

# Racial Justice

## *The Superficial Morality of Colour-Blindness in the United States*

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## Summary/Résumé/Resumen

### Summary

In this essay Glenn C. Loury outlines a theory of “race” applicable to the social and historical circumstances of the United States and sketches an account of why racial inequality is so stubbornly persistent. He offers a conceptual framework for the practice of social criticism on race-related issues that might encourage reflection among political and intellectual elites, and in this way promote social reform. Any theory of “race” must explain the fact that people take note of, and assign significance to, superficial markings on the bodies of other human beings—their skin colour, hair texture, facial bone structure and so forth. This practice is virtually universal in human societies and is the point of departure for his analysis. Loury refers to a society as being “raced” when its members routinely partition the field of human subjects whom they encounter in that society into groups, and when this sorting convention is based on the subjects’ possession of some cluster of observable bodily marks. This leads to his claim that, at bottom, “race” is all about “embodied social signification”.

Loury argues that “race” emerges as a social phenomenon in the following way: a field of human subjects characterized by morphological variability comes through concrete historical experience to be partitioned into subgroups defined by some cluster of physical markers. Information-hungry agents hang expectations around these markers, and such beliefs can, in ways discussed in the essay in some detail, become self-confirming. Meaning-hungry agents invest these markers with social, psychological and even spiritual significance. Race-markers come to form the core of personal and social identities. Narrative accounts of descent are constructed around them. And so groups of subjects, identifying with one another, sharing feelings of pride, (dis)honour, shame, loyalty and hope—and defined in some measure by their holding these race-markers in common—come into existence. This vesting of reasonable expectation and ineffable meaning in objectively arbitrary markings on human bodies comes to be reproduced over the generations, takes on a social life of its own, seems natural and not merely conventional, and ends up having profound consequences for social relations among individuals in the raced society.

Loury goes on to argue that it is crucially important to distinguish between *racial discrimination* and *racial stigma* in the study of this problem. Racial discrimination has to do with how blacks are treated, while racial stigma is concerned with how black people are perceived. He claims that *reward bias* (unfair treatment of people in formal economic transactions based on racial identity) is now a less significant barrier to the full participation by African-Americans in US society than is *development bias* (blocked access to resources critical for personal development but available only via non-market-mediated social transactions). While Loury makes these points in the specific cultural and historical context of the black experience in US society, he nevertheless contributes to a deeper conceptualization of the worldwide problem of race and economic marginality.

The racial stigma paradigm advanced by the author builds on the observation that, due to the history and culture peculiar to a given society, powerful negative connotations may become associated with particular bodily marks borne by some people in that society. Loury claims that this is decidedly the case with respect to the marks that connote “blackness” in US society. With his core concept—*biased social cognition*—he attempts to move from the fact that people make use of racial classifications in the course of their interactions, to some understanding of how this alters the causal accounts they settle upon for what they observe in the social world. Loury’s fundamental question is: when does the “race” of those subject to a difficult social circumstance affect whether powerful observers see the disadvantages experienced by such people as constituting a societal problem?

The author argues, based on the concept of biased social cognition, that durable racial inequality in the United States can be understood as a result of a lack of political support for

policy reforms benefiting blacks; and such political support is lacking because blacks are perceived to be a stigmatized racial group, which “colours” the causal explanations that ordinary people are inclined to offer for observed racial disparities. The tacit association of “blackness” in the public imagination with “unworthiness” distorts cognitive processes and promotes essentialist causal misattributions. Observers have difficulty identifying with the plight of people whom they (mistakenly) see to be simply “reaping what they have sown”. In turn, this tendency to see racial disparities as a communal rather than a societal problem encourages the reproduction of inequality through time because, absent some reformist interventions, the low social conditions of many blacks persist, the negative social meanings ascribed to blackness are then reinforced, and so the racially biased social-cognitive processes are reproduced, completing the circle.

Based on this social analysis, Loury argues that the philosophical position of “colour-blindness” —which holds that public policies ought to disregard the racial identities of citizens, thereby being “blind” to their colour—is morally untenable.

