not

[173]Goldman 260.

empower wealthy students. But to say that the grants empower the students implies that the grants give the students power that they did not have. Perhaps the question is what this power is and if we ask this we should be careful to see that whatever power they receive in the form of monies, for instance, is not obviously empowering *per se*. What is empowering in this case, is what the resource permits, namely the opportunity to develop one's capacities and talents and developing one's capacities and talents makes a difference to one's welfare. In the least, the Pell Grants give the students the opportunity to strategically influence their action-environments in ways that promote their self-development.

What this suggests is a more nuanced way of talking about empowerment when we broaden the level of description. What we should see about Pell Grants is that they offer us a way of talking about empowerment that is not tied to thinking about empowerment as necessarily a competition between groups.

But there are cases in which someone's being empowered has little to do with distribution. Recall, the case that Riger presents in which the support that Migael received by friends lead her to act in ways that promoted her welfare, in contrast to Altavese who lacked such support. The support that Migael received was empowering, in part, because of the outcome in the case, namely prosecuting the persons that harmed her. But the support was also empowering because of its effect on her self-worth. Thus, in addition to providing a sense of community, the support she received prevented reductions in her self-trust. Again, it is difficult to see what power she received in this case if we think of power in terms of various resources, but what is empowering is what this resource creates, namely, a barrier against attacks on one's self worth and a barrier against attempts to thwart one's ability to

govern one's affairs by undermining an agent's self-trust. And these features make a difference to one's welfare.

Let me offer one more case that reflects some of our intuitions about empowerment, one that contains a competition. Frederick Douglass describes the relationship that Nellie, a slave, had with Servier, the overseer. Servier had considerable power over Nellie in the sense that he could interfere with impunity in many of the Nellie's choices and affairs. By fighting back fiercely when Servier tried to whip her, she imposed such a cost on him such that he decided he couldn't whip her with impunity. That act of resistance empowered Nellie and reduced Servier's power over Nellie such that he never whipped her again.

To say that Nellie was empowered is compatible with saying that Servier continues to have power over her in certain respects. For example, Servier still might be able to interfere with some of Nellie's choices, e.g. her choice not to remain a slave. But there are a range of choices that Servier cannot interfere with, and to that extent Nellie has a voice in a manner that she did not have before, i.e. that she is empowered. In this case Nellie's being empowered consists of her acting in ways that promote her dignity and in the reduction of power that Servier has over her.

These three cases are quite disparate and display what is daunting about describing a theory that purports to capture their salient features, namely the fact that empowerment involves a conviction to affirm one's value and a willingness to do whatever it takes to promote one's self-respect and autonomy. Empowerment is an achievement, influenced by the person(s) to whom the theory applies, that changes the distribution of social primary goods, in creating a state of affairs that promotes the person(s) self-respect or autonomy in cases in which current arrangements **work against** that person(s) self-respect or autonomy.

The aim of becoming empowered is to reduce the extent to which one is susceptible to the negative influences of the distributions that work to the detriment of one's welfare.

One reduces the susceptibility of interference from distributions that work against one's well-being to the extent that if the agent intended an outcome, S, then the agent would perform a set of acts that would influence S's instantiation, otherwise, if the agent intended ~S, then the agent would perform a set of acts that would influence ~S's instantiation.[174] Here is a more formal presentation of my view: For any agent X, a series of acts, S, and a state of affairs Y. Y is empowering when

i. Current arrangements work against X's self-respect and autonomy (or both)

ii. S's instantiation changes the distribution of social primary goods in creating a state of affairs that promotes self-respect and autonomy resulting in the reduction of the person's susceptibility to the interfering influences of a dominant agent such that

   a. If X intended S, then X would perform a set of acts that would influence S's instantiation

   b. If X intended ~S, then X would perform a set of acts that would influence ~S's instantiation

This formal description of empowerment begins with the idea that self-respect and autonomy are influenced by social conditions. The account of empowerment above displays the features from previous surveyed accounts of empowerment. Empowerment is a fluid notion; it is a measure of an agent's agency with respect to her self-worth, self-respect, and self-esteem. My theory of empowerment is two-fold: it includes a formal description of the

[174]I am borrowing some of the way in which Alvin Goldman formulates his theory of power in his paper "Towards a Theory of Social Power," Philosophical Studies 23 (1972): 221-268.

acts that an agent makes for her ends **and** the conditions under which those acts are efficacious.

Though I tie empowerment to the concept of distribution it is not the case that we should understand empowerment solely in terms of distributions. Thus, we should consider further phenomena that influence self-respect. Such examples include: decision-making structure and procedures, divisions of labor, culture, and identity.[175] It is here that we go further than theorists who tie self-respect to various distributional features of a society, like John Rawls, by implicitly expanding the domain under which we locate the social basis of self-respect. In thinking about the environments in which the term empowerment applies, we mirror the places that power is distributed: in the formation of and inculcation of various rules and norms that distribute opportunities and burdens, various norms in which various representations of identities and interests are cultivated and inculcated, and in various contexts in which we see discreet and antagonistic interactions, especially over those items that make a person or a group better able to bring about outcomes that promote the person or the group's well-being.

I have cast my theory of empowerment as a theory that applies primarily to states of affairs and I have done so because it is important to distinguish between something's being empowering and someone being empowered. When we say that some **thing** is empowering, such as Pell Grants, we make a claim about a state affairs, namely that a state of affairs is such that were such and such used successfully by the agent that that agent would bring about, or work towards bringing about, a state of affairs that alters the distributions that work against the agent's self-respect or autonomy. But when we claim that **someone** is

[175]Here I follow Iris Marion Young, Justice And The Politics of Difference (Princeton: Princeton University Press, 1990).

empowered then we make a claim about the agent herself. The distinction allows us to say that resources and arrangements create a state of affairs that is empowering, while blocking the implication that the agent's themselves are empowered. The theory that I offer above is more properly an account of what it means for a state of affairs to be empowering, it is not an account of the necessary and sufficient conditions for an agent's being empowered.

There are ample examples of the necessity of making such a distinction: having the right to vote creates a state of affairs that allows someone to have a say about the distributions that influence one's opportunities for self-development and self-determination. However we would not say that the individual was herself empowered till she used the right to vote. I said earlier that Lani Guinier and Gerald Torres argue that the meaningful instantiations of power are not exhausted at the level of discrete interactions present at the level of competition, but at the levels in which rules or norms are created and manipulated to solidify the power of a group.[176] Guinier and Torres consider the experiences of members of historically disenfranchised groups as they gain access into certain positions of power. Generally such persons who get rewarded are placed in positions in which they have little power to change the processes that determine distributions. Since they cannot change the processes and decision procedures by which goods and services get distributed, they do not directly benefit members of the group in which they are members.[177] Such persons have little power, according to Guinier and Torres because they cannot manipulate the rules that shape outcomes.[178] In addition to being unable to influence the processes that determine

[176]Lani Guinier and Gerald Torres, The Miner's Canary: Enlisting Race, Resisting Power, Transforming Democracy (Boston: Harvard University Press, 2002 Cambridge) 111.

[177]Guinier and Torres 110.

[178]Guinier and Torres 110.

distributions, they are also subject to powerful pressures to become complicit with the very processes that continue to disenfranchise because using the processes themselves are the only ways in which they can make modest advancements for members of their constituency, if they make advancements at all.[179]

The point is that when we claim that someone is empowered we make a claim about the effects of the agency to whom empowerment is ascribed; when we claim that a state of affairs is empowering; this is not to make a claim about the agent herself. Of course, states of affairs are brought about by the choices of agents and where the instantiation results from the agency of the person who is the subject of discussion, they are empowered. What we should avoid is attempting to reduce empowerment to a set of complex psychological phenomena that are not plausible when we attempt to instantiate them in actual cases. The lesson to be learned is that the conditions that make a state of affairs empowering for a group are not equivalent to the state of affairs in which the group is empowered.

My view highlights the role of agency in empowerment, namely, that the agent must be involved in changing her action environment whether that means reducing the power that someone has over the agent, or in developing a secure sense of self that supports human flourishing. This is clear if we look at the ways in which power might be reduced: through the result of the intentions of another party or through luck or through the actions of the agent. Only in cases where the agent causes or helps to cause the reduction of power that the other has over her, is she empowered. For example, laws that prosecute those who perpetrate domestic violence against black women may not empower black women. They reduce the power that men have over black women (that is, the state of affairs is empowering), but black women are not empowered if they do not meaningfully participate in making the laws that

[179]Guinier and Torres 118-130.

protect them. If, for example, a benevolent despot, who was neither controlled nor influenced by the women, made the laws they would fail to be empowered. Certainly the laws benefit the women but the laws do not empower them. This is not to deny that the application of the laws might unintentionally and indirectly empower black women if they led black women to develop senses of selves that support full human flourishing.

The above remarks point us to a further distinction that any theory of empowerment must accommodate, namely distinguishing the outcomes from the processes of empowerment. There is a clear difference on my account of something's being a process and something's being an outcome when we talk about empowerment. Though we can speak generally of some processes that function as outcomes, we should keep in mind that this can lead one to blur the difference between something's being a process and something's being an outcome. What makes something an outcome on my analysis is its intentional role in liberating oppressed persons. One forms the intention to create a state of affairs in which her choices are no longer unjustly interfered or her sense of self no longer diminished. The processes that matter are those that aid instantiating the prevention of any further unjustified interfering behaviors into one's affairs or the extent to which we see a self that is supports human flourishing. These outcomes can come apart and so I do not suggest that instantiating one outcome leads to the instantiation of the other. It is of course true that preventing interventions into someone's affairs frees them to develop a sense of self that supports human flourishing, but I take that to represent an ideal. Empowerment, on the other hand, seems to point us to just the opposite: the developing of a self that supports human flourishing that becomes instantiated in actions that reduce, and ultimately eliminate, the agent's susceptibility to interference.

Though I have claimed that my theory of empowerment applies more properly to states of affairs rather than to individuals, to talk about an agent's being empowered requires us to offer some account of the capacity for empowerment. And here, what we take to be a capacity is determined by the norms that inform one's theory of empowerment. When we claim that an empowering state of affairs promotes self-respect and autonomy, to have the capacity to be empowered is simply to have the capacity for a certain sort competency. This competency presupposes not only the possession of the faculties necessary to instantiate self-respect and autonomy (animals cannot become empowered on my account, nor can coma patients), but also it presupposes a competency in exercising those faculties, i.e. competency in instantiating self-respect and autonomy. While I consider it less controversial to talk about what the relevant faculties are, it is significantly controversial to talk about what the competency levels are. But neither of these notions are the subjects of this chapter. Talking about the capacity for empowerment is important because it allows us to better predict whether states of affairs will be empowering or not. For instance, if a company gave an entry level employee, one with very little education and motivation the decision making authority of senior experienced management, we could not even begin to entertain the idea that this person was empowered unless he had the capacity to exercise his new found discretionary power. Exercising discretionary power presupposes competency. I want to come back to this idea of competency in later chapters in understanding the role it might play in instantiating empowering behavior.

Finally, earlier I claimed that the appropriateness of using the term empowerment is determined by the values that we think ought to be instantiated. I want to elaborate on what this means and here I sketch one way one might do this. Most early discussions of

empowerment tied the notion, conceptually, that is, to the concept of oppression, and in particular, many theorists considered empowerment the remedy for oppression. If we assume that empowerment is to bring about some state of affairs, such as an end to oppression, then we need some characterization of the wrongness of the existing state of affairs. Thus, assume for the sake of argument that oppression undermines the worth of persons, not just through denials of opportunities for self-development and self-determination, but also, through the grounds by which these values are realized which include, and are not limited to, distributions of material benefits and burdens, culture, decision processes, and divisions of labor. As I argued in chapter one, in contemporary American society, oppression undermines the worth of persons by attaching disvalue to various categories such as race, class, and gender. If oppression represents a profound form of disrespect that manifests itself in the agency of persons, the distributions of the primary goods, and the recognition that persons deserve as moral equals, then empowerment is an instantiation of the worth of persons, suitably described. The plausibility of the above claim notwithstanding, the point is that we cannot get very far in understanding the instrumental goodness of the concept of empowerment without articulating the values we think are constitutive of the good society. The burden of future discussions of empowerment is to articulate and to defend such a conception.

CHAPTER 3

RACE AND RACIAL IDENTITY

In the previous chapter I offered an account of empowerment that is tied to acting in ways that affirm one's self-respect and one's autonomy. The conception of empowerment that I develop is meant to formally characterize successful acting in the face of oppression.

To see how social identity, and racial identity in particular, is important for understanding successful acting in the face of oppression, I begin with the notion of self-definition. Patricia Hill Collins claims that self-definition is essential to resisting oppression. In discussing the experiences of black women, Collins claims that black women have defined themselves against and in opposition to the ways in which their oppressors defined them and this has been the key to resisting the attacks against their dignity

> The voices of these African-American women are not those of victims but of survivors. Their ideas and actions suggest that not only does a self-defined, group-derived Black woman's standpoint exist, but that its presence has been essential to U.S. Black women's survival.[180]

According to Diana Meyers, self-definition occurs at the individual level and at the collective level. For instance, at the collective level, Meyers claims that self-definition focuses on social groups, towards people's attitudes towards themselves, and towards their expectations

[180]Patricia Hill Collins, Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment (New York: Routledge, 2000).

of group members.[181] The sorts of questions, one apparently considers for self-definition at the collective level are: What are the social meanings of being, for instance, a woman? What is worth preserving from traditional feminine norms? What should be scrapped?

To define oneself is to adopt a *position*. It is to take an affective stance towards oneself in specific ways. Considering this idea in light of Meyers's and Collins's claims, the question is what is it that black women take a position on and how can such an idea usher in behavior that is efficacious in ending oppression? In short what is empowering about racial identity?

I consider racial identity as an aspect of self-definition and I do several things in this chapter, first, I consider the arguments that purport to show that races do not exist. I am sympathetic to the conclusion, but the arguments that purport to show it, are deeply flawed. Second, I consider the claim that races are socially constructed and in doing so I elaborate what this claim means and what it can do, and what I think it cannot do. Finally, in developing an account of racial identity, I argue that to avoid some of the problems theorists think accompany racial identity, we must see racial identity as interpretative, as seeing one's membership in a collective as an attempt to make the collective the best it can be.

The Existence of Races

The question of whether or not there are races is an interdisciplinary question with biologists and anthropologies, among others, equally interested in discerning whether members of our species fall into discreet sub-groupings known as "races". For the biologist the question of whether or not there are races is a question about classification and about the

[181]Diana Tietjens Meyers, "Intersectional Identity And The Authentic Self: Opposites Attract," Relational Autonomy Ed. Catriona Mackenzie and Natalie Stoljar (New York: Oxford University Press, 2000).

evolutionary conditions that best explain the presence of the traits that might ground biological classification schemes. The discussion is not usually a politically charged question for the biologist, although biologists vehemently disagree about whether any of our classifications are clear and uncontroversial. But that sort of disagreement is not a disagreement that matters to philosophers since the history of social relations in the United States has attached political significance to so called racial categories.

I begin with the existence of race because discussions about race are the usual starting place for someone who eventually wants to talk about racial identity and this gives us some reason to believe that there is some non-trivial connection between race or rather, what people take races to be, and racial identity. It may in fact be the case that there is no conceptual relation between race and racial identity, and if this is so, it will be helpful to understand why this is the case. But I am doubtful that the claim I just offered is true, at least not in light of the work of certain philosophers such as Anna Stubblefield, Lawrence Blum, and Naomi Zack who all seem to be convinced that what we say about race matters for racial identity.

My own view, that racial identity is interpretative, also relies on some conception of race. Racial identity, of course, is not purely interpretative, something is a given. The question is what is the best way to characterize the cluster of features that we commonly associate with race and we must consider whether such a cluster requires any controversial metaphysical or ontological commitments.

Much of the current talk about race is negative and one could call such discussions debunking projects of our so-called “folk” or “ordinary” understanding of race. Lawrence Blum asks, “If there are no races and if racial thinking has morally destructive consequences,

should we not attempt to 'give up race'?" On Blum's view, the conjunction of the denial of the existence of races with the recognition of various negative consequences of racial thinking offer good reasons to give up race. Blum's question is interesting but it is not clear what it means to give up race. Blum suggests several candidates, namely that we refuse to use racial terms; that government agents discontinue recording racial identity, e.g. remove it as a question on the census; or that we stop thinking of and experiencing people in racial terms.[182]

One characterization of the folk conception of race can be summarized with the following propositions:

1. Human beings can be divided into classes called races.
2. Each race has distinctive and readily observable physical properties that make it easy to tell what race a human being belongs to.
3. The members of each race share a certain practically unalterable biological structure or essence that they do not share with the members of other races.
4. These essences are unobservable to the naked eye, but they are potent and important, for they are invariably passed biologically from parents to children, and cause the races to have their distinctive physical properties.[183]

Lawrence Blum offers a similar account of the folk conception of race, but he adds several additional propositions with the following claim as the most important of the bunch:

5. Races can be ranked in terms of superiority and inferiority generally, or at least with regard to particular significant characteristics. This ranking should be and

[182]Lawrence Blum, I'm Not a Racist But…: The Moral Quandary of Race (Ithaca: Cornell University Press, 2002).

[183]Bernard Boxill, "Introduction", Race and Racism (New York: Oxford University Press, 2001) 17.

> generally is reflected in the relations of power and status in society and civilizations.[184]

Blum's understanding of what I am calling the folk conception of race is one in which race functions negatively: it exists as the ground for denying respect and fairness to the members of various races. On this view, some races are inferior to others, the inferiority is inherent to the group, and the innate inferiority justifies certain distributions of benefits and burdens.

The folk conception of race begins with the claim that persons can be classified into various groups, and that membership in the collective lies in virtue of one's displaying a certain set of physical characteristics, arranged in various ways, which are taken to be unique and peculiar to the group. A core set of features associated with races make up the races' essence and this essence is transferred from parent to children and it explains the presence or absence of various features that the members of the race possess. This conception of race has evolved through much criticism and we find that the claim that racial groups have an essence has been largely abandoned, at least in its biologistic forms.[185]

To help distinguish the two conceptions of race I just presented, call a content neutral account of race one in which the description does not tie fitness for certain human functionings to essential properties. Conversely, call it content laden if it does. Blum's account is content laden because it makes an appeal to a set of supposed essential properties that purport to make a group naturally fit for certain sorts of treatments. Content laden accounts are tied to material distributions. That is, the distribution of essential features among groups is taken as justification for the unequal distributions of benefits and burdens in society. No claims about distribution can be inferred from a content neutral account of race.

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[184]Blum 127.

[185]Blum 133.

The arguments that I consider that purport to show that the concept of race is unintelligible or otherwise problematic are consistent with both of the above characterizations of race.

I begin with arguments by Anthony Appiah and Lawrence Blum that seek to show that the folk concept of race is deeply problematic. Their arguments are meant to show two things, namely that the concept of "race" that we use is unintelligible, and second, that the metaphysical universe is devoid of the things we call races. One could understand their arguments as an appeal to the best explanation. The arguments from both thinkers share a common structure, namely, that if there were races in the sense implicated in our usages of the term "race", then such entities would be found in nature. But since there are no such entities found in nature in the senses implicated in what we mean by race, races do not exist. The key premise in arguments that have this structure appeal either to current empirical discussions about race or to our common experiences in showing that there is little, if any, correspondence between our language and concepts and the world. Obviously, their arguments also share a common assumption, namely that certain semantic considerations have metaphysical import.[186] Their arguments differ in interesting ways and I think it worthwhile to consider them.

Appiah's project is to articulate a conception of race that is presupposed by the beliefs people have about race and given this conception we can ask whether there is anything in the world that fits that description or that illuminates our current racial categories.[187] Appiah

[186]I choose to put the claim rather weakly here even though the arguments that I present presuppose a rather stronger logical relation between semantic considerations and ontological considerations.

[187]K. Anthony Appiah, "Race, Culture, Identity: Misunderstood Connections," Color Conscious Anthony Appiah and Amy Gutmann (Princeton: Princeton University Press, 1996).

thinks this line of inquiry allows its proponent to argue that there are no races without having to claim that people are incompetent users of the language.

Appiah offers two ways to understand the ways in which we might understand the beliefs people have about races. The first way, call it the ideational way, is simply to survey different people's belief systems and to determine what set or sets of beliefs that persons have in common when it is the case that they have beliefs about races. On this account, race is defined by shared special beliefs, Appiah calls them "criterial beliefs". This route permits us to offer a historical account of the development of the idea of race and something is a race on this account if it satisfies a good number of the criterial beliefs.[188] In another route, one in which we determine the referents of our racial terms, we consider what theorists have said about race and if our racial terms refer to some objective phenomenon, that thing to which our terms refer is a race.

Both of these semantic accounts permit historical investigations. On the ideational account we can simply refer to the contemporaneous beliefs that persons have about race. But the referential account requires us to conduct a historical survey to determine whether the thing we think is the referent of our terms best causally explains what we mean by our terms. This project allows us to survey the intellectual and political elites of the United States and of the United Kingdom such as Thomas Jefferson, Matthew Arnold, and Charles Darwin. I begin with the referential account.

I will spare the reader most of the gory details of Appiah's historical survey because what is important for our purposes is that race was invoked to explain cultural and social phenomena, and, for instance, in Thomas Jefferson's case, the political impossibility of a

[188]Here I draw from Ronald Sundstrom's discussion of Appiah's account. See "Racial Nominalism," Journal of Social Philosophy Vol. 33 No. 2 (Summer 2002): 193-210.

shared citizenship between the blacks and whites. In Matthew Arnold's case, it was invoked to explain an even wider variety of phenomena including certain moral, intellectual and cultural characteristics; and in Charles Darwin's work, the concept of race was used descriptively, as a classification schema used to describe human variation.[189]

These three thinkers are important: in Jefferson's case, race is a psuedo-biological concept used to explain the sets of features that supposedly made fraternity between blacks and whites impossible. And these features, most notably the differences in intellectual aptitude between blacks and whites, supervene on various somatic features.[190] I call this conception of race pre-biological because, as Appiah notes, the field of Biology did not exist at that time. Where Jefferson ties behavioral dispositions to physical and psychological natures to blacks and whites, Arnold, broadens the characteristics Jefferson considered to include culture and Arnold generalizes Jefferson's conception of the race to all races. In Arnold's work, Appiah claims that we see what he calls *racialism*, the view that human beings could be divided into a finite set of groups with the members of said groups sharing certain physiological, behavioral, and moral features that were unique and peculiar to that group in question. What Appiah calls racialism is the content laden conception of race that I mentioned above.

The question is whether there is anything in the world that corresponds to the concept of race that our beliefs presuppose. According to Appiah, in order for the beliefs about races to be true for Jefferson and Arnold, the groups that we call races would have to manifest significant correlations between the biological, moral, literary, or psychological characteristics of human beings and these features must be explained by the intrinsic nature

[189]Appiah 43-54.

[190]Appiah 48.

of race, that is, the term "race" must refer to a genetic structure.[191] Appiah claims that this is not the case. There is little correlation between the somatic features associated with race and such things as intelligence and where there is a correlation that correlation is better explained by environmental conditions, not genetic features. What we have learned about inheritance is that people are the products of genes interacting in various environments and this allows us to see that the various moral and psychological properties that we see on display result from a variety of conditions, some genetic, but many are environmental.

When it comes to the weaker biological notion of race found in Darwin's work, the considerations above give us reason to think that there is nothing in the world that corresponds to that notion that best causally explains our current usage and thinking about race, because, as modern genetics has taught us, there is no guarantee that where the members of a race share one characteristic that they will share all or even most other characteristics.[192] Recall, Darwin's sense of race as a classificatory schema. It presupposes that races are the sorts of things that could be used to classify peoples into sets of populations, but the genetic variation among any set of persons is greater than the variation between groups of persons. We cannot partition persons into distinct groups, even with characteristics that are clearly biological, because the criteria we use will be satisfied by too many groups, thus, this notion of biological race cannot explain contemporary racial categories.[193]

Appiah considers two weakened conceptions of race that might be useful for biological purposes that are likely presupposed by population theorists. On one account race

[191]Appiah 71.

[192]Appiah 68.

[193]Appiah 72.

refers to "the community of potentially interbreeding individuals at a given locality."[194] But what is often considered a population or a community is not clearly or unambiguously marked and even if we narrowed our discussion of populations with respect to human animals to the ways in which we do for non-human animals, e.g. as biologically dissimilar local populations reproductively isolated, this does not correspond to interactions that describe our species. And if we consider races as broad populations, then the only thing existing in nature that corresponds with such a concept is the human race, not any one race in particular.[195]

The other account of race, the ideational account of the meaning of our racial terms, defines races as groups distinguishable by somatic features, e.g. skin color, hair, and gross morphology, that correspond to the dominant patterns of distributions seen throughout the world. Even if such a conception of race correctly picked out the correct groupings of persons, Appiah claims that it would be of little use biologically, and more importantly, it would not explain any of the characteristics commonly thought important for moral or for social life.[196]

Appiah thinks these arguments show that races do not exist full stop. That is to say, ontologically, races do not exist. But Appiah recognizes the social reality of race and so his position is that races "exist" as nominal kinds, as sociohistorical entities that have been formed through identification. But his arguments do not usher in the conclusions that he wants. His arguments show that our conventions, linguistic and otherwise, are sometimes mistaken in their semantic content about races, but this does not entail the strong ontological

[194]Appiah 72.

[195]Appiah 73.

[196]Appiah 74.

claim that Appiah wants, namely that there are no races. In fact, Appiah needs to specifically argue for a view that ties metaphysical conclusions to semantic considerations.

But even conceding Appiah's arguments about our linguistic errors need not be warranted. Bernard Boxill claims that even if we concede that by one's favorite theory of meaning, users of the term "race" are mistaken in their usages of it, it need not follow that the term "race" is meaningless.[197] Boxill claims that many of our terms do not pass such tests of meaning as family resemblance such as the term "game", but the term is clearly meaningful.

Many of the considerations found in Appiah's arguments are present in Blum's arguments as well. Blum offers three such arguments. His first argument is that racial thinking requires that races be the sorts of entities with distinct characteristics. Since the groups that we think of as races do not have distinct characteristics, there are no races in the sense implicated by our language.

Blum thinks this argument is especially true of blacks, that they do not have a distinctive set of characteristics and do not count as a race. Blum claims, for instance, that Caribbean Blacks display a wide variety of skin colors, hair textures and other facial features such that we would have to classify many of them as "white" or some other racial group.[198] Blum thinks that the varied distributions of phenotypes within blacks shows that blacks cannot be a racial group in the sense of the term meant by most people because to be a race, a group must have a distinct set of characteristics.[199] I am doubtful that this argument gets

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[197]Bernard Boxill," Introduction," Race and Racism Ed Bernard Boxill (New York: Oxford University Press, 2001).

[198]Blum 138.

[199]Blum 137.

very far, since it relies on a thin account of the ascription conditions of a race and Blum has not offered us such a theory.

Since purely somatic features speak against the view that the groups we call races actually are races, we should consider whether there is something more properly genetic that might explain the differences in groups. There are several such considerations that Blum offers that cast a negative light on successfully tying races to genetic properties. First, since genetic variety is greater within the group than it is between groups, intra-group genetic variety makes it impossible for so-called races to be clearly or unambiguously marked off.[200] Second, it is worth noting that for Blum, genetic conditions determine races only if they (strongly) bear on the mental and behavioral traits "that inform our idea of race."[201] Thus even if there were statistically significant differences in genetic makeup between races, we would still not have a race unless there was some connection, and perhaps a strong connection at that, between the genetic properties of a group and its mental and behavioral properties.

Of course, shared genetic predispositions do exist among some groups commonly thought of as races. The question is can we take genetic predisposition as evidence that its bearers are a racial group and if so, how much weight should we offer such evidence? Blum allows that genetic information can count as evidence but he claims that its weight is quite small. For instance, Blum claims that statistical differences in genetic makeup bear on races only if there is a broad range of such genetic differences. For instance, the blood group allele "Duffy Fy", while significant because it is found in 90 percent of Asians, but in only six percent of blacks, is not significant in thinking about races because it lends scant evidence in

[200]Blum 137.

[201]Blum 139.

support of the folk conception of race.[202] But this argument is question-begging as it assumes a specific range of genetic differences in which genetic makeup bears on races.[203] But this is precisely what is up for debate. Blum also claims, similar to Appiah, that even if there were differences between races, these differences are more likely explained by environmental factors, as is the case with the vulnerability of some tropical groups to Sickle-Cell Anemia, instead of appealing to supposed genetic properties of the group. But to argue that the distribution of groups vulnerable to Sickle Cell Anemia results from environmental factors is to argue an irrelevant consideration. Even if were true, which it is, that environmental considerations play a role in the distribution of Sickle Cell Anemia, the point is that Sickle Cell Anemia has a genetic basis. Were there no genetic basis, Sickle Cell Anemia would not instantiate. So Blum's argument actually concedes the point he means to deny, namely that there are genetic factors that are correlated with the groups we call races.

Finally, a third kind of argument, one that differs in spirit from the previous two arguments I just presented, is to argue that race is not a primordial system for classifying human biological diversity. And if race is not a primordial system of classification, we can jettison it from our linguistic and social practices. The argument for this claim appears in the form of showing that races were invented solely for the purposes of justifying slavery

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[202]What I find a bit strange with Blum's argument is that he claims that contemporary racial thinking is NOT inherentist in the sense that races have a genetic basis, but he argues against the genetic basis of race.

[203]Similarly Amy Gutmann claims that the genetic disposition to Tay Sachs found in Eastern European Jews and French Canadians does not make them a racial group whereas the disposition to sickle cell anemia makes Africans a racial group, even though this disposition is not shared by all persons in Africa. Thus, Gutmann claims, some other nonscientific notion of racial identity must be doing the work. But this argument is a straw-woman. No one holds that genetic features are the **sole** criterion that determines ascription practices, nor does it determine racial identity for that matter. Even the racial essentialist agrees to this given that genes do not strongly determine phenotypes, and that environmental conditions can have profound effects on the instantiation of genes. Quite simply, in order to be a racial essentialist one would have to be a determinist about distributions of genes across the board and it seems quite likely that even the racial essentialist is committed to this position, so the if there were any racial essentialists, they would have to claim that genetic predispositions play but one role in determining races.

> "Race" is not a primordial category of human diversity… We have come to see the world in the racial way we do now, with its deleterious moral consequences, because we inherit a conception of race that developed from the sixteenth century until its zenith in the late nineteenth century…A historical perspective, which allows us to pinpoint the entry of distinct aspects of racial thinking and to see how our notion of race changed over time, can dislodge the sense of naturalness and inescapability of our present racial way of viewing people.

When we conduct such a historical survey, we see that the meaning of race, implied by our practices, changed when the need to justify using Africans for human chattel slavery became great:

> More important, however, the economic attractions of the slave trade, which made harvesting of tobacco, sugar, cotton and rice so lucrative, gave slave-owning societies a compelling reason to reconcile themselves to behavior inconsistent with their religion.[204]

According to Blum the content neutral account of race developed into the content laden conception of races in order to reconcile the apparent inconsistency between treating persons as slaves and their religious doctrines that claimed that all persons were equal in the sight of God. Blum's claim is that the content laden conception of race did not exist previously. The Greeks, for instance, noted various somatic differences between themselves and non Greeks, but those characteristics were not attached to various capacities and to various distributions of benefits and burdens.

The content neutral account of race began in Europe and its purposes were purely classificatory. European contact with Africans before slavery did not result in the content laden conception of race. Blum claims that Africans and Native Americans were seen as "savages" but they were not seen as "races". But this changed as the need for a reliable labor force became salient. Africans were one among several groups used for slave labor and

[204]Blum 115.

while the other groups proved quite difficult to use, either because they knew the land better than their captors and they could escape slavery, or because they looked too much like Europeans to be used as slaves over long periods of time because of the unlikelihood of convincing others that their continued forced servitude was plausible. Neither of these facts were true of Africans. They were not familiar with the territory, they were readily identifiable; they were less likely to ban together since they were of different languages and cultures; and there was a seeming endless supply of them owing to the slave trade that was put in place by the Portuguese and the Spanish.

Thus when the European commitment to conquest and to slavery was full, the Europeans needed a rationale for their behavior. Once the impetus had begun in inventing the content laded conception of race, it quickly found underpinning by eighteenth century natural science. It was through the work of such thinkers as Linnaeus, Buffon, and Darwin, that the content laden conception of race achieved a level of legitimacy.

On Blum's account, to learn that the content laden conception of race is a by-product of a plan to justify human chattel slavery is a reminder that race is not a primordial system for classifying human biological diversity and that racial prejudice is not inevitable. Blum might be correct in claiming that race is not a primordial system for classifying biological diversity, but it is far from clear that tying race to slavery should provide us good reasons for thinking this.

It is not clear to me what it is that we recognize if we admit that race is not a primordial system of classification. This is not an interesting claim to make and it is not clear that it needs defending. Our best science already shows that race is not an explanatorily powerful tool for classification. Now if Blum's argument is meant to imply that racism or a

certain kind of racist thinking is not inevitable because racist thinking arises solely from the institution of human chattel slavery, then we have a claim that is controversial. If this is what Blum aims to assert then he is wrong simply in virtue of the fact that forms of anti-black hatred have existed in countries that do not have a history of African human chattel slavery. But there are other considerations that should leave us suspicious of Blum's project.

Recall Blum's claim that the religious convictions of slave owners presented a barrier to using Africans as slaves and so they invented the content laden conception of race to overcome the barriers presented by their religious beliefs. This claim seems too simplistic because if the slave owners already found themselves a valuable commodity in slave labor, and there were already existing justifications for slavery, then it makes little sense to invoke a fabricated idea to support it. For instance, there were many justifications that could have been used to justify the permissibility of using Africans as slaves, Aristotle and Locke provided famous arguments that could have been used and it looks even more implausible that a new account of race would be needed to provide the justification for behaviors in which the slave owners were already engaged.[205] In fact, Blum's project suggests that those administering the institution were suffering from some form of self-delusion.[206]

Furthermore, to claim that the religious convictions existed as a barrier to using humans as a means to an end presupposes that slave owners were committed to the content of those religious beliefs. But it is hard to assent to the claim that the slave owners were seriously committed to the content of their religious principles because there were existing forms of exploitation that did not involve Africans and it is not clear that religious

[205]Again, this is a claim made by Bernard Boxill.

[206]This criticism Bernard Boxill makes to the family of views that claim that slavery was the primary causal, if not sole causal factor in inventing race.

convictions got in the way in those cases. Scholars agree that what prevented slave owners from using other groups were reasons having to do with efficiency in some cases as with using Native persons, principled reasons, for others. But the principled reasons, scholars agree, had little to do with injunctions generated by religious beliefs, they were generated by enlightenment thinking that all persons were equal. But even if we assume that the slave masters were committed to their religious views, this does not get us very far because slave owners already found various passages in the bible that may have served their purposes.[207]

Blum's arguments, though similar in tenor, as I have claimed they are to Appiah's, do not show the strong ontological claim mentioned above, namely that races do not exist. If we remember Boxill's claim about the meaning of many of our non- controversial terms like "game", then we have reason to reject the weaker claim that what we mean by race is meaningless.

A more pressing problem for Blum and Appiah, is that they both consider the content-laden conception of race as their target. The problem is that that view has long been discredited, if it was ever taken seriously, and so they both have directed their energies at straw-men.

I have argued that if Blum and Appiah are interested in arguing against the content laden conception of race, then their arguments leave much to be desired. Can we show that races, merely as a biological classification, do not exist? Appiah and Blum seem to think so, they both claim that our current understandings of genetics precludes classification of the kind that would nicely carve out anything that we might consider races. But biologists are far from clear that race is not a viable category. There is much disagreement among

[207]Here one need only consider "Ham's curse" found in Genesis 9:25-26.

biologists over whether race is a meaningful system of classification.[208] In fact, there is much disagreement over whether we can meaningfully classify any of the phenomenon found in nature.[209] Thus the jury appears to be out on whether or not there are races as a system of classification.

Anyway, the moral of the story is that the significance that is attached to race is less of a product of what science tells us rather than our specific practices and norms. So it is a mistake to look for something in nature that explains what arises essentially from our attitudes and behaviors. The current view is that races are social constructs and to offer an account of the way in which races are constructed is not to foreclose the debate on the ontological status of races because even if races were rooted in nature, they would still be subjected to various social conditions.[210] If race is a social construction, then the question becomes, in part, one of tracing its contours and articulating the ways in which race reveals systematic injustice.

I have argued that the arguments that purport to show that races do not exist are suspect at best. But of course my view is not that biological races exist, but that the arguments have not shown us that they conclusively do not. Insofar as I am adopting an essentially agnostic position according to the ontological status of race, I think one must adopt an account of race in order to even talk about racial identity. But I think we can take away from Blum and Appiah that there is nothing *essential* about races without rejecting the

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[208]See James Shreeve, "Terms of Estrangement," Discover (November, 1994); Jared Diamond "Race Without Colour," Discover (November, 1994). Bernard Boxill makes this point as well in his paper "Why We Should Not Think of Ourselves As Races," Racism in Mind Eds by Michael P. Levine, Tamas Pataki (Ithaca : Cornell University Press, 2004).

[209]Robin O. Andreasen "A New Perspective on the Race Debate," The British Journal for the Philosophy of Science Vol. 49, No. 2 (June., 1998): 199-225.

[210]This seems to be the case for sex, if one believes that sex is rooted in our biological nature.

possibility of using a thin conception of race and without, more importantly, ignoring the subjective component to race.

Race as a Social Construct

What is considered the received view about biological races, that they do not exist, is compatible with the claim that races exist, when conceived as social kinds. The questions before us are what does it mean to claim that races are social kinds and can we articulate such a view that is ultimately illuminating? It is here that the concept of social construction is best suited.[211] Whatever else the concept of social construction is supposed to do, it is supposed to give us an account of the way in which race is made significant via social relations and not through any inherent features that might invoke biological essences.

To construct something is to make an artifact and in describing something as constructed we should be clear to distinguish between the *process* of construction and the *product* of construction. Many sorts of phenomena are constructed: chairs, the category "lion"; various relations are constructed as well: marriage, for instance; positions in society are constructed as well: teachers, lawyers, and carpenters. Since there are many things in the world that are constructed it may be difficult to discuss in a very interesting way what is significant about claiming that race is a social construct. In fact, some philosophers go so far as to claim that talking about race as a social construct is fruitless.[212]

[211]It is not my intention to give an account of how our conceptual categories are socially constructed, but instead on how various objects like races are constructed so I am not arguing that putative examples of social kinds give us a way to understand how the conceptual category "social kind" exists.

[212]Lawrence Blum makes a similar claim to this when he says that the usage of social construction can be illuminating only if it clearly distinguishes between races, which do not exist, and groups that have been treated as if they were races, which do.

Those who espouse social constructionism in some form usually adopt a rationale, usually determined by the context in which the notion of social construction is itself invoked. [213] I do not consider the various ways and all of the various contexts in which social construction is invoked; I instead want to consider what social construction means when it is brought to bear in talking about the creation of various social kinds, like racial groups.

I turn to Ian Hacking's work. Ian Hacking is a *dynamic nominalist*. Dynamic nominalism is in part a metaphysical view in which someone maintains that some of our classifications and our classes of objects emerge hand in hand. This position is meant to sit between the realist, who denies that nature determines our classification schemes, and the nominalist who denies this. The dynamic nominalist recognizes that some of our categories are given by nature, that is, that our category for "horse" is something determined not by our classification schemes, but by nature. More importantly, the dynamic nominalist maintains that certain categories come into being concurrently with some of our classification schemes. One of the examples Hacking uses to characterize the view is the making up of the category *homosexual*. Hacking claims that homosexuals did not come into being until more precise articulations of sexual identity arose. Of course, same sex acts existed long before homosexuality was identified as a sexual identity, but homosexuality, as a kind of activity, did not exist until the identity was articulated, and the person, the *homosexual*, did not exist until there were articulated ways of falling under the category or the classification. But homosexuals are not 'created' by the label. Hacking claims that while it is the case that some of the things to which our labels apply are created in virtue of our creating labels for them, e.g. *Glove*, for other labels or categories, the creation of the persons to whom the category fits relies much more on the material conditions of persons and on their desires and thoughts,

[213]Ian Hacking, The Social Construction of What? (Cambridge, Mass : Harvard University Press, 1999).

and the like.[214] That this is the case results from the fact that some of the categories we create are intimately linked with control. That is to say, in his example of the category homosexual we see two competing vectors. In the first vector, the label is created, "from above" by the "experts" in an attempt to identify and to control a class of persons; while the second vector, "from below", consists of the ways in which the persons to whom the label purports to fit express their autonomy in fashioning, rejecting, or adopting the label. Thus for some of our categories, whether the label fits depends on the autonomous acting of persons, not merely on the ability of those to create the label or the category. [215,216]

One final note about Hacking's view. Hacking claims that his account of how the category "homosexual" comes into existence is not an account that fits for all other categories. There is no general story to be told about making people up "I do not believe there is a general story to be told about making up people. Each category has its own history."[217] Let me consider more closely how the various factors Hacking considers, might interact in making people up. On Hacking's view, to construct categories and to create persons to whom the classification fits, is a process of description. That is to say, since intentional acting is acting under a description, if there is no description, then there cannot be intentional action.[218] New possibilities of acting come about by being able to describe new forms of human action. The point is not merely linguistic determining the realm of

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[214]Hacking follows Foucault here in claiming that the constitution of subjects requires more than the presence of discourse. Hacking 75.

[215]Hacking, 84.

[216]While homosexual persons are autonomous of the label, Hacking claims that this is not the case with the category "*garçon de café*". This should not be confused with the category "waiter", Hacking claims that the class of waiters is autonomous of any act of labeling.

[217]Hacking 84.

[218]Hacking 80.

possibilities for human action is intimately linked with our abilities to describe action. But there are two questions that we must consider, namely, what are the forces that determine which actions we describe; and, for the categories in which the two vectors stand in tension, is there a way to characterize how much weight each dimension plays?

One common criticism of social construction projects, one that Hacking's work does not allay, is the claim that social construction is not form of analysis. Since it is not an analysis, then it need not be taken seriously as a theoretical tool. I want to briefly answer this criticism. Sally Haslanger suggests that social construction is a different project of analysis than one finds in more common projects of conceptual analysis.[219] For instance, were we to perform a conceptual analysis of the term "knowledge" we would try to understand what our concept of knowledge is and our method of inquiry might be a priori and introspective. The aim is to achieve an equilibrium between our intuitions about cases and our intuitions about principles.[220] If our approach were *descriptive*, we would be asking what natural kinds, if any, do our epistemic terms track. Our aim is to develop or to refine our concepts and our method of inquiry in this view, is one in which we appeal to the empirical or the quasi-empirical.