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### **Résumé**

Dans cet essai, Glenn C. Loury expose une théorie de la “race” applicable à la société et à l’histoire des Etats-Unis et ébauche une explication des raisons pour lesquelles l’inégalité raciale y est si tenace. A la pratique de la critique sociale des questions liées à la race, il offre un cadre conceptuel qui pourrait encourager à la réflexion les élites intellectuelles et politiques et, par là, favoriser une réforme sociale. Toute théorie de la “race” doit expliquer le fait que l’on remarque des caractéristiques superficielles, physiques de ses congénères—couleur de la peau, texture des cheveux, ossature du visage etc.—et leur accorde de l’importance. Cette habitude, pratiquement universelle dans les sociétés humaines, est le point de départ de son analyse. Pour Glenn Loury, une société est “raciale” lorsque ses membres ont coutume de diviser en groupes les humains qu’ils y rencontrent et procèdent à ce tri conventionnel en se fondant sur un certain nombre de caractéristiques physiques que possèdent les sujets observés. Il est ainsi amené à affirmer que la race, c’est au fond “le corps porteur de sens social”.

Selon lui, la “race” devient phénomène social de la manière suivante: un ensemble de sujets humains à morphologie variable en vient, par une expérience historique concrète, à être subdivisé en sous-groupes se définissant par un certain nombre de caractéristiques physiques. Les agents avides d’information assortissent ces caractéristiques d’attentes, et ces croyances peuvent, selon un processus que l’essai décrit de manière assez détaillée, devenir des moyens de se renforcer elles-mêmes. Les agents avides de sens investissent ces caractéristiques d’une signification sociale, psychologique et même spirituelle. Les caractéristiques raciales en viennent à former le noyau dur de l’identité personnelle et sociale. La version de l’ascendance se construit autour d’elles. Ainsi se forment des groupes de sujets, qui se reconnaissent, partagent des sentiments de fierté, d’honneur ou de déshonneur, de honte, de loyauté et d’espoir et qui se définissent dans une certaine mesure par la possession commune de ces caractéristiques raciales. Cette opération, qui consiste à investir d’attentes raisonnables et de sens ineffable des caractéristiques physiques objectivement arbitraires, se reproduit de génération en génération, développant sa propre vie sociale, qui semble naturelle et nullement conventionnelle, et finit par affecter profondément les rapports sociaux entre individus dans la société raciale.

Il est crucial, selon Glenn Loury, de faire la distinction dans l’étude de ce problème entre *discrimination raciale* et *stigmates raciaux*. La discrimination raciale a trait à la façon dont les Noirs sont traités, et les stigmates raciaux à la façon dont ils sont perçus. Loury prétend qu’aujourd’hui le *préjugé de rétribution* (traitement injuste subi par une personne à cause de son identité raciale dans les rapports économiques officiels) gêne moins la pleine participation des Afro-américains

à la société des Etats-Unis que le *préjugé de développement* (inaccessibilité de ressources qui, bien que cruciales pour l'épanouissement personnel, ne peuvent être obtenues que par le biais de rapports sociaux non marchands). Bien que ces constatations soient inspirées spécifiquement par l'expérience noire dans le contexte culturel et historique des Etats-Unis, elles contribuent néanmoins à approfondir la conceptualisation du problème de la race et de la marginalité économique dans le monde.

Le paradigme des stigmates raciaux avancé par l'auteur repose sur l'observation que, du fait de l'histoire et de la culture propres à une société donnée, de puissantes connotations négatives peuvent se trouver associées à des caractéristiques physiques particulières présentées par certaines personnes dans cette société. Loury soutient que c'est effectivement le cas pour les caractéristiques qui connotent la "négritude" aux Etats-Unis. Par sa notion fondamentale de *cognition sociale biaisée*, il tente de comprendre en quoi le fait que les gens se servent de classifications raciales dans leurs rapports sociaux altère les causes qu'ils attribuent à ce qu'ils observent dans le monde social. La question fondamentale que se pose Loury est celle-ci: quand la "race" de ceux qui éprouvent des difficultés dans la société affecte-t-elle le regard des observateurs puissants sur le handicap de ces personnes et quand leur fait-elle percevoir ce handicap comme un problème de société?