Social construction can be construed as a semantic project in which our aim is also to understand the meanings of our terms. Social construction can also be construed as a method of analysis but the assumptions that it presupposes differ from the assumptions presupposed in other analyses. First, the social constructionist assumes the existence of *social kinds* as opposed to natural kinds. Second, social constructionist projects, at least some of them,

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[219]Sally Haslanger, "What are we talking about: The semantics and politics of Social kinds," Hypatia Vol. 20, No. 4 (Fall 2005).

[220]Haslanger 4.

analyze our concepts by studying the history of our concepts, attempting to understand how the concept embeds itself in evolving social practices.[221]

This approach is *genealogical* and Haslanger claims that it is predicated on two ideas. The first idea is that our concepts and our social practices are deeply intertwined. Second, there is often a significant gap between the dominant or institutional understanding of a domain and its actual workings. Haslanger offers an example of this latter crucial idea. In some school districts there are various rules constructed around the notion of being *tardy*. Since schools aim to minimize the level of tardiness present in classrooms, there are costs associated with being tardy, ranging from failure to matriculate to the next grade level, to simple detention. In addition to the stated rules governing the instantiations of tardiness, there are local understandings of how to avoid the punishments doled out for being tardy. For instance, if a teacher turns in her attendance roll at 8:30am instead of 8:00am, and tardiness is defined as arriving to class after 8:00am, then one can technically be tardy without being marked as tardy.

Haslanger notes, if we are trying to determine what tardiness is, we have to consider both of these facts. We could of course privilege the institutional meaning of tardiness, but this does not do justice to the meaning of tardiness implicit within particular classroom practices.[222] Again, the point is not to privilege either of these understandings of tardiness but to highlight the fact that tardiness plays different, and sometimes competing roles in various practices and we determine this by understanding how various interpretations of our concepts are embedded in the "evolution of multiple and interacting social practices."[223]

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[221]Haslanger 4-5.

[222]Haslanger 5.

As we turn to understand how race is socially constructed we must consider the institutional meanings of race in addition to the local meanings. Here Haslanger appeals to a distinction between the *operative* and *manifest* concept as playing a role in our usage of the term.[224] The operative concept is the more implicit, hidden, but practiced concept while the manifest concept is the more explicit, public, and intuitive concept. The operative concept actually determines the way a given term is used while the manifest concept is the concept that users typically takes themselves to be applying in using the term.

According to Haslanger, those interested in social construction are interested in cases in which there is a gap between the manifest and operative concepts, and where assumptions about what's natural are misleading.[225] In predicating racial membership of people and otherwise making claims whose referents pick out races, we use the apparent objectivity of the concept, that is, we think that racial distinctions are rooted in nature, but in fact, the social constructionist claims that this is not the case, it is the operative concept that does the real work. That is, once we convince our opponent that races are not rooted in nature, we can claim that races are constitutively constructed, that is, in explaining what races are we make recourse purely to social factors.[226]

The genealogical approach is amenable to our more common forms of conceptual analysis, and when this approach works in conjunction with descriptive conceptual analysis, it allows us to understand how a term functions in our evolving practices managing to pick things out.

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[223]Haslanger 6.

[224]These terms appear in Sally Haslanger's work, which I consider below.

[225]Haslanger 14.

[226]This is an adaptation from a discussion of cool in her paper.

Before I move on, I want to make two important distinctions. I think this first point we can find in Haslanger's work, namely that social construction projects can adopt different methods of conceptual analysis. What makes them unique is their commitment to the claim that the concept in question evolves via our social practices and understanding the dimensions of its evolution can be illuminating. Second, since the proponent of social construction can adopt different forms of conceptual analysis, it will not be an objection to any account that it does not purport to capture our "ordinary" or common usages of various concepts. Social construction is a different kind of analysis, but it is a kind of semantic project that allows us to bring our ideas in line with what we have been doing in practice (or what we should be doing).

The dynamic nominalist claims that some social kinds are constructed by a process that is discursive. We should consider this idea more closely and we should consider other ways to describe the forces at work in social construction as we will see that other ways of describing social construction might yield more plausible ways of describing how races might be constructed.

Sally Haslanger introduces three basic kinds of construction:

i. Causal construction: Something is causally constructed iff social factors play a causal role in bringing it into existence or, they play some substantial extent, in its being the way it is.

ii. Constitutive construction: Something is constitutively constructed iff in defining it we must make reference to social factors.

iii. Pragmatic construction: Something is pragmatically constructed only if its use is determined, at least in part, by social factors. [227] (i.e. a classificatory apparatus, be it full blown classification scheme or just a conceptual distinction or descriptive term, is socially constructed just in case its use is determined, at least in part, by social factors.)

[227]Sally Haslanger, "Ontology and Social Construction," Philosophical Topics Vol. 23, no 2 Fall 1995.

Causal constructions are claims about causes. In contrast, constitutive constructions do not appeal to causation or to natural features of the world, instead they appeal to various networks of social relations. For example, on the causal constructionist account, to claim that gender is constructed is to claim that the traits that we associate with femininity and masculinity are caused by social causes and not biologically determined.[228] On the constitutive constructivists account gender is an analytical tool used to explain a wide range of phenomena, consisting of various social relations.[229]

A kind of causal construction most relevant to our needs, and one that most closely resembles Hacking's account of social construction is what is known as discursive construction. When something is discursively constructed, the attributions and self-attributions make the thing what it is. The thinking behind this view is that classification and description come with normative expectations and evaluations and these expectations and evaluations greatly influence self-understanding and action. Recall again, that on Hacking's account, for some items like gloves the "thought and the mitten" evolved hand in hand.

Let me consider an example of discursive construction. As an example, the classification "cool" provides the intentional impetus for actions, i.e. upon knowing what coolness is, I might try to become cool; but it also provides justification for behavior, for instance if someone claimed that Mary did not get invited to the party because she is not cool and once Mary learns that her not being invited to the party owes itself to her not being "cool", she will presumably adjust her behavior, trying to discover and to instantiate the criteria for coolness. But the concept of "coolness" works on the user as well since their using it correctly in a community presupposes that they consider themselves "cool" and they

[228]Haslanger 98.

[229]Haslanger 98.

come to think of themselves in light of the attribution. Thus using the classification "cool" in such ways further reinforces its meaning among the deliberation and action of agents.

Anna Stubblefield uses different terminology but her conception of labeling is similar to this kind of construction I am describing. She claims that label-specific social norms reinforce and perpetuate the social meanings of the label. Thus the norms associated with "boy-ness" prescribe appropriate norms for those that fall under the category and behavior that does not sufficiently reflect the meaning of "boy-ness" is punished "a boy must either enjoy sports or else the applicability to him of the label 'boy' is called into question. In this way the stereotype is reinforced."[230]

What is obviously intriguing about discursive construction is that some of our classificatory schemes do more than just map preexisting groups of individuals, they have the power to both establish and to reinforce groupings which may eventually come to fit the classification.[231]

This form of construction logically depends on the presence of classificatory schemes themselves and the appropriateness of those classificatory schemes at the point of application.[232] Not surprisingly, such classificatory schemes are constructed. They are *pragmatically* constructed, representing the extent to which the classificatory scheme is determined by social factors. To call a classificatory scheme pragmatically constructed is to say that the use of the distinction owes itself as much to contingent historical factors and cultural influences rather than to anything else.[233] Where a classificatory scheme is

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[230]Anna Stubblefield, "Racial Identity and Non-Essentialism About Race," Social Theory and Practice Vol. 21, No. 3 Fall 1995.

[231]Haslanger 99.

[232]Haslanger 99. This kind of construction makes us all artifacts in the sense of being constructed.

constructed partly by social factors, it is weakly pragmatically constructed; where it is wholly constructed by social factors, it is strongly pragmatically constructed.[234]

These senses of construction, causal, constitutive, and pragmatic, are not mutually exclusive, and they function, in Haslanger's and in the discussions of most other philosopher's considerations, in a negative manner to debunk some received view. To see this, consider an example Haslanger provides in her discussion of gender. Consider what we commonly call woman's nature and consider the claim, made by Catharine MacKinnon, that the ideal of woman is merely the externalization of men's desire. On Haslanger's account, individual women are discursively constructed because of the attributions of having a woman's nature (recall, the attributions self-perpetuate their aptness as a category). And since discursive construction is a kind of causal construction, women are causally constructed. Haslanger claims that the ideal of womanhood is strongly pragmatically constructed because the classification, or the category, the ideal woman, is determined not by an intrinsic or essential properties, but wholly by complex social-sexual relations.[235]

Now that we get an idea of how social construction is used, let me offer several general problems with social construction and then I consider some specific problems that have to do with the social construction of race.

We can see the problem of offering a plausible account of the social construction of race by focusing on discursive construction. Now the problems with discursive construction do not make discursive construction unfavorable to social construction in general, but they show that more work is needed in understanding discursive construction if the view is to do

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[233]Haslanger 100.

[234]Haslanger 101.

[235]Haslanger 103.

the work theorists assume that it can do. The first problem that we see is that accounts of discursive construction focus too heavily on cognitions.

Hacking's emphasis, and this is true of those theorists who appeal to the view, is in the construction of identities. Discursive construction relies on ascriptions by others and self-ascriptions to create persons, with some amount of feedback loops. What self-ascriptions imply about discursive construction is that they rely on internalization and the process looks primarily cognitive: socially available classifications (these arise within various matrices of institutions) become incorporated into the belief structures of agents who adopt them and influence the content of the classification over time.

But this picture is too cognitive and the emphasis on internalization is mis-leading. Haslanger claims, for instance, that one need not identify with the classification in order to participate in a practice and one might be influenced by the social forces that make the classification public without falling under the category.

Haslanger's example of her claim is the classification "widow". In certain countries being a widow leaves women exposed to harsh rituals and to denials of basic human rights. To the objection that it is the death of the husband that results in being labeled a widow and not the categorization itself, Haslanger claims that it is misleading to claim that it is the death of a spouse alone that makes someone a widow, but rather it is the death of a spouse, usually a husband, combined with what the death of a spouse, usually a husband, signals in a social matrix.[236]

According to Haslanger, the category "widow" is the product of a social matrix that signals, what she calls, a "thin" social position. A thin social position, and its opposite, a "thick" social position, are social positions that carry with them a corresponding set of

[236]Haslanger 311.

demanding "norms, expectations, and obligations" which either promote or prohibit one's opportunities.[237] Furthermore, the children of widows also experience the effects of the widows' being placed in a position that undermines her welfare, but there is no classification "child of a widow".

Haslanger claims that Hacking's view mistakenly focuses too much on identities, on internalization and its effects on self-understanding, while ignoring the role that classification influences distributions of resources and opportunities for self-development and self-determination. Haslanger claims that Hacking's view offers us a single dimension model of social construction, but what we need is a two dimensional model: in one dimension we consider the effects of classification in articulating admissions criteria into a social kind (e.g. the social position "widow" is explicitly defined with the admission criteria available in public norms), and we consider the degree to which the social kind is defined by identification with the social position, on the other (e.g. being a "voter" requires identification and internalization of various norms). In the later dimension we are concerned with describing the ways in which one's agency conforms to the practices defining the classification. It is here in the second dimension that we consider the social circumstances in which that give rise to various practices that arise in the day to day lives of persons within certain institutions. Thus in order to say what a widow is, we have to describe a broad matrix of practices, rules, punishments, rationales, and the like, that demonstrate the ways in which power and opportunities are distributed, and we have describe how certain perspectives, or points of view are formed in light of the various practices and procedures. On Hacking's view we consider the former task, without considering the latter, presumably because that

[237]Haslanger 313.

part of the view ignores internalization and the presence of the classification, and focuses on the presence of kinds, defined in terms of social positions.

Haslanger's criticism is telling because Hacking's picture of identity construction makes the agent look passive and Hacking's view over-states the role that categorization plays. In the mundane cases of construction, not all the classifications "fit", that is, the person being categorized does not internalize the category into their cognitive system. Some categories that do get internalized, of course, are internalized passively, others are internalized actively. But many categories do not "fit" various persons and they are rejected. The classification fails, in some cases, to hold because it is inconsistent with other values and principles, in other cases, it fails because there is insufficient confirmation. This point is consistent with Haslanger's charge that we have to seriously consider that discursive construction is as much a product of the availability of social positions than of classification and internalization on the self-understandings of social artifacts; and this is easy to see if the opportunities for self-development and self-determination make various positions in society available for some groups, but not for others. Thus I think we can say more about the social construction of race, and about black racial identity, if we consider the social circumstances that give rise to various practices that arise in the day to day lives of persons within certain institutions

The second problem arises in considering Hacking's paradigm case of homosexuality. These phenomenon arise in response to specific behaviors that cannot be explained by the existing body of knowledge, and so the knowledge has to be created. The problem here is trying to understand how precisely races might be constructed.

For instance, the account of discursive construction I have been considering, especially in its Hacking-est form, offers little solace to those who claim that races were invented to justify slavery. The reason is quite simple as well, namely that if persons have to internalize the classification or if the classification is tied to some psychological account that is largely cognitive, then the view looks implausible because the slaves could not have internalized their classification because of the language, literacy barriers, and because it would have conflicted with their value systems. Of course, those owning slaves could have internalized a classification of themselves, and that process could have been primarily cognitive, though I am less convinced that the account gets very far if it is mainly cognitive because this suggests that constructing identities is largely a process of getting people to believe certain things and to act intentionally in light of such beliefs. But slave owners could not internalize some classification of themselves without their being a classification that makes the classification natural. By this I mean, the category "coolness" contains criteria for inclusion and exclusion, the category implies which sorts of persons can be cool and which persons cannot, and in order for the exclusion criteria to talk hold, there must be instantiations, or perceived instantiations of those not cool, those not fitting the description. And if the classification is to take hold over time, those classified as "un-cool" have to see themselves as un-cool in order for the inclusion criteria for cool-ness to influence the self-understandings and intentional actions of "cool" persons. This is just to say that whites need a certain level of uptake to be constructed as a race, and the social conditions of slavery make that account implausible.[238]

[238]I take it that this must be the way in which some theorists claim that whiteness involves labor and it involves seeing blacks in certain ways as much as it does seeing whites in certain ways. See Michael Eric Dyson "The Labor of Whiteness, the Whiteness of Labor, and the Perils of Whitewishing," White Out: The Continuing Significance of Racism Ed by Ashley "Woody" Doane and Eduardo Bonilla-Silva (New York : Routledge,

The problem is that identities are dialogical, but categories are not. This is just to say that Hacking's view does not appear to have the resources to sufficiently describe the *labor* that is involved in the creation of a social kind. Of course if races were already constructed then we could understand the influence of slavery on the self-understandings of some whites, but not of slaves. But we must not overstate the role of identification and identities the way Hacking, Appiah, and even Charles Taylor do. Identities are profoundly influenced by opportunities for development and self-determination, and, as we saw from Haslangar's case of the widow, structural barriers that prevent self-development and self-determination strongly influence identities in greater ways than internalization and identification.

Thus the empirical conditions that give rise to races, in the sense offered by those arguing that races were made up to justify slavery, cannot obviously be adapted to support accounts like Blum's. One offering an account of the creation of races that is not tied to malevolent intentions, as Boxill's account of the creation of races is, can accommodate the issues that I present, though we cannot get very far without recognizing various other historical forces that have more profoundly shaped the construction of races. Again, if my comments above are correct, what will tell us more about the construction of a identities will be the episodes in which there is greater interaction between members whose identities differ, not during the times in which there is little interaction. Thus I suspect that the more profound influences on the identities of blacks have occurred during Jim Crow up through the Civil Rights era and if we keep in mind Haslanger's two dimensional model of construction, we can account for the degree to which explicit classification is a causal factor in bringing about the inclusion criteria for membership in the kind, but we will have trouble providing an

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2003); Elizabeth Spelman, "'Race' and the Labor of Identity," Racism and Philosophy ed. by Susan E. Babbitt and Sue Campbell (Ithaca: Cornell University Press, 1999).

account of the degrees to which the kind in questions is defined by identification with that "social position."[239]

There are other telling reason why we should be skeptical of views like Hackings' focus on beliefs. First, Hacking's view seems too dis-embodied. That is to say, Hacking does not offer us a way in which internalization happens through the body, in fact, it is not clear that bodies play any serious role in the account. This seems mistaken, because, as we learned from antebellum slavery, slavery was an institution that was, among other things, one in which bodies play a specific role in our understanding of the institution. Views such as Hacking's do not have the resources to carefully consider the ways in which bodies matter for social construction in any non-trivial way.

If my above comments are plausible then it also looks as if views like Hacking's relies, for their plausibility on being *ahistorical*. That is to say, if the interesting features of social construction involve various bodily components and if having a body that is of a certain shape matters for social construction, then the dynamic nominalist has to ignore distinct phases of history whose character and description rely *on* being embodied, such as slavery.

So I am not hopeful that discursive construction can tell us anything particularly useful or insightful about the social construction of races. Discursive construction plays a role in the story we want to tell, but its role is much smaller than theorists admit. I am concerned with describing the ways in which one's agency conforms to the practices defining what it means to be black, considering the social circumstances in that give rise to various practices arising in the day to day lives of persons within certain institutions. Thus in order to say what blackness or whiteness is, we have to describe a broad matrix of practices, rules,

[239]Haslanger 315.

punishments, rationales, and the like, that demonstrate the ways in which power and opportunities are distributed, and we have to describe how certain perspectives, or points of view are formed in light of the various practices and procedures. Again, this procedure incorporates some of the elements of the discursive account, i.e. internalization and identification, but these features play a small role in what we want to say about race and racial identity. There is much more to say about racial identity, and I take that up in the next section, since here, we are more concerned with the category race.

If we are to understand racial identity at all then we need, in the least, a sufficiently thin way to understand race. A thin account of race, one which appears to be "free-standing", which is found in the work by Glenn Loury, with some slight modification, is the view that the term "race" refers to

> A cluster of bodily markings carried by a largely endogamous group of individuals, taken to be ancestral links to a certain geographical region that can be observed by others with ease, that can be changed or misrepresented only with great difficulty, and that have come to be invested in a particular society at a given historical moment with social meaning.[240]

This account is thin in the sense that it makes no appeal to genetic features or to behavioral or mental features in explaining race. The emphasis is on physical traits, though in a weak way sense all that is required of them is that they be transferred, be easily discernable, and difficult to disguise. This is not the so-called ordinary concept of race that Naomi Zack claims is problematic. For one thing, this account is not based on dubious anthropological or biological assumptions. Second, the ascription conditions do not rely on the one drop rule, this view is generally silent on the ascription conditions, but not entirely, because we cannot

[240]Glenn C. Loury, The Anatomy of Racial Inequality (Boston: Harvard University Press, 2002).

divorce racial identification from racial identity. It is thus not important to my argument to offer an account of the necessary and sufficient conditions for racial membership.

Is there something to be said about racialization as a process by which bodily markings are used to justify distributive shares? The category race is socially constructed by a matrix of social forces. In that sense it is constitutively constructed. Following Haslanger, a group is racialized in a particular context C if and only if members of the group G are those:

i. Who are observed of imagined to have certain bodily features presumed in C to be evidence of ancestral links to a certain geographical region (or regions);
ii. Whose having (or being imagined to have) these features marks them within the context of the background ideology in C as appropriately occupying certain kinds of social positions that are in fact either subordinate or privileged (and so motivates and justifies their occupying such a position); and
iii. Whose satisfying (i) and (ii) plays (or would play) a role in their systematic subordination or privilege in C, i.e. who are *along some dimension* systematically subordinated or privileged when in C, and satisfying (i) and (ii) plays (or would play) a role in that dimension of privilege or subordination.[241]

Races on Haslanger's view are groups demarcated by geographical associations in which the perceived body types take on evaluative significance with respect to how groups should be viewed and treated.[242] Claims about whether a group is raced and to what extent the group (or the individual) is raced are answered by appealing to context. This is because as we drop from view the claim that races are rooted in biological facts, we can appeal to various contextual features. Haslanger's account is formal in nature, it tells us very little about the actual processes that place raced persons in respective social positions (nor does it tell us what social positions **are**). Perhaps, if we could better understand her reference to "background ideology" we might be able to say more about her view.

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[241]Sally Haslanger, "Gender and Race: (What) Are They? (What) Do We Want Them To Be?" Nous 34:1 2000:, 31-55.

[242]Haslanger 44.

Haslanger claims that her conception of race is defined in terms of subordination, that is, her account of races is content laden. But this is not obviously the case. Her account of racialization is predicated on a thin conception of race, namely as bodily markings of some sort; but racialization is best understood as the process by which race becomes significant.

Haslanger's account appears problematic because it essentializes persons. For instance, on her account, assuming that blacks are in a subordinate position, what it means to be black is to be in a subordinate position, and perhaps conversely, to be white is to be in a dominate position. But this is surely false as not all blacks are in subordinate positions, and neither are all whites in a dominate position. Haslanger's has to tell us what it means to be in a subordinate position, as well as a dominant position and I am doubtful that she cannot tell us this without begging some important questions. We can remove some of the problems by introducing dispositional language into the account. For instance, we could reconsider statement three in the following way:

> Whose satisfying (i) and (ii) tends to play (or would play) a role in their systematic subordination or privilege in C, i.e. who *tend to be along some dimension* systematically subordinated or privileged when in C, and satisfying (i) and (ii) tends to play (or would play) a role in that dimension of privilege or subordination.

Haslanger's account is aimed at helping us understand how race is an important category for understanding distributions of resources and the like but her account is inconsistent with seeing race as an important category for understanding agency and indeed, for understanding the self. That is, she seems to fail in taking seriously her own claim that social construction projects aim to understand the perspectives that are creative by various social positions.

Haslanger might claim, as she does, that her account of race is meant to help us identify and to explain persistent inequalities between people of different colors and to

identify the social forces that work to perpetuate such inequalities.[243] But surely if this is her project what seems to do the important work in her definition is the concept of a social position. Since social positions are sites of inequality, it looks as if defining races in the manner that she does is irrelevant to the aims she proposes, since what we need to know is what a social position is.

The idea that races are inscribed with social meaning is also to say that the meanings attached to race are similar to rule governed affairs. Race has evolved into a certain sort of rule governed affair, and here I just mean to implicate the presences of various rules of recognition according to which racial group membership is deemed valid. Such rules come from two points. Not surprisingly, they come from various institutions, and here we need merely recall the One Drop rule or the Naturalization Act of 1789. Both respectively defined blackness and whiteness for various political purposes. Rules of recognition also come from those raced since they possess an internal perspective to their race. Such differing rules of recognition come into, and fall out of, equilibrium.

Racial Identity And Essentialism

Thus far I have argued that dynamic nominalism does not help us to understand how the category of race is socially constructed. Let me now consider if it can help us understand racial identity.

Recall the two dimensions of social construction Sally Haslanger introduced. I want to return to the first dimension. Again, it consists of the two parts, but only one part is important for my analysis here, namely the degree to which the social kind is defined by identification and internalization of various norms. Anthony Appiah, for instance, places

[243]Sally Haslanger 36.

strong emphasis on identification and internalization as the defining features of racial identity. His view is commonly held and what is correct about it is that identification and internalization are important for racial identity. Both notions allow us to understand the ways in which there is an *internal perspective* that one has as a member of a racial group. There is a perspective according to which being a member of a racial group is qualitatively different from being a member of another racial group because experiencing being *black*, for instance, is qualitatively different from, for instance, experiencing being *white*.[244] The problem with attempts to understand racial identity with the discursive accounts is that they conflate *being* black with the *experience* of being black.

To see that there is a subjective component to race, what I have called an internal perspective, allows us to better understand the ascription conditions of race. As I said earlier, Blum does not offer such an account, and neither does Appiah for that matter, but answering such questions as "to which race does X belong", are not properly answered without some account of the intentional states of the agents themselves.

Someone who holds Blum's view, namely that we should give up races, has to offer an account of what remains of racial identity. This task is simple on Naomi Zack's view, for instance: if there are no races and if racial identification is dubious, then racial identities based on racial identification are "inherently unsound, unjust, false, or otherwise mistaken."[245] But since I have argued that there are races, conceived as social kinds instead of as natural kinds, we need not follow Zack in inferring that racial identification is problematic.

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[244]Janine Jones offers this distinction in her paper "Tongue smell color black," White on white, black on black (Lanham, MD: Rowan & Littlefield, 2005).

[245]Naomi Zack, Race and Mixed Race (Philadelphia: Temple University Press, 1993).

But few philosophers hold Zack's view. This is the case because it is commonly thought that racial identity plays a key role in understanding black solidarity. Racial identity is considered a means towards providing the motivational basis for collective agency in the face of oppression. According to Anna Stubblefield, the challenge is to articulate a conception of identification that secures solidarity that avoids three problems, namely, that it does not appeal to innate or inherent characteristics; that it does not reify races; and that it does not perpetuate the negative social meanings associated with race that racial solidarity purports to undermine.[246]

Stubblefield claims that this project must be predicated on rejecting essentialism about race. We should reject essentialism about race, she claims, and I agree, because it is false that our physical characteristics are indicative of more profound characteristics of personality, talent, culture, or cognitive abilities.[247] The problem is that supposed non-essentialist accounts of race, such as those found in Iris Young's work in which race is a quality by which people form groups, reify races by presupposing a strong correlation between specific needs, interests, and the phenotypical and morphological features upon which race is usually predicated. Even if it is indeed the case that this is Young's view, her account does not obviously affirm essentialism since it does not obviously predicate needs and interests on anything genetic, though such a view might perpetuate the negative social meanings associated with race by continuing to consider race an important social category.

Richard Wasserstrom is supposedly in a similar position. Wasserstrom is committed to non-essentialism, but when arguing for the appropriateness of affirmative action, he claims

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[246]Anna Stubblefield, "Racial Identity and Non-Essentialism About Race," Social Theory and Practice vol. 21, No. 3 Fall 1995.

[247]Stubblefield 341.

that we can take notice of racial features, granting minimal significance to the concept of race. But Stubblefield rejects this position, claiming that a commitment to non-essentialism is incompatible with affording any recognition of the significance of race.[248] Stubblefield claims that a commitment to non-essentialism stands in tension with racial identification and her solution to the supposed tension is to offer a sufficiently thin account of racial identity, one that makes no appeal to the morphological, phenotypical, or supposed lineage, i.e. the features commonly associated with race. In short, her solution is to simply take race out of racial identification.

I am not interested in considering whether Stubblefield's charges against Young and Wasserstrom are correct. Rather I am interested in her conception of the problem and its solution. Stubblefield's strategy, which I discuss below, is problematic in two ways, one practical, one theoretical. The practical problem is that racial identity is not the only factor relevant to considering solidarity and so we cannot know how much weight we should place on its conceptual clarity, or the lack thereof. Furthermore, the many varieties of racial identity make it impossible to suppose that any one conception of racial identity could be the effective basis of racial solidarity. But the more telling problem, the problem which I identify as a theoretical problem, is that Stubblefield has simply overstated the potential problems latent in racial identity, and this problem devolves not from any inherent problem with racial identity, but from a failing to recognize that racial identity is *interpretive*.

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[248]It is worth noting that Stubblefield herself commits the same error of reifying races in a paper titled "Races as Families". There she argues for the "ethical significance" of race as response to theorists like Appiah who argue that racial identity interferes with the ideal of impartiality. Her project there is vulnerable to all of the criticisms she offers against Wasserstrom and Young. To my knowledge, Stubblefield has not repudiated her arguments against Wasserstrom and Young, so I cannot resolve the apparent tension by simply referring to her and it is not my intention to attempt to show that her project in "Races as Families" does not run afoul of her other theoretical commitments, since such a project would take me far from my project. But it certainly appears as though Stubblefield is being inconsistent. See "Races as Families," Journal of Social Philosophy Vol. 32, No 1, Spring 2001: 99-112.

I will not consider the role that racial identity plays in racial solidarity until chapter five and I consider the role that racial identity plays in policy in chapter six. Once we come to better understand racial identity, we will be able to see that the problems that beset racial identity or that are the effects of problems stemming from racial identity are not to be taken seriously.

I should note that when Stubblefield claims to be talking about racial identity in her paper, she equates racial identity with racial identification. These concepts are not the same thing. Racial identification involves being seen by others, and seeing oneself, as being a member of a racial group, while racial identity involves living out a life in terms of one's self-identification. Thus for instance racial identification has to do with being labeled black, while racial identity has to do with living out one's life as a black person.[249] Stubblefield does not adequately distinguish these ideas, but I will consider her view in light of this distinction.

If one is committed to non-essentialism with respect to race and interested in talking about racial identification, then one has to construe racial groups as products of social discourse. Also, if one wants to characterize the ways in which our discourse is oppressive and the ways in which racial identification perpetuates or reinforces oppression then we need a tool to characterize and to identify the features of racial identification as a product of discourse. Such a tool might also be helpful in avoiding the problem of non-essentialism. Stubblefield thinks that the concept of a "label", which is similar to Hacking's "category", gives us a way to understand the harmfulness of oppression and it provides a way to articulate the latent problems in racial identity, and it suggests a way to better to understand

[249]I borrow this idea from Robert Gooding-Williams and I explore it below.

racial identification that avoids the problems I mentioned at the outset. Thus we need to understand the nature of labels.

As I mentioned in my discussion of discursive social construction, to classify oneself in reference to a socially constructed taxonomy, like a racial group, is to assume what Stubblefield calls a "label." Labels are themselves terms that are used to assign persons to categories. Labels purport to tell us something about the person being classified, but that is not the case; they tell us about the person(s) classifying because the classification reflects a certain set of assumptions about the person to whom the classification "fits." The assumptions themselves can be negative or positive but the problem is neutral with respect to this fact because the assumptions do not necessarily accurately reflect the innate abilities of the person.[250]

Labeling harms the interests of those labeled in three ways. First, it creates a barrier to mutually satisfying interactions between persons. Labels have the potential to, and often do, undermine attempts at mutually rewarding communication because they prevent persons from inquiring about one's true needs and interests. Rather, those needs and interest are already known via the label. Second, where the label is underwritten by specific social norms, the expectations and assumptions of behavior that are prescribed by labels find greater force in directing the deliberation and action of the persons so labeled. And third, since labeling necessarily involves attributing and classifying based on qualities and capacities that the labeled person may not possess, labeling is incompatible with respecting persons as unique individuals.[251]

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[250]Stubblefield 349.

[251]Stubblefield 350.

The worries about labels are real because a label can act as a mechanism for perpetuating or for causing oppression. Some persons experience oppression via the label assigned them because the label indicates what kind of treatment the bearer of the label is owed. If the label confers negative social standing, then the person labeled is likely to experience differential treatment in virtue solely of the presence of the label. That is to say, once I am appropriately cognizant of the label, the label guides my deliberation and action in guiding the ways in which I treat labeled persons. If the label is negative, then I presumably treat the person in the appropriate ways either by not showing the appropriate level of care and respect or by showing their opposites. The experience of being labeled is itself oppressive, not just because of the things that result from being labeled, but the experience of being labeled is itself oppressive when someone is assigned a label that signifies inferior status.[252]

If we take non-essentialism seriously, according to Stubblefield, we cannot account for racial solidarity in virtue of any of the usual features that we associate with race, or any of the common extensions of the term "race". That is to say, we cannot account for racial solidarity in virtue of any shared racial characteristics or ancestry and we cannot account for racial solidarity in virtue of racial labels because such labels denigrate and harm persons in the ways mentioned above. Stubblefield's solution to this problem is to endorse a thin conception of identification that can serve as the ground for racial solidarity

> What do people who are labeled in the same way necessarily have in common? Since labels do not entail anything about the people to whom they are applied, people who are labeled in the same way do not necessarily share a common nature, common interests, common

[252]Stubblefield 355.

> life experiences, and so forth. They do, however, necessarily share one thing in common: they are labeled in the same way.[253]

Stubblefield's suggestion is that we move from expressions of the form "I am black" to "I am labeled black". We avoid essentialism because there is no appeal to shared racial characteristics and we avoid reifying races by jettisoning the concept of race, thus avoiding perpetuating negative social meanings. We get solidarity in virtue of being labeled because we are better able to pinpoint what we have in common and we avoid making assumptions about people's life experiences. In short, we begin a process of redefining the meaning of what it means to be black by.[254]

Technically it looks as if there is an ambiguity in her account. Stubblefield's suggestion of moving away from expressions of the form "I am black" can mean moving to such expressions as "I am labeled black" or "I am 'labeled' black". The second expression modifies the presence of the label; the first expression modifies the presence of being black in a certain way, i.e. 'being 'labeled' black.' But whichever of these interpretations is Stubblefield's view, her view is problematic.

The root of the problem with her suggestion is thinking that the concept of being labeled can serve the purposes she intends. The problem is two-fold. If the content of the label is not at issue, but merely the presence of a label, then it is not obvious that we can individuate labels. And if we cannot individuate labels then we cannot assume that members will form collectives in virtue of specific needs and interests. There is a more telling problem with her view and we can see it if we keep in mind that we are all products of being labeled, with some of these labels promoting our welfare, others, not. And Stubblefield's

[253]Stubblefield 361.

[254]Stubblefield 362.

account seems predicated on treating labels as necessarily negative, but this cannot be the case or else Stubblefield's solution to the problem will be doomed as well. If this is so, then it looks as if it is the content of the label that is the problem, not the label itself, otherwise singling out a set of labels and calling them bad, or calling them the means by which we can coordinate collective agency, looks completely arbitrary.

Furthermore, if racial identification is based on the content of the label, as Stubblefield's account seems to be, then it is not clear that we avoid essentialism with this route. After all, to claim that one is labeled black is still to leave open the meaning of the term "black" and one could conceivably fill in the details with some appeal to racial characteristics. It is Stubblefield's aim to steer us away from essentialism, but her attempt to avoid essentialism gives too much away for theorists who think there is something important and significant about racial identity. Stubblefield also mis-understands the consequences of claiming that race is socially constructed and the possibility that those raced may also construct race in ways that are positive. There is an easier way to avoid racial essentialism by arguing that races are social kinds, which she tacitly accepts which she invokes the notion of a label. This suggestion allows us to understand racial identity, and subsequently identification as something that is constructed by various agents. Indeed, in the account of racial identity I provide later, they do so.

So there are problems with Stubblefield's conception of racial identification. There are also problems with her view if we treat it as a conception of racial identity in the robust sense I provided earlier. And the problem here is that her view leaves racial identity up to other agents. Her account ignores the first person perspective of racial identity that accompanies identity statements. Stubblefield's account does not take seriously enough the

fact that racial identities are perspectival, that is, that they are constructed by the individual from the inside.

In his paper *Race, Multiculturalism, and Democracy*, Robert Gooding-Williams distinguishes between being "black" from being a black person. Gooding-Williams's concern is that someone might consider black identity a matter of being classified, but this view is mistaken as it leaves no room for the agency of the person. Gooding-Williams is sympathetic to Hacking's dynamic nominalism as it allows one to characterize the ways in which individuals construct their identities. This means that being classified as black is a necessary, but not a sufficient condition for being a black person. One is a black person only if that person identifies oneself as a black person and begins to make choices, plans, and concerns in light of identifying oneself as black.[255]

On Gooding-Williams's view, one becomes a black person by and only by acting under certain descriptions. The locus of being a black person, on Gooding-Williams's view lies in choice and in living out an identity in the life that one leads. But it is not clear what role self-identifying actually plays in being a black person since, for instance, our racial identities are not chosen. One might also wonder whether there is a clear connection between identification and living out one's life plan. As Anthony Appiah claimed, males do not typically self-identify as males, yet many of their plans are determined by their being males. But I do not think we need to drop self-identification as a condition for being a black person, what we must say is that its role is epistemological, not causal: one is a black person if one would self-identify as a black person were one asked.

[255]Robert Gooding-Williams, "Race, Multiculturalism and Democracy," Constellations Vol. 5 No. 1 1998.

The project of trying to understand racial identity is daunting because racial identity admits of multiple dimensions. We can see this by briefly considering a taxonomy of black racial identities offered by Tommie Shelby.

Shelby distinguishes several varieties of black racial identity. Shelby distinguishes what he calls a thin identity construction from a thick identity construction. To call an identity construction thin is to tie that identity construction to superficial characteristics. He introduces one such account that he calls a *Racialist* conception of black identity.

This conception of black identity is based on somatic features, namely, those associated with various phenotypic distributions that are either inherited physical characteristics or a particular biological ancestry.[256] This includes such items as "kinky" hair, a broad flat nose, and thick lips.[257] Being black on this conception is something that is marked generally with ease and requires great effort to change or to misrepresent. Shelby claims that this identity is socially imposed and depending on what this means, the fact that such an identity is socially imposed might explain why its essential features are, or seem closely connected to physical appearance. This thin account of racial identity is involuntary as well: one cannot simply choose to be black and no apparent amount of wealth can change one's blackness. Wealth certainly mitigates against whatever detrimental effects follow from this identity, but they are not eradicated. But this account is also tied, even if weakly, to biological ancestry, and so even if one did not obviously display the common phenotypical features associated with this form of identity, one could still be considered black if one had black ancestors. In fact, one could, on this account be black without knowing it if it were the

[256]Shelby 239.

[257]Tommie Shelby, "Foundations of Black Solidarity: Collective Identity or Common Oppression," Ethics 12, January 2002: 291-256.

case that one did not know about one's ancestry. Thus ancestry provides the necessary and sufficient conditions for ascription of this identity; possession of the phenotypical features associated with this identity is necessary, but not sufficient.

Shelby has only given us part of what we would want to know about this conception of identity. What we need to know is what sorts of norms and expectations are commonly associated with this conception of identity and how such expectations influence the deliberation, action, and the attempts of the persons to whom we ascribe such identities to develop a sense of self that supports human flourishing. Shelby does not offer such an account he instead rejects this account *tout court* as a ground for achieving black solidarity because, as he claims, if such an identity is to promote solidarity it requires endogamy and this conception of identity is not conducive towards developing endogamy because its components are scientifically untenable. That is, the superficial features of this identity do not exclude various borderline cases, cases in which certain phenotypic features are or are not, present. Of course, this assumes that there is a set of features that is unique to this conception of black identity and it assumes that we could unproblematically distinguish them and that we can do so with an impartial and competent judge. Since there are no such features and no such adjudicators, many persons displaying a partial set of features will be excluded as members of the collective. And if there were a number of would-be members that were excluded because they were not "black" enough, then this identity might undermine, instead of promote solidarity and, like Shelby, we would have good reasons for rejecting it.

Perhaps this is not correct since the other necessary (and sufficient) feature is biological ancestry. A person is black if and only if they have a black ancestor. But Shelby

claims that ancestry actually gives us greater reasons to retreat from endogamy rather than to inculcate it since ancestry is hardly a plausible reason to prohibit "race-mixing." Second, Shelby claims that if there are no "pure" races, then ancestry cannot *a priori* establish one's racial identity.

Shelby's rejection of the thin account of racial identity seems a bit too quick. It assumes that endogamy is necessary for solidarity, as if forms of cooperative behavior would not be selected merely because persons did not have the relevant features in common. But it is not clear why this should be the case. If it is the case, then any account of identity is doomed to fail since endogamy implies "purity". Second, as I have said earlier, we need to know more about how this identity informs the agency of its bearers before we can evaluate whether or not it is efficacious in bringing about social cooperation. But I will not press this issue at the present moment because Shelby has bigger fish to fry. And here I turn to the thicker accounts of racial identity.

On a thick understanding of racial identity, we recognize that physical features and ancestry are not enough for solidarity, nor do they fully capture the ways in which blackness is lived on the part of the bearers of such identities. Thus the thicker versions of black identity encompass ethnicity and culture in various ways.

A thick *Racialist* conception of black identity is one that is based on the supposed existence of a special genotype "in the biological make-up of all (fully) black people that does not exist among nonblacks." The genetic basis that is characteristic of this view determines the various physical features and social traits such as temperament, aesthetic

sensibility, and certain innate talents.[258] This account is thicker than the thin racialist conception of black identity presumably because it entails it.

But while the thick racialist conception of identity is predicated on the presence of a genetic endowment, there are conceptions of black identity that are purely social. The first is an *Ethnic* conception of identity according to which black identity is a matter of shared ancestry and common heritage. This view is silent on whether there is a racial essence that explains the commonality between persons, the identities they display, or the identities that they claim. The ethnic identity comes in two kinds. In what I will call an *Ethnic Origins* based account of black identity, black identity is tied to Saharan African peoples in that members who claim this identity maintain that the cultural artifacts that purport to express this identity derive from, and are traceable back to various Saharan African peoples. The other conception of ethnic black identity is not tied to Saharan African peoples instead it is tied to experiences of blacks with oppression in the new world and to the culture that blacks have developed since their presence in the new world.[259] I call this the *Common Ethnic Experience* conception of black identity.

Finally, Shelby introduces a cultural conception of black racial identity. On this account, those who fall under this category claim that there is a "identifiable ensemble of beliefs, values, behaviors, and practices that come to be associated with the thin account of black identity because the products of this identity are often thought of as tied to ancestry or to the superficial physical features of blacks. The point is that the culture is taken to be, in a deep way, the property of blacks. Shelby claims that this account of black identity is not,

[258]Shelby 240.

[259]Shelby 241.

technically tied to race or ancestry and anyone could participate in it. Shelby likens taking on this identity to becoming a practicing Christian.

Shelby claims that one may choose not to identity as black and subsequently not take on any of these specific identities. Such persons will do so for a variety of reasons such as a fear that such identities are too limiting and that they do not promote or facilitate discovering one's authentic self or that such identities are inherently suspect and invidious. One might even reject taking on a black identity because of the effects of internalizing the racism that one has experienced. But whether or not someone chooses to cultivate one's racial identity is a function of the importance that they attribute to that identity.

Shelby claims that these varieties of racial identity allow us to claim that the expression of black identity admits of degrees and such distinctions allow us to understand what it might mean when we say that someone is not "black" enough or that someone is too "black." In certain contexts in which one's admission into a collective is predicated on one's articulating a given conception of racial identity one can be held to that identity and where one fails to display the appropriate attitudes or behaviors one can be charged with not acting "black" enough. Of course, the exact admissions criteria are rarely articulated and their articulation and enforcement are often taken on by so called gate-keepers who purport to be the resident experts on all things "black."

The Nature of Racial Identity

That we have a taxonomy gives us a range of the complexities of specific racial identities of black persons gives us an indication that racial identity is much more complex than analyses such as Stubblefield's can plausibly accommodate. We might also expect a

theory of racial identity to explain or at least to illuminate the possibility of so-called "mixed" identities.

One presupposition often influencing one's view of racial identity is the ontological status of racial identities, that is whether or not all persons living in the United States, for instance, have a racial identity or whether only a subset of Americans do. For now, I will simply assume for the sake of argument an agnostic position, though at the end of chapter, I will consider the implications of my view on this topic.

Let me sketch the main problem to which my comments apply. Anthony Appiah considers racial identity as a part of one's individual identity. He claims that individual identities consist of two dimensions, a collective dimension, and a personal dimension.[260] The personal dimension consists of morally and socially important features of the person, e.g. intelligence, wit, charm, while the collective dimension is the intersection of the collective identities persons adopt in their membership in various collectives. In addition to individual identities there are group identities. Appiah does not discuss in any detail the nature of collective identity, but he claims that collective identities, especially collective identities for racial groups, influence the individual identities of persons by

> Creat[ing] labels in which "we expect people of a certain race to behave a certain way not simply because they are conforming to the script for that identity, performing that role, but because they have certain antecedent properties that are consequences of the label's properly applying to them.[261]

What is troubling about collective identity is that when a collective identity is taken on by individuals into their individual identity, they accept the norms of behavior. These

[260]Anthony Appiah "Race, Culture, Identity: Misunderstood Connections," Color Conscious K. Anthony Appiah and Amy Gutmann (Princeton: Princeton University Press, 1996).

[261]Appiah 94.

norms appear to undermine a person's autonomy. Collective identities come with notions of how a person of that kind is to act. These appropriate modes of behavior play a role in the shaping of the life plans of those who make the collective identity central to their individual identity.[262] Appiah calls such norms, scripts. These scripts appear to undermine autonomy. This problem is clearer in Appiah's thought when he considers the cases in which collective identity is used as tool to organize persons against a supposed common enemy. In such cases, the collective identity imposes even tighter norms

> This is the fact that makes problems: for recognition as an African-American means social acknowledgment of that collective identity, which requires not just recognizing its existence but actually demonstrating respect for it.

Appiah claims that the norms for the appropriate forms of respect express proper ways of being of the kind and Appiah worries that such norms simply exchange one tyranny for another. Appiah does not echo Shelby's claim that such identities might be inefficacious in brining about cooperative behavior, his worry is different. That we have some idea of what Appiah's worry is, let me consider racial identity more closely since I believe this is where he, Stubblefield, and Shelby have erred.

There appear to be two ways to understand racial identity. On both of these accounts racial identity is a psychological notion intended to capture one's self-understanding and intentional framework employed in action. The two views part ways on whether we can understand racial identity as primarily a cognitive affair.

For lack of a better term, completely cognitivist accounts of racial identity begin with the claim that racial identity consists of a set of propositions and I think there are two ways different ways to capture this view. In one account, racial identity is a self-conscious and

[262]Appiah 97.

political kind of awareness.[263] To have a racial identity on this view is not just to have a self-understanding, but for that self-understanding to include as an explicit part that one is a member of a particular race.[264] This is an approach to racial identity found in Anthony Appiah's work when he claims that racial identity is a process of intentionally shaping one's projects and conception of the good in light of current and available identities. Appiah's view includes three factors, the ascription of labels (or scripts); identification by those to whom the label fits; and a history of associating the possessors of the script with a racial essence.[265]

On Appiah's view, to have a racial identity there must be a history of associating a "label" with a racial essence and an intentional identification with that label where the label influences deliberation and action such that the agent acts *qua* the content of that label. Thus, for example, "White" persons self-identity with a label that associates whiteness with a racial essence, and persons who identify themselves as white persons act in virtue of identifying as a white person. One of the benefits of Appiah's view is that we get a direct way to understand how racial identity captures self-understanding and intentional action in that it illuminates an agent's beliefs and her attempts to live those beliefs out.

A slightly different though no less cognitive approach to racial identity is to see it as a set of propositions believed by the agent that ground, or would ground, the agent's affective stance towards herself on account of seeing herself as a member of a racial group.[266] This

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[263]Sally Haslanger, "You Mixed? Racial Identity Without Racial Biology," Adoption Matters: Philosophical and Feminist Essays (Ithaca: Cornell University Press, 2005).

[264]Haslanger 276.

[265]Haslanger 276.

[266]Here I adopt David Copp's account of social identity found in his paper "Social Unity and the Identity of Persons," The Journal of Political Philosophy Volume 10 Number 4 2002: 365-391.

account connects the pieces of one's racial identity to various affective phenomena, such as shame and pride. Thus someone might feel ashamed of being black and their feeling ashamed could be explained by their suppressing this component of their racial identity. By claiming that the belief would ground an appropriate attitude we create the logical space to claim that even if someone did not have an affective response to their belief, we could still count that belief as a part of their racial identity. This view does not specify the exact beliefs that make up someone's racial identity. For our purposes, formally, all this view claims is that the beliefs involve seeing oneself as raced or they involve beliefs that make reference to races.

Whereas Appiah's account is one in which one's racial identity is primarily constituted by the responses of others to one's properties, on this second view one's **own** responses to one's properties constitutes one's racial identity. This difference between these views owes itself to the fact that beliefs are entirely selected by the agent, whereas on Appiah's view, it is not obviously the case that the beliefs are selected by the agent.

In contrast to these views, Sally Haslanger offers an account of racial identity that is not, as she claims, hyper-cognitive. Haslanger is not offering a non-cognitivist account, but on her account cognitions are on equal footing with other components that are "somatic, largely habitual, often ritualized, and regularly conscious."[267] She claims that our racial identities deeply condition how we live lives out in our bodies and racial and gender socialization are not simply matters of instilling concepts and beliefs, but also ways of training and relating to bodies.[268] Haslanger's account, she admits, is undeveloped and even vague. She discusses the "embodiment" component of her account by discussing the ways in

[267]Haslanger 277.

[268]Haslanger 277.

which her feelings towards her own body changes in light of having adopted black children. I have little to say about Haslanger's view since it is still quite undeveloped, though I think we cannot rule it out a priori as an account of racial identity.

These accounts of racial identity, though distinct in some places, are not mutually exclusive (they may not even exhaust the terrain that they purport to describe). But I think Appiah's account of racial identity is mistaken, not only because it is too heavily cognitive but also because it leaves racial identity up to other agents. As we saw with Stubblefield, Appiah's account does not take seriously enough the fact that racial identities are perspectival, that is, they are constructed by the individual from the inside. Appiah is correct in claiming that racial identities are sensitive to the material conditions in which they arise, but he overstates the material conditions and he overstates their effect on people's identities. On Stubblefield and Appiah's account, racial identities hand-cuff the person who adopts them and such identities cannot be changed without great ingenuity, or as these theorists seem to say, without dramatic changes to the structure of our society.

But whether or not we should endorse any of the conceptions of racial identity that I have presented depends on how well the view captures the actual experiences of persons. Here I want to begin by claiming first that racial identity is a *narrative*. Second, racial identity is *interpretative*, it is a seeing oneself in a certain way. What we need is an account of what it means to call racial identity a narrative and we need an account of what it means to call racial identity interpretive. To do this we need account of its perceptual modes and an account of the convictions that underwrite its interpretive mode.[269]

[269]Ronald Dworkin, Law's Empire (Boston: Harvard University Press, 1986).

The interpretative mode begins with perception directed at various relationships and specific defining moments of those relationships, and in participating in various norms and practices. Let me turn to an example to illustrate this.

Françoise Baylis claims that racial identity is a lived experience as a function of her interactions with others and a function of her own abilities to describe, to explain, and to account for the world one lives in.[270] Her own identity bears the marks of ownership through various networks of relations of mutual recognition that make her racial identity a narrative. Baylis claims that her identity reflects a narrative in which its early stages were influenced by family, by being in the presence of others who affirmed her worth and her racial identity, and her participation in various practices and norms endorsed by her community.[271] Of course, her identity has also been influenced by various policies requiring her to identify as a black person; by persons denying her a black identity; and by her ancestor's having participated in slavery.[272] These various features get into the mix and Baylis claims that she interprets their meaning and the ways in which they inform her deliberation and action. Let me elaborate on some of these features.

Baylis claims that her interactions with her relatives informed her early experiences of race and racial identity. This was, she claims particularly true of her mother who told her to self-identify as black. Baylis's mother saw the importance of racial membership and she wanted to instill its importance within Baylis. Baylis's mother was all too familiar with the fact that for it to matter that Baylis stand behind her racial membership it must be the case

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[270]Francoise Baylis "Black As Me: Narrative Identity," Developing World Bioethics Vol. 3 November 2003: 142-150.

[271]Baylis 145.

[272]Baylis 148.

that important opportunities are won or lost in virtue of being assigned to or to self-identifying with a racial group.[273] But Baylis's most important interactions with her mother, those having to do with racial identity, concern witnessing her mother fight and win a discrimination case. Commenting on the day in which her mother was photographed by local news media reporting that the case had been settled "I still remember the floral print on the shirt my mother wore that day, and how she posed for the camera in front of our fireplace."[274]

Another set of experiences that influenced her racial identity were organized attempts to racially classify her. For instance, Baylis shares an experience of having occupied a position at an American university in which representatives from human resources pressured her into classifying herself in a racial group. Baylis refused to accept being classified.

Refusing to participate in the human resources plan suggests that certain practices can influence racial identity in interesting ways and that refusals to participate in such practices can illuminate the nature of racial identity. Such practices are worthwhile because they suggest that racial identity is not exhausted by, nor understood by policies, however meaningful or just, or by particular biological facts. For instance, as another example, Baylis rejects thinking that DNA is explanatorily useful in understanding racial identity.

Finally, Baylis claims that her racial identity is strongly influenced by her participation in a black community which includes participating in social practices whose subject matter concerns certain events (e.g. Caribana, Jump-up) and eating certain foods (e.g.

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[273]There are other features as well to claiming a racial identity that need not be put in the framework of winning or losing, but my point is essentially to understand not only Baylis's mother's perception of the her daughter's perceived opportunities as a black person but also the actual opportunities that arise from, being labeled as a black person.

[274]Baylis 145. The case is significant in Baylis's life not only because her mother won the discrimination case, but also because her mother persevered in pursuing the litigation. The case took fifteen years to settle.

breadfruit and flying-fish). Baylis unfortunately does not say more about the ways in which involvement in such practices enhances the development of her racial identity because this is an avenue in which agents display a great range of self-determination in choosing to adopt such practices. Such examples also reveal the ways in which racial identity is *relational*. Choosing such practices, and importantly, choosing to avoid entering into such practices (e.g. Baylis not participating in the racial classification system found at the American institution in which she held an appointment) requires the agent to judge the value of the practice, and to see it in its best light if one plans to participate in it. For practices that one chooses not to participate in, one's choice signals a repudiation of the point of the practice; that it is somehow inconsistent with deeply held principles, beliefs, or convictions.

The avenues that influence racial identity involve interactions with persons in specific settings that are embedded in particular norms, and even in particular struggles. What is worth noting is that these avenues are avenues in which racial identity is active, it reflects a particular sort of agency, and it consists of relationships and actions that the agent can take responsibility for.

I began by claiming that racial identity begins with perception. The more specific capacities brought to bear in determining the contours of one's racial identity are expressed in the abilities brought to bear more generally in self-definition. Such skills include:

- Introspective skills: skills enabling individuals to interpret their own subjective experience and that help then judge how good a likeness a self-portrait is
- Imaginative skills: skills that enable individuals to envisage a range of self-concepts they might adopt
- Communication skills: skills that enable the individual to get the benefit of others' perceptions, background knowledge, insights, advice, and support

- Volitional skills: skills enabling individuals to resist pressure from others to embrace a conventional self-concept and that enables them to maintain their commitment to the self-portrait that they consider genuinely their own.[275]

As I have hinted, perception quickly turns to a general justification of the practice to determine its main elements. This aspect of the interpretive project insures that the interpreter is interpreting the practice itself and not some other practice. This requires justification. And at the last stage of interpretation one determines what the practice really requires so as to serve the justifications accepted at the earlier stages and this requires seeing the practice in its best light as a participant. To see the practice in its best life involves the application of various convictions and the balancing of those convictions with the justifications proffered that are used to make sense of the practice.

The interpretative project involves one's convictions, convictions about what counts as a part of the practice; convictions about how far the justification one proposes fits the relevant features of the practice; and convictions about which kinds of justifications show the practice in the best light. When applied to interpreting actions that involve other agents, especially agents one is personally connected with, it involves offering justifications of their actions that show them in the best light, and, more importantly, the interpretations are aimed at showing the agent **herself** in the best light.

What I have called the interpretative nature of racial identity recognizes that we cannot understand certain choices of agents without placing the authorship of those choices in the context of a narrative history in which we find the identities of the actors embedded.[276] Since it is the case that their racial identities intersect at their agency, this suggests a

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[275]Diana Tietjens Meyers, "Intersectional Identity and the Authentic Self," Relational Autonomy Eds Catriona Mackenzie and Natalie Stoljar (New York: Oxford University Press, 2000).

[276]Alasdair MacIntyre, "After Virtue: A Study in Moral Theory," (Notre Dame, Ind.: University of Notre Dame Press, 1981).

connection between self-identification and normative values. I have already suggested where I think such principles are instantiated, the next question is to suggest what those convictions or values might be. The convictions that do the work, I surmise, in some cases have to do with seeing oneself as a person, that is, preserving and manifesting one's dignity and, in most cases, striving to live a life that gives expression to one's ideals and commitments expressed in ways that define and that benefit the particular person.

The first conviction concerns valuing oneself as a being with dignity, the second conviction, when applied to specific features of racial identity, is a conviction about the ways in which an agent understands her agency as an expression of herself in the life that she leads. These convictions guide the ways in which racialized persons interpret the data that influence their racial identity. We can see these convictions at work in Baylis's refusing to self-identify for programs put in place at her previous academic appointment. We can understand her acting as seeing the policies in ways that do not reflect her convictions about equality and we can see her refusal to see DNA as the ground of racial identity as statements about what it means to have a racial identity, that is, what it means to be an agent of a certain kind, not what it means to be a person. Baylis does not reject DNA's explanatory role in an account of what it means to be a person, but she rejects it as having any explanatory power in understanding what it means to understand the intersection of her agency with self-identification.

That we have an account of racial identity and better understand its nature allows us to see that persons are not at the whims of socially imposed labels. Since racial identity is not problematic, I think we have good reason to think that racial identification will not be problematic either because the issue is not whether we reify races, but whether convictions

are put into action.[277] We can also see that the problem is not that affording significance to race is inconsistent with non-essentialism, but rather the problem lies in not standing against treatment that is predicated on one's supposed innate features. We can see the attitude that my view offers in the life of Baylis: what she appreciates about her mother's acting in the face of discrimination is her acting in ways that manifest and preserve her dignity. For this to influence Baylis it must be the case that what it means to be treated with dignity and what it means to act with dignity are intimately connected with what it means to express oneself qua a racialized self in the life that one leads. Finally, we can see that the account of racial identity that I provide secures interest based conceptions of collective agency On my view we can pinpoint what we have in common as a means to securing solidarity. But we can go farther than Stubblefield's account because solidarity is secured not from finding what we have in common but in recognizing and in fighting against attacks against one's dignity.

In other cases, persons might try to opt out of being raced, and where such attempts are coherent, they might think that for moral reasons, one ought not think that the racialized self is a proper object of self-respect. So technically they will not develop a racialized sense of self-respect. But if one aims at opting out of being raced as it is currently understood, to form a new racial group, and a different sense of racial identity, their aim is an attempt to forge new ways of thinking about racial classifications and racial identity and their actions are consistent with my claims. But neither of these cases should be morally disturbing and I think we should not find it disturbing that a racialized sense of self-respect occupies the conceptual space that it does.

[277]Of course I have not considered what it means to reify races. I have merely assumed that it is something that we would want to avoid, but I am doubtful that reifying races is intrinsically wrong. But before we can get any real traction on this issue we need to know exactly what it means to reify races.

Let me consider several objections to the view I present. First someone might claim that I have paid insufficient attention to the effects of the rules of recognition on the identities of persons. So the objection goes, categorization influences identity far more than I have offered. This objection is just an assertion of the view of overly cognitivist accounts of identity that I associated with Appiah and Stubblefield. While it is true of course that the ascriptive rules of racial identification, what I have called the rules of recognition, influence the identities of persons, they cannot be the whole story. Some of the empirical studies, particularly in adolescents, for instance, describe the ways in which such rules can have a profound effect on the ways in which persons develop selves that can support human flourishing.[278] But notice that even in these cases, adolescents learn to disassociate the attacks against their dignity from attacks against their environment. Of course, some of them do this quite badly, but others do this quite well. How else do children from poor neighborhoods succeed? But these sorts of case are less relevant to causes like Appiah's and Stubblefield's than they appear because adolescents are at a very vulnerable stage anyway, and the reason they are so vulnerable is that they are still cognitively immature.

I think what such cases like this are worthwhile because they force us to distinguish between having the courage to act on principles of dignity versus merely recognizing principles of dignity. Young children barely internalize the possession of such principles and so their not having the courage to act on them need not be a counter example to my view.

But the more telling response that my interlocutor can make is to claim that in some cases, principles of dignity and principles of self-expression come into conflict as when, for

[278]For instance, see Caroline Howarth "Identity in Whose Eyes? The Role of Representations in Identity Construction," Journal for the Theory of Social Behavior 332:2 2002. She describes the ways in which adolescents from a poor neighborhood in London, respond to the ways in which living in a bad neighborhood influences their identities.

example, black males think that beating women is a part of the norms of what it means to be a black man, and so, to not beat black women, in the cases in which such acting is necessary, gives us reason to think that the black males are not being self-respecting. Now technically this case is not just about racial identity as it now considers norms about masculinity, but we could easily construct a case that more clearly gets to the point. But it is not clear what examples of this sort show. I have not claimed that considerations about what it means to be treated as a person can come into conflict with considerations about what it means to be self expressing. The supposed counter examples usually arise from sources not deeply connected to these principles. That is to say, were black males offered more meaningful opportunities for self-develop and self-determination, I doubt we would see the troubling displays of behavior that we see.

What I deny is that the behaviors we see are the norm with respect to the relationship between racial identity and dignity, so such examples as these are deviations from the norm. But I think the most plausible view is that one's convictions about what it means to be a person strongly influences what it means to express oneself in certain ways. I see no reason to think that convictions about what it means to be treated as a person are necessarily in conflict with convictions about what it means to be self-expressing.

A second objection someone might make about my account is to claim that the example that I cite, Francois Baylis's reflections on her own racial identity, are better explained as coping mechanisms rather than as instantiations of principles of dignity and self expression. While this explanation might account for some of her actions, I am doubtful that they explain the more interesting accounts. But this is not an objection that we need to take seriously as it assumes that persons do not have the ability to be self-determining and self-

reflective in the relevant ways. Out of charity, we have to assume her actions stem from principle, and that she is not simply the victim of events.

A third objection someone might raise is to claim that I have the order of explanation backwards. Principles of dignity and self expression are the effects of developing a healthy racial identity, not the cause, and thus we cannot claim that these principles are essentially tied to the nature of racial identity. Were this objection correct, we would have no way to explain why Baylis, for instance, decided that DNA did not explain her racial identity. But this objection, like the previous objection, appeals to error theory where there is no evidence to support such a view.

Finally, someone might claim that my account of racial identity cannot be correct because it does not describe the experiences of white persons. It is often thought that white persons do not have racial identities and that they are not a racial group, and these things are thought to be the case because white persons do not consciously act or consciously intend various actions qua white persons. But many theorists have begun to question these claims arguing that white persons do form a racial group if we speak of racialized hierarchies, and that they have racial identities when we consider their experiences in and around non-whites. Certainly one of the benefits of all the backlash against affirmative action policies is that white males have finally called attention to their own racial and sexual identities.

The ascriptive rules of racial identification define whiteness. These rules are often as explicit as the rules that define persons of color. Notice that in the case of Baylis, her racial identity includes certain ethnic and cultural features such as eating flying fish, and having descendents from the Caribbean. These features are present in the lives of white persons as well in different ways. The ethnic and cultural dimensions vary of course, and they are often

salient in specific cases.[279] What makes such features salient depends on the context and I suspect that it is here that the ascriptive rules of racial identification and racial identity meet since the ascriptive rules offer up the would-be salient pieces of racial identity, where such pieces are balanced with the pieces that are salient from the point of the actions and history of the agent, with all of these being put into equilibrium by principles of dignity and self-expression.

Now I am doubtful that blacks often act with the intention of acting qua black person, and if they do so, I am doubtful that this is not the case for whites as well. I think this is clear again when we look at affirmative action debates. But the deeper point to make is that since the experiences of whites are taken as the norm, they need not be conscious or even act intentionally qua white persons, thus we should expect white persons to be "blind" in some sense to the ways in which they live their lives out as white persons.

If this account of racial identity is plausible then our task is to more fully understand its importance and its nature, and I think we can do so by considering its relationship to self-respect in the next chapter.

[279]Charles Gallagher argues that whites claim to have an ethnic identity mainly when they are trying to show that blacks have not adopted the appropriate work ethic necessary to succeed. The persons in his study, even while admitting that they themselves care little about their ethnic heritage, claim that their relatives succeeded despite various barriers and that blacks themselves have to do the same. Since the formal barriers to equality have been removed, many of the persons interviewed by Gallagher see blacks merely as complainers who need to recognize that previous injustice have already been corrected and that blacks need to pull themselves up by their bootstraps, like their previous generations and other ethnic groups, like Asians. "Playing the White Ethnic Card: Using Ethnic Identity to Deny Contemporary Racism," White Out: The Continuing Significance of Racism Eds Ashley "Woody" Doane and Eduardo Bonilla-Silva (New York : Routledge, 2003).

CHAPTER 4

A RACIALIZED DIMENSION OF SELF-RESPECT

I argued in the previous chapter that Anthony Appiah and Anna Stubblefield were incorrect in arguing that racial identity was problematic. Whereas racial identity is up to other agents on Appiah's view, I argued that we should consider racial identity an interpretative project underwritten by dignity and self-expression. It was Appiah in particular who claimed that racial identity is problematic because of the so called "scripts", the norms of behaviour that govern the attitudes and actions of various persons, and these scripts create a barrier to autonomy.

What I find lacking in discussions of racial identity, and especially with accounts of discursive construction, is it that such accounts offer us little in the way of understanding the experience of living out a racial identity. Analysis such as Appiah's purport to capture self-understanding and intentional action but do not, partly out of suspicion of racial identity, but partly out of a preoccupation with racial identification and ascription. Where Appiah's analysis is short-sighted is an absence of the ways in which these norms might be self-imposed, not from above, but as a function of the principles of dignity and an awareness of, a commitment to flourishing in the face of particular social situations. If we are going to understand whether there is something interesting and important about having experiences as a member of a social kind, then we need to consider in more careful detail, the ways in which a social identity informs one's plans and commitments.

As I claimed in the previous chapter, if the idea that those who are "raced" have an internal perspective according to which they judge their behaviours and the behaviours of others in light of the norms of their race, and if there is something that it is like to being a member of a racial group, then we should expect race to be of vital importance in understanding the lives of raced persons. I want to consider this perspective in articulating the importance of race in the lives of raced persons in a way that shows gaps in our current thinking about agency. Specifically, I want to argue that current discussions of self-respect are bereft of the points just mentioned and this gap shows a problem with self-respect as it is currently being discussed in the literature. I proffer a conception of self-respect that takes these features seriously.

In this chapter I want to connect the previous discussion of racial identity to self-respect, to autonomy in the next chapter. To that end, I articulate a conception of self-respect in this chapter and in the next chapter I will articulate a conception of autonomy. The basic insight that I want to draw from in this chapter, is that if self-respect is a due sense of one's worth as a kind of being, then a racialized version of self-respect is a due sense of one's worth as a kind of racialized being. The account of self-respect I articulate is a form of self-respect for social agency understood in a certain way. I distinguish this conception from two other conceptions of self-respect and to do so I will argue that the conception of self-respect that I advance best explains the moral features of internalized racism.

In part one I consider the notion of internalized racism. I offer an explication of the concept of internalized racism and I offer a descriptive account of it, isolating its key features. I also argue that internalized racism is a moral evil. In parts two and three, I review current accounts of self-respect and I present several cases that standard accounts cannot

explain. That is to say, I consider the normative project in understanding internalized racism and I argue that the concept is not readily analyzable by mainstream accounts of self-respect. This suggests that such accounts are deficient. In part four, I offer the features that shore up the short-comings of standard accounts of self-respect so as to adequately explicate the cases I present and I briefly consider the ways this conception of self-respect is influenced by social institutions.

Internalized Racism

As a tool to taking seriously the points I mentioned above, I want to focus my discussion on internalized racism as an appropriate starting place in thinking about self-respect. Since oppression involves the shaping of agency from the inside, talking about internalized racism gives us a particular way to understand some of the specific features of oppression in the lives of oppressed persons.

Talk about internalized racism is not new; the *concept* internalized racism has been used in various literatures for quite some time.[280] Thus I am not interested in introducing a new concept but what I want to do is to give an analysis of the concept that is already found in the literature, most notably in the popular literature. My remarks about internalized racism are revisionist in nature, since I aim to articulate and to clarify some of the features of internalized racism by providing an account of internalized racism that grounds, or brings unity to, its supposed effects.

Much of the discussion concerning internalized racism is present in the popular literature and much of the debate concerns connecting specific behaviors with internalizing

280Two recent popular books that discuss the effects of internalized racism on blacks are Debra Dickerson's "The End of Blackness" and John McWhorter's "Losing the Race: Self-Sabotage in Black America." But of course there are also such classics as the work done by Frantz Fanon.

the racism that one experiences. Much of the discussion in the popular press is driven by the claim that it is because blacks have internalized the racism that they experience that they have adopted behaviors that lead them ill-prepared for various positions in society. The empirical literature has taken notice of this as well, although the literature is quite shallow on the topic. But researchers have suggested that there may be a link between internalized racism and, for instance, poor health outcomes and psychosocial stress, marital satisfaction, and abdominal obesity.[281]

When we think of someone suffering the effects of having internalized racism, many pictures of this sort of person come to mind. We even have a paradigm case of internalized racism. Many blacks, and whites for that manner, believe that someone like Michael Jackson exemplifies the ways someone internalizes the racism that they experience. His story is familiar to us: he has undergone countless operations on his body resulting in a complete make over to the extent that he looks white.[282]

Though it seems easy to define internalized racism, the definitions we usually see are vague. For instance, here are two common ways of talking about internalized racism:

> [T]he conscious and subconscious incorporation and acceptance of all the negative stereotypes and images from media, folklore,

[281]Kevin O. Cokley mentions these studies in his paper "Testing Cross's Revised Racial Identity Model: An Examination of the Relationship Between Racial Identity and Internalized Racialism," Journal of Counseling Psychology Vol. 49. No. 4 2002: 476-483. It is worth noting that the instruments used to try to measure internalized racism as well as racial identity, for that manner, have not been widely validated and suffer methodologically. Cokley even suggests that many of the few studies that have been performed on the topic confuse internalizing stereotypes with internalizing racist beliefs, and he claims this mistake undermines the validity and the explanatory power of their hypotheses.

[282]Here there may be disagreement. Some published reports claim that "some" of the whitening is a result of treating Vitiligo. Other reports deny this. This is a question I doubt we can fully answer. But he's had a number of operations, not just whitening phases. The number of operations is not the issue. We do not say the same things about Cher that we do about Michael Jackson.

> accounts of history, and so forth, that define persons of color, and especially African-Americans, as inferior.[283]

Or consider this definition

> Internalized racism is defined as acceptance by members of the stigmatized races of negative messages about their own abilities and intrinsic worth. It is characterized by their not believing in others who look like them, and not believing in themselves. It involves accepting limitations to one's own full humanity, including one's spectrum of dreams, one's right to self determination, and one's range of allowable self expression.[284]

Regarding the first quote: what exactly do "incorporation" and "acceptance" mean in this context? What are subconscious and conscious modes of incorporation? What does it mean to say that images "define" people in certain ways? What does it mean to not believe in oneself and to not believe in those who share a resemblance? What kind of resemblance is at issue? Does not having belief in or simply disbelieving others, simply mean a lack of trust or a lack of confidence in others? If so, does it mean similar things when it comes to the *self* as well? This definition is a bit misleading: it focuses too heavily on the phenomenal description of internalized racism. That is to say it focuses too much on how internalized racism is brought about while ignoring other issues. The second quote similarly construes internalized racism as passive, under the language of acceptance. Neither theorist offers us a way to understand the notion of acceptance that their views use and this is exacerbated by the fact that our common usages of the term do not seem to fit with their intended usage of the term.

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[283]Gerald Cunningham, "The Pain of Internalized Racism", Christian Church (Disciples of Christ) February 15, 2002. URL: http://209.224.158.77/cm/cft1098/cf109819.htm Viewed August 4, 2003. As of February, 14, 2005, the page is no longer available.

[284]Camara Phyllis Jones, "Levels of Racism: A Theoretic Framework and a Gardener's Tale," Am J Public Health.90 2000: 1212–1215.

The second quote also appears to offer a conception of what follows from internalizing racism and what is constitutive of internalizing racism. That is, the supposed effects of internalizing racism involve not believing in oneself or others and it consists in accepting limitations to one's full humanity and right to self-determination.

I have claimed that the second quote offers us a claim about the effects of internalized racism and about its essential features, but one could plausibly interpret the quote above such that what is constitutive of internalized racism **is** a lack of belief in oneself and a lack of belief in others. This might even be the best way to construe the view since in order for the acceptance of negative messages to be effective, one must simultaneously doubt oneself. If this claim makes sense then it looks even harder to separate, from what we read above, what is constitutive of internalized racism and what internalizing racism is said to **cause**. Finally, connecting internalized racism with such ideas as full-humanity and the right to self-determination seems a bit too quick and unnecessarily over-burdens the account. I think we can do more with less.

I begin with several introductory remarks. First, one idea to keep in mind is that oppressed persons might suffer from internalizing multiple kinds of oppressions. This is plausible if one considers that our social identities are intersectional, that is, they incorporate many features of other associations, memberships, and projects that come to be incorporated into our identities. Women, for instance, might suffer from having internalized racism and from having internalized sexism. The same could be true of class or sexual orientation or ethnicity.[285] My ignoring these facts neither implies that I think that racism is worse than,

[285]Sandra Lee Bartky, for instance wonders if her interest in "big blond jocks" was a manifestation of internalizing anti-Semitism. See Sympathy and Solidarity (Lanham, MD: Rowman & Littlefield, 2002) 117. Many of the claims I make about internalized racism might easily apply to ethnicity, but I will not consider such a claim since I have, to this point, said very little about ethnicity.

for instance, sexism, nor does it imply that I think we can always isolate the internalized messages that members of oppressed groups experience. I also do not claim that my account of internalized racism can be used to characterize other kinds of internalized oppressions as well. Perhaps it can, but that is a fortunate side effect of my view, not a condition of adequacy.

Second, internalized racism admits of degrees. By this I mean that the expressions of racial inferiority can take on many forms, sometimes reducing those having been effected by it to servility, others to far less compromising degrees. Third, internalized racism is pervasive. Most blacks, given the history of racism in the U.S. have experienced and internalized some of the racism that they have experienced. Of course, what number of blacks suffer the negative results of internalizing racism is an empirical matter.

Third, the "messages" that get internalized need not be exclusively negative. That is, one might internalize messages that are seemingly positive, or that are at least, not negative. Whether we consider a message negative or not depends perhaps on how it influences behaviour. But for the purposes of my project, I want to consider the internalization of messages that one would typically consider negative as internalization is usually presented this way.

Fourth, perhaps a way to carve out a space for considering certain messages as intrinsically negative is to distinguish between internalizing stereotypes, which simply are faulty generalizations about a group or a member of group because of their group membership, and internalizing racist messages, which simply are claims about the innate inferiority of one's racial group. The former are usually said to derive from socialization, the

latter, from a variety of sources.[286] In my discussion, when I talk about internalized racism I have in mind the stronger characterization of it as some connection of inferiority to innate and inheritable features of racial groups. My aim is to consider the far more troubling phenomenon first before considering lesser troubling phenomenon, though such a project is complicated by the fact that it may not be easy to separate in theory, as well as in practice, the features of these two views. But most persons are influenced by stereotypical messages and maybe this is the case because of socialization. Perhaps even, logically, one needs to be exposed to stereotypes before one can internalize racist "messages". But again, to keep the discussion focused, I will simply skip such considerations. If there is something troubling about internalizing stereotypes, and I have not said what it means to "internalize" them, then our discussion of the more troubling internalizations will likely give us the framework to characterize the troubling features of internalizing stereotypes.[287] I should also be clear that when I talk about internalized racism I not only include the internalization of episodes in which someone can claim to be the victim of racism, but also I include internalizing messages that are racist. Not every message involving race that one internalizes is racist, for instance. I do not consider internalizing stereotypical images as racist messages because they

[286]I will consider socialization in the next chapter.

[287]Cokley distinguishes between internalized *racism* and internalized *racialism*. The former is the internalization of negative stereotypes about one's racial group, the latter, the internalization of negative stereotypes, positive or negative, that are predicated on the belief of innate and immutable racial characteristics. I think the spirit of the distinction is interesting as that there may be a difference between internalizing generalizations about one's group and internalizing stereotypes that are predicated on such stereotypes being immutable, but I doubt that Cokley's account goes far enough. The contrast, at least, the contrast that connects internalization to racism is to consider its connection to innate inferiority. I also think that the distinction he draws is a distinction without a difference since both conceptions consist of stereotypes with the only difference on his view is that one set of messages is immutable, the other, supposedly just a false generalization. This difference is one that we cannot take seriously since it does not make any intrinsic differences between these conceptions and furthermore, they put the emphasis on the agent's belief structure or the content of one's beliefs to distinguish these conceptions. Since belief states are notoriously opaque, such a strategy can only add further confusion rather than illumination.

do not connect inheritable characteristics with the value judgment that the group is intrinsically inferior.

Descriptively, how should we think of internalized racism if the passages I quoted above offer little guidance? One obvious way of thinking about internalized racism is to claim that internalized racism is just a form of inner racism. Of course if we follow this idea, then what we think internalized racism is depends on what we think racism is. This seems to be an intuitive way to think about internalized racism because, after all, internalized racism is in some sense racism turned **inward**.

This method of thinking about internalized racism is not without its difficulties. But even before we can discuss how the concept of racism influences the account, we have to account for the status of group membership. This is no easy task. If racism, for instance, is simply a matter of beliefs to the effect that one group is the inferior to another group then to say that this inferiority is internalized is just to say that an agent believes or holds a belief to the effect that she is inferior **because** she belongs to a racial group (or she believes that a feature or trait she possesses does not have the value it does when someone in another group possesses that trait). I think this view fits with the ways in which we commonly use the term "internalized racism" but it is obviously problematic. It is as if someone said that she hated herself **because** she hated black people. First, it is true that people usually make spurious inferences about members from other groups on the basis of some belief about that person's racial group, but I doubt that this happens for someone reflecting on their **own** shortcomings. Second, this view yields a very strange order of explanation that is implausible *qua* explanation. It is not as if someone claims that they possess a property *P* in virtue of the collective possessing *P* or that the attitude that they have towards a property of theirs *P* is

held **in virtue** of an antecedent attitude about *P* that the collective possesses. Third, if internalized racism were simply a matter of false inferences then combating internalized racism would look simple. We would simply get people to become better deductive thinkers, that is, we would convince someone to "see" herself as being different from the collective, or of possessing some property *P* in some way that differs from the way in which the collective manifests the property *P*. These avenues are unlikely to be effective since internalized racism is more than faulty reasoning of various types.

I have thus far assumed a cognitivist account of internalized racism. The view is predicated on the agent believing certain things about herself namely that she is not good enough for no other reason than the fact that she is a member of a racial group. Perhaps my remarks above make it look as if belief plays no role in describing internalized racism. Not so. I am sceptical of claims in which internalization is the possession of a belief or an attitude about oneself that is held because one holds the belief about the collective. Perhaps in fact the causal mechanism involves such a chain of inferences, but admitting this does not settle the logical sequence of the belief.

There are a number of different accounts of racism in the literature and I do not want to consider them all, but let me consider several as a means to helping us understand internalized racism. Behavioural accounts of racism provide a different way of thinking about internalized racism: the disadvantaging of oneself for no better reason than that the person happens to be a part of one racial group rather than another. This form of internalized racism is not belief-centered; it is something we infer from the actions of agents in certain environments. I doubt this conception of internalized racism will get us very far because I think we can infer very little about internalized racism from the behaviours of persons

without knowing anything about their first and second order beliefs or their emotions, though making such inferences is often done, with dreadful results, by and about black people themselves.

We can even make out volitional accounts of internalized racism: a vicious kind of disregard for one's own welfare. Now if we pattern internalized racism for instance, on Jorge Garcia's volitional account of racism then internalized racism, in its most pernicious form is self-hatred, in a derivative form, it is a lack of care, or an absence of caring about oneself in the right way, on account of one's race.[288] I think that construing internalized racism as self-hatred is misleading and insofar as I model internalized racism on volitional counts of racism, I want to stick with the more plausible connection between internalized racism and lack of care for oneself. Two further reasons I think we should not consider self-hatred as a way of understanding internalized racism are, first, I am doubtful that we understand what it means to hate **oneself**. I think we understand what it means to hate another person, but such a model does not render self-hatred intelligible in any way that does justice to what it means to hate. Second, self-hatred pre-judges the moral standing of internalized racism in ways that leave out far more subtle evaluations. That is to say, the range of cases in which internalized racism is worth considering are far fewer if we limit our concern to instances of self-hatred.

Like its analog view about racism, internalized racism involves wants, intentions, likes, and dislikes, and *perhaps* their distance from moral virtues. On this line, internalized racism is connected to certain kinds of self-contempt. This account of internalized racism is not focused too narrowly on beliefs and it is consistent with looking at the various behaviors

[288]J. L. A. Garcia "The Heart of Racism," Race and Racism Ed Bernard Boxill (New York: Oxford University Press, 2001) 257-297. One might also explicate this idea of savage self-disregard by claiming that the content of the person's will as well as the ability to instantiate that person's will are undermined.

of agents. This view looks promising and it seems to accord most clearly with the conceptions of internalized racism that I began with at the beginning. Descriptively, then, internalized racism is a form of lack of care for oneself or for one's own welfare on account of one's own race. The 'on-account-of relation' is a very weak relation. It is one of support, not of logical implication.

In the case of blacks, it is thought that the problem with internalizing the racism that one experiences is that it leads to behavior that is supposedly inauthentic. But this is a mistake: essentialist conceptions of blackness are not at stake when we talk about internalized racism. Let me briefly explain why.

Recall I claimed that Michael Jackson is a common exemplar of internalizing racism. In contrast to Michael Jackson is the character Bruce Lee-roy played by Taimak in Barry Gordon's 1985 "hit" *The Last Dragon*. In the movie Bruce is an African-American male from Harlem who takes to martial arts training. His goal is to become a true martial arts master like his mentor Bruce Lee. Bruce Lee-roy takes his training and lifestyle seriously to the extent that he looks and acts like a Chinese Kung-Fu master. The issue for Bruce, and Michael as well, is not whether they are authentic black persons. Essentialist understandings of blackness notwithstanding, neither of these persons meets the model of the typical "black" person. But whereas we think something has gone wrong with Michael Jackson, we do not think the same thing about Bruce Lee-roy. Michael Jackson chooses to act in ways that implies a "hatred" of himself, while Bruce's actions do not. In the film it is clear that Bruce Lee-roy still self-identifies as a black person and so his efforts to act Chinese reflect an interesting desire to fuse these two disparate cultures in his own life plans.

Before we can investigate which of our normative concepts best captures the wrongness of internalized racism, we should get clearer on whether or not there is something *prima facie* wrong with it. Is internalized racism *prima facie* wrong? Here we should notice, and expect, a symmetry to racism. According to Anthony Appiah, racism is not essentially a moral doctrine, but it is a moral evil.[289] Garcia thinks that racism is a morally loaded term and his conception of racism is meant to capture the normative features of racism. If we think that internalized racism is an inner form of racism, then we can safely conclude, for the sake of argument that it is a moral evil. But the extent to which internalized racism is a moral evil perhaps will depend on the extent to which the person exhibits the effects of internalized racism in her projects or to the extent to which she attempts to change her attitudes, preferences or beliefs once she is lead to believe that she has suffered the results of internalized racism. Again, it is the fact that the person does not hold herself in the appropriate regard and her not doing so is in virtue of not holding her racial group membership in the appropriate regard that we should find her morally at fault.

Perhaps another way we could establish that internalizing racist images is wrong is to try to piggyback the idea to the claim that oppression is a moral evil. And if internalized racism is just a mode of oppression, and if one supposes that the moral taint of oppression, or that the troubling features of oppression are entailed by the concept of internalized racism, then we could conclude that internalized racism is a moral evil.

Someone might find my considerations for thinking internalized racism morally troubling under argued. If this were a paper on internalized racism then I would argue for the claim that internalized racism is morally troubling rather than tacitly assume it is as I do here. But insofar as I assume it here, I do not think that I am alone in thinking that there is

[289]Garcia 259.

something morally troubling about internalizing the racism that someone experiences, the question is whether we understand this in an intelligible way. Finally, I am not supposing as a condition of adequacy that any conception of internalized racism must conceive of internalized racism as morally troubling. Anyway, let us move to the normative project.

I suspect that what exacerbates, rather than helps us to understand internalized racism is that we so often conflate it with other normative concepts. For instance, internalized racism is not diminished self-esteem or self-doubt. I think these concepts can easily be distinguished, though it will be true that on some occasions some persons will have diminished self-esteem **because** they suffer from having internalized the racism that they have experienced. But internalized racism and diminished self-esteem are not coextensive.

Again, it is fairly clear that internalizing the racism that one experiences can undermine one's self-esteem. This is quite easy to see if you think that an agent's self-esteem is a ratio of her successes to her aspirations.[290] Someone who internalizes the racism that she experiences might choose to lower her aspirations because she believes that she is not smart enough or because she experiences very little success in the workplace. The lack of success in the workplace could devolve from thinking that her work will never be appreciated because she is black and so she does not work as hard as she would were she not internalizing the racism that she experienced. And this sort of person experiences a self-fulfilling cycle of unmet expectations.[291]

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[290]I owe this to Laurence Thomas' "Self-Respect: Theory and Practice," Philosophy Born of Struggle: Anthologies of Afro-American Philosophy from 1917 Ed by Leonard Harris (Dubuque, Iowa : Kendall/Hunt Publishing Company, 1983).

[291]See Glenn Loury's *Anatomy of Racial Inequality* for a detailed account of how self-doubt is self-fulfilling in the choices of agents who are members of groups that are racially stigmatized.

Internalized racism is also not self-contempt. Though again, self-contempt is routinely caused by having internalized the racism that one experiences. I think the distinctions I made about diminished self-esteem apply equally to self-contempt. It is also a usual practice to call internalized racism self-hatred, but as I claimed earlier I do not find this claim particularly helpful given what I understand about hate and that we usually use hate in a metaphoric sense.

Internalized racism involves some notion of inferiority and here there may be considerable debate about what that means. I have already mentioned a formal connection between internalized racism and not caring about oneself enough. I doubt we can forge such a connection using the notion of inferiority for several reasons. For instance, not all claims to inferiority are bad, and not everyone who considers herself inferior does so **because** of race. Some people might believe themselves inferior, but that belief might be true under a neutral understanding of inferior and thus not be morally problematic. Second not everyone who internalizes racism believes themselves to be inferior, that is, believing oneself inferior might be a sufficient condition for internalizing racism, but it is not a necessary condition.