Se fondant sur le concept de cognition sociale biaisée, l'auteur estime que la persistance de l'inégalité raciale aux Etats-Unis peut être imputée au fait que les réformes politiques dont les Noirs pourraient bénéficier ne recueillent pas de soutien politique et que, s'il en est ainsi, c'est parce que les Noirs sont perçus comme un groupe racial stigmatisé, ce qui "colore" les explications que le commun des mortels serait tenté de donner aux disparités raciales observées. L'association tacite du "Noir" au "vaurien" dans l'esprit du public fausse les processus cognitifs et favorise l'attribution, à tort, de causes essentialistes. Les observateurs ont de la peine à s'identifier à des gens qui, dans leur esprit—mais ils se méprennent—"ne font que récolter ce qu'ils ont semé". Cette tendance à voir dans les disparités raciales un problème de communauté plutôt que de société favorise la perpétuation de l'inégalité dans le temps parce que, fautes d'interventions réformistes, beaucoup de Noirs restent au bas de l'échelle sociale, qu'alors les valeurs sociales négatives attribuées à la négritude se renforcent et qu'ainsi se reproduit le préjugé racial qui fausse les processus socio-cognitifs. La boucle est ainsi bouclée.

Se fondant sur cette analyse sociale, G. Loury démontre que la position philosophique de la "cécité à la couleur", qui consiste à estimer que les politiques publiques ne devraient pas faire attention à l'identité raciale des citoyens, être en quelque sorte "aveugle" à leur couleur, est moralement intenable.

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## **Resumen**

En este ensayo, Glenn C. Loury expone una teoría de la "raza" aplicable a las circunstancias sociales e históricas de los Estados Unidos, y esboza una explicación de por qué la desigualdad racial es un problema tan persistente. Brinda un marco conceptual que permite realizar una crítica social de las cuestiones relacionadas con la raza que pueda alentar a políticos e intelectuales a reflexionar sobre este problema, y a promover así la reforma social. Cualquier teoría de la "raza" debe explicar el hecho de que las personas tomen nota de las características corporales superficiales de otros seres humanos, y de que concedan importancia a las mismas—por ejemplo, el color de la piel, la textura del cabello o la estructura ósea de la cara. Esta práctica es universal en las sociedades humanas y constituye el punto de partida del análisis del autor. Según Loury, una sociedad "racial" es aquella en la que sus miembros clasifican rutinariamente en grupos a todos los seres humanos con los que se encuentran en dicha sociedad, y en la que este convencionalismo para clasificar a las personas se basa en la identificación de una serie de características corporales

visibles. Por este motivo afirma que, en el fondo, la “raza” es una cuestión de “significado social personificado”.

El autor sostiene que la “raza” es un fenómeno social que surge del siguiente modo: un conjunto de seres humanos caracterizados por una variabilidad morfológica son clasificados en subgrupos, a través de una experiencia histórica concreta, que se distinguen por una serie de características físicas. Las expectativas de los agentes ávidos de información giran en torno a estas particularidades, y dichas creencias pueden llegar a ser autoconfirmadoras—las formas en que esto sucede se examinan detalladamente en este documento. Los agentes ávidos de significado confieren a estos rasgos una importancia social, psicológica e incluso espiritual. Los rasgos raciales llegan a constituir el núcleo de las identidades personales y sociales. Las explicaciones narrativas de la ascendencia se basan en dichas características. Y de este modo surgen los grupos de personas, que se identifican entre sí, comparten sentimientos de orgullo, (des)honor, vergüenza, lealtad y esperanza—y se distinguen en cierto modo por tener estos rasgos raciales en común. Las expectativas razonables en torno a las características corporales objetivamente arbitrarias de las personas, y el significado indescriptible que se confiere a dichas características se reproducen a través de las generaciones, ocupan un lugar en la vida social, parecen naturales y no meramente convencionales, y acaban teniendo profundas consecuencias en las relaciones sociales entre las personas de la sociedad marcada por la raza.