But there is a lot to be said about what is wrong with believing oneself to be inferior as an empirical issue that I want to avoid. One might argue that the effect of internalizing racism is not just that the individual thinks herself inferior, but that she thinks herself less than fully developed, or less fully human than her white (or dominant culture) counterparts. If this is true then it will certainly qualify as the most troubling aspect of internalized racism, though I am doubtful that we can provide a satisfactory unitary account of the normative dimensions of internalized racism characterized this way. Thus I suspect that we want something stronger than mere inferiority, but something that can conceptually stop short of

thinking of oneself less fully human relative to other agents. Let me move on to self-respect, since that is the most likely concept that can explain the wrongness of internalized racism.

Mainstream Accounts of Self-Respect

Robin Dillon claims that self-respect is usually thought to be a "highly intellectualized psychological entity, consisting of a narrowly specified set of beliefs and judgments about or, attitudes toward oneself, which typically gives rise to certain other psychological states."[292] Philosophers typically distinguish two kinds of self-respect, namely, *Recognition* S*elf-Respect* and *Evaluative* or *Appraisal* S*elf-Respect*. What has come to be known as recognition self-respect is a response to the worth that persons have as human beings. The status of this worth is based on membership in our species, but this sort of worth might also be based on membership in other collectives, such as groups, classes, or social hierarchies. The form of status that this conception of self-respect takes is commonly called dignity and dignity is expressed in equality, agency, and individuality. These concepts inform behavior in specific ways. For instance, in living in light of equality, self-respecting persons act in ways that reflect the equal moral status of persons. In living in light of the agency recommended by dignity, one recognizes the moral constraints placed on one's acting in light of taking the moral responsibility of others seriously. Finally, living in light of individuality implies living a life of one's own choosing. Since persons are moral equals, respecting the dignity of persons implies respecting one's individuality.[293]

While dignity suggests the expression of oneself in the formation of personal standards as a form of self-respect, evaluative self-respect suggests an examination of one's

[292]Robin Dillon, "Self-Respect: Moral, Emotional, Political," Ethics 107 January 1997: 226-249.

[293]Dillon 228-230.

commitment to being the sort of person one thinks one ought to be and of the kind of life that such a person might live.[294] It represents the judging of the ways that someone measures up to some standard of excellence. We earn this sort of self-respect. That is to say, whereas recognition self-respect is predicated in virtue of being a person, evaluative self-respect is predicated on whether or not the relevant actions instantiate some presupposed ideal held by the agent herself. A weakened version of this view is found in Tom Hill's work as well where he identifies a form of disrespect for self that involves a failure of non-moral legislation.[295] The idea is the same as above; it involves not living up to the standards that one sets for herself. It also entails not developing one's talents and not paying sufficient attention to the development of one's talents. This form of lack of self-respect is often associated with Kant's imperfect duty to self-development.

In attempts to articulate a conception of self-respect that best fits the wide phenomena to which it supposedly applies, philosophers have come to disagree as to whether self-respect is purely a moral, or objective concept or whether self-respect is a psychological, or subjective concept.[296] Assuming for the sake of argument that self-respect requires a worthy object, proponents of the Kantian view of self-respect claim that such standards reflect the deep moral commitment that self-respect has to moral principles. This view of self-respect

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[294]Dillon 231.

[295]Thomas Hill, "Self-Respect Reconsidered," Respect For Persons (Tulane Studies in Philosophy, Vol. 31), ed. Hugh Green (New Orleans: Tulane University, 1982).

[296]It is worth noting that Dillon does not endorse what I am calling mainstream accounts of self-respect and I have little to say about her preferred view, *Basal Self-Respect*, though I will draw on the central insight of the argument for it. Second, it is also worth noting that her characterization of mainstream self-respect involves some role for the emotions, though that role itself is not always articulated by theorists. My playing down the emotions in instantiations of self-respect is not a sign that I think the emotions play no role in thinking about self-respect, but I plan to discuss the role that the emotions play in a perhaps less contentious way than does Dillon.

denies that self-respect can ever be excessive, unjustified, or undesirable.[297] Psychological accounts of self-respect, on the other hand, treat the objects of self-respect quite liberally. On this conception, self-respect gains support from whatever behaviour in which one is engaged and has no moral import.[298]

To better understand Dillon's claim that self-respect consists of beliefs and judgments about oneself, let me turn to the work of Diana Meyers. In her paper *Self-Respect and Autonomy*, Meyers claims that respect is a triadic relation consisting of attitudes, objects, and conduct.[299] The attitudinal component is subjective, while the other two components are objective.[300] These three components can be at odds. Respect is *qualified* when one of these components is absent or deficient in some way. When respect is aimed at an unworthy object, though the appropriate attitude is present, we call the instantiation of self-respect *unwarranted*; when respect lacks the appropriate attitude, but the appropriate conduct is present or the conduct is not grounded in the appropriate attitude, we call the instantiation of self-respect *insincere*; and finally when the appropriate attitude is present, but is not expressed, we call the lack of the instantiation of respect *suppressed*.[301]

It is worth pausing to consider the ways in which race, self-respect, and respect have been discussed in the literature. Most of the discussions of race and self-respect invoke self-respect as a normative tool to analyze specific rights violations and they actually have little to do with race per se. Where race is relevant as an explanatory tool in the various cases, it is

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[297]Meyers 222.
[298]Meyers 223.

[299]Meyers, Diana Tietjens, "Self-Respect and Autonomy," Dignity, Character, and Self-Respect Ed. Dillon, Robin, S. (New York: Routledge, 1995).

[300]Meyers 224.

[301]Meyers 224.

relevant as a category used to pick out the victims of wrong doing or otherwise malicious behavior.

For instance, commenting on whether or not blacks ought to protest wrongs that have been committed against them, Bernard Boxill argues that irrespective of its efficacy, self-respecting persons have reason to protest wrongs committed against them. On Boxill's account protest does two things, first, it is an expression of a "righteous and self-respecting concern for himself".[302] Protest then, is enacted by self-respect. But protest plays an evidential role as well: responding to injustice shows the self-respecting person that she has self-respect. On Boxill's view, since one might believe that they could lose their self-respect, certain acts will play an evidential role in securing an agent's belief that she possesses self-respect, that is, that she values herself in the appropriate way.[303]

In another interesting project, Howard McGary considers whether the forgiving attitude of slaves is consistent with self-respect.[304] McGary notes that the lack of resentment on the part of slaves is remarkable given their treatment and his project is to show that the slaves may have had self-interested reasons in forgiving their former owners. McGary does not deny that resentment is properly enacted by self-respect, much to the contrary, someone who does not harbour resentment **lacks** self-respect. On his account forgiveness allows one to properly limit one's resentment and since one forgives on the basis of reasons, and since unconstrained resentment can become over time consuming and counter-productive, slaves have prudential reasons for forgiving their former slave masters. As we can see, McGary and

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[302]Bernard Boxill, "Self-Respect and Protest," Philosophy and Public Affair Vol. 6:1 Fall 1976.

[303]Boxill 67.

[304]Howard McGary and Bill E. Lawson, "Between slavery and freedom : philosophy and American slavery," (Bloomington: Indiana University Press, 1992).

Boxill hold the view that self-respect is not silent in cases in which someone is deliberately wronged and in such cases self-respect enacts various emotions and recommends various actions.

The obvious problem at this point is that it is not clear how to characterize the relationship between race and self-respect. The difficulty is present because racial identity consists not just of a set of beliefs, it is *embodied*, and as such, it is lived in a variety of ways, many of which differ significantly from the ways in which other social identities are lived. Towards characterizing how their relations might go, let me start with an easier, though still controversial route by considering the relation between respect and race in which racial group membership is an **object** of respect. And here, the ways in which we talk about respect, i.e. recognition and evaluative respect, are similar to the ways in which self-respect is characterized. Recognition respect has as its locus, respecting persons as persons. To respect someone as a person is to have their humanity weigh in our deliberations and actions towards them. But someone can be the object of respect in some other capacity, that is, *qua* some role. For example, Rodney Dangerfield frequently claimed that he got no respect from his family, that is, his role as father (or more appropriately, the patriarch), did not weight accordingly in the deliberations and actions of his family. Thus to consider race an object of recognition respect is just to claim that one's race is the sort of object that elicits a "disposition to weigh appropriately in one's deliberation some features of the thing in question and to act accordingly".[305]

There is also a way in which race might be relevant in appraisal respect as well. Unlike recognition respect, appraisal respect has as its object persons or features that

[305]This is Stephen Darwall's way of articulating one kind of respect in his paper "Two Kinds of Respect," Ethics Vol. 88 No. 1 October, 1977.

manifest excellence *qua* persons or as engaged in some pursuit.[306] Thus, we can respect the performance of Annika Sorenstam because of the excellence she displays in hitting a five iron, or we might respect Mother Teresa's integrity.

Respect in these cases is important and if our common language and practices are guides, then it may be uncontroversial to respect someone *qua* Asian, or to respect the instantiated traditions of a racial group in its ethnic flavors, i.e. we might respect one's commitment to holding kosher, that is, we might respect someone as a good Jew where our respecting them is predicated on their living up to their interpretation of what it means to be a good jew. The range of actions, practices, and attitudes that command our respect, is of course, the subject of debate.

There are interesting differences between appraisal and evaluative respect, and their differences are present in cases in which we consider their analog in self-respect. But one important difference between recognition and appraisal respect that matters for my discussion is that recognition respect involves respecting someone as a kind of *X* while appraisal respect involves respecting someone as a good *X*. As I claimed earlier, I am not interested in what it means for someone to be a good *X*¸ first, because such criteria are always the subject of disagreement, and second, because theorists are unclear of what it means and what is entailed by respecting someone as a kind of *X*.

But the question I want to address is not whether we can speak intelligibly about race as an object of respect; it is whether we can speak of race as an appropriate object of self-respect. After all, there seems to be some truth to the claim that one cannot command the respect of others unless one respects himself. There might be interesting logical relations

[306]Darwall 39.

between self-respect and respect, more generally, but I am not interested in entertaining such features here.

Let me return to our normative project of understanding internalized racism. Is there a relationship between self-respect and internalized racism? Yes, but its explanatory power is limited.

To begin, we can easily recognize what it is that we should be condemning in such characters as the continually servile "Uncle Tom" character or the "Self-Deprecator" that Tom Hill characterizes in his paper *Servility and Self-Respect*.[307] Both of these characters are servile and they show a lack of appreciation for themselves, but in different ways.

The Uncle Tom steps aside for the white man and displays the symbols of deference to whites while showing contempt for blacks. This person is not being a shrewdly prudent character. Instead, this person believes that his interests are less worthwhile than the interests of white persons. Similarly, the Self-Deprecator allows others to routinely advance their interests at the expense of her own. This person is acutely aware of her own inadequacies and failures as an individual. Each of these persons, Hill argues, fails to understand and to acknowledge their moral rights, or their appropriate status in the moral community.

Now these sorts of persons display behaviors that result from having experienced oppression. What amount of racial oppression, we cannot know. These cases fit nicely in describing the ways in which slaves may have thought of themselves during antebellum south. While this may not have been true during slavery and during Jim Crow era, we can say confidently, that most people who internalize the racism that they experience see themselves as deserving of full moral status and the basic rights that that status yields. If one wanted to maintain that black persons today do not see themselves of equal moral worth to

[307]Thomas E. Hill, Jr. "Servility and Self-Respect," The Monist Vol. 57, No. 1. 1991: 87-104.

their white counterparts, one would need a commitment to the claim that everyone who internalizes the racism that they experience suffers diminished self-respect. And this claim would have to be predicated on the further claim that the persons who internalize the racism that they experience have less self-respect for themselves than they would if they had not internalized the racism that they experienced. But I do not find the latter claim plausible. There are a number of things that might undermine someone's self-respect and thus any counterfactual analysis will need to rule out all of the other factors. Thus I am skeptical that the counterfactual claim I mentioned will get us very far. That is, I am doubtful that one could argue that but for internalizing racism, blacks would have greater self-respect qua moral rights. I do not deny that but for the racism that blacks have internalized that certain other features would be the case, but I do not claim that self-respect in this sense is obviously implicated. I see no empirical evidence to suggest this and I see no conceptual necessity stemming from the notion of internalized racism such that it necessarily undermines self-respect understood *in this way*. Perhaps a more plausible general claim like the above claim is that all persons who internalize the racism that they experience suffer, or will suffer diminished self-esteem. This claim looks plausible. But I do not think that claim is true as well. Again, people usually do, experience diminished self-esteem, but self-respect is not self-esteem, and, we cannot confidently ascribe diminished self-esteem to everyone who internalizes the racism that they experience. Thus while the mainstream account of self-respect does have explanatory power in describing some of the phenomenon that is caused by internalizing racism. My argument is that the notion misses a class of cases.

Cases Showing Problems with Mainstream Accounts of Self-Respect

The following cases provide a platform under which we can better understand the instantiation of internalized racism and its relation to self-respect.

1. Saeko Kimura is a third year Law student at the University of Chicago. She is at the top of her class in all of the relevant academic measures and she has just recently completed a clerkship with a well known appellate judge. Saeko has always felt different from her blonde, blue-eyed friends. She frequently measures herself up unfavorably to them and she has considered cosmetic surgery on her eyes, nose, and cheeks. Her parents support her in this; they claim, for instance, that having round eyes will make her more "attractive". Saeko believes that she is talented and attractive, but she does not feel it. Instead she feels depressed and angry that she is depressed.

2. Darryl is a writer who earned a PhD in Linguistics from a prestigious private institution. Like most PhD's he has taken to writing because has been unable to find a teaching position. He spends a great deal of time doing volunteer work in the black community doing tutoring and the like. He finds the work he does in the black community deeply rewarding and he sees his efforts as helping to make a difference in the place that he lives. Most of Darryl's academic and social circles involve white people and it is no surprise that he has taken a white lover. At one point in his life, Darryl dated white women because he believed that they were more attractive than black women, but his academic training quickly exposed all the effects of racist socializations of those types. Darryl knows that the belief is irrational but Darryl feels ashamed for not dating black women and he feels ashamed of his shame.

3. Duane has been "passing" for twenty years now and claims to be living in light of his own self-conception. He decided to break from his family and friends during his first year of university at Howard. He occasionally sends cards to his parents but he does not see them or any of his friends face to face for fear that he will be "outed." He is quite pleased living in upstate New York working in a prestigious law firm. Though his decision was difficult and at times he feels a sense of regret for not living his life as a black man, he believes that the only way in which he could truly be authentic and successful was to shed his black skin.

4. Anita is a Lawyer at a prestigious law firm in New York. After having graduated *Summa Cum Laude* from Harvard she quickly "surprises" her employers with her success. She learns that other lawyers consider her style "confrontational" and her manner of appearance "threatening" and she suspects that there is little intention of making her a partner in the firm. Anita knows that she must act in ways that confirm the sense of superiority that her coworkers feel and she constantly suppresses her anger at the many expressions of disbelief about her talent. Anita knows she is talented but she is afraid that if she gives up her coworkers will think that she was less talented than her white counterparts. Anita is aware of this, but cannot help feeling depressed, and angry at her depression, because she perceives herself to be failing her community as well as herself.

5. Jack is white male disillusioned with the pretensions of white culture. On a stroll through the black and Mexican neighborhoods, Jack laments

> I stopped at a little shack where a man sold hot, red chilli in paper containers. I bought some and ate it strolling in the dark, mysterious streets. I wished I was a Negro, a Denver Mexican, or even a Jap,

> anything but a white man disillusioned by the best in his own 'white' world. (And all my life I had white ambition).[308]

Jack recognizes that being white affords him certain advantages, but he feels "trapped" by the pretentiousness of his culture and by its ambitions. As a means of escaping his dominant status, he frequently goes to the non-white neighborhoods. Of course, he cannot escape his feelings of disillusionment and resentment and he feels angry at being trapped.

The cases that I present have several interesting features about them and they represent different types of problems. For Darryl and Saeko, what is at issue in their cases is their inability to live out their beliefs as a kind of racialized self and their being unable to do so is revealed in the pervasiveness of the normative standards of beauty that privilege white bodies, to the detriment of Saeko's Asian body and apparently, in Darryl's case, to the detriment of his desire for solidarity with Black women. But the barriers to experiencing their worth are not exhausted by the messages they have internalized, further barriers to experiencing one's worth have to do with the distributions of opportunities.

The cases represented by Anita and Duane offer the more specific ways in which being a member of a racial group can be implicated in one's ability to experience one's worth.[309] Anita appears trapped by her belief that she owes something to her race, while Duane is trapped with the feeling that he has abandoned his race, and in doing so, he has abandoned a part of himself. Duane has internalized various racist messages and his internalizing them explains his acting. Duane's case might raise an additional worry, namely

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[308]Jack Kerouac, 'On the Road Again', unpublished journals The New Yorker 22 and 29 June 1998: 56. This passage, and its potential normative importance were brought to my attention while reading Linda Alcoff's "Towards a phenomenology of racial embodiment," Radical Philosophy 95 May/June 1999.

[309]It is true of Darryl and Saeko as well that their being in racial groups is involved in their abilities or their inabilities to feel their worth.

that it seems inappropriate to blame him because he has not chosen to be identified as black, and so we cannot now blame him for choosing against it.

Jack's case is the most anomalous of these cases, though the difference is not whether or not he has internalized racist messages. Recall, I claimed earlier that the messages one might internalize might be positive and if this is so, one could construe this as a case in which Jack has internalized racist messages. Like the others, Jack cannot experience his worth. But his failure in experiencing his worth derives from recognizing and identifying that the social basis of self-respect, unjustifiably favors him, or so I shall argue.

For Duane, Darryl, and Jack their first order emotions look inappropriate and it seems to manifest some form of lack of self-respect. In Darryl's and in Jack's case, this is confirmed by their second order emotion. These cases are puzzling because they manifest first order emotions that are recalcitrant. Anita's cases is interesting because her first order belief that she has to represent her community looks irrational. Her first order emotion seems to indicate this as well. Finally, Saeko's first order and second order emotions seems to conflict and it looks as if her first order belief stands in tension with her first order emotion.

These cases appear to be challenges to the received ways of thinking about self-respect and, *ipso facto*, to the ways in which race and self-respect are discussed in the literature. As I claimed above, where mainstream accounts of self-respect have any traction is in cases in which the agent sees herself as the victim of willful wrongdoing. Also, since self-respect involves cognitions, the presence of various beliefs and emotional responses, is good evidence that someone is self-respecting. My cases satisfy these features. These persons are not the victims of wrong doing, nor do they see themselves as victims of wrong doing. They have the relevant beliefs and emotional responses associated with being self-respecting and

yet clearly something has gone wrong. Each of these cases is interesting because they all share in some way in which the agents have internalized the racism that they have experienced and that internalization is present in their belief and affective structures. These are cases in which the agents feel trapped in interesting and significant ways. Their affective responses are significant not solely because they are recalcitrant. But the recalcitrance I think points to certain ways in which race influences the agent's ability, or inability, to experience their own worth.

A defender of the mainstream account of self-respect has to argue that something has gone wrong here, either in the emotions or in the belief structures of agents such that these cases are not failures of recognition self-respect or she has to argue that these are cases of failed appraisal self-respect.

The salient question is whether we could describe these persons as suffering a lack of recognition self-respect? As I claimed above, I doubt that this description applies to the persons on display in the cases I present. Perhaps the closest one could come to making this claim out is if you claimed that Anita's not quitting her job amounted to a lack of self-respect because she appears to misunderstand the moral significance of being her own person or that she fails to recognize that her coworkers actions towards her do not preserve or manifest human dignity, but even there, I find such a claim implausible. One might make a similar claim with respect to Saeko as well: she simply misunderstands the demands of her parents and she misunderstands what it means to be her own person. What she needs is a dose of, and this is true of Anita, a healthy amount of individualism.

Perhaps one might claim that each of these persons believes themselves to be inferior in some way, but I find such a reading implausible. To make that reading plausible one

would have to show that all instances of feelings of inferiority are constitutive or logically related to self-respect. I doubt such a claim can be made plausible.

Let's move to evaluate self-respect. Evaluative self-respect, recall, involves an attitude of positive appraisal for oneself and confidence in one's merit as a person.[310] I doubt evaluative self-respect can tell us anything wrong about any of these persons. In fact, Duane acted in ways that he thought **would** allow him to develop his capacities. This move seems implausible even when we consider the paradigm of someone having internalized racism, Michael Jackson. Even he is living up to some standard of excellence and he appears to be pursuing a worthwhile plan of life that he has chosen. The same is true for Anita and Darryl, that is, they both see themselves as bearing their own image. Thus, I doubt what we have here is a failure of non-moral self-legislation. Perhaps this notion of self-respect could be serviceable were it not content-neutral. Then we could say, for instance, that someone like Michael Jackson has failed to define himself or live up to various standards, but then the question becomes what are these non-moral standards and why should they be the norm?

If attempts to prescribe these cases with mainstream accounts of self-respect fail, another strategy is to claim that such cases involve other sorts of errors and this would allow us to simply ignore them from our discussion. Our appropriate response, then, would involve offering therapy. Someone might claim that the persons that I mention above have some false belief of some kind. The false belief is that they do not believes themselves to be worthy of self-respect. But by definition, they all see themselves as worthy objects of self-respect. Furthermore, none of these characters looks weak-willed or deceived either. Again, I think this is obvious as well. Perhaps even one might think that they operate from a bad commitment to their principles. But I doubt that that charge will stick either. All of the

[310]Robin Dillon, "Towards a Feminist Conception of Self-Respect," Hypatia, vol. 7 no. 1 Winter 1992.

persons in the cases I present appear to act on their commitments to principles and they take those principles seriously.

Perhaps the error in such cases is present in the apparent incongruity between the emotions and beliefs. This appears to be the case with Anita and with Darryl. So assume that the emotions have a core of propositional content such that they are the subject of assessment and emotions are irrational when their propositional content is irrational, i.e. their propositional content results from errors in deliberation. In Anita's case, for instance, one could argue the claim that her first order emotion is effaced by her recognition that she is not being treated as a moral equal. Thus we have a straight forward contradiction: her first order belief affirms her worth, but her first order emotion does not. Darryl's emotional response, one might claim, is just plain irrational. It should not matter at all whom he dates. Thus his, and Anita's, first order emotions are at best, mis-directed, at worst, unwarranted. They do not, someone might say, tell us anything about self-respect. But this charge does not stick.

Anita's case involves a double-bind. In which-ever way she acts she is corroborating the sense of superiority that her coworkers feel. For two other reasons, I do not think we can simply write off Anita's first order emotion. First, I doubt that her first-order emotion is a signal that her self-respect as a human being is being undermined because her second order emotion does not corroborate this. In fact, her second order emotion is in agreement with her first order beliefs. Second, and here I want to follow Dillon's claim, as I have implicitly done thus far, in claiming that Anita's and Darryl's first order emotions point to an injustice. The injustices amounts to the ways in which the delivery of institutions conspires to render qualified blacks unavailable for positions of power, or the ways in which our institutions do not offer similar paths of development and self-determination to blacks, or to the ways in

which the delivery of institutions renders many black men, ineligible black men. But what is telling about her case is the fact that feelings of ambivalence are not produced by a failing to act with self-respect. She knows she is the moral equal of her peers and she has all the confidence in the world, what produces her attitudinal response is the idea that she **owes** something to her community. The same is true for Darryl, namely, that the attitudinal response derives from the idea that Darryl **owes** something to his community. Both responses, also, involve a response that sees injustices done to blacks as an injustice to **themselves**.

But perhaps someone might press this objection another way. Recall Meyers's account of respect as a triadic relation holding between a self, an object, and an attitude. If someone thought that the object of self-respect must be the moral self, one could simply claim that Anita and Darryl have the wrong object of self-respect, namely their racial group. That is to say, their emotions are misplaced because their belief structures have the wrong target. Now absent some account of the conceptual relations between the objects of respect and self-respect, it is not clear that this objection gets very far. In any event, the respect that Anita and Darryl have for their racial group is to be explained in terms of the respect that they have for themselves, not the other way around. That is to say, the objects of their respect, the specific norms and behaviors that they take on, are reflections of their respecting themselves.

Duane's case reveals a further complexity. Recall, Duane has given up his black blood because he felt that the development of his capacities necessitated it. His first order emotion seems to contradict his first order belief. He does not obviously show a lack of respect for himself because he claims to be living in accordance with his self-conception. He

measures up to the standards that he sets himself. There are two interpretations one can offer in this case. On the one hand, we can claim that it looks as if his first order emotion is mis-placed and we then conclude that he is simply being irrational. On the other hand we might claim that his first order emotion expresses a truth that he may not entirely believe, namely that passing was the best route to developing his capacities. I suspect, in this case that Duane's first order emotion better tracks Duane's first order beliefs and that his sense of regret expresses not only a sense of loss of himself, but also a sense of a different set of possibilities that are the product of being a part of a particular narrative. Thus I do not think his regret merely represents an incorrect supposition about the best means to an end, but he regrets the absence of a part of his "self." If this analysis is intelligible we can say that Duane's passing effaces a lack of self-respect and that self-respect properly enacts the emotional responses that we see.

I should be clear that Duane's case does not show that membership in certain social kinds does not admit of exit, as if someone does wrong, or ought to feel badly about not participating in a collectives' norms or about not internalizing some of the properties of the social kind into one's own identity. It is not meant to do that. Duane's case, as well as the other cases I present, give us an indirect way of understanding the taken for granted, though complex relationship between membership in certain social kinds and the well-being of individuals. The relationship has been stated in various ways, in some cases it is claimed that membership in certain social kinds is essential for the well-being of individuals,[311] in other cases, it is claimed that membership in certain social kinds is essential for the development of self-respect and for giving persons a context in which they can develop the capacity to make

[311]Chandran Kukathas, "Are There Any Cultural Rights?" Political Theory 20 1992: 105-39.

choices about how to lead their lives.[312],[313] A common response to both kinds of arguments such as these is that it is far from obvious that membership in such kinds of social kinds yields the benefits claimed, at least, it is far from clear that we can assume this *a priori*, and second, that even if we admit that membership in certain social kinds has the benefits that are claimed, it is not obvious that those benefits could not be obtained via membership in other social kinds. If such benefits could be achieved in membership in other social kinds then the state's not using its resources to promote the continued existence or the flourishing of such social kinds could not be considered unfair or unjust. But these responses often assume that leading another kind life or enjoying membership in another social kind occurs already or is manageable.[314] And of course, for some persons this is quite easy. For most white persons, their ethnic heritage, if it is recognized in any considerable way, does not put them at a disadvantage in developing or instantiating their capacities for self-determination and self-development. But if there is anything correct about social construction it is the claim that certain ways of being presuppose actions under certain descriptions, and in the lives of African-Americans, such possible ways of acting are not available to them because the descriptions do not exist. Most debates about multiculturalism simply ignore this fact when considering the experiences of African-Americans, if they are discussed at all.

Finally, I have said little about Jack's case. Notice that Jack's worth is not implicated by his first order beliefs. As I said above, if someone holds that there are cognitions in the emotions then it appears that we have a contradiction, but since I have left that aside, it is not

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[312]This view is found in Kymlicka's *Liberalism, Community, and Culture* and in a modified form in *Multicultural Citizenship*. I consider Kymlicka's ideas in more detail in chapters five and six.

[313]I offer my own account of the relationship between membership in certain social kinds and well-being in chapter five.

[314]Jeremy Waldron seems to assume such a position in his criticisms of Kymlicka.

clear that there is a contradiction in his emotions. But Jack's emotions do reveal something about Jack's beliefs, the question is whether Jack's emotions are correct. Now it looks as if Jack's belief about the privileges afforded to whites is mistaken. This is not something that Jack can appropriately **know,** but while it may not be something Jack can know, perhaps it is something that Jack can **feel**. This certainly seems to be the case when he tries to escape his resentment by visiting non-white neighborhoods. In this sense, Jack's emotions seem to get it right. And I suspect that what we would want to say is that self-respect has enacted the appropriate emotional response in Jack, namely resentment. That is to say, his emotions are signals that his worth is taken for granted as the norm, that this to say, that the dominant culture predicates the basis of self-worth on features that social institutions insure cannot be obtained.[315] There is an irony here, namely that Jack's case reveals in quite another way, the ways in which the normative basis of self-respect are embodied. This feature is obvious in Duane's, Darryl's, and Saeko's cases, but it is present in this case as well since Jack's being advantaged is predicated on his having a certain body, as having a bodily racial identity.

Someone might reject this analysis of Jack's emotions and claim that his disillusionment is simply mistaken, his emotions seem unresponsive to reason, and if they were responsive to reason, he would correct his emotional responses. This response is naïve because it misunderstands the recalcitrant nature of his feelings and as I have said, his emotions seem to confirm his beliefs about the mistaken nature and grounds of his self-worth.

There is one final problem someone might find with this analysis, namely that it appears that we are holding people responsible for facts about them that are not within their control. On this line, we should not, as I have done, blame Duane for passing, nor should we

[315]Dillon 238.

think that Jack's emotional response is the appropriate response since he has no control over whether or not he'll be white. That is to say, his being white is not something that he has any control over.

We should be careful with what this objection means. It is difficult to make out what it might mean to choose one's race because there are choices one clearly cannot make. Under the current distribution of rule governed racial categories, white persons cannot choose to become black; South Asian Indian persons cannot choose to become Latino. But this is grist for the mill of my opponent.

While one's race is not chosen, one's racial identity is; it is something that one possesses and it influences one's actions in ways that are not obviously or always conscious, but its more specific dimensions are chosen. In this case this means that one can choose to have experiences *qua* black person while one might not have any choices about whether one will be of a particular racial group.[316] I suspect that when someone worries about personal responsibility in cases like Duane's, what is up for debate is the specific nature of the racial identity, i.e. the specific ways in which someone will live as a kind and the specific ways being a kind will be manifested in one's conception of the good, i.e. one's preferences. Now we would not blame Duane for passing if we knew that his plan was to funnel a portion of his riches to causes that sought social equality for all. If this is correct, we are correct for blaming him for shedding his black blood as he quite simply sold himself short in ways that are morally troubling. In the least I think we can hold Duane responsible for not protesting the racist messages that he internalized. After all, if internalizing racist messages is morally troubling, then we should hold people responsible for the preferences and attitudes that they

[316]The notion of experiencing being black as opposed to being black, is one that Janine Jones makes in her paper "Tongue Smell Color Black," White On White/Black On Black Ed. George Yancy (Lanham, Md: Rowman & Littlefield Publishers, Inc. 2005).

develop.[317] But of course, the extent to which we should hold people responsible will vary depending on the context. Duane's case is at one end of the spectrum; he is not being shrewd or prudential, he really believes that black skin is a mark against him.

I do not mean these remarks to be definitive because what we need is an account of what part of race is the product of choice and what part of race is mere circumstance. Race, like culture and ethnicity, does not sit easily on one side of the divide or the other, that's what makes them challenging for the egalitarian. But in order for Duane to realize that being black was a problem to him he had to have a set of experiences of being black, and it is here where we might consider him responsible for the preferences and beliefs he developed, or did not develop.

We appear to be faced with a dilemma: our intuitions suggest that something has gone wrong in the cases that I present while it appears that our best candidate for diagnosing the wrongness does not quite do the trick.

The Nature of the Racialized Dimension of Self-Respect

It is perhaps useful, in clarifying the position I argue, to mention what I do not intend to do. I am not arguing for a conception of self-respect that acts as a substratum for the standard account. Robin Dillon does this in her paper *Self-Respect: Moral, Emotional, Political*. While I think my position takes seriously the claims she wants to make about standard accounts of self-respect, in particular, their weak relation to the emotions, I do not think that the way to go is to argue that the deficiency implies that mainstream accounts of

[317]It is worth noting that this case looks similar to the "Uncle Tom" case that Tom Hill discusses. Clearly the Uncle Tom character has internalized a set of messages and were he to appropriate value himself, ala Boxill, he would respond in kind to those internalizations.

self-respect have, or a need, a unifying substratum. In this sense, my project is much more modest than hers while still accomplishing similar goals.

But while I am not committed to whole of Dillon's project, it is important to understand the central insight of Dillon's attack. The cases that I present are troubling for mainstream accounts of self-respect because the trouble does not lie in a set of belief systems. The trouble, furthermore, is not that these are cases in which affective responses are defective; at least they are not defective in a way that would be remedied by merely being brought in line with reason. What is important, Dillon claims, is that the role of experiential understanding shows that merely knowing something intellectually is not enough to insure self-respect.[318] If my analysis is correct, we have to be concerned about the processes and the contexts involved in forming the beliefs. Adequate self-respect, then, presupposes adequate experiential understanding. The trouble with the cases I present is not with the cognitive structures of persons, but with their *situations*.[319] We can see this in the racist messages that get internalized and we can see this in the various ways in which racial identity is embodied. Mainstream accounts of self-respect cannot account for these two features.

If self-respect requires experiential and bodily understanding for its promotion and development, then self-respect appears as a raced concept. The problem with mainstream accounts is that they privilege a set of experiences and points of view. That is to say, the appropriate and the inappropriate manifestations of self-respect privilege the lives of white persons and our structures are ordered in ways that create and define the avenues for self-

[318]Dillon 239.

[319]I borrow this idea from Susan Babbitt, Artless Integrity: Moral Imagination, Agency, and Stories (Lanham, Md.: Rowman & Littlefield Publishers, Inc, 2001).

respect according to the unequal distributions of wealth, power, and culture in terms of the dominant race. [320]

To incorporate racial identity into our understanding of self respect is to broaden our understanding of recognition self-respect. One values oneself appropriately on this conception in light of one's racial group. This is just to say that one's racial identity is implicated in one's worth. With this we can broaden our understanding of self-respect to capture our intuitions about the intimate relationship between racial membership and racial identity. Thus my position is not one in which group membership is the object of self-respect, but whether we can appropriately talk about the racialized **self** as an object of self-respect. Since the phenomena that we seek to characterize elicit our moral attitudes we cannot characterize the intersection between race and self-respect in the same ways that we treat one's attachments to various associations, such as religion.

Finally, I am not arguing that the racial dimension to self-respect is just the psychological conception of self-respect. Such accounts capture a certain intuition, namely, that one's self-respect is associated with adopting certain standards that the agent deems appropriate to things of a certain kind. For instance, the respect that a member of a profession has of herself is predicated on her perceptions of the appropriate behaviors of the profession to which she is a member. Thus, the teacher will refuse certain forms of behavior that are seen to be antithetical to the profession.[321] But psychological accounts admit too much and they treat all forms of self-respect as on a par. Second, a purely psychological understanding of self-respect does not allow us to account for the claim that internalized racism is a moral evil since psychological accounts of self-respect are, by definition, non-

[320]I owe this point to Yolanda Wilson.

[321]This would be true of appraisal self-respect.

moral. Third, the psychological account gets the order of explanation backwards. That is to say, the teacher's self-respect is a function of her being in the profession and we explain her self-respect in virtue of facts about the profession. But the account I articulate is based on the conception of the person as a certain kind of thing. Thus one's self-respect is a function of being a certain kind of thing, not of one's membership in a certain collective.

Dillon claims that self-respect is most fundamentally perceptual, that is, as an interpretative endeavor according to which we see ourselves as we are and a seeing of ourselves as becoming.[322] The sort of self-understanding that is presupposed by Dillon's view is one that is deeply influenced by being valued and seeing oneself as valuable.[323] And here it is important to notice that seeing oneself as one really is and as one that becomes is importantly related to recognition and history.

When we look at the actions of the agents in the cases that I present, it becomes clear that there is a sense in which we cannot understand their actions and their agency without understanding how race plays out in their lives. That is to say that we cannot simply understand their choices as simple products of failed deliberation and action or of ill-informed emotional responses. We also cannot understand their choices without placing the authorship of those choices in the context of a narrative history in which we find the identities of the actors embedded.[324] Racial identity acts as a filter through which we see ourselves as we are and as we are becoming. Since it is the case that our racial identities

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[322]Dillon 241.

[323]Dillon 245.

[324]Alasdair MacIntyre, After Virtue: A Study in Moral Theory (Notre Dame, Ind.: University of Notre Dame Press, 1981).

intersect at their agency, this suggests that respecting racial identity in some instances is an expression of respect for a particular kind of self-identification.[325]

That is what I will call a racialized version of self-respect. It is a standing favorable attitude towards oneself reflexively predicated on a standing favorable attitude towards one's race.[326] Like standard forms of self-respect, it is a rich set of complex beliefs, attitudes, and expectations with regard to oneself and to ones racial community. The affinities with standard accounts of self-respect are present in the range of phenomena that the concept describes. For instance, one's self-respect does not enact overbearing assertions of one's superiority (and *ipso facto* the superiority of one's race), nor does one's self-respect enact dormancy with respect to one's capacities (and *ipso facto*, not dormant about the capacities of one's race); a set of standards are crucial to understanding it (i.e. there are authentic behaviors associated with being a member of race, since to have a racial identity is to see oneself as a certain kind); and it describes an attitude not fully explicable as the absence of self-contempt. But this sense of self-respect is wider than standard accounts in two ways. First, its basis is social and is essentially connected to groups. Second, it is an expression of one's racial identity.[327] The point is that a respect for racial identity is not a static process and the sense of identity presupposed by the view is the product of a narrative.

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[325]In Duane's case we can see this is as a failure to respect his self-creative efforts. I do not completely endorse this argument here because one would have to say much more about the relationship between racial identity and self-definition than I do. One would have to show that racial identity is of such a intimate and communal character that selling it short degrades one's ability to determine whom one will become. This line of thought was brought to my attention while reading Joseph Kupfer's "What is Wrong with Prostitution?" Explorations Of Value Eds by Thomas Magnell, Rodopi B.V. (Amsterdam –Atlanta, GA, 1997).

[326]This is another attempt to capture the 'in light of' relation that marks racial identity.

[327]I should be clear here that the contrast that I am drawing with a racial dimension of self-respect, is with a moral account of self-respect. The differences are fewer when comparing the racialized conception of self-respect to psychological accounts of self-respect. But I am not making such a comparison because there are far more articulations and analysis of moral conceptions of self-respect in the literature than one will find with

Consider some of the ways in which it is undermined by the design and delivery of institutions. Bear in mind that there will be very few "pure" cases in which the racial dimension of self-respect is undermined. That said, various group specific wrongs provide the best examples of the ways in which this form of self-respect is invoked. Here I think it will be worth while to consider some of the work by Michelle Moody-Adams.

Moody-Adams offers a view of self-respect that has two fundamental components, both dispositional. The first component she claims is a conviction that one best affirm one's worth through one's abilities and talents to contribute to one's survival. The other component is a willingness to do whatever it takes to develop one's abilities and talents. Moody-Adams defines self-respect in such a way that it has an intrinsic connection to survival. She claims that a person has self-respect only when the value she places on her survival provides her sufficient motives to act. Self-respect, on her account is manifested in one's willingness to take the appropriate steps to ensure continued survival. The notion of survival is important on her account not only because it anchors her account of self-respect, but also because it is the case that socially developed patterns of expectations about survival create the "patterns within which we initially learn to evaluate our worth."[328] As an aside, I think Moody-Adams's account of self-respect is problematic because it conflates affirmations of self-respect with the **possession** of self-respect. In fact, Moody-Adams's theory of self-respect is really an account of the nature of affirming self-respect, not a theory of self-respect.

These components of self-respect are generally in harmony but they can come into conflict in cases in which agents lose themselves in developing their talents in ways that are

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respect to psychological accounts of self-respect. This is in part because the two sides are in opposition about the nature of self-respect.

[328]Moody-Adams 277.

not amenable to their welfare, as when, for example, the boxer practices to exhaustion thinking that such levels of dedication are signs of self-respect. But another conflict between these two parts of self-respect results in cases in which a person's attempts to develop one's talents and abilities are consistently thwarted. Such a person might come to devalue her talents and abilities, for example, as in cases in which persons suffering abuse often blame themselves for the abuse that they suffer.

Moody-Adam's argument is Rawlsian in nature, with a twist. Rawls was concerned to argue that self-respect was secured by equal liberties. The need for status, Rawls claimed, is met by the public recognition of just institutions in which we are all recognized as equals. No one would choose lesser than equal liberty, since doing so would publicly establish inferiority as defined by the basic structure of society. Since this position is unacceptable, persons would opt for a serial ordering of the two principles of justice. Moody-Adam's argument switches the terms in the Rawlsian argument: in communities governed by various expectations about the good, self-respect will be secured by the distributions of various material benefits. Moody-Adam's view relies on the idea that expectations about ways of being, about conduct, and about life chances, are embedded in the practices of a society and these expectations "govern" the distributions of benefits and burdens.

Each society makes up the practices and norms that set the terms by which persons can meaningfully engage in behaviors that affirm one's self-respect. Moody-Adams claims that complex societies produce overlapping patterns of expectations of what constitutes self-preservation and survival. Such expectations embody a communities normative expectations and such expectations influence the development of a person's self-conception. Such

communities also produce their own expectations about self-respect.[329] As an example, Moody-Adams claims that in twentieth century America such expectations linked self-worth to wealth. Thus, she claims, the accumulation of wealth speaks more favorably about a person's worth than does one's occupation. The important claim for her argument is that one's ability to conform to such expectations is affected by a host of features such as race and class.[330] When it comes to race, the influence of racial designations is typically registered most directly on the notion of self-respect that she offers. The influence that racial designations have on one's self-respect is registered in different and complex ways. Some of the most profound effects of them occurred during Jim Crow when the rule of recognition singled out blacks as less than fully persons. The laws represented social rules that were writ large by congress. They embodied an already existing set of attitudes about blacks. That the laws were eventually repelled is not the issue. The attitudes that gave rise to them continue to exist and are entrenched in today's normative expectations and they distort even our most ordinary social interactions. Of course, where these attitudes find themselves influencing the distribution of the resources needed in order for persons to display self-respect and where one accepts the normative expectations about the behaviors that affirm one's self-respect, then one's opportunities to display self-respecting behavior and eventually the sense of their own worth will be undermined if one is denied access to such positions.

Moody-Adams says that from the fact that such attitudes are present in the culture and the expectations of both blacks and whites are passed between generations (mis-placed perceptions, attitudes, and beliefs of inferiority by blacks; mis-placed perceptions, attitudes, and beliefs of superiority by whites), simply changing the laws will not bring an end to

[329]Moody-Adams 227.

[330]Moody-Adams 277.

discrimination. These distortions continue to be transmitted over time and they lead Moody-Adams to surmise "I claim that in America, the social construction of self-respect continues to bear the complex and often unacknowledged stamp of racial discrimination."[331]

The underlying mechanism that supports the normative expectations over time is the ascription of a psychological or a behavioral essence to the disfavored group. The essence is characteristic of the group and it is supposedly distributed throughout the group. Ordinarily, beliefs about an alleged essence are neither always harmful nor are they always negative. The thinking that a group possesses an essence is destructive when it is "unreflectively accepted by the disfavored group themselves as a self-conception."[332]

The socially constructed expectations, and the conditions of self-respect that they influence, give rise to a set of attitudes that disfavor a group. Those attitudes, whether they are the attitudes of the members of the disfavored group or the attitudes of the dominant group, are aimed primarily at devaluing the abilities of those in the disfavored group. The effect of such attitudes is a snow-ball effect on the members of the disfavored group: as they come to disvalue their talents, they generally undermine an agent's willingness to develop their talents and they undermine an agent's self-trust in themselves, and I claim, it diminishes the worth that agent's have of their race. This is just to say that such attitudes are internalized and manifested in behaviors that reveal a lack of care for one's interest or for one's welfare.

To summarize, the sense of self-respect that I articulate is not a sense of respect that is a response to the worth that persons have *qua* persons, but instead it is a sense of respect that is a response to the worth of the social conception of a person as a member of a group

[331]Moody-Adams 280.

[332]Moody-Adams 280.

with a particular history. This form of self-respect is not ahistorical and the history of the racial group mattes because when we look to the history we can understand why such notions as protest or kinship might be the actions of persons who appropriately value themselves in cases involving group specific wrongs.

Let me move to understanding how the racial dimension of self-respect helps us to understand Racial Kinship and Racial Pride. My remarks will be brief though helpful. It was Randall Kennedy who argued that racial pride and racial kinship were dubious manifestations of behavior.[333] Racial Pride is unwarranted because it lacks the appropriate basis. For Kennedy, it appears that a necessary condition for pride is the presence of an activity, "the [proper] object of pride for an individual [is] something that he or she has accomplished"[334] Race, so the view goes, is dubious because it is not an accomplishment on his view, but it is something one "possesses" involuntarily, not as a product of effort. I want to ignore for the moment what the relationship is between something's being an achievement and the role that choice plays in that achievement. The notion of an accomplishment is fairly broad and so we will ultimately need some account of it in order to effectively gauge his claims. But Kennedy's own appeal to achievement seems question begging anyway, or at least Kennedy has to argue for a particular conception of accomplishment.

In any event, my account of racial identity shows that Kennedy has mis-understood race and racial identity. Racial identity is an accomplishment, and so are races I might add, involving multiple levels of labor. That racial identity involves networks of interaction is clear from the remarks I made about Françoise Baylis. Racial identity also involves choice; this much is implied by the idea that racial identity involves, necessarily, activity. Since

[333]Randal Kennedy, "My Race Problem-And Ours," The Atlantic Monthly May 1997: 55-66.

[334]Kennedy 56.

racial identity involves choice, and since the proper respect for this identity is enacted by pride, and since pride is an expression of the appropriate level of worth due to one's race as an expression of worth due to oneself, pride is properly manifested as an activity that meets the conditions Kennedy offers. Thus even if we accepted Kennedy's account of pride, we would see that the condition is met.

Racial kinship is morally dubious on Kennedy's account because, as he claims it is built on a fiction on the one hand, it is unnecessary on the other. Since races do not exist, racial kinship is nothing more than an expression of interest whose integrity is similar to basing the bonds of affection on the existence of Santa Claus.[335] I do not need to address the problem of basing the affection on something fictitious because races, while ontologically fictitious, are not socially fictitious. But the existence of race is not at issue since we are concerned with people's perceptions about race.[336] But the more interesting point is that racial solidarity can act as a tool that conceals deeper injustices or it focuses attention away from those perhaps more in need of aid, in particular those not in one's preferred racial group. While I think Kennedy's worry is interesting, it is no less mistaken. He is correct to point out that racial kinship might prevent groups from recognizing, and perhaps even from aiding, those in need of aid, but he is mistaken in thinking that this consequence is an essential feature of racial kinship. It is of course true that racial kinship admits of degrees and that some instantiations of it, particularly those that are excessive, might cause persons to ignore other more duties that they have. This is true of many of concepts, such pride, shame,

[335]This nice analogy I borrow from Yalonda Howze and David Weberman in their article "On Racial Kinship," Social Theory And Practice Vol 27 No. 3 July 2001.

[336]In Garcia's words, that people make distinctions on the basis of racial classifications. The truth of the classification is not at issue. See Garcia, "Heart of Racism."

and true of various sorts of relationships, familial or romantic.[337] Thus if racial kinship is dubious, those other activities are dubious as well.

But there are two important points I want to draw from Kennedy's arguments. First, like any form of racial identity worth its weight, this conception is predicated on its development and growth.

What is crucial to self-respect, while not a part of self-respect, is its affirmation.[338] That is, since the racial dimension of self-respect is predicated on racial-identity, then affirmations of that identity are crucial. Of course, we have to guard against its excesses, but this is something that persons learn to do with practice and they learn to do so when socialized in contexts in which persons stand in relations of equality.

With the notion of racial identity connected to self-respect, I think we can begin to see that there is less space between the moral account of self-respect and psychological account of self-respect than there appears to be. The cases that I began with present the ways in which damaged racial self-respect can have moral implications. But it is also the case that this is a sense of self-respect that one might not adopt, and in some cases, perhaps a sense that one ought not to adopt. That is to say, I leave it open whether we might want the Nazi's to develop a healthy sense of racialized self-respect. But before someone rolls out this objection we should keep in mind that the nature of racial classifications in Germany might be quite different than the nature of racial classifications in the United States since both countries have had differing histories. Next, Germans are usually considered an ethnic group and while my analysis is on race, I do not claim that it easily maps ethnicity as well. Of

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[337]It certainly seems true of other, perhaps of all other, social identities.

[338]This point is argued in Michelle Moody-Adams article "The Social Basis of Self-Respect," Dignity, Character, Self-Respect ed. By Robin Dillon (New York: Routledge, 1995).

course, we do consider Germans as members of a racial group in the United States, and here they are a part of a larger racial group, namely those that we call Caucasian and here we can say such attitudes clearly reflect an overblown (or perhaps under-developed) sense of self-respect.

I have tried to argue that self-respect is bereft of the experiences of the meaning of race in accounts of self-respect, and this seems especially true when we consider that the concept of racial identity is missing, or the race of those privileged is assumed as neutral and normative in accounts of self-respect. What undermines the self-respect of the persons in the cases that I present is their situation, and I turn next to attempts to understand the problem of their situation as a problem of autonomy.

CHAPTER 5

GROUP AUTONOMY AND PERSONAL AUTONOMY

Both Anthony Appiah and Tommie Shelby accept some relation between individual identity and collective identity. In chapter three I claimed that Anthony Appiah holds the view that collective identity determines individual identities, Shelby seems to hold the view that collective identities are built up from individual identities. Appiah's view is predictable. If it were not the case that collective identities determine or strongly influence individual identities, then there would be little reason to be concerned about the so-called "scripts" that undermine autonomy. As I said in chapter three these scripts are the labels to which persons identify as a process of shaping ones plans by reference to the available labels, available identities.[339] For instance one of Appiah's worries is that Black Nationalist accounts of collective identity force blacks into norms and expectations that undermine their autonomy. This claim is a specific form of a general claim that collective identities are troublesome for individual identities. Shelby seems to hold the view that collective identities are built up from individual identities and that social cooperation, or solidarity to use Shelby's phrase, is predicated on a stable and coherent conception of individual identity. Shelby is worried that the collective identity must be sufficiently non-essentialist in order to effectively promote collective agency. But they are both concerned about collective agency. Appiah, and to

[339]Anthony Appiah, Ethics of Identity (Princeton: Princeton University Press, 2005).

some extent Shelby underestimate the diffuse relationship between collective identity and individual identity.

Just as I argued with respect to individual identity, I will argue here that Appiah, and to some extent, Shelby, have misunderstood the nature of collective identity and its relation to individual identity. My arguments against Shelby are indirect since Appiah is my target. But against Shelby, I argue that we can best understand collective identity as a primitive notion, not reducible to its parts and if this is so, then disagreements in the content of racial identity need not undermine collective agency. At best, by fixing on individual identity, Shelby has fixed on the wrong features necessary for collective agency. Against Appiah, I argue that far from undermining the individual identities of the collective, a collective identity promotes the individual identities by satisfying the causal conditions for the autonomy of its members.

Towards understanding what I want to say about collective identity I will consider the notion of racial identity I introduced in chapter three. My project of understanding the relations between collective and individual identity requires considering these two questions: What best promotes a healthy sense of racial identity? And, is racial identity the sort of thing that one might take a position on, and if so, what is empowering about doing so?

The outline of the main arguments, of which there are two, take the following form: in order to be autonomous, one must value oneself in specific ways and where persons cannot value themselves their personal autonomy is undermined. But valuing oneself in specific ways, those that render oneself autonomous in the face of oppression depends on having developed the competency for self-value. This competency depends on one's social situation. That is, I argue that if the damaging effects of oppression on personal autonomy

are understood in terms of diminished self-worth, then for any view that purports to promote personal autonomy, it must be rooted in self-worth. In the face of oppression the competency for self-value is predicated on being a member of a group in which that group is autonomous.

The second argument develops and justifies the claim that to the extent that a group is autonomous, members of the group develop a healthy sense of racial identity and self-respect. The argument runs in the following way: To take responsibility for defining oneself is constitutive of self-respect. To develop a healthy sense of racial identity is to value oneself in appropriate ways. Since it is the case that developing a healthy sense of racial identity is expressed in the capacity to take responsibility for oneself then taking responsibility for one's racial identity is a part of self-respect. A group's capacity for autonomy is expressed in its competency in displaying behaviors conducive to flourishing such as cooperation and trust. If taking responsibility for oneself in the form of one's racial identity is expressed in displaying behaviors that express self-value, then the development of this capacity is displayed in entering into relationships of cooperation and trust. If what I have said is true then it follows that policies that promote taking responsibility for racial identity promote collective agency in the face of oppression.

These two arguments elaborate and defend necessary causal conditions for personal autonomy and they show the ways in which one's membership in a group meets those conditions. Implicit in my discussion is a acknowledgement of the space between what is constitutive for personal autonomy and what is causally necessary for personal autonomy. While my account of group autonomy provides the conditions under which the causal conditions for autonomy are met, it does not follow that persons are fully personally autonomous in the ways in which constitutive accounts of autonomy prescribe.

This outline contains a number of concepts that need articulating and the supposed relations between them require argument. The insight is that in a hostile environment, group autonomy expresses the development of the capacities required to defend attacks against self-respect. The relations between the ideas that I present are not meant to be construed as holding generally, though I think they do hold generally. They characterize the specific contours of groups living within conditions of oppression.

I want to begin with the notion of personal autonomy because I think understanding the ways in which oppression undermines personal autonomy allows us to better understand our starting points in considering policies to undermine oppression and it helps us to better see the mistakes in views like Appiah's by better understanding what personal autonomy is and by better understanding the subtle ways in which oppression undermines autonomy.

My other reason for considering oppression and race is that philosophers have not sufficiently considered the role of race in current accounts of the ways in which oppression undermines autonomy. In the lives of persons of color, it is the case that historical and contemporary oppression undermine a person's sense of worth through disvaluing that person's race. To understand the relations between oppression and autonomy, and the ways in which race intersects with these concepts, I look at some of the attempts in the literature to explicate the wrongness of oppression in terms of personal autonomy. Oppression undermines personal autonomy in different ways and we will see this in the subsequent discussions I present. This project will also help us to better understand the importance of the concept of group autonomy and it will help us to better recognize that oppression affects a group in ways that go beyond the effects of the oppression on its individual members.

Personal Autonomy

How Does Oppression Undermine Autonomy? A First Pass

Let me preface my discussion of personal autonomy by making several distinctions. First, I want to follow Diana Meyers in distinguishing the levels at which autonomy applies.[340] Meyers distinguishes being episodically autonomous from being programmatically autonomous. To be episodically autonomous is to be autonomous in particular situations in which the agent asks "what do I really want to do now?" and acts on what it is that the agent wants to do. The person who asks herself this question is not formulating long term plans but sets herself to perform a single action at that time. One's autonomy is enhanced to the extent that the convictions and attitudes that determine what one does in specific situations have already been examined and endorsed.

To be programmatically autonomous is to be able to carry out a life plan. Meyers claims that the scope of programmatic autonomy includes narrow as well as global issues. Persons who are programmatically autonomous ask and answer an array of questions such as "Do I want children?" "Do I want to attend Graduate School" "How do I want the end of my life to go." These sorts of questions imply a life plan and these sorts of questions are best understood within the working out of a complete life.[341]

Second, since being autonomous with respect to certain choices is compatible with not being autonomous with respect to one's life plans, it follows that autonomy is not an all

[340]Dian Meyers, "Feminist Perspectives On Individual Choice," The Journal of Philosophy Volume 94:11 November 1997: 619-628.

[341]Meyers 625.

or nothing affair. Non-autonomous life plans may contain pockets and threads of autonomous behavior.[342]

Third, autonomy admits of degrees and greater autonomy implies greater control over the choices that fully reflects one's own will or what one most cares about while lesser autonomy implies lesser control over the choices that fully reflect one's own will or what one most cares about.[343]

Fourth, insofar as I am focusing on the ways in which oppression undermines the personal autonomy of blacks I am not assuming that their experiences are monolithic and thus I am not arguing that all their choices are subverted. I am arguing that the oppression that they experience, and the aim of oppression in general is to subvert an agent's ability to choose and to effectively live out her life plan by undermining her sense of value. The medium, by which this principally occurs in the lives of people of color, is race. In illustrating the role of self-value in thinking about oppression, I will connect the concept of race to our discussion.

In her paper *Towards a Theory of Oppression*, T. L. Zutlevics' provides an account of the wrongness of oppression that is two headed: it consists of a conception of justice and a theory of autonomy. Her normative theory of oppression is the following "to be oppressed is to be denied the opportunity for resilient autonomy.[344] Being denied the opportunity for resilient autonomy is a necessary condition for oppression. To be **unjustly** denied the opportunity for resilient autonomy is sufficient. Her aim in this article is not to defend a

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[342]Meyers 624.

[343]It is clear from these remarks that I am not talking about a Kantian conception of autonomy. I do not readily find the Kantian conception of autonomy particularly useful because the cases that display its absence do not obviously result from oppression. The more telling reason for avoiding the Kantian conception of autonomy is that one will have to defend a particular interpretation of Kant's ideas and this is not my aim.

[344]T.L. Zutlevics, "Towards A Theory of Oppression," Ratio XV 1 March 2002.

conception of justice, but to use it accordingly: a society is unjust when it does not provide its neediest citizens with their basic social needs. The presence of such goods is the background condition for resilient autonomy. We do not get a detailed account of these basic goods but she claims that some of them are such goods as financial resources, healthcare, education, legal representation, security and food.

Let me make a couple of comments about her notion of autonomy. First, one is autonomous when one lives a life "according to a plan or conception which fully expresses one's own will."[345] Her view of autonomy is predicated on the idea of a life plan, not necessarily on the notion that it is "one's own." A "life plan" refers to whatever someone broadly wants to do. It is not a complicated detailed flow chart but a "schematic partially articulated vision [s] of a worthwhile life" suitable for individuals.[346] Second, this notion of autonomy is content neutral. This is an important idea because the phrase "one's own" is liable to ambiguity. A wide reading of one's own life plan refers to any life plan that the person calls their own regardless of its genetic history. The life plan is taken on board unreflectively, or reflectively in a manner that trivially connects to one's will or authentic self. But a life plan might be one's own in a narrow sense, namely when the plans that one makes are in a non-trivial sense an expression of one's will or one's authentic self. This sense of life plan is not content neutral because it involves providing the conditions under which a plan is one's own, i.e. that it be chosen under certain conditions involving deliberative processes.[347] I think the best reading of Zutlevics's view is the wide reading of one's own because she seems to leave it open which plans or values people want to realize

[345]Zutlevics 85.

[346]Zutlevics 86.

[347]See John Christman's "Autonomy and Personal History," Canadian Journal of Philosophy 21 1991: 1-24.

and she does not commit herself to claiming that these values or plans are the values or plans that any person, suitably informed, would adopt. But as we learn more about her theory it will be clear that her theory is not entitled to the narrow reading of one's own life plans. Third, like most accounts of autonomy, autonomy success comes in grades: at times we are more autonomous, at times, less autonomous.[348]

Finally, the notion of resilience that Zutlevics uses is best understood in the following way. Take any person X and any life plan Y. If X is resiliently autonomous, then X's life plan Y is instantiated regardless of the events that actually transpire or Y would have been instantiated had a different set of obstacles arose. People who are resiliently autonomous live out more of their life plans than they would have lived were they merely able to set the formal boundaries of their lives as a whole.

Zutlevics claims that American chattel slavery is the pre-analytic paradigm of oppression. It is clear that slaves lacked the autonomy in a deep sense by their inability to make even rudimentary choices: whom to marry, whether to marry, to procreate, to name but a few. Slave masters could change the lives of slaves for whatever reason they saw fit, making it useless for slaves to make plans about their lives. To be resiliently autonomous is to be able to carry out ones life plans undeterred in the face of the obstacles and thus to explain the wrongness of slavery we need only to appeal to the fact that the slaves were unjustly denied the opportunity to make and to live out their own life plans in a suitable way.

Again, think of the German Jews during the 1930s. At the early stages of Nazi rule, Zutlevics claims that Jews had a minimal amount of autonomy and even that was in danger. As the Nazi regime grew in popularity, anti-semitism became increasingly pervasive to the extent that it became a fixture in public discourse. From 1933 on, racism became openly

[348]Zutlevics 86.

encouraged and "every important institution and forum of expression promoted the notion that the Jews were unalterably hostile and dangerous for Germany."[349] Under these circumstances, Zutlevics claims that the German Jews lacked resilient autonomy. That is to say that they were unjustly denied an opportunity to make and to carry out their own life plans.

Zutlevics claims that it is a virtue of her theory of oppression that it explains these cases, but one would be hard pressed to find any theory of oppression worth taking seriously that did not describe these cases. Actually, I am doubtful that her theory adequately explains the wrongness of antebellum slavery. It is true that slaves lacked the autonomy she describes but a more basic problem with American Chattel slavery is that the slaves were not considered **persons**. They were denied even the most basic recognition that would entitle them to forming life plans and values. So I doubt that Zutlevics' theory of oppression as being denied resilient autonomy captures the most troubling aspect of autonomy and thus she has mis-analyzed the problem.

But still you might wonder which of the two heads of the theory is actually doing the work. It is obvious that German Jews lacked resilient autonomy. But it is not her notion of resilient autonomy that does the work instead it is the fact that the German Jews found themselves in a state of affairs in which their basic social needs were no longer being met. This is a claim that Zutlevics herself essentially makes in her discussion of justice. If it is the unjust external circumstances that carry the weight in her view then her notion of autonomy is simply a fifth wheel.

It looks as if there is little logical space that her other principle plays in her theory. Of course, to close this gap we need to be able to articulate the role of resilient autonomy in

[349]Zutlevics 92.

cases in which a state meets the needs of the neediest. That is to say, what would close the gap in her theory would be the ways in which people are oppressed in places in which the obvious external barriers are no longer present. Looking at the Antebellum South and Germany just before World War I reveal the horrors of *de jure* inequality, but we need an account of oppression where such boundaries no longer exist.

Perhaps a more subtle way to make out this charge is to say that Zutlevics has over stated the usefulness of her account of oppression. But whether or not her account of oppression is a fifth wheel or is simply overstated in its usefulness, I do not think either of these criticisms are particularly damaging since at best they put the burden of proof on Zutlevics to offer a plausible *independent* account of what makes her notion of autonomy one that ought to be protected and promoted. That sort of defense, it seems to me, requires articulating a conception of the good society according to which this form of autonomy is at least instrumentally valuable as a means to brining about that society.

But I have my doubts that this form of autonomy is likely to win many supporters. There seem to be at least four problems with the notion of resilient autonomy that render its usage suspicious at best. First, it is one thing to argue that one's life plan will instantiate regardless of the circumstances that transpire, it is another thing to say that one **caused** that state of affairs to come about. Zutlevics leaves this question unanswered on her account. Presumably you would want to say that the person leading the life brought that life about, but then my response is the following: life plans are difficult to bring about. We do not bring them about on our own, especially when they essentially involve other agents like children and lovers.[350] Thus living out one's life is not completely within one's control. Living out

[350]Of course this response is ineffective if we consider the life plans of hermits, but I take the lifestyle of hermits to be excluded by Zutlevics's account anyway.

one's life plan often depends on factors not within one's control and thus this is hardly a conception of autonomy that we would want to promote. Second, her account of resilient autonomy, ironically, looks too strong. It seems fitted for republican conceptions of liberty: one is free when one is not defenselessly susceptible to interference by another. Such a conception of liberty helps us to understand the lack of freedom the slaves and the Jews had, but I doubt it has any descriptive merit in societies where oppression is civilized.

Third, in normal usages of the term resilience, we use it to describe a person's character. For instance, we might call Sethe, from Tony Morrison's *Beloved*, resilient because she displays a character that allows her to survive the loss of her children and her husband and live with a sense of dignity in a world in which blacks were considered sub-human. What Zutlevics's notion of autonomy needs, but lacks, is an account of what it is about resilient *characters* that makes their absences problematic. Since her theory cannot give us this account, it is forced to offer a formal picture in which we focus on standing up to would-be obstacles. But focusing on standing up to would-be obstacles leaves the theory in a weak position because following one's own life plan is often not in one's own control. It depends, in many cases on events, persons, relationships, and projects going one's way, that is, on features that are beyond one's control. The congenitally misguided, though congenitally lucky person is hardly someone that strikes us as displaying resilient autonomy.

While I ultimately reject Zutlevics's account of the wrongness of oppression, her project is in the right direction. We should continue to use the notion of autonomy to explicate the wrongness of oppression since the plausibility of such an account of autonomy provides the grounds for assessing current arrangements.

One place in which Zutlevics's account of autonomy goes wrong, or in the least, seems to ignore, is in the role that self-worth plays in thinking about autonomy. Civilized oppression involves undermining agency in ways that go below the radar of usual accounts of oppression like Zutlevics's in which the wrongness of oppression is explicated in terms of not being able to lead a life of one's own choosing. To see the truth of this claim we will need to explore recent accounts of free agency.

An Account of Personal Autonomy

John Christman, in his article *Autonomy and Personal History* provides the following account of what it means to be autonomous with respect to specific desires: X is autonomous (or acts freely) with respect to some desire D when:

i. It is the case that X did not resist the development of D when attending to this process of development, or X would not have resisted that development had X attended to the process;

ii. The lack of resistance to the development of D did not take place (or would not have) under the influence of factors that inhibit self-reflection;

iii. The self-reflection involved in condition (i) is (minimally) rational and involves no self-deception.[351]

Christman claims that the idea behind the theory is that self-awareness and reflective deliberation concerning the processes affecting the development (or lack there of) of one's character enables one to resist or to foster such changes. The reasoning behind the theory runs as follows. Premise one is the claim that one would resist the development of certain desires were they to attend to the history of the desire. The premise covers actual and

[351]Christman 1-24.

hypothetical deliberations and Christman characterizes such deliberation as transparent, that is to say, that the agent can become aware of the beliefs and desires that cause her to act.[352]

Christman says that the processes by which we develop or change desires are various and describable at a number of different levels. Christman claims that the processes that usher in changes in desires do so either via a new belief or they do not. If the change in desire is brought about by a new belief, then the autonomous agent's reasoning is internally consistent, otherwise if the new desire is not brought about via a new belief, i.e. if it is brought about by purely causal mechanisms without the involvement of any epistemic steps, then one would not have been able to resist that new desire.[353] It is not Christman's aim to give a full account of desire formation, but to point out that the process by which we get some desires is one that is amenable to rational scrutiny, some desire formation processes are not: my desire for food might strictly speaking be causal, involving purely physical features about me.

It is worth repeating that Christman's procedural account of autonomy is predicated on an agent's ability to stand back from her current set of desires and to evaluate those desires in light of their development when it is the case that the inculcation of the desire involves epistemic steps. An agent's deliberative scenario features the list of factors relevant to the inculcation of the desire and it features an awareness on the part of the agent to see the list of factors, to appreciate them, and to weigh them in light of her other current beliefs, desires, and values.[354] Christman's account assumes that the agent's reasoning is not guided

[352]Christman 11.

[353]Christman 12.

[354]The list of factors are of a certain type on Christman's view, namely they are either mental representations or propositions.

by obviously inconsistent desires or beliefs and he rules out certain distortions to appropriate cognitive functioning, e.g. distortions that may arise through self-deception, neurosis, delusion, paranoia and other psychopathologies.[355]

Christman says that his view is content-neutral, that is to say, that it makes no claims about the content of the preference, but about the way in which the agent comes about having that preference. Thus, on Christman's view, one could have desires for evil or demeaning things.[356]

On Christman's view, one is not autonomous with respect to her desires when she does not endorse her desires after reflective deliberation, or could not have endorsed her desires after reflective deliberation. This view is interesting because it is not aimed to guard autonomy against the usual cases of unfreedom, e.g. hypnosis, psychological disorders of various kinds, coercion, and certain forms of social conditioning.[357] These cases are simply set aside. The cases that are set aside are of two kinds, namely, cases in which an agent is unable to govern or regulate their will, and cases in which an agent is acts willfully, but the agent is unable to govern the contents of her will.[358] While some of these cases are not my concern, e.g. hypnosis, others might be relevant to the experiences of persons living under oppression.

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[355]Christman 17.

[356]Christman 22.

[357]Usually the social conditioning understood in these contexts has to do with the sort of conditioning one would see in George Orwell's *1984*. This is not the form of social conditioning I have in mind largely because it is intentional and it does not capture the sorts of conditioning found in systems of oppression that simply evolve from the unintended actions of social agents. But I will come back to this later in the chapter.

[358]Such persons act on motives or desires, but such persons cannot regulate or authorize those motives or desires in light of what they most care about.

Objections to Christman's Account

Paul Benson argues that Christman's view is misguided as a theory of free agency because it ignores the role of a sense of worthiness to act.[359] This sense of worthiness to act is one in which the agent regards herself as competent to answer for her conduct in light of normative demands that, from her own point of view, may be used by other agent's to apply to her conduct. The norms that agents measure themselves against Benson claims, are subjective and context dependent and they neither imply that one is actually competent enough to be held to account for oneself nor that one be committed to the norms by which others evaluate that person. This sense of worthiness to act is sensitive to the responses of others, more specifically, to the attitudes of agents towards oneself and this is present in an ability to participate in certain relations with other agents.

Bensons's strategy is to argue that the accounts like Christman's, and Frankfurt's for that matter, are insufficient as accounts of free agency because they ignore the content of the agent's attitudes towards herself as an agent. Their theories of free agency are predicated on the unimpeded regulation of the agent's effective motives and behavior by the appropriate region of the will. But Benson claims that privileging the agent's volitional states is not enough to guarantee free agency; what is missing is the agent's attitude towards herself. The examples Benson presents are cases in which agents are not present or identified with their wills because they lack the confidence in their abilities, and this suggests, Benson claims, that a sense of worthiness to act, is necessary condition for free agency.

Benson uses several examples to argue his view. The first he provides is a "feminized" version of the 1944 film *Gaslight*. We imagine a woman who falls into a state of disorientation and helplessness because of a profound change in her view of herself.

[359]Paul Benson, "Free Agency and Self-Worth," The Journal of Philosophy Vol. 91 No. 12 Dec., 1994: 650-668.

Imagine that the woman is married to a physician who has nothing but her best interest in mind. But as a physician, he does not understand women's health very well (Benson says imagine this case occurring during the nineteenth century) and he regards women as excitable; who have active imaginations, and passions; and who are prone to emotional outbursts as women prone to psychological illness with behavior systems mirroring those displayed by Bergman's character in *Gaslight*. As the case goes, the husband diagnoses his wife as suffering from a psychological disorder leaving the woman feeling crazy.[360]

Under such circumstances, it is no surprise that such a person could be reduced to a state of confusion and disorientation. Benson says that she acts freely, that is to say, that she acts on the content of her will. Her will is not "afflicted with unconscious, compulsive, or otherwise ungovernable motives" and thus the part of her will that conveys one's presence or engagement as a free agent is in tact and functional.[361] She acts in light of the best science available and in light of the fact that such a diagnosis is socially validated. Her resources for checking whether her beliefs are formed in accordance with deepest held values are limited. They are limited in that such sources can repeat the already existing best medical information available, which only confirms her husband's diagnosis of her. Again, Benson claims that she is neither a wanton, nor deeply ambivalent about her actions and she is capable of acting on her strongest concerns. Her husband has given her strong reasons to revise her previous view of herself in such a way, Benson says, that makes her clearly not free and the problem is that it is the agent's "very identification with the possession and exercise of those powers

[360]Benson 657.

[361]Benson 655.

which have been threatened by her revised view of her own competence."[362] That is to say, her freedom is undermined by her loss of status as a worthy agent by disassociating herself from her will in such a way that she is no longer genuinely present in her conduct. Such a view serves as a counter-example to Christman's view because the gaslighted person may reflectively endorse the desires and motives that render her not free.

There are other social situations in which agents can become disassociated from their reflective and evaluative capacities so as to undermine their genuine presence in their actions. Benson argues that American slavery serves as yet another example of the claim that negative social situations can reduce freedom without violating Christman's procedural conditions. Benson claims that a central element to the wrongness of slavery was that it denied slaves the recognition of their status as agents.[363] The result of this lack of recognition reduced slaves's confidence in themselves as persons who could be authors of their own conduct. Notice that Benson's account fills in what Zutlevics's account lacked, namely a way to describe the slaves loss of free agency that possesses greater explanatory fecundity than Zutlevics's simply in virtue of the fact that it articulates internal impediments to free agency. Slavery, of course, undermined what slaves most wanted to do through the presence of various external impediments to their acting, but the perniciousness of slavery was that it undermined their competence to make their own decisions and manage their own lives by undermining their ability to see themselves as worthy of various human activities. This is the legacy that lasted well into the twentieth century up until the civil rights era of the 70's, if indeed this has ended.

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[362]Benson 657.

[363]Benson 659.

As evidence of this claim, it was commonly held by blacks, especially blacks in the south that their place in society was beneath those of whites. Whites used a wide variety of tactics, most notably violence and explicit denials of opportunities to self-development, as a means of leading blacks to internalize their second-class status such that blacks believed that to be a "nigger" was to be appropriately treated as a second-class citizen. Internalizing these attitudes obviously undermined the self-respect that blacks had, or it revealed the damaged self-respect that we can attribute to blacks that was often manifested in servile behavior.

Benson admits that the cases he presents, the medically gas-lighted woman and American slaves, do not imply that the agents lack a sense of worthiness to act in the same ways and while we perhaps cannot offer a plausible unitary account of the ways in which the persons described above lack the sense of worthiness in acting, perhaps we can identify some features that result from diminished self-worth, and such features may be manifested to some degree by all of the persons we have described who suffer from diminished self-worth.

Benson says that the debased images that they internalized left them feeling unfit to enter relations that were fit only for persons. The slaves, Benson claims, doubted their ability to meet the normative standards of respectability or dignity that govern the interactions with others. That is to say, on Benson's view the loss of freedom the slaves experienced was present in their inability to measure up to the standards that they think govern interpersonal relations.

The relation of a lack of recognition of agency and its role to self-worth are clearly presented in more mundane, though certainly no less oppressive, relationships. Consider Celie, from Alice Walker's *The Color Purple*.[364] Celie's early life is traumatic and riddled with abuse provided by her stepfather and her husband "Mister." Celie's stepfather sexually

[364]Alice Walker, The Color Purple (New York: Pocket Books, 1982).

abuses her and forces her to bear him two children who are later given to strangers. Celie's stepfather eventually forces Celie to marry Mister who treats her like a slave. He forces her to do all of the domestic chores and he forces her to work in the fields. He physically abuses her and constantly tells her that she is stupid and ugly.

It is through Celie's interactions with two women (Shug Avery, Mister's mistress, and Sophia, the wife of Mister's grown son Harpo) over a period of years that she begins to realize that her living arrangement is not simply her lot in life and she builds the courage to leave her oppressive situation. The details of her interactions with the two women are not my concern. It is clear that her situation is oppressive and it is obvious that a measure of her oppression consists in her inability to make certain choices given the physical limitations imposed on her by her husband as well as the structural limitations imposed on her exemplified by the absence of laws against domestic violence and by the absence of policies and programs that would allow her to live a life without being economically dependent on her husband. That much is true.

But experiences of oppression like Celie's are common, not so much for the absence of choices that are present, but for the subtle way in which one's autonomy can be undermined when one's personal worth is damaged. Obviously, an inability to see oneself as fit for certain relations can have deleterious effects on one's attempts to live out one's life plans and values when cooperation with others is crucial to living out those plans and values. A common and recurrent theme in abusive relationships is the damaged sense of self that is present on the part of the victim. Celie's sense of self cannot support full human flourishing and in the story it takes her a number of years with the help of the two women mentioned, to develop a sense of self that acts for change.

That one's agency is diminished when it is the case that they lack a sense of worthiness for acting allows us to understand how a person might see herself unfit for certain human relations. This is especially true when the attitudes of others, attitudes that this capacity is predicated on, present in such a way that the standards for acting that the person acts in light of, exclude her. As I said above, some such persons are reduced to servile behavior such that they might mis-understand their moral rights. But if Benson is correct, we can see perhaps more subtle ways in which a person's self might be undermined, ways that do not implicate her in mis-understanding her moral rights.

On Benson's view, person's suffering from a lack of a sense of competency to act can still instantiate their wills in acting but they are not present in those instantiations and if one is not present in her will even in cases in which she appears to be, then one might reasonably claim that no one's will is ever effectively instantiated in a way that autonomy requires. Indeed, which contours of the authentic self are present where we have good reasons to believe they are not present in our best cases? That is to say, if the gold standard for free agency involves regulating the direction and the contents of one's will and if we have *prima facie* reasons to think that these are not enough to secure free agency, then first, why should we believe that there is another self lurking behind the regulating of one's will? Second, why should we believe that that self is the authentic self and that there is no further self lying beneath that self? In effect, what one wants to say about the Gas Lighted woman is why we should believe that her authentic self has undergone a change that alienates her from her will even while she effectively instantiates its apparent effective operation? Furthermore, whether or not one develops the sense of worthiness to act that Benson claims is missing in the lives of slaves is not something that they are owed as persons, especially sense it is

subjective, and we do not have a way to determine which sorts of experiences and manifestations of recognition positively develop it versus those that undermine it. The latter point is even more pressing when we consider that the person suffering a diminished sense of self-competency for acting regulates the direction and the content of her will.

It is not clear whether or not one's authentic self could emerge over time, should someone become "gas lighted" in the ways Benson describes and it is not clear that she could not still be episodically autonomous in the ways that Meyers distinguishes. Thus I am doubtful that persons who suffer being "gas-lighted" are barred from being autonomous in some sense, the question is whether or not Benson's opponent should seek more than that even if she is convinced by Benson's arguments. Furthermore, one might balk at Benson's claims because the climates in which they could possibly emerge are either too artificial or they rely on other factors that will dominate the terrain of the morally troubling features of the case. That is to say, one might claim that the medically gas-lighted case is too artificial to be plausible and that the most troubling aspect of American chattel slavery was the fact that slaves were not treated with the respect to persons.

But if we could show that the presence of such a factor is present in less morally troubling ways then we would have the beginnings of an argument that could go towards showing a great deal. For instance, if it is the case that suffering from a lack of worthiness to act results in seeing oneself unfit for certain human relations, we can explain, for instance, the absence of acting in ways that necessitate acting in concert with others, in other cases we explain an inability to fully appreciate one's moral duties in contexts that involve others. For instance, if a black person saw herself unfit for certain human relations with white persons, then she might forgo various activities such as voting and other civic activities predicated on

human relations with white persons or she might even under value, or not value at all, the relations she has with other black persons.

Autonomy and Oppressive Socialization

Feminine Socialization

Let us try to understand how such a problem might be pervasive and how it might come about in ways that do not involve obvious injustice like slavery, or obvious (illicit) thought control programs on display in the case of the medically gas lighted woman. To make out such a case we need to turn to the recent work on oppressive socialization.

Socialization has been recognized as a threat and a positive contributor to autonomy by a number of theorists. Socialization is seen as a threat to autonomy when persons are socialized to posses certain beliefs and attitudes that are determined by the social environments from which they arise. In such cases, theorists maintain that there is little room for genuine agency in a way that autonomy requires. That is to say, our actions cannot be authentic in the way that the ideal of personal autonomy recommends if it is the case that agents do not reflect upon and endorse the beliefs and attitudes that autonomy requires. The strategy in combating such concerns is, on the one hand, to give an account of autonomy such that the processes constitutive of autonomy allow the true self to emerge, or the strategy is to downplay the effects of socialization, taking the sting out of the determinism that it implies.[365]

The relationship between autonomy and socialization is as diffuse as the relationship between autonomy and "the social," i.e. between social relationships that persons have as

[365]An example of the former strategy can be found in Robert Young's paper *Autonomy and Socialization*, the latter in Irving Thallberg's paper *Socialization and Autonomous Behavior*.

social agents. It is worthwhile to sketch one popular way in which socialization is seen as a threat to autonomy. Thus, when philosophers discuss the damaging effects of socialization, they usually discuss it in the context of feminine socialization. Traditional feminine socialization, the perceived set of practices and capacities which instill in girls the gentle virtues of femininity along with homespun feminine goals, is said to encourage women's subjugation. They do so in that women choose positions in society that are typically devalued, such as home-making, or positions in the public sphere as care givers such as nurses or primary school teachers.

It is not obvious how we should understand feminine socialization, but one such model is coercion. That is, women are coerced into choosing positions that promote their subjugation. But Irving Thalberg argues that it is implausible to assume that women who choose traditional roles are coerced in the way in which one is coerced when one is faced with the following demand by a robber "your money or your life."[366] Thalberg claims that brainwashing is a more plausible model of the way in which women are manipulated into choosing subordinate positions. The question remains, what reasons are operative in their choosing subordinate positions?

Within sexist societies, feminine gender socialization is characterized by the fact that significant value is attached to physical appearance and approximating the feminine ideal is (quickly) ushered into the identities of women at early ages. The standards and goals of feminine beauty are directed towards making women the pleasing and exciting objects of male desire.[367] The messages that women receive in sexist societies are that their attractiveness is always deficient and that they must fix themselves up. Women who choose

[366]Irving Thalberg, "Socialization and Autonomous Behavior," Tulane-Studies in Philosophy 28 D 79: 21-37.

[367]Paul Benson, "Autonomy and Oppressive Socialization," Social Theory and Practice Vol. 17 No. 3 Fall 1991.

not to fix themselves up are considered abnormal, lazy, or deficient in some way.[368] There are material rewards to best approximating the ideal woman: better paying jobs, access to wealthier male spouses, and the like and their personal appearance is tied to their personal worth and in some cases, their personal appearance is constitutive of their self-worth.

Paul Benson claims that the mechanisms by which feminine socialization is inculcated involves two features. The first feature is that the norms and standards that make physical appearance of preeminent importance to women's worth are internalized, becoming, as I mentioned earlier, (deeply) entrenched in the person's self-conception. The levels to which such norms and standards are internalized vary, and the reasons for acting that usher from the internalized standards are met with resentment by some women because they feel that such standards are imposed on them, while other women regard the reasons for acting that usher in from the standards as reasons that promote their primary interests.[369]

The second feature of feminine socialization concerns the reasons for acting that are operative in the deliberation and action of women. Women are socialized to believe that their self-worth depends on their abilities to attract men, but this is simply false, a person's worth is not predicated on her appearance. But because women falsely construe the basis of their self-worth, they subsequently misconstrue or leave unexamined many of the reasons that lead them to act.[370]

Thus feminine socialization can be seen as a process by which women learn to attach their own self-worth to their physical appearance but not to other features of persons. That is, women's abilities to succeed in being autonomous are undermined by internalizing the

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[368]Benson 387.

[369]Benson 358.

[370]Benson 389.

messages that place their value in their appearance and not in their deliberative or affective capacities. On Benson's account, feminine socialization undermines the ability to be moved to perform particular actions by undermining their abilities to critically survey the reasons and the motivations that are operative in their acting. In this sense, autonomy for Benson is the same as Meyers's programmatic and episodic autonomy. When women internalize the false message that their self-worth is necessarily tied to their appearance they are left unable to detect and to appreciate, and to show sufficient sensitivity with respect to some of the reasons that cause them to act. That is, women will not adopt a critical perspective on the reasons that they adduce in performing actions that are related to their self-worth.

Race and Socialization

Benson's account of feminine socialization captures the oppressive socialization of white women nicely, but I do not think it fully captures the experiences of black women. And this is because the socialization black women experiences is more diffuse, and perhaps much more insidious. Women of color, like all women in the contemporary U.S. are lead falsely to believe that their self-worth is tied to their physical appearance, but women of color, and men of color as well, are also ultimately socialized to believe that their race is tied to their self-worth in quite damaging ways.

There is a similar account we can make out with the apparent connections between race, value, and the role that socialization plays in the lives of persons of color, particularly women. Thus the emphasis on "acting white" or best approximating a certain set of approved racial characteristics in style, manner, or dress promotes certain distributions of benefits and burdens in society. For people of color their abilities to succeed in being

autonomous are undermined by internalizing messages that place their value in their somatic features and not in other capacities. For contemporary blacks, that their race is the grounds of their dis-value as a group is just to point out the effects of the absence of a narrative that forms the basis of value for a group, and for the value of persons.

To be precise, oppressive socializations of this sort are especially harmful to women of color because the features that are a part of physical attractiveness are also features that are associated with race. Race, then, becomes associated with value in that black people, especially black women, are socialized to believe that their self-worth is best measured in their abilities to instantiate the somatic ideal: white women.[371]

Recent empirical work has begun to display the links between beauty, self-worth and race. Commenting on the importance of skin color, Magaret Hunter claims that "For women, light skin color is closely associated with definitions of beauty…Consequently, to be defined by maintaining U.S. society as beautiful, most women must have light skin and European facial features, especially women of color. The relationship between skin color and beauty is important for women because beauty is a form of social capital."[372] Hunter studied the relations betweens skin color and spousal status, educational attainment, and personal income. Not surprisingly, she discovered that skin color was strongly correlated with educational attainment such that gradations in skin color were correlated with increased

[371]The direction for black men is different in tenor and perhaps more troubling since it involves displaying violence in ways that show one's ability to be in control. The problem is especially interesting and vexing if we consider, as I did in the previous chapter, that the social dimensions of self-respect include the supposedly appropriate domains in which self-respect can be expressed. Where such domains are limited, then groups, in this case, black men, will have a limited domain in which they might express their self-respect. And here I think we can see the ways in which hyper masculinity is rampant in black communities and its often deadly manifestations in gang activity and hip-hop, or its broader instantiation in organized sport.

[372]Margaret Hunter, "'If You're Light You're Alright"' Light Skin Color as Social Capital for Women of Color," Gender and Society Vol. 16 No. 2 April 2002: 175-193.

educational attainment. She found similar patterns with respect to personal income and the educational attainment of one's spouse.