A continuación, Loury defiende la gran importancia que reviste distinguir entre *discriminación racial* y *estigma racial* al estudiar este problema. La discriminación racial está relacionada con el trato que reciben los negros, mientras que el estigma racial se refiere a la percepción que se tiene de los mismos. Sostiene que, en la actualidad, la *predisposición hacia la recompensa* (tratar injustamente a las personas en las transacciones económicas formales en base a la identidad racial) supone un obstáculo menor para la plena participación de la población afroamericana en la sociedad de los Estados Unidos que la *predisposición hacia el desarrollo* (bloquear el acceso hacia los recursos importantes para el desarrollo personal, pero disponibles únicamente a través de transacciones sociales no efectuadas a través del mercado). Si bien los aspectos destacados por Loury se refieren al contexto cultural e histórico específico de la población negra en la sociedad estadounidense, el autor contribuye no obstante, a analizar más detenidamente la base conceptual del problema que representa la marginación racial y económica en todo el mundo.

El paradigma del estigma racial explicado por el autor se basa en la observación de que, debido a las peculiaridades históricas y culturales de una sociedad determinada, las características corporales particulares de algunas personas en dicha sociedad pueden llegar a tener connotaciones muy negativas. Loury sostiene que éste es decididamente el caso de las características específicas de “la raza negra” en la sociedad estadounidense. Con su concepto fundamental—*cognición social tendenciosa*—trata de pasar del hecho de que las personas utilicen clasificaciones raciales al interrelacionarse, a entender de algún modo la forma en que esto cambia sus explicaciones causales de lo que observan en el mundo social. La principal pregunta del autor es la siguiente: ¿cuándo la “raza” de las personas sujetas a circunstancias sociales difíciles da lugar a que los grandes observadores consideren que las desventajas experimentadas por dichas personas constituyen un problema societal?

Partiendo del concepto de cognición social tendenciosa, el autor defiende que la desigualdad racial duradera en los Estados Unidos es consecuencia de una falta de apoyo político a las reformas políticas que benefician a los negros, y que esta falta de apoyo político obedece a que los negros son considerados como un grupo racial estigmatizado, que “tiñe” las explicaciones causales que las personas ordinarias dan normalmente a las diferencias raciales que observan. En la imaginación pública, la asociación tácita de “raza negra” con “falta de valía” deforma los procesos cognitivos y promueve atribuciones causales esencialistas equivocadas. Los observadores tienen dificultades para identificarse con la complicada situación de las personas que, a su parecer (erróneamente), “están cosechando lo que han sembrado”. A su vez, esta tendencia a considerar las discrepancias raciales un problema más bien comunitario que social, fomenta cada vez más la desigualdad, ya que, al no tener lugar iniciativas reformistas, persisten las

difíciles condiciones sociales de muchos negros, se refuerzan por consiguiente las connotaciones sociales negativas asociadas a su raza, y se reproducen los procesos sociocognitivos con prejuicios raciales, lo que completa el círculo.

Sobre la base de este análisis social, Loury sostiene que la posición filosófica de la “ceguera racial” —según la cual las políticas públicas deberían ignorar las identidades raciales de los ciudadanos, por lo que deben ser “ciegas” ante la raza— es moralmente insostenible.

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## Introduction<sup>1</sup>

This essay reflects upon the interconnections between economic marginalization and racial discrimination in the United States, focusing on African-Americans. My concerns are both normative (seeking to evaluate the public morality of alternative policy responses to the scourge of racial inequality) and conceptual (seeking to clarify our understanding of the subtle processes that create and sustain durable racial inequality). I am interested in the overarching philosophical commitments that inform and structure thinking about this problem, especially in the industrial democracies of Europe and North America. Specifically, I want to question the adequacy of liberal individualism as a philosophical paradigm for addressing questions of racial justice, in US society and beyond.