The attitudes that attach value to skin color are present in the dating preferences of more black males than was previously thought. While the data are still relatively sparse, they show an emerging pattern, namely that black males are following their white male peers in adopting white women (and subsequently lighter skinned black women) as status symbols and as the standards of beauty.[373]

These results are not surprising if it is the case that the persons who distribute such resources internalize negative value associations with skin color. In such cases, it is an easy step to infer that people of darker skin are intrinsically less talented, and of less value, than lighter skinned blacks.

The most interesting work in this field is found in describing the precise relationships between skin color and self-worth. Keith Thompson claims that studies have found that as early as the age of six girls are more likely than boys to be more sensitive to the social importance of skin color.[374] Thompson claims that a growing literature has studied the relations between skin color and self-worth, self-control, and quality of life. Thompson claims that self-esteem is related to self-worth while self-efficacy is related to feelings of control.[375] In his study, Thompson predicted a strong correlation between skin tone and

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[373]Tammy Webb conducted a recent research study of this phenomena in her paper "African American Men's Perceptions of Body Figure Attractiveness: An Acculturation Study", *Journal of Black Studies*, Vol. 34, No. 3, January 2004, 370-385. Webb claimed that the data that she studied indicated that black males are more likely to be attracted to thinner lighter skinned women even though they likely choose moderate to heavy women (perhaps darker) as the ideal woman to date. It is of note that their sample consisted of undergraduates at a predominantly white university, but I do not think that it renders their findings anomalous. It means that we cannot generalize their results, but they do not generalize their results as well..

[374]Keith Thompson, "The Blacker The Berry: Gender, Skin Tone, Self-Esteem, and Self-Efficacy," Gender and Society Vol. 15 No 3. June 2001: 336-357.

self-esteem and self-efficacy and he found that skin tone had a much stronger effect on black women where self-worth is concerned than black men, while skin tone had a stronger effect on black men rather than on black women with respect to self-efficacy.[376] Once we account for such factors as education and socioeconomic status, Thompson found that skin tone had a much greater impact on a black woman's self-esteem rather than on black men's self-esteem, while skin tone had a greater effect on men's perception of self-control, rather than women's. That is to say, lighter skinned black women had greater self-worth and perceived mastery rather than darker skinned black women.

Group Autonomy: Some Conceptual Considerations

The result of the oppression that blacks have experienced has contributed towards the absence of a narrative that is the basis of a sense of value that is crucial for persons to respect the intersections of race and agency. What we need in a theory of group autonomy, we can surmise, is one that provides the grounds for value in a way such that the members of the group find meaning and value in their racial identity.

It is worth noting that in considering group autonomy I am not talking about group rights. While it may be the case that a group has a right to the conception of autonomy that I discuss and defend, the conception of autonomy that I defend does not offer any specific implications about whether the group has that right. We cannot make any claims to the effect that a group has, or is owed this right until we decide what it means to have a right and which types of entities can have rights. Under certain conceptions of rights, such as so called "will"

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[375]Thompson 340.

[376]Thompson 347.

based accounts of rights, it is hard to see that groups could be the bearers of rights because groups do not have the capacity for choice in the same way that persons do.

There are several potential difficulties in talking about social groups that have to do with the nature of groups. In his paper *The Paradox of Group Autonomy*, Christopher Heath Wellman claims that one cannot offer a plausible account of the logical relationship between the group and its members in a way that justifies a group's being autonomous.[377] Wellman does not deny for instance, that such entities as the country of Canada have a right to autonomy, what he denies is that we can offer a plausible justification for such a view. I will not consider each of the arguments that he offers for his view because Wellman may in fact accept the conception of group autonomy that I present later. His argument is unconvincing and the reasons for its failure are instructive as they compel us to offer some account of the relation between a social group and its members.

Wellman considers three different avenues for justifying group autonomy. In one avenue one might justify group autonomy via an argument from analogy: just as individuals are autonomous, groups are autonomous as well.[378] That is to say, the proponent of this view claims that groups have the same dominion over their affairs as persons do over theirs "because there are no morally relevant differences between the two."[379] Wellman thinks that this view is prima facie implausible because we think that the value that attaches to groups does so in virtue of the ultimate value that we attach to individuals. Wellman claims that we can justify group autonomy, then, if we can claim that groups have ultimate value. But

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[377]Christopher Heath Wellman, "The Paradox of Group Autonomy," Social Philosophy & Policy 20 2003:265-285.

[378]Wellman 274.

[379]Wellman 274.

groups do not have ultimate value, Wellman claims, because they do not have morally relevant interests. Groups have interests, the likes of which can grow, flourish, or diminish, but such interests are morally insignificant because groups lack a "vantage point from which they experience either the realization or the thwarting of their interests."[380] Since groups do not have this ability, we have a morally significant dissimilarity between groups and persons that renders the argument from analogy invalid.

The problem with this argument is that it is circular. The argument is similar to the following: we cannot take the suffering of non-human animals seriously because they do not reason in the same ways that human animals do. This argument is circular as well. We do not show equal consideration to persons merely because they reason in ways that we do or else we would ignore the interests of coma patients, Alzheimer's patients, and the very young. The problem is that Wellman does not provide an account of what this vantage point is that does not a priori privilege individuals over groups. The idea that one's interests are relevant from the moral point of view only if they devolve from a certain vantage point is at best sufficient, but not necessary for an interest to be morally significant.

It is difficult to understand the reasoning behind the argument from analogy because, as Wellman has presented it, it is not clear what the relevant similarities between groups and individuals **are**. Peter French argues that we should treat groups such as corporations quite literally as moral agents in their own right.[381] French's argument is not important for our purposes but the point is that even if the argument from analogy is invalid, we need not infer that group autonomy is without justification. In fact, what is important about French's claim

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[380]Wellman 275.

[381]Peter French, "Collective Responsibility and the practice of Medicine," Journal of Medicine and Philosophy. 82 7 Fall 1982: 65-88.

is what it implies, namely that autonomy is a fundamental feature of groups, not reducible to the properties of its members.

The argument just presented, that is, that group autonomy is predicated on its being normatively analogous to individuals, is Wellman's only attempt to consider group autonomy as something that looks primitive.

The other avenues available in justifying group autonomy derive group autonomy from its members. These sorts of arguments are ontological in nature and purport to explain the features of the whole in terms of some relation that it has to its parts. Here there are three ways that the relationship is usually considered. First, one might argue that groups are merely collections of individuals and whatever properties we ascribe to the whole, we actually ascribe to its parts. Second, one might claim that the whole is something over and above the assemblage of its parts. And, third, someone might claim a hybrid view according to which the whole is its members in their specific relationships.[382] Wellman presents the other argument(s) for group autonomy in terms of the first way that I presented above.

In one argument, Wellman claims that we can best understand the autonomy of the group as the aggregate of the autonomy of its members. On this view, Wellman says that a group's autonomy creates duties that are owed to the members of the group because the group is nothing more than the collection of its members. Respect for group autonomy is owed to the group because group autonomy is an extension of the autonomy of the individuals.[383] Wellman suggests that we understand the relation between the group and its members along the lines of a proxy. That is, if I send a proxy on my behalf to initiate an

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[382]Carl Wellman "Introduction: Alternatives for a Theory of Group Rights" found in Groups and Group Rights ed. by Christine Sistare, Larry May, and Leslie Francis (Lawrence: University Press of Kansas, 2001).

[383]Wellman 277.

activity that I am owed, to refuse the proxy the activity is not a harm to the proxy, it is to harm *me*. Similarly then, privileges that we predicate of groups are just privileges that we predicate of its members.

Wellman seems to admit that organized groups like the Augusta National Golf Club are autonomous and he seems to claim that their autonomy is grounded in their enacting various social roles defined by a charter. But such entities as states cannot be understood in virtue of normative criteria because there seems to be an absence of a set of rules or norms that define various offices and roles within the group. But what are the norms to which Wellman appeals? In the case of the Augusta National Golf Club, Wellman claims that persons choose in various ways, while in other cases, as in states and nations, persons do not choose in the relevant ways. In particular, states are not comprised of members that freely agree to be members. But many persons cannot choose to become members of the Augusta National Golf Club, such as women, and the poor, for instance. Thus claiming that choice is the salient feature that creates group membership is not the relevant consideration.

The notion of choice is even more dubious in the case of states because we have to take up the case whether the members of states have chosen to live in the places they reside and it is not my aim to try to understand what it would mean to choose in the relevant ways, whether such choices are tacit or explicit, for instance.

The main problems with the view derive from not taking the "group" in autonomy seriously. As I mentioned above, I doubt that this account adequately explains the morally relevant features of organized collectives like the Augusta National Golf Club. If it cannot explain the features in this case, I fail to see how we can understand the autonomy of unorganized collectives as states or other collectives that have vague inclusion and exclusion

criteria. Furthermore, Wellman's view forces its proponent to claim that infringements on the autonomy of the group are just infringements on its members. But this view seems patently implausible to me: if the courts forced the Augusta National to admit women, it seems implausible to claim that Tiger Woods' autonomy is abrogated. But on this view, this is what the proponent has to claim. Perhaps such a view might be made out, but now one needs to explain how the autonomy of the whole is just the autonomy of its parts in a way that is not circular or false.[384]

There is a third argument that Wellman considers that I will not consider. It is structurally similar to the above argument in that group autonomy is just the features of its members. I will not consider it as I will merely be repeating the objections I have already made above, with some slight modifications. For our purposes, I think we should consider certain kinds of social kinds ontologically primitive and I think we should take seriously the autonomy of groups as a feature of **groups**, not merely as a feature of its members. There is more to be said about the normative relations between the sorts of social kinds I am discussing and its members. My argument does not rely on arguing that collectives and its members are normatively similar, in fact I will argue that they need not be, at least as certain kinds of collective agency are to occur. There is likely a trivial or a thin sense in which collectives and individuals are normatively similar, but I am doubtful that more robust normative dimensions must hold. In considering group autonomy let me consider a thicker account of the normative relationship between a collective and its members. The view is mistaken. Or so shall I argue.

[384]Wellman's view presupposes that one's relation to a collective is transparent and predictable, but this is rarely the case. The members of collectives often influence the collective in diffuse and evolving (or devolving) ways and we can say little about the functional relationship between a member of the collective and the collective itself.

An Account of Group Autonomy

A Basic Account

In his paper *Group Autonomy and Narrative Identity* Laurence Thomas aims to account for the animosity garnered between Blacks and Jews given that both groups have had similar histories of oppression: blacks, via American Chattel Slavery and its continued effects, jews, via the Holocaust and continued anti-Semitism.[385] Thomas argues that the envy and resentment between the groups is explained, to a large degree, by the fact that contemporary jews have group autonomy while contemporary blacks do not, or if they have it, they have it in far lesser amounts than do jews.

A group is autonomous, on Thomas's account, when "its members are generally regarded by others not belonging to the group as the foremost interpreters of their own historical-cultural tradition." This claim is qualified by Thomas when he claims that normally it is because a group has command of its history and experiences, that it has group autonomy. If we incorporate some notion of recognition into the meaning of autonomy then we find, as Thomas does, that having (even extraordinary) command of a group's own history and experiences is neither necessary for autonomy, because a group might be regarded as autonomous when it in fact lacked command of its history and experiences, nor sufficient, as when a group does have command of its history and experiences, but is not regarded as autonomous.

But I think Thomas's emphasis on recognition as a part of autonomy is mistaken since whether or not recognition is provided depends on the proclivities of the agent or the group whose recognition is being sought and such features do not tell us anything about

[385]Laurence Thomas, "Group Autonomy and Narrative Identity: Blacks and Jews," Race and Racism Ed. by Bernard Boxill (New York: Oxford University Press, 2001).

autonomy. Whether or not we think a group has the right to autonomy is connected to what autonomy is supposed to promote. For instance, Ronald Dworkin claims that the right to autonomy is appropriately grounded in a conception of autonomy that is rooted in integrity, in living out one's character in the life that one leads.[386] And whether or not someone can live out their will in the life that they lead depends on whether or not the person has the capacity for autonomy. Dworkin thinks that this capacity is rooted in a competence on display such that one's choices are "reasonably stable, reasonably continuous with the general character" of the person's life; it is a general ability to act out of "genuine preference or character or a sense of self."[387]

If we apply this idea to groups, this idea appears even vaguer than it does in the case of persons. But perhaps we can sharpen this idea in due time because before we can explicate this idea of competence, we need to identity a self that sits behind the directing. What is essential for group autonomy is the possession of an identity, Thomas calls it a *narrative.*

A narrative can be understood as a group's conception of the good consisting of "stories that define the values and positive goals, which specifies a set of fixed points of historical significance, and which defines a set of ennobling rituals to be regularly performed."[388] The stories themselves need not be true although they cannot be wildly inconsistent with established known facts. Their truth or falsity matters little; what matters is whether such stories come to embody the spirit of the group and whether members of the group must **believe** that the stories are true. Thomas claims that the goals within the

[386]Ronald Dworkin, Life's Dominion (New York: Vintage, 1994).

[387]Dworkin 225.

[388]Thomas 360.

narrative must be entirely positive, and a goal is entirely positive only if it is not defined in terms of avoiding some harm.

Like any conception of the "good" this conception requires interpretation at the point of application. Given that instantiations of the good require interpretation and given that this project involves many different sets of interpreters, narratives change over time displaying distortions in some cases, improvements in others. That is, whereas my own good might change over time because my values might change through my own reflection, a group's conception of the good changes over time necessarily through organized, unorganized, and sometimes disorganized collective agency. As such there are ample opportunities for misunderstanding or mis-representation: at the level of determining which stories form the core of the identity of the group; at the level of articulating and instantiating the values and goals of the group, and at the level of articulating the potential fixed points of historical significance and ennobling rituals. These features all involve debate and consideration. For instance, a group might repudiate parts of its narrative in an attempt to show which values and goals are truly the groups. In a similar vein it seems that a group might change its ennobling rituals and fixed points of historical significance in expressing more appropriate symbolic commitments to a group's values and goals. Finally, if a narrative is simply a group's conception of the good, then those values and goals are not logically dependent on the existence of those to whom we attribute such values.

How narratives begin is an empirical question and so we need not necessarily look for narratives to have an obvious beginning. The members of the group know which stories make up the relevant pieces of the narrative though there is often disagreement. And though a group may disagree over which stories form the core of the narrative, they seemingly do

not dispute the claim that the group has a narrative. Finally, while it is the case that groups may end, it is not clear whether narratives end.

There is perhaps an ambiguity in Thomas's definition of a narrative. On one reading, a narrative is a collection of stories that fix a group's values and goals, its fixed points of historical significance, and its ennobling rituals to be regularly performed. On another reading, a narrative is a collection of stories that fix a group's values and goals, and these values and goals go on to pick out the group's fixed points of historical significance and ennobling rituals to be regularly performed. The difference between these two conceptions is one in which the ennobling rituals and fixed points of historical significance are embedded either in the stories themselves or in the values and goals. If they are embedded in the stories, then it looks as if the values and goals of a group are not needed for understanding a group's ennobling rituals and goals. If the ennobling rituals and fixed points of historical significance are determined by the group's values and goals, then we are left wondering whether a group's stories are necessary for its narrative. I do not think we need to settle this now and so I will read Thomas's definition as the view that a narrative is a collection of stories which defines a group's values and goals, and those values and goals specify the group's set of fixed points of historical significance and its ennobling rituals to be performed regularly.

The main questions to ask about the concept of a narrative concern the relations between its parts and the relations that those parts have with the whole. That is to say, it is not entirely clear how we are to understand the relation between a group's stories and its conception of the good. The relation is not clear because Thomas offers no guidance in helping us decide **which** stories define the group's values and goals, its fixed points of

historical significance, and its ennobling rituals. It is also not clear why a narrative is limited to stories (and rituals), whatever those are, rather than to institutions and practices. Perhaps we can better understand these issues by instantiating Thomas's theory in the context of blacks, which I do now.

Thomas claims that we can readily identify the fixed points of historical importance and ennobling rituals of jewish persons. We readily identify the Old Testament as a story about the jews while associating mastering the Torah, observing kosher, and yarmulkes as instantiations of what it means to be a good jew. Blacks apparently have no such repertoire of identifiable instantiations of its conception of the good. Thomas acknowledges the influence of African tradition on blacks and he concedes that its presence enlivens black culture. But what we know of as black culture, that is to say, black music and style are parts of its culture, not of its narrative. When it comes to religion, Thomas claims that Christianity cannot be identified with blacks in the same way that the old testament is identified with the jews because Christianity, or in the least, the New Testament, cannot be identified as a story about blacks or as applying specifically to them.[389] Thomas makes similar claims about putative examples of black ennobling rituals: black gospel music, preaching, rap music, and braids are not ennobling rituals. In the same vein, bagels are readily identified with jews but they are not a part of the jewish narrative.

Some Objections To Thomas's View

Anegelo Cortlett disagrees with Thomas's analysis. Corlett argues that Thomas's conception of black culture is too narrow and that his conception of a narrative is question

[389]Thomas 363.

begging.[390] Corlett begins by claiming that Thomas's comparisons of the relative successes and failures of blacks, compared to jews, are problematic. That is to say, Thomas's comparisons of blacks and jews do not control for the fact that both groups started with different and unequal positions in the U.S. and if we took the barriers that they had to overcome into consideration, then we would have a better appreciation and subsequently a fairer comparison of their successes or the lack thereof. In the least, jews were proffered a measure of community humanity upon their arrival that blacks were not.

There are two ways to understand "success" with respect to evaluating the achievements of blacks and jews and they correspond to using two different baselines. We can judge the success of a group in light of the current discrimination that it faces, or we can measure success in light of the past discrimination, **and** variant economic and political starting points. In using the latter description as our baseline, we see that jews have had a much "better" starting position in the US than have blacks so if one claims that jews have fared better than blacks, one might agree with that assessment, though one cannot claim that blacks have languished. Here's why: that blacks have made the achievements that they have made in spite of their starting point in the US makes their achievements seem quite impressive. Thus, for instance, the achievements of blacks in such fields as politics, entertainment, and athletics can hardly be construed as languishing.

But these considerations are strictly speaking not objections to Thomas's view. In fact they seem quite compatible with the claim that blacks do not have a narrative. Thomas claims that various group successes do not make for a narrative and so the burden of proof is to show that such achievements derive from Thomas's conception of a narrative or to outright reject Thomas's account of a narrative. Ultimately, Corlett's project is the latter.

[390]Angelo Corlett, "Race, Racism, and Reparations," (Ithaca: Cornell University Press, 2003).

Corlett identifies two conceptions of narratives in Thomas's work. Call a conception of a narrative narrow when it includes ennobling rituals. It is not entirely clear whether Corlett thinks the problem lies with the idea that narratives include ennobling rituals or whether those ennobling rituals should be informed by religious tradition. If the problem is the latter, then the concept of a narrative indeed looks problematic since it precludes non-religious rituals. If the problem is with former, then Thomas's account needs an argument such that ennobling rituals are necessary for narratives, and such arguments appear biased. Thus Corlett says that a broad conception of a narrative does not have as a part of its essence, the presence of ennobling rituals or even religious bases.[391] These reflections lead Corlett to infer that we cannot claim that blacks are devoid of a narrative and he cites Kwanza, as an example of the instantiation of a conception of the good as evidence of the claim that blacks have group autonomy.

Another objection to Thomas's view that Corlett offers is the claim that Thomas's conception of a narrative is neutral with respect to authorship. That is, Corlett claims that Thomas's account is susceptible to the claim that the narrative is handed down to the group by an out-group member(s). But Thomas's notion of a narrative does not include or entail a process by which a group acquires or creates a narrative and it seems that this charge is neither fair nor relevant.[392]

What Corlett says about ennobling rituals and fixed points of historical significance is interesting and it leads to the salient question, namely, do ennobling rituals and fixed points

[391]Corlett 99.

[392]Perhaps this charge might be made to be interesting and perhaps damaging to Thomas's account if we understood authorship in terms of origins or in terms of ownership. If the former, then Cortlett's objection misses the point since the origin of the content of one's desires does not matter, it is whether those desires becomes one's own. If it is the latter, then Cortlett needs an account of what it means to be an author of one's desires in a way that is not already implied in Thomas's account.

of historical significance merely play an epistemic role allowing us to know that a group has a narrative or are ennobling rituals and fixed points of historical significance constitutive of narratives? Thomas certainly presents his notion of a narrative as if ennobling rituals and fixed points of historical significance were constitutive of narratives. Actually, that a property bears an epistemic relation to the thing in which it inheres is consistent with that property being essential to the thing in question. Perhaps the real question is whether we can understand the notion of ennobling rituals in a content neutral way.

The benefit of having a content laden conception of a narrative, like Thomas's allows us to rule out whether such groups as the Nazi's had a narrative. But this appeal is specious. I do not think we need to rule out *a priori* the kinds of problems that might be present in attributing narratives to groups who commit evil, we can simply say that those sorts of narratives are morally bankrupt. Of course, how we decide this question, is one that we need not concern ourselves with at the moment. When it comes to groups like the Nazis one way to handle any supposed problem that arises in considering their history is just to claim that the Nazis are a part of another group, namely Germans, and the Nazi regime existed as one chapter in that narrative. This response raises other technical questions about how we individuate narratives. But this is a technical detail that I am less concerned with because it arises after we have articulated a conception of group autonomy that is worth considering.

I am doubtful of Cortlett's most damaging charge, namely, that Thomas's reliance on religion obscures the debate. What Thomas is mistaken in doing, and what Corlett appears to have tacitly accepted, is in offering a picture of the interpretation of the group's values and goals that is static. Both ennobling rituals and fixed points of historical significance derive from the values and goals of the group and like any conception of the "good" they require

interpretation at the point of application. If we consider this fact with the fact that the interpretive project involves many different sets of persons over time, then we can see that the issue is not so much the presence of particular ennobling rituals, but what the members of the collective take to be the articulation and the instantiation of the values and goals of the group. This suggests that the set of ennobling rituals and fixed points of historical significance is neither closed, nor static. To admit this is not to claim that there is no place for ennobling rituals and fixed points of historical significance. They are not simply fifth wheels; they are significant because it is through such features that narratives get lived out and transferred and so they cannot merely be signs as to what the group's values and goals are, they are constitutive of a group's conception of its good.

Ironically, if what I have said is correct, then we can also see that Corlett is correct in claiming, though for different reasons than the reasons he offers, that nothing that Thomas says about narratives precludes blacks from having started a narrative after their inception in the US, or even from having a narrative that began in Africa that was not extinguished during slavery or Jim Crow. At least it is not clear that we can assert this *a priori*. But contra Corlett, nothing in the concept of a narrative precludes the unique influence of Christianity, or Paganism for that mater, even if we admit that Christianity is not uniquely about blacks. The real point is whether or not blacks made Christianity in some sense *theirs*, as a reflection of their values and goals, not whether they originated something that was unique to them.[393]

Furthermore, it remains an open question whether the oppression blacks have experienced has undermined their group autonomy by denying blacks a narrative or by simply denying blacks the opportunity to *live out* and to *transfer* that narrative. Thus even if

[393]This claim is consistent with Thomas's claim that narratives must be isomorphic to groups if the group is to survive in the face of hostility. I am merely claiming that the parts of a narrative do not have to be isomorphic. I see nothing to suggest this.

one does not agree with Thomas's controversial claim that contemporary blacks do not have a narrative, perhaps it will be plausible to assume that contemporary blacks are denied the opportunity to express and to transfer that narrative.

Clarifying the Nature of Group Autonomy

In focusing on the supposed instantiations of group autonomy, without considering the nature of the ways in which the values and goals are lived over time by many persons, both theorists have insufficiently considered the unique features of the concept of group autonomy. I think we can see this in Thomas's case more clearly by considering what is crucial to having the capacity for group autonomy and what it is that group autonomy is supposed to do. Thomas claims that it is nearly impossible for a group to flourish in a society hostile towards them without a narrative that is unique to the group in question.

If we take this claim at face value and if we revise the earlier account of the connections between the capacity for autonomy and the competence that secures it, we can infer that whether or not a group has autonomy depends on the group's capacity to flourish in a hostile society, and this capacity is grounded in a general competence to display behaviors that promote flourishing in a hostile society such as cooperation and trust.

In the face of hostility cooperation is important if the members of a group are to meet their needs in ways that they could not were they operating alone. And in order to build genuine cooperation, there must be trust among the members of the group and in order to build trust persons must have reasons to trust one another where those reasons do not derive purely from self-interest or else the bonds of trust will be fragile at best. Thus the job of a narrative is to set the terms of cooperation. That is, a narrative identity sets the terms of

cooperation and trust by binding the identities of the persons to the interests of the group and to embrace a narrative, on Thomas's view is to self-identify with the narrative to the extent that the aims of the group become identity conferring commitments. Notice if this claim is true, then we can see why Appiah would hold that collective identities are troublesome for individual identities.

Now if we connect autonomy with the general competence to display behaviors that promote flourishing in a hostile society such as cooperation and trust, it becomes an open question which sorts of choices reflect this competence. Thomas thinks that this competence is on display primarily in the ability to cooperate in what look to me to be highly organized ways. Since blacks do not, as a group, reflect having this ability, or if it is present, it is present in quite short supply, they do not have group autonomy.[394]

But I think Thomas gets it wrong. First, hostility towards a group admits of degrees, as does cooperation, and it is not obvious what level of cooperation is needed because it is not obvious what level of hostility is currently present. During antebellum slavery and Jim Crow one sees significant hostility towards blacks and if there was a sense of cooperation that was needed to empower the members of the group, the sense of cooperation needed then needed to be thorough and deliberate. But this degree of hostility is no longer present and the subsequent sense of cooperation that we need to effectively respond to it seems to me to be significantly different. To be sure blacks still suffer some hostility but the hostility that they face is different in kind as well as in degree. Second, Thomas leaves the relation between the identity of the members and the group's identity mysterious. We are told that a group's identity is the product of the members self-identifying with the aims of the group. If this

[394]Or in the least if they display this competence in far fewer concrete ways than jews then blacks have far less group autonomy than jews.

means that the group's identity is the product of the individual identities, and the individual identities of the group members are undermined, it becomes hard to see how and why they would self-identify with the aims of the group in any way that would be conducive to the kind of cooperation he thinks groups need in the face of hostility. After all, if the group's narrative is based on a set of stories, and those stories invoke the racial hierarchies that are the **basis** of their oppression, i.e. that disvalue one's racial group and *ipso facto*, oneself, then it is a mystery what would be the basis of their common identity.

But if it is the common identity of the members of the group that, when taken together, create a group's identity, then we need an account of the basis of that common identity. And here the problem is that there is no common identity for blacks. Just as there are various varieties of cultures among and between blacks, there are various identities as well and we need an identity that grounds cooperation.[395] Second, for any identity that we choose, there is a danger that that conception of identity might undermine the existing identities of other members of the group. These features seem to me, to speak against the claim that collective identities determine or strongly influence the individual identities of its members. In the least, since there is such a variety of identities within the black community, some of which overlap, at best someone can claim that collective identities underdetermine individual identities.

The problem with Thomas's account is that it is too heavily tied to identification and cooperation while ignoring self-worth. Given that we have reason to think that blacks still live in a society in some sense hostile to them, though not as hostile to them now as we saw during Jim Crow and antebellum slavery, then we need a weaker sense of cooperation to characterize the collaborative efforts necessary for flourishing as a group. I suggest that we

[395]See chapter three for a taxonomy that I presented.

reject genuine cooperation in the usual sense of the term for the idea of synchronization. The behaviors of two persons are synchronized just in case their actions overlap in important respects. For example, if I am grading a set of papers in one room and you happen to be grading, at the same time as I am grading, a set of papers from students from the same class as mine, then our behaviors are synchronized.

What we need is an account that might bridge the gap between the identities of the members of the group with the collective identity of the group itself. That is, I suspect that if we could offer an account of the attitude of persons and of the features of their self-identifying with the group we can show that a narrative might arise from their attitudes and actions. Such an account will give us the resources to infer that the presence of a group's narrative acts as the context in which members of group learn to develop their capacities for autonomy and to develop and refine their competencies in exercising autonomy.

Moving Away From Identity

I want to borrow Claudia Card's notion of taking responsibility that she presents in her book *The Unnatural Lottery*.[396] Card develops this idea in describing the ways in which coming out by *Lesbians* might be a source of self-respect.

Card begins with the ordinary idea of taking responsibility for something. According to Card we take responsibility for such things as states of affairs, for objects, for actions, and for events. We commonly take responsibility for entities that have a welfare and this may include oneself.

[396]Claudia Card, "The unnatural lottery: character and moral luck" (Philadelphia, PA: Temple University Press, 1996).

Taking responsibility for something with a welfare requires the ability to guide, to influence, to shape, and to develop the thing in question. To take responsibility for something with a welfare is to take responsibility for making something of it, to protecting it, and to making good on failures to do so.[397] Taking responsibility involves committing to the value of the thing in question, and it involves taking responsibility for the parts that turn out badly as well as for the parts that turn out well. It requires being able to carry out tasks that constitute backing it, making it good.[398]

Card claims that taking responsibility is captured by the familiar metaphors of standing behind, of backing, and supporting. We can add to the list, *endorsement*. To endorse something is to act in ways that go beyond tacit acceptance to an active commitment to increasing or to promoting a things value. Taking responsibility does not require that we have been standing behind the thing in question since its inception, but it requires that we stand behind it contemporaneously and into the future. The commitment in place says something about character in revealing commitment.

The more interesting idea is that of taking responsibility for oneself. Taking responsibility for oneself has all the formal features in common that taking responsibility for a thing. There are various ways in which one can take responsibility for oneself and some of these ways require recognition by others. In taking responsibility for oneself one does not take responsibility for everything that one does or is. Card claims that this is neither possible, nor practical. There are certain areas of one's life in which one can and should take responsibility, and those pieces will be determined by whether or not they contribute to the value of the thing in question, to whether or not they promote self-respect.

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[397]Card 144.

[398]Card 147.

In taking responsibility for oneself, one takes on a trust. That is, one entrusts oneself with the care of oneself and takes responsibility to make oneself good. Card claims that in taking responsibility for oneself, one enters into one's development in a positive way by revealing character in one's commitments and values.

Card claims that taking responsibility for oneself in the context of practices that one rejects requires rejecting the practices at the level of meaning and definition. That is to say, practices are defined at the institutional level and their meaning arises at the level of behavior. In the context of Lesbian identities, Card claims that taking responsibility for a lesbian identity means two things. First it means rejecting the meaning and definition of lesbian relationships in sexist societies. Since lesbian relationships are defined as abnormal sexual relationships, Card suggests that lesbians refuse to stand behind sexual social norms that they cannot influence and instead conceive of lesbian relationships as erotic.

Second taking responsibility for lesbian identity means successfully imposing meanings on rituals and relationships that lesbians can stand behind.[399] This facet of taking responsibility requires uptake and cooperation. Taking responsibility at this level requires a context, it requires success in changing the meaning and definition, and this success requires the recognition by those influencing the institutions that define lesbian relationships. One cannot effectively change the meaning of lesbian relationships without changing the ways in which they are defined at the institutional level. One way to understand this is to consider whether lesbians should stand behind movements to broaden the traditional definition of the family. Such efforts open the room for the influencing of norms according to which lesbians are seen as potential loving parents.

[399]Card 149.

How are we to understand Card's claim in this context? Blacks can stand behind their experience of racial meaning even as they reject the institutions that are the source of those meanings. Recall, I argued that where racism is institutionalized it perpetuates dishonorable meanings socially inscribed on arbitrary bodily marks that mark blacks as exhibiting spoiled collective identity or as fit objects of animosity and aversion. Similar to lesbians, blacks cannot take responsibility for the meaning of race ascribed to them at the level of institutions because they do not have the power redefine social norms that define them, but since they can take responsibility for the experience of racial meaning at the level of behavior, then to take responsibility at the level of behavior is to take responsibility for racial identity in the form of participating or refusing to participate in activities defined by social norms. To be in a position to take responsibility for one's experience of racial meaning one stands behind, in the form of participation, the social construction of one's racial identity by acting in light of one's conception of self-worth.

The project begins by standing behind activities that promote the value of one's racial identity. The context in which one receives the uptake necessary to successfully stand behind one's racial identity, occurs while working in synchronized concert with other members of one's racial group and where these efforts become public they become constitutive of what it means to enter into positive develop of one's self while entering into the positive develop of one's racial group as well. It implies developing one's self-worth and developing the worth of one's race. These projects happen concurrently since it is within one's racial group that one finds these events occurring in the form of value reference points that the group adopts over time. Thus the ennobling rituals and fixed points of historical significance arise from the efforts of certain members, in the case of blacks, of certain blacks

standing behind various behaviors. This does not require actively identifying with the aims of the group, nor does it require participation by all of the members of the group (or to all of those who identify as black). The actions of the individuals do not matter once the reference points of value become public.

Earlier I claimed that whether or not a group has autonomy depends on the group's capacity to flourish in a hostile society and that this capacity is grounded in a general competence to display behaviors that promote flourishing in a hostile society such as cooperation and trust. My remarks above recommend that we modify the competence required to promote flourishing. I suggest that the competence that we see on display in the acting reflects a conviction to best affirm one's own value by using and by expressing the willingness to use one's abilities and talents in cooperative and trusting relationships. This feature, I think allows us to claim that African-Americans, as a group, are autonomous, though it is consistent with claiming that they have lesser autonomy than other groups.

Some Objections to the Account of Group Autonomy I Offer

Before I end this section, let me consider several objections to the view I have been developing. The objections I want to consider are objections that have been offered against Will's Kymlicka's defense of cultural rights. The notion of group autonomy that I develop is formally similar to Kymlicka's notion of culture in being a special kind of benefit to the members of the collective. On Kymlicka's view cultures benefit their members in promoting their capacity for choice. They promote the capacity to choose by offering up choice options and by aiding the person appreciate and evaluate those options. In this sense, Kymlicka's view is all that a liberal could ask for: cultural membership is a good because it promotes the

deep abilities of persons that the liberal privileges: choice and the ability to live one's life in light of one's preferences. Kymlicka's view is also progressive in that he claims that only liberal cultures should enjoy the benefits of state protection. Cultural groups that are obviously illiberal do not have any moral claims to states resources to enhance and to promote their flourishing.

Nancy Fraser, Susan Babbitt, and Susan Moller Okin claim that Kymlicka's endorsement of cultures is problematic because it is not nuanced enough to recognize the problems that most cultures have for women, for members of oppressed groups, and it uncritically adopts social identities without scrutinizing them.[400] I am mainly concerned with Moller Okin's and Susan Babbitt's objections since they might also be objections to my own view. Moller Okin argues that the defining features of cultures that we see today are the maintenance of gender roles and the control of women.[401] Combine this claim with the explicit recognition that state coercion is not morally justified in interfering with the private choices of persons, as opposed to one's public choices, and it looks as if there will still be a sphere in which sex discrimination will go unchallenged by the liberal. Of course the state can interfere in the practices of a culture when certain choices appear prevented, such as the right to an education or the right to vote. But Moller Okin claims that

> more often than not, sex discrimination is far less overt. In many cultures, strict control of women is enforced in the private sphere by the authority of either actual or symbolic fathers, often acting through, or with the complicity of, the older women of the culture.[402]

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[400]Susan Moller Okin "Feminism and Multiculturalism: Some Tensions," Ethics Vol. 108 No. 4 July 1998: 661-684; Susan Babbitt, Impossible Dreams: Rationality, Integrity, and Moral Imagination (Boulder, CO.: Westview Press, 1996); Nancy Fraser, Justice Interruptus: Critical Reflections on the "Postsocialist" Condition (New York: Routledge, 1996).

[401]Moller Okin 667.

[402]Moller Okin 679.

This objection is familiar. Since state coercion is constrained by the autonomy of the individual, there are spheres of personal expression that are off limits. The problem is that in theses areas of acting, within the family for instance, illiberal behavior goes without prohibition. Of course, the precise line is the subject of controversy and I am not claiming that the state can do nothing about what happens in and to persons in their homes and in their intimate associations. Anyway, Kymlicka's view looks vulnerable to this charge, but this does not show Kymlicka's view incorrect. Moller Okin says that this problem reveals a tension in discussions of multiculturalism and that feminists should not wholly endorse the goods of culture without recognizing and considering tensions of this kind.

Certainly in groups that are autonomous and in those that are not, this is a problem. A group's stories often involve and transmit visions of inferiority for women and for persons in other groups. I have already hinted that a group's interpretation of its good is vulnerable to distortions of various kinds. But I do not endorse the notion of group autonomy as an unqualified good and the state can interfere in the ways in which a group lives out and attempts to transfer its conception of the good. What those limits are and what kinds of interventions are justified is the product of discussion, but I do not need to settle those issues here.[403]

Susan Babbitt argues that Kymlicka's endorsement of culture as a context of choice is misguided because it fails to recognize that the contexts of choice in which persons choose are determined by available social meanings and when the social meanings are predicated on the inferiority of certain members, the range and the meaningfulness of the choices of certain persons are distorted. In such cases, cultures are not the contexts of choice that Kymlicka

[403]The problems of sexism and homophobia are rampant in the black community and I do not endorse sexist and homophobic and racist behavior within it.

makes them out to be for women and for members of oppressed groups. The available social meanings that are present in the range of choices available to members of oppressed groups become choices that promote their oppression.

> The coercive apparatus of the state is already at work imposing a view about which activities *and people* [her emphasis] are of greater intrinsic value.[404]

And later she claims

> What sort of choices *could* [her emphasis] constitute rich and meaningful ones when the very norms and values that m*ake* choices rich and meaningful- social norms and values- either presume women's inferiority or require their annihilation?[405]

On Babbitt's view contexts of choice are not value neutral and since some them rely for their very meaning on the supposed (innate) inferiority or superiority of one's group, they cannot benefit persons in the ways Kymlicka claims.

It is not clear to me how damaging this claim is. It is damaging if the available social meanings are intrinsic to the functioning of a culture. If social meanings are contingent properties of cultures, then it appears that the problem is not with culture per se but rather with the ways in which cultures interact and find their expression in institutional settings. Kymlicka could agree with Babbitt then and claim that it is the aim of principles of justice to prescribe the appropriate institutional settings in which cultures instantiate so as to mitigate the vulnerabilities of persons in cultures. This would be consistent with Kymlicka's qualified endorsement of cultures, restricting state recognition to liberal ones. But the problem is that changing some of these norms and values we find in cultures requires changing the structure of some of our institutions. This is not a problem for Kymlicka as a truly just society would

[404]Babbitt 84.

[405]Babbitt 88.

do this. The problem is whether the state should be involved in changing such norms, but here again, I am doubtful that Kymlicka would reject state coercion at the level of theory, the questions is which cases should state coercion be allowed, and here we return to Moller Okin's criticism.

Anyway, it is not my aim to save Kymlicka's view. I offer my account of group autonomy in contexts in which groups experience oppression and they, as a result have lesser group autonomy than other groups. In fact, my view of group autonomy is one in which groups battle against, as a collective, the dominant norms and values that presuppose their fitness for animosity, aversion, indifference, and their (innate) inferiority.

It worth saying again that while the conception of group autonomy that I advocate is appropriate for oppressed groups, it contains features that make it a good for groups that are not oppressed. I have argued that one's presence in an autonomous group is beneficial to the person because the person learns to value herself and to display competence in self-value and self-respect. But my view is not silent to the nature and structure of our institution, norms and values because to be a member of a racial group is to be placed is a social position that tends to systematically disadvantage while others are systematically advantaged. Kymlicka cannot say this because his view on culture is silent on entrance criteria, which is precisely the problem that Babbitt is pointing out.

Implications for Personal Autonomy

That individuals stand behind interpretations of a group's racial identity attempting to make it the best it can be, allows us to connect group autonomy with discovering one's authentic self. Since having a positive sense of one's own worth is necessary in order to develop the capacities and competencies for autonomous acting, it follows that the

conception of group autonomy I provide promotes personal autonomy. That is to say, what is required in discovering one's authentic self is the recognition of one's own worth and when a group has autonomy in the way that I just described members enter into the development of acknowledging the need to defend and to assert their own value.

As Diana Meyers claims, developed autonomy skills are not infallible, but they generally allow people to "generate more accurate self-portraits, to alter undesirable characteristics, and to pursue plans that comport with their authentic selves."[406] These skills in exercising autonomy do not inculcate and develop without an agent's coming to value herself in certain ways and this cannot happen without a space in which agents can stand in social relations to others in which taking responsibility for themselves involves taking responsibility for their racial group.

It is not my aim to argue that a conception of group autonomy ensures that persons have the life skills to generate more accurate self-portraits or to alter undesirable characteristics. That is the job of an account of personal autonomy as persons who are autonomous in the ideal sense, correct their misconceptions about themselves and change accordingly. Of course, the personally autonomous person makes those values and goals her own over time through reflection and affection, but the point is that it is in the group context that the members of the group come to see themselves fit for human relations in the ways that we encountered in Benson.

Similar to the project in the previous chapter, I have argued that the more damaging psychological effects on African-Americans are more clearly seen in the distributions of resources and opportunities, in short, the social basis of value, than in the relations between one's individual identity and the identity of the collective in which one is a member. Far

[406]Meyers 236.

from being a source of problems that Appiah claims I have argued that collective identity promotes the capacities of persons, specifically the capacity for a sense of worthiness in acting, of self-value expressed in a competence in entering into cooperative and trusting relations with other agents. I have argued the points mentioned without an appeal to the specific contents of the racial identities and if this is correct, it is not the content of the racial identities that matters when we are concerned with characterizing collective agency or solidarity, but the capacities and values that underwrite it. I have not considered the more controversial claim that racial identities themselves undermine autonomy, as that is my aim in the next chapter. I have merely claimed here that the relation between collective identity and individual identity is not a problem for autonomy in the way some theorists have argued. Now I am not denying that collective identity and individual identity stand in some related. What I deny is that the relation is unidirectional, I even deny that it is bi-directional. Neither of these models helps us to understand the broad and sometimes diffuse relation between the two. Their relations are likely discursive and multidirectional given that most individual identities are intersectional and given that these kinds of social kinds are sensitive to material conditions. To argue that collective identities determine individual identities is simplistic.

CHAPTER 6

THE IDEAL SOCIETY, RACIAL IDENTITY, AND DISTRIBUTIVE JUSTICE

It is one thing to argue that race might be a tool to understand the agency of persons; it is quite another thing to argue that we are morally justified in considering race in policy. As a means of understanding what role racial identity might play in policy we need a means of articulating and deliberating the role racial identity ought to have in distributing various benefits and burdens.

There are at least two ways one can discuss race and sex and their relation to distributing various benefits and burdens. One might discuss race and sex in attempting to consider whether race and sex appropriately fit alongside various normative concepts that are appealed to as grounds for the application of coercive state power.[407] Another way one might discuss race and sex is in attempting to determine how much weight to afford race and sex alongside various other normative concepts that are appealed to as grounds for the application of coercive state power. The first kind of discussion is one in which we deliberate about whether race and sex belong at all in our discussions about the use of state power, the second, concedes that such notions are appropriate and takes the further step in deliberating about how much weight they should play. It is even likely that some discussions of race and sex combine both of these projects.

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[407]I have in mind Thomas Nagle's discussion of toleration in his Equality and Partiality (New York: Oxford University Press, 1991).

Considering the first project, it is worth noting that how we decide whether race or sex belong in our discussions about the use of state power presupposes a discussion about what counts as an adequate criterion for deciding which values are included, and which are excluded, as admissible grounds for the application of coercive state power. And here, discussions about race and sex can mirror discussions about liberal neutrality more generally where the problem for the liberal is in supplying adequate grounds for the use of state coercion that are themselves impartial and neutral with respect to conceptions of the good.[408] The difference that our discussions about the place that race and sex have with discussions about liberal neutrality, just construed, is that we do not have the burden of offering a view that is compelling to any person, regardless of their conception of the good (or regardless of their comprehensive moral doctrine).[409,410] This is not to suggest that there is not an adequate justificatory threshold to be met, this is to suggest that the threshold itself is up for grabs. In what follows I want to attempt to articulate some of the dimensions of the threshold. I suspect that once we have a better idea of the adequate grounds for the applicability of race and sex to discussions about the admissible values to the use of state coercion, we might uncover a wider range of justifications and considerations that can aid us in our deliberations about precisely how much weight to afford race and sex in our deliberations in the use of coercive state power.

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[408]Here one thinks of Rawls's work in *Political Liberalism* where he claims that his view in a *Theory of Justice* is comprehensive moral doctrine that not all citizens may adopt. And of course, the project for Rawls is to then consider how a neutral justification might be offered for liberal principles that does not appeal to comprehensive moral doctrines.

[409]Or as Nagle puts it the task for the liberal is to coherently and plausibly distinguish between the values a person can appeal to in their personal life versus the values one can appeal to in justifying the exercise of political power. Nagle 156.

[410]Rawls construes neutrality in this sense as procedural neutrality.

The second project, namely deliberating about how much weight to afford race and sex, is the more familiar of the two. Theses discussions about racial identity, in particular, usually focus on to what extent we can consider racial identity in policy in addressing previous injustices, and then the discussion inevitably turns to whether various programs that do favor a set of interests are over or under inclusive, that is, whether they only benefit the persons whom they are meant to benefit or whether they benefit the persons least in need of compensation, or even whether such policies disproportionately disadvantage those for whom the policy is not meant to compensate.

The second way in which race and sex might be discussed in relation to the use of state power, like the first way, can mirror discussions of neutrality. For instance, some discussions of liberal neutrality are not discussions about the grounds under which we can justify liberal values to those who may not (or do not) share those values, but instead neutrality is discussed as a way in which the state can or should regulate the background competing conditions between and among various interests. For instance, recent discussions of language policy in which one considers which language(s) ought to receive state support, attempt to articulate and to justify a position in which the state does not intentionally endorse a particular language. Similar discussions about state neutrality are often found in the discussions about the states role in regulating the background conditions between and among different and competing religions. Discussions about neutrality in this sense are really discussions about what policies the state should endorse in promoting fair conditions for competing interests. For the state to be neutral in this sense is just for the state to not favor one competing interest over another, in aim or in effect, but merely to create fair competition conditions between those interests.

Not surprisingly, the term colorblindness is often used synonymously with "neutrality" in this sense. While this form of neutrality is rejected by advocates of group differentiated cultural rights such as Will Kymlicka and Iris Marion Young, there are many proponents of colorblindness with respect to race and gender as an ideal though their arguments are more often assumed rather than articulated.[411,412] In what follows I want to consider, and reject, one broad argumentative strategy that purports to show that race and sex do not fit within discussions appealed to as grounds for the application of coercive state power. Such arguments are found in Richard Wasserstrom's work, though similar arguments appear in other places. Wasserstrom's work is the most thorough and the clearest in attempting to articulate the relevant issues and intuitions one might consider in deliberating about whether and what role race and sex might play in deliberations about the use of state power. His strategy is to argue that a plausible conception of the good society would not contain racial identity. The notion of an ideal society functions as a heuristic device, one that does not presuppose any particular views about justice, though it does represent our moral intuitions.

As a means for understanding the issues with respect to race, I want to consider what the ideal society might look like for gender as there are many more discussions about the ideal society here, and these discussions might illuminate what we want to say about race. For when we consider some of the views of feminists we find illuminating inconsistencies in

[411]Kymlicka's reasoning seems to be that the state cannot help but to endorse one culture over another and thus the state has never been neutral in aim with respect to various competing interests.

[412]This form of neutrality covers Rawls's distinguishing neutrality of effect from neutrality in aim. For Rawls, neutrality in effect is the view that the basic structure of a just constitutional regime should ignore the effects and influences of its policies on which comprehensive doctrines endure and prosper. Neutrality in aim is the view that basic institutions and policy are neutral in aim when they do not privilege any comprehensive doctrine or conception of the good over another. Rawls rejects neutrality of aim and effect, though he obviously does not reject procedural neutrality. His rejecting neutrality of aim and effect is not explained by an endorsement of group differentiated rights, ala Kymlicka and Young.

the ways in which they consider race and gender. Here I will argue that the comparison between the two concepts is less illuminating than it could otherwise be because the comparisons are done on the wrong grounds.

After arguing that the arguments for colorblindness are mistaken and after showing subsequently that taking racial identity, in general, into consideration is not morally problematic, I appeal to such notions as equality and recognition to justify policies that might end racial inequality. The values to which I appeal, equality and recognition, place limits on the weight that we can place on race in sex in regulating competing conditions between interests. The upshot of my arguments is that certain arguments that place limits on how much weight we can place on race and sex, are unjustified.

Finally, in rejecting arguments that purport to show that race and sex ought to be excluded as admissible as grounds for political power, I am not committing myself to rejecting any of the senses of neutrality I articulated above. I reject some of the instantiations of neutrality in effect and in aim, namely when matters of race and sex are relevant, but this is not a wholesale rejection of neutrality.

Colorblindness: Some Initial Remarks

First, colorblindness is a view that is not without intuitive appeal. For instance Lawrence Blum claims that the idea is that since race is an "odious" category, we should attempt to jettison it.[413] This view is predicated on considering racial discrimination as a reference point. That is to say, since the evil of racial discrimination is that persons are accorded treatment solely in virtue of their race, and if what makes discrimination wrong is

[413]Lawrence Blum, I'm not a Racist But…The Moral Quandary of Race (Ithaca: Cornell University Press, 2003).

that race is used in a morally inappropriate manner, then race must be a morally suspect category. I take it that what is meant by claiming that race is "odious" is the claim that race is an unjustified factor for treating people in certain ways, that race is not the sort of feature that should be a part of our deliberations. There are other ways to articulate what we mean when we claim that race is a morally dubious category. For instance, one might claim that race is irrelevant from the moral point of view because race is not essential to who we are as moral agents. Thus policies that consider it fix on morally irrelevant features of persons. Sometimes the moral irrelevance of race is construed in terms of choice. That is, since we do not choose our racial identities, they cannot be meaningful from the moral point of view. Anyway the point is that race is thought to be a troubling feature of persons and that we ought to ignore it in policy. [414] Blum claims that neutrality in this sense has become the dominant understanding of colorblindness such that any program or policy that includes race in its aims is *prima facie* unjustified.[415]

Second, there is another popular usage of the expression "colorblindness", as when, for example, someone, usually a white person, claims that she "sees people, not color".[416] Colorblindness in this sense is supposedly literal. It is not obvious what is meant by this as it

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[414]Glenn Loury does not use the term race neutrality, instead he uses the phrase "race-blindness" and claims that race blindness has to do with policy, it involves a "conviction that racial identity should play no role in the way people are treated in public life." See Glenn Loury, Anatomy of Racial Inequality (Boston: Harvard University Press, 2002).

[415]One might hold this view because policies that "notice" race heighten people's awareness of their race and can only exacerbate racial conflict. See Bernard Boxill, Blacks and Social Justice (Lanham, MD: Rowan & Allanheld, 1984).

[416]There have been a number of theorists who have discussed this phenomenon. Some articulations of this idea can be found in Bernard Boxill, *Blacks And Social Justice*; Bernita C. Berry "'I Just See People': Exercises in Learning the effects of Racism and Sexism," Overcoming Racism And Sexism Ed. Linda Bell and David Blumenfeld (Lanham, MD.: Rowan & Littlefield, 1995); Patricia Williams, Seeing a Colour-Blind future: The Paradox of Race (London : Virago, 1997).

could mean that someone literally does not see color, or it could mean that someone has adopted an attitude about race, namely that it is insignificant.

I am doubtful that this is an interpretation of colorblindness that should command much of our attention for two reasons. First, the view is not obviously intelligible. That is to say, it is not clear whether our perceptual faculties are such that we could not see something that might be construed as the features commonly associated with race. Second, it is far from obvious that replacing something for race, such as color, does any work in helping us to articulate a plausible conception of the ideal society. Let me briefly elaborate on these two points.

First, it might be thought that if there were a society that was not significantly different from ours and that did not have our history of racial antipathy, then that would serve as a model for us either in the way in which we should implement policies to bring about certain ends or it might model a way to minimize the significance of racial distinctions. Brazil is often thought to serve as such a model and it is often called a "racial democracy" maintaining an official policy of "race-blindness". One factor that purports to explain this is that Brazilians did not recognize a one drop rule. One's membership in the relevant collective was determined by skin color. Brazil's history of racial relations is quite different from the United States in several ways. For instance, slavery was peacefully abolished, in 1888, and there was no formal mechanism, such as Jim Crow Laws, to keep blacks formally unequal to non-whites. According to commentators racial discrimination was foreign to Brazil and thus there were no supposedly inferior and superior races, only advanced and retarded races.[417]

[417]Lani Guinier and Gerald Torres, Miner's Canary**:** enlisting race, resisting power, transforming democracy (Boston: Harvard University Press, 2002).

But Lani Guinier and Gerald Torres argue that these differences between the United and States and Brazil are misleading. They note a whitening phase in Brazil in which there was a common belief that blacks would "disappear" after the fifth generation because whites had a higher birth rate than blacks and since whites supposedly had stronger genes, lighter skin persons would choose to partner with whites and the stronger white genes would prevail.

The switch from 'race" to color is clearly misleading when we consider the ways in which color is strongly correlated with various distributions of benefits and burdens. The rules of recognition take race and class into account. Thus all dark skinned persons are presumptively "Negroes" but for cases in which the black person is extremely wealthy. Conversely "White" persons are presumptively all light skinned persons within a certain class range, but for very poor whites, who are considered black. Notice that the ways in which the color categories are distributed in Brazil skew color mobility towards darkening in that it is easier for a presumptively white person to become black than a presumptively black person to become white.

To discover where the supposedly racial democracy is grossly unequal, we need only look to various outcomes that we considered in assessing the quality of life and well-being for blacks in the United States. For instance, Brazilian nonwhites are three times more likely than whites to be illiterate; whites are five times more likely than persons of mixed ancestry and nine times more likely than blacks to obtain university degrees. Workforce data reveal similar disparities: whites earn up to 75% more than blacks and 50% more than people of mixed ancestry. The inequalities are present in criminal justice and health outcomes.[418] Thus while there is little than we can infer about we could make of the status of race in the ideal society, cases such as this suggest that it may be naïve to simply assume that if we

[418]Lani Guinier and Gerald Torres 62.

could get rid of race, that the attendant problems in society would go away. What we learn from Brazil is that the ascription conditions of identity are tied to social positions and to deny that the ascriptions are innocuous while ignoring the ways in which those conditions themselves are tied to social positions is to be mistaken about the ways in which social kinds are socially constructed.

I said earlier that I am doubtful that we can understand colorblindness as an ideal in which we literally do not see the phenotypical features that we associate with race. The above example with Brazil gives us reason to be skeptical of such a project and I think it suggests that to determining whether groups are unequal requires determining whether the identity of the collective plays a non-accidental causal role in the distribution of the shares. The other point suggested by the example of Brazil is that the person who claims to not see the features commonly associated with the folk conception of race, e.g. various phenotypical features, is acting from bad faith. Our perceptual faculties are not value neutral. That is to say, we see things **as** things. That is to say, our perceptual faculties presuppose a set of beliefs and assumptions and, empirically, this should leave us suspicious of the claim that someone does not see race at all, second, it leaves one with a much harder task imagining a possible world where our perceptual faculties differ from their instantiations in this world. That is to say, our counterfactual analysis cannot consist of imagining that we merely see differently, but it has to consider what perception would be like with a different set of theoretical and normative concepts. Such a possible world may diverge significantly from the actual world and it may in fact be far less desirable than it otherwise appears.

Let me turn to Richard Wasserstrom's views.

Wasserstrom and the Assimilationist Ideal

Wasserstrom claims that the project of deciding what the good society would make of a person's race or sex consists of two projects, the first project, consists of articulating the major plausible conceptions of the structure of the good society with regard to race and sex. Wasserstrom says this first project entails answering two questions, namely, what are the main plausible conceptions of the good society and what is the most accurate description of such a conception? But there is a second project. Wasserstrom claims that in this second project we have to weigh the relevant considerations for and against the competing conceptions. This project of choosing between the competing conceptions consists of two separate projects each with two separate parts. The first part consists in assessing the relevance and force of arguments founded upon nature and assessing the relevance and force of the occurrence of natural differences for the preservation of roles. The second part consists in assessing the central moral arguments for the elimination of roles and assessing the central moral arguments for "the diminution, if not elimination, of the importance of distinctions connected with one's sex or race."[419]

The first project is a project of articulation. We offer conceptions of the ideal and we determine which conception(s) are the most feasible. The second project is one of justification. We do four things: 1. Consider the relevance of arguments from nature; 2. Assess the force of appeals to naturally occurring differences as justifications for various roles; 3. Assess moral arguments for the elimination of roles; and 4. Assess the arguments for the eradication of racial and gender distinctions.

Again my aim is to consider what role racial identity should play in the good society. Wasserstrom thinks that it is harder to assess the role of sex in the good society rather than

[419]Wasserstrom 322.

race. I will argue that Wasserstrom is incorrect in merely assuming that the assimilationist ideal best characterizes the good society with respect to race and I will argue that the arguments justifying such a conception fail for race. I think they fail for sex as well, though this is a point that I will argue rather weakly since I am interested in considering race instead of sex.

To offer an ideal of the role of race and sex is to offer an account of what it means when a society gets racial and sexual differences right in the sense that persons are seen and treated as social equals. That is to say, we are asking what social significance racial and sexual differences are to have in the good or just society in its social arrangements, institutions, and practices.[420]

Wasserstrom proposes three levels at which our analysis might occur in articulating various conceptions of the ideal society and in determining which conceptions are feasible. The first level of political and social arrangements is at the level of basic rights and obligations. The second level is institutional benefits and burdens of both governmental and nongovernmental entities, and the third level is at the level of individual and social interaction. At the level of basic rights and obligations we look to the distribution of various rights, such as the right to vote and the obligation to pay taxes; at the level of institutional benefits and burdens we look at access to and employment in the various significant economic markets, the opportunity to acquire and to enjoy housing in the setting of one's choice, and the right to marry the person of one's own choosing.[421] And finally, at the level of individual and social interaction, we look to such matters as whom one will choose as a

[420]Richard Wasserstrom, "Racism and Sexism," Race and Racism Ed. Bernard Boxill (New York: Oxford University Press, 2001).

[421]Wasserstrom 322-323.

marrying partner, as friends, and the various aesthetic preferences one will cultivate and enjoy.

Clarifying the Specific Nature of the Ideals

For Race: The Assimilationist Ideal

The first conception of the good society Wasserstrom introduces is the assimilationist ideal. In this ideal, the race and sex of an individual are treated as the functional equivalents of eye color.[422] The metaphor of eye color is important as it offers a way to characterize the distributions of goods, rights, and burdens in the good society. If racial differences were treated like the functional equivalent of eye color, then the basic rights and liberties would not, Wasserstrom claims, be distributed in a way that one would find troubling. This is because no basic rights or liberties are distributed according to eye color. The same thinking applies to the distribution of institutional benefits and burdens; no institutional benefits or burdens are distributed according to eye color, while few of our personal decisions are made on the basis of eye color. And finally, because eye color functions differently in our society than does race, there is no analogue to passing for eye color.[423]

For Sex: The Assimilationist Ideal

While we can understand how race might be considered in the ideal society along the lines of eye color, sex is another and more controversial matter because it is farther reaching. Wasserstrom claims that an assimilationist society with respect to sex would be one in which one's sex was not important in the domains I mentioned earlier, in the same way as eye color.

[422]Wasserstrom 323.

[423]Wasserstrom 323.

In the ideal society, there would be no analogue to transsexuality and any remaining physiological differences between the sexes would possess the same degree of significance that we attach to the physiological differences in eye color.

Wasserstrom acknowledges that to make the assimilationist ideal a reality with respect to sex, more profound and fundamental revisions to our institutions and our attitudes would have to occur than would be needed for race. And these changes would be noticed at each of the levels of social arrangement: thus, for instance, laws that require people marrying to be of different sexes would be sexist, while bisexuality would be the norm for intimate relationships in the ideal society, not heterosexuality or homosexuality.[424,425]

The more telling feature of the ideal society with respect to sex would be the severing of role differentiation and ideas about the psychological differences from sexual identity because the assimilationist ideal is incompatible with all psychological and sex-role differentiation. The assimilationist ideal would neither encourage nor discourage ideas of sisterhood or brotherhood; there would be no norms of behavior or social tasks whose appropriateness was determined by one's sex. Even our ideas of the family as being led by two persons of different sexes would be sexist. The result of rendering sexual differences unimportant would affect our sexual identity

> To put it simply, in the assimilationsist society in respect to sex, persons would not be socialized so as to see or understand themselves or others as essentially or significantly who they were or what their lives would be like because they were either male or female.[426]

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[424]Wasserstrom 323.

[425]It is not clear to me whether bisexuality would be the statistical norm or the moral norm in the good society in this conception.

[426]Wasserstrom 324.

If Wasserstrom is correct, creating this functionally "androgynous" society would require changes to our language, and ultimately, changes in how we understand ourselves. Here, someone might wonder whether Wasserstrom is treating race and sex consistently. If the assimilationist ideal with respect to sex is as radical as Wasserstrom claims it to be, if it goes all the way down, so to speak, it remains an open question whether or not the assimilationist ideal with respect to race requires similar dramatic changes.

It is worth pointing out that the assimilationist ideal does not imply that we collapse anatomical or phentypical distinctions between males and females and between persons of different races. I take it that the ideal would be trivially inaccurate and it would not be a plausible ideal were it to offer a conception of the good society that violated known genetic laws.

The assimilationist ideal looks plausible, but as it is liable to misunderstanding. For instance, Anna Stubblefield rejects the assimilationist ideal as a plausible ideal. Anna Stubblefield characterizes Wasserstrom's ideal with respect to sex as radical. Stubblefield claims that the assimilationist ideal does not involve bringing women into the mainstream as Wasserstrom's view rejects the mainstream. Stubblefield's principle objection to the assimilationist ideal is that it is an ideal that is not a useful model for our society in which we find racial and gender oppression

> The problem with his vision of the genderless society is that it is not a useful model for us. If we base present policy on what policy would be like in such a world, we will in some cases actually contribute to rather than reduce gender oppression.[427]

[427]Anna Stubblefield, "Beyond Pluralism and Assimilation in the Politics of Gender," On Feminist Ethics and Politics Ed. Claudia Card (Lawrence: Kansas University Press, 1999).

Stubblefield claims that if we use the ideal to generate policy for our society we might create policy that contributes to, rather than reduces women's oppression. For instance, the assimilationist ideal recommends that we think of one another, and subsequently treat one another as if we were not gendered. Hiring considerations, then, would not consider gender a factor at all for the qualifications of any position. If we implemented such a policy, here and now, in a society in which people do think of themselves as gendered, Stubblefield thinks that such a policy, and this is clearest in hiring, would perpetuate the differential representation of women and men in certain sectors and reinforce the norms that cause the differentiation.[428]

Stubblefield's next objection is that Wasserstrom's view offers us little information in addressing present discrimination.

> Furthermore, in cases where we need to devise policies to address present discrimination against women, Richard Wasserstrom's vision supplies us with no information.

That is to say, Stubblefield's objection seems to be that if we wanted to address, for instance, disparities in men and women's athletics we might set a policy according to which we fund women's sports equally to men's or we would set a policy that sought to hire the most qualified women as we do for men. On Wasserstrom's view we have no starting place to address inequalities of this sort since we would not think of ourselves as male and female. Thus the assimilationist ideal, at the point of application, is impotent in offering policies to address women's oppression.[429]

But Stubblefield's first objection is irrelevant as Wasserstrom does not offer us an account of *how* to implement the ideal. I do not imagine that this ideal gets implemented full

[428]Stubblefield 168.

[429]Stubblefield 168.

scale and I think the most charitable understanding of the ideal is to recognize that its implementation occurs in stages. It also looks as if Stubblefield has misread Wasserstrom as he does not claim that there would be no sexual differentiation; his point is to argue that the good society would eliminate the avenues that amplify sexual differentiation. And so the target on Wasserstrom's view is to change our institutions and practices in such ways so as to change how we think of ourselves and it appears that Stubblefield subsequently has the causal mechanisms backwards: she argues as if Wasserstrom advocates simply jettisoning our gender identities, as if we could *ex cathedra*. Of course, if we did, we would be unable to address certain existing group differentiated wrongs, but this is not his view.

I am sympathetic to Stubblefield's criticism of the assimilationist ideal as a tool that cannot address current discrimination, but this objection is also mis-directed. Even a casual reading of the supreme court decisions over affirmative action reveal that the courts have great difficulty interpreting and implementing this ideal. But we should not infer that the ideal does not offer any help in recommending policy for specific cases. Stubblefield's objection assumes that the proponent of the assimilationist ideal has to propose the ideal as a means and as an end for the ideal society, but since Wasserstrom argues for preferential treatment, it seems clear that he does not consider the assimilationist ideal as the best means to an end for the ideal society and it appears that Stubblefield has the wrong target for her criticism.

The Pluralistic Ideal

The other ideal Wasserstrom considers is one in which race and sex are considered in the same way that is the functional equivalent of religion. The conception is pluralistic as we

make no claims as to whether any religion is correct. Wasserstrom claims that conceiving of racial and sexual differences in the ways in which we conceive of religious differences would not amount to a society significantly different from our own. This is because no basic rights or liberties are distributed according to religion.[430] Wasserstrom also claims that we would see comparable indifference to religion in most of the distributions of institutional benefits and burdens. In some cases, as in employment, Wasserstrom notes that one's religion will be an important factor in one's qualifications for the position and it would be natural and even admirable to have one's interpersonal relations governed by one's religion.

It is an open question whether by pluralism we mean separate but equal groups or we mean groups that interact meaningfully and interchangeably. I will not consider the pluralistic ideal as one in which racial groups are separate but equal because the debate over whether blacks should separate or integrate is not a new debate and I am persuaded that the balance of reasons shows that separatism is less desirable and feasible than integration.[431] That is to say, it seems quite unlikely that any purely "black" institutions could challenge the dominant ones and it is not even clear that they could do so without being corrupted. Of course, this is a topic that could take us far from the issues. I do not mean that there should be no black culture, that there should be nothing distinctive about being black that gives meaning to what it means to live out one's life as a black person. I simply reject the idea that blacks should form their own nation in the Black Nationalist sense. Anyway, such a view

[430]I take it that Wasserstrom has to rule "hard" theocracies out by definition since in such states various rights do turn on whether or not one adopts the state sponsored religion. I consider states such as the United States "soft" theocracies since the government passively endorses the Christian religion in its norms and culture, vís a vís, its currency, the presence of the terms "Under God" found in the Pledge of Allegiance, and the presence of the Ten Commandments in various state legislative buildings, to name a few.

[431]As it is not a new debate for feminists though it really caught hold in feminist debates during second wave feminism.

requires greater argument than I will offer here and it raises some issues that I will only touch upon towards the end of the chapter.

While one might be able to understand the pluralistic ideal with respect to race, it is not obvious how we are to understand this ideal with respect to sex. That is to say, does the pluralistic society contain multiple sexes or does it contain multiple genders or both? Now we need not answer these questions right now, but they matter since ought implies can, that is, any normative considerations we make about the good society, must entail a description of the ideal that we **could** bring about. If it were physically impossible, or impossible under some description, to bring about a society with more sexes than we currently have, then we could not have an ideal that presents us with normative demands.[432]

Though the pluralistic ideal seems to capture our intuitions about the value of diversity, Wasserstrom thinks the major problem with the pluralistic ideal is in explaining precisely what the ideal amounts to regarding sexual and racial and sexual differentiation. Wasserstrom thinks that the pluralistic ideal is silent in determining to what degree racial and sexual differences should be acceptable in the distribution of institutional benefits and burdens, and in personal relations. It is an open question which attributes, beliefs, and practices concerning race and sex should be promoted, maintained, and rejected in the distribution of the benefits and burdens of society and in the meaning and significance of racial and sexual identity.

[432]But perhaps we do not have sufficient justification to stop trying to bring about such a society. Cannot does not imply ought not try.

The Relevance and Force of Arguments from Nature and Naturally Occurring Differences Regarding Sex for the Pluralistic Ideal

Wasserstrom spends the bulk of his considerations on the first part of the project of justification, namely on assessing the relevance and force of arguments from nature and assessing the force of the naturally occurring differences that support sex roles, than he does on the second part, i.e. the moral arguments for the elimination of roles and the diminution of racial and sexual distinctions. Wasserstrom does so for two reasons, first, "because the question of whether something is plausible and attractive does turn on the nature of the empirical world" and second, because the empirical issues have received far greater weight than they should.[433] Wasserstrom's project is to determine whether and how much weight to assign to empirical considerations and to their relation to sexual differentiation. Implicit within such a project are a criteria for determining what weight, if any, we should assign to the various empirical considerations. It is worth noting that Wasserstrom claims that it is not the biological and physiological differences that make men different from women, but socialization and sex-role differentiation. Thus the direction to which we look is not at the putative facts that make us biologically and physiologically different, but rather to the putative facts that force us to endorse sexual differentiation.

> [T]they might think the differences are of such a character that they are relevant to the question of what would be *desirable* in the good society. That is to say, they might not think that the differences determine or affect to a substantial degree what is possible, but only that the differences are appropriately taken into account in any rational construction of the an ideal social existence.[434]

[433]Wasserstrom 328-329.

[434]Wasserstrom 331.

The structure of Wasserstrom's arguments seem to run the following way: either the empirical considerations determine (in a strong sense) what will be the case in the good society or they will not. They determine what will be the case in the good society in a strong sense by showing that the normative questions are irrelevant. If the empirical considerations do not determine in a strong way what will be the case with respect to the good society, then the empirical considerations have no normative bearing on what ought to be the case in the good society; at best they can show that a set of considerations acts as a condition for the intelligibility of a putative ideal. That is if an ideal did not include the considerations then it could not be an ideal that is worth considering even at the level of description. Let me consider Wasserstrom's argument in greater detail.

Wasserstrom claims that the arguments against the assimilationist ideal are predicated on justifying the plurality of sex roles, by claiming that sexual difference appears to be a naturally occurring category of obvious and inevitable relevance for the construction of a plausible conception of the ideal society. Wasserstrom argues that such considerations are problematic on two accounts, first, even if we admit that such differences are relevant, it does not follow that their presence is significant (i.e. that must be taken into account) and, second, even if we grant that the differences are significant, we cannot make any normative assumptions about them. That is to say, one could not argue that the differences settle what ought to be the case regarding the good society without begging the question by including within the meaning of the term "natural" the idea that the things under consideration ought to be taken into account normatively. Since such appeals are problematic, the arguments put forward by opponents of the assimilationist ideal have less going for them than they otherwise appear to have.

Wasserstrom assumes his opposition might appeal to nature for two different reasons. Someone might argue that the naturally occurring differences between men and women substantially affect what would be possible within the good society, thus, the fact that males and females are physiologically or biologically different limits in the same way the features of any possible good society.[435] Joyce Trebilcot considers this claim, and she notes that someone who offers this sort of argument is attempting to bypass the normative questions by showing that such questions are out of place. So, for instance, someone might argue that the naturally occurring psychological differences between males and females justify sex roles by arguing that the inevitable psychological differences yield inevitable behavioral differences. The proponent of this argument then infers that society will inevitably be structured so as to enforce these sex roles.[436] But this argument is fallacious. The psychological differences might inevitably surface but a society does not have to endorse them. Furthermore, if the society were serious about respecting people's freedom, then the state would not promote the interest of the majority, even if they were interested in the maintenance of sex roles, over the minority that were not interested in their maintenance.[437]

If there are no good reasons for thinking that the empirical considerations settle what we can say about the good society, the question is how much weight we should attribute to the empirical considerations. The answer is very little weight.

In this line of argument one does not argue that the normative questions are out of place, one argues instead that various supposed biological and physiological differences carry

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[435]Wasserstrom 331.

[436]Joyce Trebilcot, "Sex Roles: The Argument From Nature," Ethics 85 April 1975.

[437]Trebilcot offers this argument and it does a great deal of work on her view in responding to other kinds of arguments in which the state would be unjustified in enforcing norms or conceptions of the good against a minority. Apparently the state would be unjustified in doing so even in cases in which people might **voluntarily** choose such roles.

great weight in our understanding of a conception of the ideal society. The contrast, as I see it, is that certain differences are of such a nature that they carry little weight in the intelligibility of a conception of the ideal society. Since they carry little weight we need not consider them within the ideal. For instance, naturally occurring differences in height are of such a nature that, while certainly relevant to the intelligibility of the conception of the ideal society, they need not carry any weight in our deliberations about the feasibility of such an ideal (or its normative desirability as well).

This line of argument is the more plausible than simply arguing that normative considerations are out of place in the inquiry. But it is unconvincing line of argument because our advances in technology have made few of any of these differences the kinds of differences that must be taken into account. For instance, the putative differences in strength between men and women can easily be overcome, at least where significant human activities occur.[438] Even the naturally occurring nurturing abilities that we attribute to females can be successfully cultivated and refined in males.

But perhaps there are other naturally occurring differences that one might claim are relevant to the preservation of sex roles that matter for what ought to be the case with respect to the good society. Menstruation, for instance, is one such difference. But Wasserstrom claims that menstruation would be important to the maintenance of sex roles only if menstruation were debilitating to women and only if it were necessarily related to some role.

But even if it menstruation was debilitating to women and if it were necessarily related to some role, it would be a further question whether sexual differentiation should be predicated on this. We could, after all, develop institutions or technological expertise that could nullify the effects of this difference, as we do with persons who suffer various physical

[438]Wasserstrom 331.

disabilities. Of course, it matters exactly **how** debilitating the feature is. Various physical disabilities, such as Multiple Sclerosis, are quite debilitating, while, others, like Deafness, are less debilitating. And while we can use technology to render insignificant the absence of the ability to hear, we cannot render insignificant the absence of a proper functioning central nervous system.

Wasserstrom is doubtful that the supposed naturally occurring differences, at least those related to race and sex, should be treated as if they were significant because humans possess the ability to adapt to a wide range of environments and social settings, and we can and do use innovation in making some differences insignificant. The one biological fact that we must consider, Wasserstrom claims, is that the human species is required to spend some of its developmental period *in utero*. But admitting this fact does not imply anything about what ought to be the case regarding the good society.

Sally Haslanger disagrees. Haslanger is sympathetic to the claim that in the good society we recognize a plurality of genders, but we can do so without eliminating all of the social implications of anatomical sex and reproduction.[439]

Given the substantial differences bodies contribute to reproduction and given the obvious divisions of labor in reproduction, Haslanger infers that a truly feminist society must acknowledge these differences. Recognizing this feature about bodies is consistent with eliminating gender conceived as subordination (i.e. as the marking of bodies by the observed or imagined evidence of a female biological role in reproduction). Instead of eliminating gender and sex, on Haslanger's view we re-envision them. Since sexual differentiation is important in the above sense, Haslanger concludes that doing away with gender altogether

[439]Haslanger does not fully commit to claiming that the good society would have multiple sexes but she claims that if sexual distinctions become more complex we might have to recognize their presence as something appropriate to the just society. See, Haslanger 9.

would not be an effective way to create a just society.[440] Haslanger does not say to what extent differences in sexual reproduction would be considered in the good society, nor does she say in what ways sexual differentiation would determine gender. This is perhaps a virtue of her view since I take her point to be that in re-envisioning gender, we need not be wedded to any particular conception of gender, we merely need to reject essentialism with respect to it.

Linda Martín Alcoff seems to agree with Haslanger regarding the significance of reproductive differentiation and the need for structural accommodations to preserve it. She claims that we could not easily imagine a society without gender unless we abolished "the biological division of labor in reproduction of the human species."[441] Alcoff claims that unless we abolish the biological division of labor, there will continue to be profound differences between males and females, even if their meanings, implications, and the intensity of the difference, differs.

But we should be wary of Haslanger's and Alcoff's claims for two reasons. First, they both tend to overstate the significance of reproductive differences. This is clearest in Alcoff's thought. Comparing the significance of the features used to differentiate races, which is low, since such features do not reliably sort persons, to the significance of the features that are used to differentiate the sexes in reproduction, she claims

> [T]o the difference between those who bear the labor pains, and those who hold the hand of those who bear the labor pains, between those who nurse and those who can sleep through the night, between those whose bodies almost single-handedly create, develop, nurture, and then give birth and those for whom, during these same nine months, "parental involvement" is optional. I could go on.[442]

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[440]Haslanger 9.

[441]Linda Martín Alcoff, "Habits of Hostility: On Seeing Race," Philosophy Today SPEP Supplement 2000.
[442]Alcoff 33.

The argument suggested by the above considerations is that since it is physically impossible for men to participate in reproduction in the same ways that women do, our reproductive differences are significant. But this way of arguing shows very little. Consider this argument: since it is physically impossible for women to develop prostrate cancer, then our physical differences are significant.[443] That there is a "division" is an irrelevant consideration because it shows too much; it seeks to make any features peculiar to one sex settle whether any corresponding roles appropriately belong to the intelligibility and plausibility of an ideal.

But if one wants to argue that reproductive differentiation is significant, one has to argue that reproductive differentiation is essential to the development of persons and to what it means to be a person. *Reproduction* itself matters to what it means to be a person, but its relation is at best necessary, not sufficient.[444] This is apparently why not having a properly functioning central nervous system is significant, for without it, one cannot be a person in the social or the moral sense. Since reproductive differentiation is not crucial to that, then it cannot have the level of significance that Alcoff and Haslanger ascribe and we need not build our institutions around preserving the roles that perpetuate and promote this form of differentiation.

But even if we consider sexual differentiation significant, nothing normative follows with respect to the good society without begging the question. It is not even obvious that we should consider sexual differentiation relevant to a plausible conception of the good society

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[443]One cannot argue that my analogy is flawed because the possession of a prostate is not similar to reproduction. Reproduction, like the purpose of a prostate has a function. In fact, a prostate bears the same relation to the bearer of the prostate as does the parts of a woman's body that are involved in reproduction.

[444]I take it that coma patients and severely retarded persons help show that something more than biological birth is necessary for being a person and for the development of persons.

because, as Wasserstrom claims, persons are able to adapt to the complexities of reproduction.

The Relevance and Force of Arguments from Nature and Naturally Occurring Differences Regarding Race for the Pluralistic Ideal

When it comes to the matter of race, it is not obvious how we can argue that racial distinctions are of such a character that they are relevant to the question of what would be desirable in the good society. Wasserstrom hardly considers this feature, apparently believing that the matter is already settled with respect to race. Unlike discussions of sexual differentiation, Wasserstrom is concerned to show that there are no natural roles for racial distinctions to play in any plausible conception of the good society. The problem in allowing a role for race is that using race might invoke the history of racial taint associated with racial distinctions. In a paper much later than the papers in which he originally articulated his views, Wasserstrom claimed that even benign conceptions of race would not avoid appealing to outmoded conceptions of racial taint. [445] Let me briefly try to flush out Wasserstrom's worry.

Wasserstrom claims that any account of race must appeal to an ideology of racial taint, and appealing to racial taint is morally troubling. This even includes accounts that deploy supposedly newly constructed accounts of race and racial identity. Wasserstrom appears to assume that race is a morally troubling category and that any account that appeals to race will inevitably be tied to our old conception of race to supply its semantic content or else the concept will be arbitrary in meaning. Wasserstrom claims that if race referred to different skin hues it would be arbitrary which skin hues it picked out and it would be an

[445]Richard Wasserstrom, "Preferential Treatment, Color-blindness, and The Evils of Racial Discrimination," Proceedings of the American Philosophical Association 61:2 September 1987: 27-42.

open question whether any set of colors we use to distinguish persons appeals to our old racial hierarchies:

> [T]here is something quite peculiar about the assumption that anything like our mutually exclusive racial concepts would continue to collect and refer to such a wide variety of different hues in establishing persons' racial identities as either black or white. The puzzle is why it is assumed that the society would have and use *these* two categories, no matter how otherwise benign, rather than use the numerous and discriminating color concepts that we already have and regularly use in other contexts[446]

Wasserstrom thinks this problem is even more telling when we look to specific practices. For instance, the assimilationist maintains that interracial marriage will be more common in the ideal society because race will play no more of a factor in the decision whom to marry than does eye color or height.[447] But Wasserstrom thinks the question is why we should notice interracial marriages at all and for what reasons would we need to understand the importance of interracial marriage.[448] Now Wasserstrom's view cuts across the assimilationist and pluralist conceptions of the ideal society where those conceptions of the ideal society contain some notion of race. Obviously, were a conception of the good society devoid of the notion of race, then Wasserstrom's worry wound not be relevant. I am not sure whether Wasserstrom's concern is semantic, that is, whether we should worry about the meaning of our racial terms in the ideal society or whether we should worry about the role that race will play in administering our practices and institutions. But I am not convinced that we should take this worry seriously since the meaning of race is not written in nature and

[446]Wasserstrom 39.

[447]This is consistent with claiming that various bodily markings do influence sex selection, as they do, but the folk conception of race seems predicated on more than just bodily markings.

[448]Wasserstrom 39.

so it remains for Wasserstrom to show that the meaning of race and our means for understanding certain practices is necessarily tied to the old racial hierarchies.

Similar to discussions of the sex, if race is to be relevant to any plausible or attractive conception of the ideal society, it must play some role or have some function. The added caveat, if we take Wasserstrom's worry seriously is that its function must not invoke biological essentialism. So is there a function for racial distinctions to play in the ideal society? And can there be such a function that does not invoke biological essentialism?

Most theorists, including Wasserstrom, have answered these questions in the negative. The fear, of course, is that if biological race is relevant to any plausible account of the ideal society then that account of the ideal society is implausible. That is, if antebellum slavery serves as an indicator of the sort of society that could result from building biological essentialism into our institutions, norms, and rights, it appears as though race is irrelevant to the articulation of a plausible conception of the ideal society.

Unfortunately, theorists have too easily accepted such a view and the assumptions behind it. For the purposes of deciding whether race should be of such a character to be significant to any plausible conception of the ideal society, we should take non-essentialism to imply the view that any *non-trivial* functions such as reasoning, sensitivity, sexuality, or moral deliberation do not derive solely, if at all, from genetic features. Where there are differences in these abilities, such differences are better explained by appeal to socialization or to the empirical facts of history.

We could concede that there might be some property discovered by science according to which we could unproblematically sort persons, as attempts to personalize medicine might do, but we can deny that such features would likely be accompanied by significant

differences in the abilities mentioned above between and among racial groups. Thus even if researchers could determine that there was some gene according to which we could unambiguously sort persons into so called racial groups, we need not attach any significance to them in determining whether a putative conception of the good society with respect to race was thereby a plausible and important conception of the good society.

So nothing follows about the moral, intellectual or affective capacities of persons even if we admit the presence of biological features that sort us into various kinds. Recognizing this should cause philosophers to question whether biological essentialism is at issue and it should give us pause to worry about classification as the criteria by which they judge the relevance of racial identity for any plausible conception of the good society. But it has not. Those who claim that race is not of such a character that it is relevant to any plausible conception of the good society base such considerations on the claim that in order for race to be relevant to any plausible conception of the good society it must perform a function and, I might add, it must be the sort of function that cannot be readily fungible or malleable by other activities. Fungibility and malleability are implicit Wasserstrom's discussion of sex, and Haslanger and Alcoff seem to accept this in their arguing against positions like Wasserstrom's.

It is no surprise that the three theorists just mentioned argue that race does not satisfy the condition of being a useful sorting tool. Wasserstrom holds that superficial characteristics like skin color and other physiological properties are neither necessary nor sufficient for racial classification and thus race cannot be relevant to any plausible conception of the ideal society.[449]

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[449]Richard Wasserstrom, "Racism, Sexism, and Preferential Treatment: An Approach To The Topics," UCLA Law Review Vol. 24 1977: 581+.

According to Sally Haslanger, if we had reason to consider race a justifiable way for societies to differentiate into groups of persons, then racial equality would be the goal. But since races are not meaningful categories by which to organize persons, racial equality is not the goal. For instance, she claims that racial classifications often vary tremendously depending on the socio-historical-legal context and that racial classifications are often legally imposed based on biological myths.[450] Thus on her view the ideal society would not be deficient if it did not contain any races.[451]

We see similar agreement in Alcoff as well

> Without much effort one can imagine a distant future in which human differences are not organized in terms of race… Conventional race categories have no correspondence to genotype, genetic variability, or clinal variations. And the phenotypical features used to differentiate race are underdetermined by genetic heritance in any case…The physical features conventionally used to differentiate the races are almost laughably insignificant: skin tone, hair texture, shape of facial features.[452]

That the significance of race should be decided on its usefulness in performing some function is not a novel position; simply recall the arguments put forward by Appiah and Blum. Indeed, according to many theorists it is **precisely** because racial distinctions do not unproblematically sort persons shows that the concept of race is meaningless.

But these theorists are mistaken in thinking that for something to be relevant that it must play some function, or be of such a character that it is not fungible or readily malleable and they are mistaken in thinking that the role that race must play must be a classificatory

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[450]Haslanger 10.

[451]Haslanger 10.

[452]Alcoff 33.

tool. The first thing to notice is that there very well might be a role for race to play that is not readily malleable or fungible. As I argued in previous chapters, if we decouple racial identity from racial identification, we have a way to articulate the internal perspective of being raced. That is to say, we can understand the ways in which race is important in understanding the social situated-ness of self-respect and autonomy in the lives of persons. That is to say, we can understand the ways in which, at least for some persons, the possession of a racial identity is relevant to the development of persons and to what it means to be a person by recognizing the relation that racial identity has to a person's conception of the good. If this is so, then by Wasserstrom's own arguments, there is a role for race to play. Whether or not such identities are fungible or malleable is not a question worth considering because it seems unlikely that we could use innovation to render racial identities insignificant. Here's why: our technology already allows us to select for certain genotypes and perhaps soon we will be able to select for the features that might put someone in a different racial group. But such possibilities only allow someone to have a different racial identity it does not mean that they thereby are devoid of a racial identity. This is of course because racial identities are not reducible to the bodily features we commonly associate with racial groups.

But whether or not my view is plausible depends in part on whether social identity *itself* should be a part of any plausible conception of the good society. And by Wasserstrom's arguments, to show race irrelevant in this sense, we would have to replace this social identity with another one, or we would have to abandon social identity *tout court*. Since it is impossible to abandon social identity, Wasserstrom has to argue that we would have to replace racial identity with some other social identity. But this move concedes my

point. Thus the question of which social identities we should have in the good society is not relevant once we decide that social identity is desirable.[453]

It is rather surprising that Haslanger and Alcoff argue about race in the way that they do given what they say about race could mirror their claims about gender without invoking biological essentialism. This is especially true of Haslanger since she could simply argue that in the ideal society, race is re-envisioned. This would make her considerations about race similar to those of gender. But my suspicion is that in order for both of them to argue that gender identities should be saved, they have to appeal to some notion of essentialism. That is to say, they both have to have the view that being male and female are biologically determined in some sense while also holding the view that all of the non-trivial differences between males and females are the result of socialization. But this is just the position that one can take with respect to race! Thus it appears that Haslanger and Alcoff have accepted the irrelevance of biological essentialism in a manner than prevents them from treating like cases alike and it prevents them from considering the real grounds for considering whether race, sex, or gender, are significant to any plausible conception of the ideal society, namely if such features are essential to the development of persons and to what it means to be a person. Thus while Haslanger, Alcoff, and Wasserstrom seem to be asking the right questions, they seem to be answering them on the wrong grounds.

There are other ways to argue that any plausible conception of the good society must take race into account. One might argue that we are necessarily embodied and that necessary embodiment implies that persons are necessarily members of a racial group. One then argues that if the above conditional is true, then it follows from this that an awareness of one's race

[453]Ironically, Alison Jaggar makes a similar concession regarding roles. Jaggar claims that we cannot simply jettison the concept of a role system because a society without a set of roles is incoherent.

will be built into recognizing one another as persons.[454] But this argument is invalid. Embodiment does not entail racial group membership. Whatever the criteria are for ascribing personhood, they need not entail anything about race. It might ultimately be practically impossible to not notice the features we associated with race or gender for that matter, but it certainly is logically possible that we could not.

But as with the discussion of sex it is one thing to show that racial identity is essential to any plausible conception of the good society, it is another thing to make any normative inferences about such a conception.

Moral Considerations for the Justification of Ideals

Thus far I have considered the descriptions and the features that would make a pluralist or an assimilationist ideal with respect to race and sex attractive in one's deliberations in considering a conception of the ideal society. I have argued that racial distinctions are of such a character that they are relevant to the question of what would be desirable in the good society. And I have argued this using Wasserstrom's criteria. The next question is to consider whether there are normative considerations that support one ideal over another.

Wasserstrom claims that the assimilationist ideal provides for autonomy in a way that goes substantially farther than any non-assimilationist account because it does not contain sex roles.[455] Wasserstrom claims that any substantial non-assimilationist society must have some institutions and some ideology that distinguishes individuals in virtue of sexual

[454]This is an adaptation from an argument in Alison Jaggar's paper "On Sexual Equality," Ethics 84:4 July 1974.
[455]Again the ideal contains differentiated sexes and some sex differentiated activities but not any that promote sex roles.

physiology. Also, any substantial non-assimilationist society will make one's sexual identity an important characteristic so that there will be substantial psychological, role and status differences between persons considered male and those persons considered female. Thus any such society will necessarily have sex roles and all the accompanying norms and expectations that come with them and that such norms and expectations will be distributed according to what is appropriate for each sex.

On Wasserstrom's view sex roles are morally problematic on two different grounds. The first ground is predicated on considering sex roles in relation to our current patriarchal society. The second ground is generic in that the problematic features of sex roles surface in any society, regardless of the ways in which social power is distributed.

Sex roles are morally problematic for societies in which a woman's place in a society is in service to men because sex roles perpetuate women's inequality. That is to say the attendant practices, ideology, and institutions "teach" women how to meet the needs of their male counterparts, and more importantly, they teach women that their worth consists in how well they meet the needs of their males partners. Wasserstrom claims that these roles are akin to slavery. The social role has no place in the good or decent society.[456]

The more general objection that Wasserstrom makes against sex roles is that sex roles are normative and empirical caps on one's abilities. That is to say, Wasserstrom holds that sex roles necessarily impair and retard an individual's ability to develop one's characteristics and capacities undermining one's desires and one's well-being.[457]

As I claimed in chapter three, Anthony Appiah makes this charge as well. We can also modify it, making it structurally similar to Wasserstrom's claims about sex roles. Again,

[456]Wasserstrom 340.
[457]Wasserstrom 341.

on Appiah's view one's individual identity is informed by the identity of the collective in which one is a member and collective identities are governed by a set of normative expectations. Such norms play a determinate role in shaping the bearers plans of life. These "scripts" appear to have the same effect as sex roles, namely they offer norms that contravene the freedom of the bearer. They "teach" persons what it means to be a good X. In a society that devalues various racial identities, such scripts might perpetuate racial inequality if the available identities are predicated on self-hate or self-loathing. In a society devoid of racist animosity, such identities are normative caps on well-being and on what one can desire. Let me consider several other related objections about racial identity.

Essentially expanding on Appiah's objections, Lawrence Blum claims that there are several moral dangers involved in thinking of people in racial terms. The first danger is moral distance. That is to say, racial thinking implies a moral distance among those who are raced. On this line, seeing a racial collective involves believing that there are inherent ineradicable differences among races and seeing members of one's race involves seeing non-members as of a different kind. Seeing others as different, Blum argues, inhibits empathy and connectedness and it inhibits persons of different races from understanding one another. In short, we are lead to ignore the similarities between persons, of which there are many, and to focus on the differences, of which there are few.

The next moral danger, Blum calls false community. To think that members of one's racial group share inheritable and ineradicable features, is to be lead into thinking that the members of one's racial group have more in common than they usually do. Blum claims that false community involves the imposition of a false commonality upon others that appear to

be members of one's racial group. False community leads to racial homogenizing that also, in some cases, leads to stereotyping and overgeneralizing about other racial groups.[458]

The next danger of moral thinking is that it suggests that racial groups suffer an inescapable fate. By this Blum means that racial thinking involves generalizing and expecting the properties associated with the race to be instantiated in all of the members of the race.[459] Finally, Blum claims that racial thinking tends to evoke associations of superiority and inferiority of value. That is to say, when one sees oneself as a member of a social kind whose properties are inheritable and ineradicable, one tends to see one's kind fitting within a hierarchy. Thus, claiming a "white" identity, tends to imply an albeit unconscious acknowledgment of the appropriateness in claiming privileges and higher status that have been historically afforded to white persons. Racial thinking in this form characterizes the tendency to see one's race in a particular light but it is also a tendency to see other races in an inferior status.[460]

Amy Gutmann offers similar reasons for thinking that the good society would be devoid of racial identity. Like Appiah, she claims that racial identities undermines our ability to be autonomous and like Blum she claims that seeing oneself as a member of a race has the psychological effect of undermining mutual identification among human beings. But she also offers a new objection, namely that racial identities unfairly place obligations on blacks to fight injustice rather than on whites. Let me consider Gutmann and Blum, before considering Wasserstrom's views. Many of responses to Blum's views are responses to Gutmann. One thing to note is that Gutmann's objections to racial identity are not

[458]Blum 103.

[459]Blum 105.

[460]Blum 104-105.

problematic when we consider that whites are racialized. Being raced as whites have not had the psychological effect of undermining their abilities to mutually identify themselves as human beings. This is obviously an empirical question, but this seems fairly obvious. Also, being white does not interfere with being autonomous because our ideal of autonomy is predicated on the features whose ideal is often embodied as the white male. And finally, being white does not obviously unfairly place the lion's share of the obligations on white persons to fight injustice; whether or not it does so depends on the particular injustice. Gutmann's view is instructive because it brings to the surface what is usually assumed, namely, that being raced is problem for blacks, not for whites. Let me consider the more telling objections to racial identity.

The first thing to notice about Blum's claims is that the problems with racial identity are likely present in some form in any social identity. Thus we have two questions, namely which, if any of these features is essential to racial identity, and second, do these criticisms force us to abandon social identity *tout court* and if not, how are we to decide which identities to keep, and which one's to jettison? I cannot answer the latter question as that is beyond the scope of this inquiry, but I am doubtful that Blum's criticisms force us to abandon social identity because it is difficult to imagine us as social agents without social identities. So getting rid of social identity is akin to throwing away the baby with the bath water. Now we might want to modify certain racial identities because of their history. But as I said earlier, I am doubtful that we can simply replace one social identity with another. I am also doubtful that the tendencies Blum ascribes to racial identities are essential to racial identities. In fact I have argued just the opposite.

But Blum's objections clearly reflect a parochial conception of racial identity and they are naïve to the convictions and abilities that underwrite it. On my account of racial identity, the tendencies Blum presents do not disappear, but in addressing their concern, we should worry less about the content of racial identity than we should about the convictions that underwrite it. Since I take it that this is where the concern really is, our project of informing the convictions that underwrite racial identity is similar to our usual concerns about persons inculcating a certain character and putting that character into practice.

The more interesting objection is in claiming that the norms and expectations associated with racial identity conflict with autonomy. And here we are on familiar terrain. Recall in the previous chapter that I claimed that it has often been thought that socialization is inconsistent with personal autonomy. Recall, again that I claimed that there are two strategies available to someone wanting to rebut the claim that socialization is a barrier to personal autonomy, namely, to give an account of autonomy such that the processes constitutive of autonomy allow the true self to emerge, or to downplay the effects of socialization, taking the sting out of the determinism that it implies.

Now from my comments above I have tried to combine the features of both of these views by claiming that with a more nuanced understanding of racial identity, it is not the threat to personal autonomy that its critics charge. This is because the convictions and the abilities that underwrite the interpretative nature of racial identity are the convictions and abilities that we see on display in the lives of persons whom we consider autonomous. But this response may not silence the critic since she might press that I have not offered an account of what is constitutive of personal autonomy, and it is the features that are

constitutive of personal autonomy that are undermined by the norms and expectations of racial identity. But the critic who goes down this path is mistaken.

Now, we should be clear just what it means to claim that these norms and expectations are damaging for personal autonomy. For instance, we could not plausibly describe such norms as coercive, at least we could not do so in the same way that certain demands are coercive, e.g. "your money or your life". An alternative is to claim that these norms and expectations are a form of brain washing. I find this analogy even less helpful than considering coercion as the model of the effects of the norms and expectations found within the identity of a collective. But even if some form of coercion occurred it seems to me that that does not show that racial identity does not positively contribute to personal autonomy. Here's why: the norms and expectations that persons take on do not influence the capacities that are used in determining whether a desire is one's own or not.[461] For instance, one needs the ability to be analytical and introspective in order to make a desire that one has one's own. I find it implausible to claim that *these* capacities are influenced by the norms and expectations, in fact, I think the order of influence is just the opposite. This is just to say that if such norms and expectations do influence personal autonomy, then the advocate of this view has to show that these norms and expectations undermine the capacity for autonomy that persons have and I think such persons ultimately confuse what is constitutive of autonomy with what is causally relevant for its instantiation.

But even if we grant that these norms and expectations influence the autonomy of persons, as I am willing admit, it is not clear what follows from this. Personal autonomy is not an all or nothing affair and as I mentioned in the previous chapter, one's autonomy with

[461]I am assuming a procedural account of autonomy such as John Christman's; I find the worry about norms and expectations even less plausible if we used hierarchal accounts of autonomy like Frankfurt's. In those cases we would have to understand these norms as some sort of thought control or volitional manipulation.

respect to a certain range of choices can be limited, while other domains of choice are not, and the person who claims that these norms and expectations undermine autonomy has to show which choices are limited, because, as I have argued, it is implausible to claim that persons are not autonomous *tout court*. It is beyond the scope of this project to argue that racial identity promotes the discovery of one's authentic self. But I have shown that the claim that racial identity is problematic for personal autonomy is overstated at best, misguided, at worst.

Finally, let me consider whether the assimilationist ideal is on the moral footing that Wasserstrom claims it is. Bernard Boxill argues that Wasserstrom's ideal is morally defective on two counts, namely that it sacrifices too many significant activities, second, that it sacrifices too many avenues for self-esteem. Wasserstrom claimed that even in the assimilationist society there might be activities that are sexually differentiated. Weight-lifting and boxing, might be two of them. But these activities and activities like them are insignificant and Wasserstrom wonders if they would be worth continuing or not. Where there are occupations and the like that are significant, such as life-guarding, for instance, Wasserstrom suggests that "it would be important to see whether the way life-guarding had been done could be changed to render such physical strength unimportant."[462] And if we could alter the occupation or the practice, we would need to decide whether there were any efficiency considerations that would be weighted against the gains in equality. But Boxill denies that sex-activity correlations imply sex roles and he subsequently denies that eliminating sex-activity correlations is necessary to bring about sexual equality.

[462]Richard Wasserstrom, "Racism, Sexism, and Preferential Treatment: An Approach To The Topics," UCLA Law Review 24 1977: 541+.

As I said, Boxill's first objection to the assimilationist ideal is that it sacrifices much by the elimination of a range of activities. Such activities are valuable in themselves and they are valuable for what they promote, namely self-esteem. Boxill argues the first charge by arguing that Wasserstrom's criteria for what makes an activity significant do not include sport. First Boxill argues that Wasserstrom is mistaken if what makes an activity or an occupation significant is that it produces a product. Creating a product or offering a service makes an activity significant for its consequences, but Boxill maintains that there is a way in which activities might be significant in themselves, namely when they are forms of "self-expression in which excellence can be achieved, and in the sense that human beings have a profound need to engage in them."[463] Boxill argues that sport fits these criteria. First, people in almost all cultures engage in sport as a satisfaction of an important need, and assuming that people tend to recognize their own needs, Boxill infers that sport seems to be the satisfaction of an important need.[464]

What is more, sport is significant not just because people have a profound need to engage in it, but also because it is a mode of self-expression in which excellence is achieved. As support for this claim, Boxill considers the following features of sport. First, sport is governed by exacting rules

> Sports are not merely undisciplined explosions of physical energy. Though they are exercises of human energy that are freely engaged in because they are engaged in for themselves, they are governed by the most exacting rules.

The claim seems to be that excellence in sport is an achievement that requires profound discipline and trained physical prowess. Boxill speaks of the excellence manifested in

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[463]Bernard Boxill, "Sexual Blindness and Sexual Equality," Social Theory and Practice Vol. 6 No. 3 Fall 1980.

[464]Boxill 286.

certain performances as “artistic”. Excellence in sport is also a profound expression of oneself. That is, the excellence that we see is often manifested in its practitioners putting their own “stamp” on the activity. Finally, Boxill claims that sport is governed by the laws of beauty in that excellence in sport is aesthetically pleasing in the same ways in which common perceived works of art are aesthetically pleasing. Thus if we removed sport, we would remove a significant avenue of human need by which persons manifest themselves in excellence.

If the sport necessarily involves sex-activity correlations, and since sex-activity correlations subvert sexual blindness, then the assimilationist is bound to reject activities that involve sex-activity correlations. Boxill claims that the assimilationist is correct to argue that sports involves sex-activity correlations, but sport will not be the only activity in which we see sex-activity correlations, he claims that where there are other activities and occupations where males and females differ in physical abilities and express sexual differentiation of the relevant sort, that these are also vulnerable to elimination by the assimilationist.[465]

Boxill’s second objection to the assimilationist ideal is that by eliminating various activities and occupations that it eliminates opportunities for the affirmation of one’s self-esteem. Boxill follows Rawls in construing self-esteem as involving an appreciation of one’s talents manifested in one’s endeavors. This is not the whole of self-esteem, but it is an important part of it. Since people engage in sport as an expression of their own ideas and aspirations, then support for the activity in which one engages allows for the support of one’s self-esteem.[466] Boxill’s view does not imply that an inability to achieve excellence in sport requires a loss of self-esteem.

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[465]Boxill 287.
[466]Boxill 288.

Of course, on Boxill's view, and on Rawl's view as well, the path to securing self-esteem seems precarious since we cannot all obtain excellence in sport, or in any activity for that matter. Boxill admits that his objection will be less telling if it turns out that there is another way in which self-esteem might be supported. For instance, Boxill uses Bernard Williams distinction in which actions are regarded from the "technical point view", as opposed to the "human point of view".[467] Appreciating actions from the human point of view entails appreciating "what it is for them to attempt what they attempted" as opposed to appreciating an action merely for its technical features, which is what we do when we appreciate an act from the technical point of view. Boxill does not reject this distinction but he doubts that appreciation from the human point is likely to flourish in the assimilationist society because in the assimilationist society we eliminate large spheres of activity that are important to the persons who are engaged in them.

Thus there seems to be sense in which the assimilationist ideal expresses a profound form of disrespect by eliminating a sphere of activities that are important to persons. In fact, if Boxill's criticisms are cogent, the assimilationist ideal seems mistaken in even *weighing* the removal of these activities against mere efficiency considerations. The more appropriate balancing has to involve balancing their removal with other normative values.

Boxill's criticism of the assimilationist ideal maintains that the assimilationist purports to trade equality of respect with attempts to equalize for success. Again, if such a position shows a lack of respect for women it does so by saying in effect that their capacities, development, and abilities in being self-reliant are so inferior to those of men that in order to

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[467]Boxill 288.

have a society worth considering, we would have to eliminate any activities that might disadvantage them.

Colorblindness as a Means to the Ideal Society

Thus far I have considered the assimilationist or the colorblind ideal as an end for society, and I have given reasons for thinking that the colorblind ideal, at least if one has in mind Wasserstrom's assimilationist ideal, is neither a plausible conception of the ideal society, nor is it a morally justifiable conception of the ideal society. I now want to consider whether the assimilationist ideal might be a plausible means to the ideal society.

It might appear that the assimilationist ideal is on much better footing as a means to some conception of the ideal society, rather as the conception of the ideal society because it appears to be much less controversial. It is plausible because it seems to derive from our intuitions about justice and it has, as I claimed earlier, come to dominate discussions as the preferred means of addressing previous wrongs. Now I am considering the colorblind ideal as a means to addressing previous group differentiated wrongs associated with race and gender. In certain discussions of multiculturalism, for instance, colorblindness is rejected out of hand. As I mentioned earlier, Will Kymlicka rejects colorblindness in all its guises, claiming that the state's policies explicitly favor national cultures to the disadvantage of those in various minority cultures or in minority national cultures.

Anyway, Amy Gutmann argues that the colorblind ideal is not the appropriate means to the ideal society, or in her words, it is not the appropriate response to racial injustice. Gutmann considers the view that the appropriate response to racial injustice must derive from our conception of the ideal society. If the conception of the ideal society is colorblind, so the

view goes, so must a formal response to injustice be. But Gutmann argues that the colorblind ideal is a flawed response to racial injustice for two reasons, namely that the colorblind ideal is neither a fundamental principle of justice, nor is it the strongest interpretation of such a principle for our society.[468] Fairness does not always recommend colorblindness, one may use color conscious principles and policies when it comes to distributing certain institutional benefits such as housing, employment, and electoral redistricting. Whether or not the application of color conscious principles are just depends on whether or not they are consistent with fairness.

Gutmann claims that fairness, first in foremost, calls for policies that provide all persons with a full set of basic liberties and basic opportunities. Our abstract principles of fairness are colorblind because they are generated by reflecting on what a just society would look like, but their fair application might be color conscious because we have to consider our actual society. Let me consider an example she cites to illustrate her view.

The school board of the Piscataway High School, in New Jersey, faced budget cuts that forced them to downsize their labor force. In addition to the downsizing that happened in various departments, the school was required to release one of its two teachers in typing and secretarial studies. The choice fell between Sharon Taxman and Debra Williams. Both had equal seniority, but Williams was the only black teacher in the entire school. The school released Taxman and retained Williams.

On the colorblind perspective, the school board's decision looks unjustified because the decision implies that one's race is a qualification for the position. Were there no history of racial injustice, then under fair equality of opportunity, we would consider the firing unfair

[468]Amy Gutmann, "Responding to Racial Injustice," Color Conscious: the Political Morality of Race (Princeton: Princeton University Press, 1996).

because race is not a qualification that is necessarily related to one's ability to perform adequately.[469]

Gutmann's response begins with the claim that in ideal situations, there is bound to be reasonable disagreement over what counts as a qualification. Gutmann notes three sources of reasonable disagreement, namely, the open-endedness of the purposes of some positions; the need to rank the importance of the multiple purposes of a given position; and locating and assessing the weighted set of qualifications in actual candidates.[470]

That there will be reasonable disagreement over qualifications shows that even in ideal situations, well qualified persons, or people with greater merit may well lose out in competitions for jobs in a way that poses no offense to justice. Gutmann claims that in the ideal society, persons are entitled to fair consideration for positions in which one is basically qualified, but admitting this is not to claim that said persons have a right to any a particular job.

In our society, one in which there is a history of racial injustice, Gutmann claims that we may be color conscious, that we may show preference for various persons. In the case at hand, this means that our history of racial injustice allows us to add to or to consider qualifications in light of such social purposes. The goals Gutmann has in mind have to do with breaking down social stereotypes by creating identity role models and by creating diversity role models for all citizens.[471] Policies that seek to address racial injustice are justified by the claim that racial injustice has created an environment in which our commitment to fair equality of opportunity is flawed. A full commitment to fair equality of

[469]Gutmann 119.

[470]Gutmann 121.

[471]Gutmann 131.

opportunity, coupled with the legacy of racial injustice and the absence of a right to jobs by white applicants, justify various color conscious policies.

What sets the range of appropriate color conscious policies is whether the policy in question is effective in making fair equal opportunity more perfect and whether the policy is fair to the most adversely affected by the policy relative to other alternatives. Thus color conscious policies will be less morally problematic where race is used as a qualification for a valued position and more morally problematic when it is used to override other (important) qualifications.

Recognition and Distributive Justice

Our project here is to consider policies that might remedy racial inequality. The common view, exemplified in Howard McGary's work is the view that policies deduced from what justice demands in ideal theory might not eliminate the inequalities we see when we consider the experiences of African-Americans. But this need not be the case. For instance, I take it that the reason why Will Kymlicka's work has been so influential is that he has argued that the life plans of certain individuals, as members of collectives, are susceptible to interference through no fault of their own, and that the group-differentiated disadvantages can be mitigated within ideal theory once we recognize that the remedies to the disadvantage actually benefit the persons in the deep ways required by ideal theory. The crucial difference for my purposes is that the positions within society that African-Americans occupy have resulted from historical and contemporary injustice.[472]

[472]On Kymlicka's view it looks as if some cultural groups will inevitably be disadvantaged because they are either in the minority or because their preferences are not shared by the majority. The first point disjunct concerns their voting power, the second, the desirability of their preference patterns. Now Kymlicka does have

The position that I have adopted, not surprisingly, is one in which certain group specific policies are justified in order to offset certain disadvantages certain groups face. The question is by what criteria will we choose policies and whether those policies are consistent with equality. I want to appeal to equality and to recognition in attempts to derive policies that might end or seriously mitigate racial inequality.

Recognition

According to Nancy Fraser, a policy or program instantiates "recognition" if its rationale is predicated on the view that persons and groups should be recognized for their unique identities and recognizing such distinctness involves denunciation of discrimination and second-class citizenship. This view requires that we acknowledge the differences of persons in policy though it does not entail unequal distributions of rights and entitlements.

Fraser argues that the main problem with discussions of recognition is that they tend to address only one part of an injustice, namely, demands associated with being a member of a collective.[473] Fraser contends that theorists have not paid sufficient attention to what recognition involves and many theorists have not sensed that policies of recognition tend to stand in tension with policies of redistribution depending on the ways in which the collective is rooted in the socio-economic and symbolic system.

Policies of recognition that might eliminate racial inequality are those that aim to eliminate the relevant injustices that are rooted in patterns of representation, interpretation, and communication. For instance such policies seek to undo cultural domination; being

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a role for backward looking considerations to play in the theory. Previous treaties and the like have moral standing on his view, but the point is that justice requires protecting and enhancing the capacity to choose.

[473]Nancy Fraser, Justice Interruptus: Critical Reflections on the "Postsocialist" Condition (New York: Routledge, 1996).

rendered invisible by the representational communicative, and interpretative practices of one's culture; stereotyping in public cultural representations and in everyday life interactions.[474] These remedies include revaluing previously disrespected identities, valorizing cultural identity, or more radically, "wholesale transformation of societal patterns of representation, interpretation, and communication in ways that would change everybody's sense of self."[475]

One way in which recognition is discussed in the literature is the recognition of particular cultures and their artistic and ritual expressions, the various artifacts of culture, and the recognition of the individual in light of the particular relationship she may hold to her ethnoculture. Educational institutions are thought to be important venues for policies and programs that express the aims of recognition. [476] Schools are appropriate venues to consider the concept of recognition for several reasons. First, school curricula implicate (or has the potential to implicate) different racial and ethnic group histories; social life within school is often organized around racial and ethnic lines; and pedagogy must be sensitive to racial and ethnic identities.

But policies of recognition in this domain do not help us in thinking about the experiences of blacks because their history is already recognized in various ways, namely in their inclusion in the curricula, in their possessing federal holidays for persons such as Martin Luther King, Jr., and in the presence of specific academic institutions devoted to teaching blacks. What is worth noting is that these forms of recognition seem compatible with the

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[474]Fraser 70.

[475] Fraser 73.

[476]Lawrence Blum, "Recognition, Value, and Equality: A Critique of Charles Taylor's And Nancy Fraser's Accounts of Multiculturalism," Constellations Volume 5 No. 1 1998.

culture(s) of blacks being disvalued. Or in the least, the above mentioned events might be inefficacious in producing greater acknowledgment of the value of blacks.[477] It looks as if these sorts of events might influence persons at the level of individual and social action in the aesthetic preferences one enjoys, but even here such policies fail to bring about the end sought as well.[478]

But demands of recognition also occur at the levels of basic rights, obligations, institutional benefits and burdens of both governmental and nongovernmental entities. Obviously, the demands of gays and lesbians to marry the persons of their choosing represent demands for recognition that involve changing the legal rules regarding marriage. It is here that we should look for guidance in determining which policies express recognition.

Formally we should expect that policies of recognition that might alleviate racial inequality to express a commitment to compensate blacks for the ways in which they are disvalued, but they should not do so by merely recognizing previous injustices inflicted upon them, they should allow African-Americans the opportunity to influence the democratic decision making processes that distribute power. The policies of recognition, those that promote their autonomy as a collective, express an appreciation for their capacities and they express a realization that the valuational market place is not neutral and that it biases certain groups over others.

According to Nancy Fraser, thicker policies of recognition play a role in destabilizing existing group identities.[479] Existing group identities become destabilized by undermining those collective identities that are predicated on animosity and aversion or on superiority or

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[477]This seems quite clear during Black History Month.

[478]I assume for argument that we could even measure the effects of such recognition policies on culture.

[479]Fraser 82.

inferiority. In this case giving African-Americans the opportunity to influence policies that could change their position within the broader sociopolitical system allows them to construct their identities so that the valuational market place does not see blacks as fit objects of aversion or animosity. Conversely, such policies might destabilize white identities by calling attention to them with the intent to show that the valuational market place does not see whites as innately superior.

Of course there is a risk that any policy of recognition, whether those that seek to revalue previously devalued identities or those that seek to transform the underlying cultural-valuational structures will have the reverse effect of stigmatizing certain groups as insatiable or the reverse effect of confirming suspicions of innate inferiority, but these risks suggests why policies of distributive justice are important in the first place, namely because they express fair claims to certain levels of opportunities for self-development and self-determination in virtue of being moral equals. Such claims are appropriate when one collective is unjustifiably enriched at the hands of another, and such claims are appropriate when even benign processes further increase the disparities between would be autonomous groups.

Equality

Current discussions of equality, having been famously influenced by Ronald Dworkin's arguments for resource egalitarianism, seek to balance the personal responsibility of persons against the disadvantages that result from actions or events beyond their control. There are many objections to the way in which Dworkin makes the cut between which preferences are one's own and which preferences result from one's circumstance. Amongst

most egalitarians, there is little disagreement that equality demands that we equalize initial life circumstances.[480] When considering various group differentiated policies, the question is where to make the cut. That is, are the disadvantages some groups face those that could fall under choice or do they arise from the circumstances of the group?

It is not obvious that one could appeal to equality to argue that African-Americans are owed greater distributive shares because whether or not someone experiences being black is the product of choice and since we allow people to take responsibility for their choices, we can refuse to correct inequalities that result from one's own choosing.

Here I think we can turn to Will Kymlicka for guidance. On Kymlicka's view, the preferences that one will develop are largely the product of one's culture and in a sense they are within a person's control. But whether or not others share those preferences is not within one's control and the amount of resources someone needs to satisfy one's preferences will be quite high depending on the nature of the preferences and the extent to which others do not share those preferences. For instance, on Kymlicka's view the preferences that Native Canadians develop are those chosen by them, but since they are a minority, the processes that determine how resources get developed will likely be dominated by those with preferences differing from those of Native Canadians. If this is the case, then it will cost Native Canadians more resources to satisfy their preferences. For instance, for certain Native communities in British Columbia, Salmon fishing is not just an ancient livelihood, it is a means by which part of what it means to be Native is lived out and transferred. Other less land intensive activities put Native groups at odds against ways of living that are more land

[480]Of course Rawls famously rejects redressing initial life circumstances, instead arguing that we should mitigate the effects of differential initial life circumstances. Thus I am not considering Rawls *per se* when I talk about equality. But some of the considerations I raise are still relevant to Rawl's account especially in trying to determine whether racial identity has a substantive role to play in what justice recommends.

intensive such as mining and large format fishing. Again, since Native Canadians are fewer in number they would have to spend more to outbid their competitors for equal opportunities to live out their life plans.[481] The absence of people who share one's preferences makes one's preferences costlier to satisfy.

This is only a part of the story for Kymlicka's analysis. Since all of the relevant groups have a moral claim to their culture, and since the claim to their culture entitles them to be compensated for certain disadvantages, Kymlicka has to settle which cultures are entitled to a greater share of resources for their flourishing and which policies appropriately balance the just mentioned moral entitlements.[482]

Since I have claimed that the notion of culture is not helpful in talking about blacks and since Kymlicka's argument is predicted on the denial of access to culture, I will not argue that blacks are owed certain distributive shares so that their culture might flourish.[483] Things are much worse for blacks: they are quite simply denied access to effective representation in our major institutions. I do argue that group autonomy is of such a character that certain groups can be owed greater shares of resources needed to instantiate a group's capacity for autonomy.[484] The resources needed to promote the capacity for group autonomy are opportunities for self-development and self-determination. Such policies call

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[481]Joseph Heath consider such cases in his paper, "Culture: Choice or Circumstance," Constellations vol. 5 no. 2 1998.

[482]Kymlicka uses historical agreements to base some claims to resources on behalf of national groups, social integration and territorial integrity to mark differences between national groups and immigrant ethnic groups. There has been much criticism of the attempts to mark the relevant groups.

[483]On Kymlicka's view the disadvantages in bidding for the resources necessary to live out one's life by minority cultural groups puts them in a position in which they will be denied access to their culture if they do not have enough resources to secure them.

[484]See below for the argument.

for effective and meaningful opportunities in education, in housing, and of course in the workplace, they do not aim at promoting culture.

I am not arguing that every disadvantage must be addressed. Some disadvantages should be addressed, others we might allow, attempting to mitigate their effects, but what equality demands in each case depends on the nature of the collectives' identity and on the nature of the disadvantage.[485] This qualification matters because equality demands different remedies as when we consider the claims of gays and lesbians in contrast to the claims of African-Americans. The inequalities that African-Americans experience are rooted in symbolic representations and in socio-economic structures while the inequalities that gays and lesbians experience are rooted in symbolic representations.[486]

Formally the policies that will alleviate racial inequality address end state distributions of resources and the structural features of the distribution of economic resources. As with policies of recognition, various policies of economic distribution are at risk for marking its beneficiaries as insatiable or inferior. This will likely be the case unless we withdraw all considerations of African-Americans and leave them generally segregated in our cities and ghettos. But if African-Americans are to play a crucial role in living out their racial identities and if they are ever going to be seen as equals by dominant groups, their communities must be of equal value to whites and their talents respected and sought after in cooperative projects. This happens when African-Americans develop and deploy the ingenuity that they have sorely lacked. To develop such capacities would be empowering.

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[485]Implicit in such an inquiry is the question of scope of justice, since many of the feminist objections to forms of liberalism are predicated on claiming that the scope of principles of justice exclude various actions and behaviors.

[486]Since it is beyond the scope of my project, it is worth noting that I am not advocating a one size fits all conception of the remedies for symbolic disadvantages. Some disadvantages are addressed by changing the schedule of rights, as we saw in the case of gays and lesbians, in other cases, disadvantages are addressed by the inclusion of the experiences and contributions of various previously excluded groups in school curricula.

Group Autonomy and Empowerment Revisited

Crash, the 2005 winner of the award for Best Picture by the Motion Picture Academy of America illustrates the points I want to advocate.[487] There are many subplots in the film, but of interest is the relationship between Matt Dillon's character, Officer John Ryan and Thandie Newton's character, Christine. The two characters "meet" as Dillon's character appears to engage in racial profiling: he pulls over an exotic automobile not fitting the license plate description of a similarly recently stolen vehicle for no apparent reason other than the assigned racial group of its two passengers.[488] His character then proceeds to harass the occupants of the vehicle, and in the process he inappropriately repeatedly gropes Thandie Newton's character during a "search". Earlier in the film we learn that Dillon's character is already fueled by or disposed to displays of racist animosity in his attempts to procure better health care coverage options for his ailing father: Officer Ryan's requests for alteration to his father's coverage plan are denied by Shaniqua, the plans administrative director.[489] Anyway, the relevant search ends without the issuing of formal charges, just the all too familiar insults to one's dignity claimed by blacks.[490] The irony is that the characters meet again, but in a different setting. Dillon's character, having recently been abandoned by his previous partner for seemingly frequent acts of animosity, comes across an overturned vehicle. He is the first

[487]Crash. Dir. Paul Haggis. Film. Lions Gate Releasing, 2004.

[488]To add to the evidence that racist animosity is at work, Dillon's character learns early in the interaction that the driver of the vehicle is the legal owner of the vehicle, but that information does not dissuade Dillon's character from interrogating the couple.

[489]The setting is a bit more nuanced then I let on as Dillon's character argues that the black woman owes or ought to be more sympathetic to his father's plight than she appears to be because his father hired many blacks and he paid them a fair wage when many other employers refused to either hire blacks or to hire and to pay them fairly.

[490]The film relies extensively on hyperbole in the ways in which the racial situations are presented, in part, I take it, to leave no doubt that persons are driven by racist animosity. Of course, racist animosity is rarely this naked.

officer to arrive at the scene and in the overturned car he discovers Thandie Newton's character trapped. Christine protests his aid and, to add drama, there is a fuel leak from another damaged vehicle that eventually catches on fire, leaving Dillon's character without the option of acquiescing in Christine's request to withdraw aid. But once Christine realizes that the car in which she is trapped is set to catch fire, she quickly requests aid. Hollywood style, Dillon's character saves her and there is a slightly longish and exaggerated frame of the two characters embracing looking sufficiently traumatized by the near death event. The scene is something of a turning point for Dillon's character. Sort of. We do not see him engage in further acts of racist animosity, we only see him empathizing with his father. As it were, the need for aid forces the two characters to see past their own animosities towards one another in what turns out to be mutually beneficial behavior; he saves her from physical death, she saves him from character death. The emergency proves to be redemptive for Dillon's character, but what I find noteworthy about the scene is not that Dillon's character gets to be a hero, but that the there is a sense in which the two characters are equals and their equality results from the *situation*.[491]

The point I want to emphasis is that oftentimes being treated as an equal requires being perceived as equal, but whether or not one is perceived as an equal requires the right situation; it requires and results from the right kinds structural arrangements. That is to say, the equal respect and equal treatment that blacks and other similarly disadvantaged groups experience will not result simply from changing attitudinal responses, since these responses

[491]Of course that the persons stand in equal relations along one axis does not show them as equals along another axis. For instance, the man saves the helpless, emotionally unstable woman in the scene, replicating the gender inequalities that feminist have been describing and have been attempting to eliminate. Most of the gender relations in the film occur against an obvious backdrop of social inequality between men and women, painting a picture in which racism is a problem for men and only derivately a problem for women as when the women are left to care for, to grieve, or to sexually satisfy, the victims and the perpetrators of racist animosity.

depend on being in situations in which persons stand in equal moral relations and standing in equal moral relations is predicated on institutional arrangements. Thus institutional arrangements, those rooted not simply in the political-economic structure of society, but also those in its symbolic structures matter in considering the various policies that express a commitment to creating relations of moral equality.

Let me summarize some of the main features of my argument thus far. I have made the case that current arrangements work against the welfare of African-Americans by undermining their abilities to instantiate self-respect and autonomy. In chapter one I claimed that the wealth inequalities experienced by blacks owe themselves historically to antebellum slavery, to governmental indifference to alleviating the vulnerabilities of blacks to exploitation, and to the exploitative behaviors of persons who took advantage of government indifference. Today residential and commercial segregation and its attendant effects and a racialized workforce in which most blacks obtain at best menial work and few opportunities for advancement to sufficiently develop the skills necessary to gain wealth, combine with insufficient educational opportunities to create the outcomes I presented in chapter one. I considered the practice of redlining as a practice of isolating blacks into neighborhoods that possessed fewer structural features for growth, e.g. proximity to public transit, lack of access to new commercial developments, and I argued that most black communities lack the educational resources to maintain educational parity with other groups. The outcomes I mentioned showed blacks far worse off, relative to whites.

The lack of opportunities for self-development and self-determination leave blacks vulnerable in the face of changing economic and technological innovation. Many blacks are in general, not resilient in the sense that their life plans would be instantiated regardless of

the events that transpire. That many African-Americans are not resilient in this sense is clearest when considering the attempts by African-Americans to recover from Hurricane Katrina that hit the Gulf Coast in 2005.

In addition to the features I just presented, I argued in chapter one that the oppression that blacks experience is predicated on racial animosity or aversion. Again the racial animosity need not be particularly violent or crude in expression or particularly virulent in form, that is, it need not be a form of hatred. Racial animosity and aversion fuel the mechanisms that produce the outcomes above by constructing and by normalizing the social positions blacks and whites occupy; whites occupy social positions that generally privilege them, while the social positions blacks occupy generally disadvantage them. The social positions themselves are mutually reinforcing and they have the effect of rendering the experiences of blacks and whites in ways that make the possibility of empathetic identification quite difficult.

In chapter two I offered a theory of empowerment in which empowerment is an achievement, influenced by the person(s) to whom the theory applies, that changes the distribution of social primary goods, in creating a state of affairs that promotes the person(s) self-respect or autonomy in cases in which current arrangements **work against** that person(s) self-respect or autonomy. The aim of becoming empowered is to reduce the extent to which one is susceptible to the negative influences of the distributions that work to the detriment of one's welfare.

There have been a number of policies that have attempt to improve the opportunities of African-Americans whose ultimate aim is to reduce the inequalities that we see. Preferential Treatment is one such program. The problem, in many cases is that many of

these policies and programs do not reach the structural and psychological features that promote racial inequality. But some of the remedies are not as effective as they could be merely because African-Americans do not possess the skills and abilities to, as it were, convert resources into capabilities.

Converting resources into capabilities requires ingenuity and it requires antecedent resources. But these are not the only things needed to convert resources into capabilities. Converting resources into capabilities requires principles that regulate the actions of competitors so that groups might compete fairly. The problem with government inattention in housing, employment, and in education is not that whites are given an unfair advantage over blacks, though this is indeed what they get, but that whites are given disincentives from transacting or entering into mutually beneficial cooperative projects with African-Americans. We can see the snowball effect this has in the case of residential segregation. When property values tip and white families flee their neighborhoods, they take with them the commercial interests that are predicated on their activity. Again, when government policy makes access to higher education difficult for African-Americans by cutting funding to the poor, but talented blacks, fewer blacks will acquire the ingenuity required to be seen as worthy participants for social cooperation and fewer whites will interact with blacks in relations in which they are perceived as equals.

If it is correct that African-Americans find it harder to convert resources into capabilities, more so than members of privileged groups mainly, though not exclusively because of current and historic injustice, then equality demands more resources for them to convert, and equality demands greater resources to develop the ability to convert those resources into capabilities. The lack of the ability to convert resources is a circumstance that

is not a fault of their own and the preferences that they develop as members of a racial group are the products of their own choices in constructing their own racial identity.

My aim in previous chapters has been to connect the good of membership in various social kinds with the capacity to self-value. That is to say, membership in certain social kinds promotes one's capacity for self-value as evidenced in various self-respecting behaviors. Such acting reflects an instantiated capacity for self-value and for self-respect in the ways I articulated in chapter five. I argued in the previous chapter that whether or not a group can live out its conception of the good depends on whether the group has the capacity for autonomy. While I have argued that African-Americans have autonomy, this is consistent with the claim that they have it in lesser degrees than other groups. That African-Americans have autonomy in lesser degrees than other groups can be explained in their inabilities to sufficiently develop the competencies in displaying behaviors that promote flourishing in a hostile society such as cooperation and trust. Since in order to display cooperation and trust, one needs to see oneself as fit for these kinds of interactions, and since to be a member of a group that is autonomous, is to take responsibility for the group, access to avenues that allow the expression of self-value and self-respect are required to promote cooperation and trust. Examples of some of the group differentiated policies that promote the group autonomy of African-Americans and the capacity for self-respect of its members include preferential treatment; greater subsidization of predominantly lead black educational institutions; progressive taxation aimed at assisting the poor to secure adequate health care, legal protection, and child care assistance; macroeconomic policies that aim at creating full employment; significant changes to democratic decision making such as redistricting so as to promote the political organization of African-Americans; and in some cases, special veto

powers. These policies do not only benefit African-Americans, they benefit other victims of racial inequality such as Native Americans and Naturalized Latinos.[492] These policies and programs not only bring the outcome levels of African-Americans up to the levels of whites, they would allow African-Americans to create their own positions in our institutions.

To exercise the opportunities that are afforded by these policies expresses the individuals' capacities in being self-respecting and self-valuing in living out a life of one's own choosing and they express the individuals' capacities for self-expression and dignity in constructing one's place within one's social kind. Policies such as these create a state of affairs that is empowering. They are not handouts. They not only influence patterns of distribution, they influence the structural features according to which power is distributed. These policies would seriously mitigate, or quite possibly eliminate racial inequality, at least in its effects on the welfare of African-Americans.

[492]I want to leave aside what illegal immigrants are owed as such cases are much more complex. But certain illegal immigrants would benefit from policies eliminating workplace exploitation.

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