I will argue for two main conclusions. First, I attempt to show that the philosophical resources of liberal individualism are strained to the breaking point by the intractable problem of racial injustice. That is, the animating ideals of Western liberalism prove inadequate as a guide to achieving moral public action in the face of large and durable differences in life chances across racial groups in the United States. One implication of liberal individualism with which I take particular issue is the idea that the appropriate response to a history of racism and oppression is to establish a contemporary policy of “colour-blindness”, that is, inattention to the racial identity of citizens.

Second, and closely associated with the first point, I argue that it has become crucially important to distinguish between racial discrimination and racial stigma when discussing the problem of continuing social exclusion and economic disadvantage among African-Americans. Racial discrimination has to do with how blacks are treated, while racial stigma is concerned with how black people are perceived. My view is that what I will call reward bias (unfair treatment of persons in formal economic transactions, based on racial identity) is now a less significant barrier to the full participation by African-Americans in US society than is what I will call development bias (blocked access to resources critical for personal development but available only via non-market-mediated social transactions). By making these points in the specific cultural and historical context of the black experience in US society, I hope to contribute to a deeper conceptualization of the worldwide problem of race and economic marginality.

One overriding reality motivates this reflection: nearly a century and a half after the destruction of the institution of slavery, and half a century past the dawn of the civil rights movement, social life in the United States continues to be characterized by significant racial stratification. Numerous indices of well-being—wages, unemployment rates, income and wealth levels, ability test scores, prison enrolment and crime victimization rates, and health and mortality statistics—all reveal substantial racial disparities. Indeed, over the past quarter century the disadvantage of blacks along many of these dimensions has remained unchanged, and, in some instances, has become even worse. There has, of course, been noteworthy progress in reversing historical patterns of racial subordination. Still, there is no scientific basis upon which to rest the prediction that a rough parity of socioeconomic status for African-Americans will be realized in the foreseeable future. So we have a problem; it will be with us for a while; and it is essential that we think hard about what can and should be done.

As a starting point for the analysis I adopt three postulates, or axioms, about “race” and inequality in the United States. I use the term “axiom” here in the mathematical sense: an assumption embraced for the sake of argument, the implications of which may be of interest. I do not claim that these axioms are self-evident, merely that they are not implausible and are worthy of exploration. My goal in this essay is to uncover the conclusions regarding “race” and social justice in the United States that are entailed by these assumptions.

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<sup>1</sup> This paper has been adapted from Loury (2002), *The Anatomy of Racial Inequality*.

- *Axiom 1* (Constructivism): “Race” is a socially constructed mode of human categorization. That people use marks on the bodies of others to divide the field of human subjects into the subgroups we call “races” is a social convention for which no deeper justification in biological taxonomy is to be found.
- *Axiom 2* (Anti-essentialism): The enduring and pronounced social disadvantage of African-Americans is not the result of any purportedly unequal innate human capacities of the “races”. Rather, this disparity is a social artefact—a product of the peculiar history, culture and political economy of American society.
- *Axiom 3* (Ingrained racial stigma): An awareness of the racial “otherness” of blacks is embedded in the social consciousness of the American nation owing to the historical fact of slavery and its aftermath. This inherited stigma even today exerts an inhibiting effect on the extent to which African-Americans can realize their full human potential.

I defend axiom 1—the claim that “race” is best viewed in social, not biological terms—in the next section. The position on anti-essentialism in axiom 2 has simply been assumed, not reached as a conclusion after a review of empirical evidence. There is, of course, an ongoing debate among social scientists about the sources, extent and significance of racial differences in intelligence. In my opinion, the evidence emerging from this debate does not support the view that the social and economic disadvantage of blacks in America can be explained in terms of supposed innate differences in the intellectual abilities of the “races”. But this paper is not the place to make that case. In any event, I will in due course offer a deeper argument, to the effect that in a democratic polity devoted to civic equality, the position on anti-essentialism taken here ultimately must be adopted as an *a priori* commitment, and not as a conclusion held tentatively or made contingent upon the interpretation of evidence.

Concerning axiom 3’s assumption of “ingrained racial stigma”, I provide a more extended justification in the section on Racial Stigma (below). For now, I wish merely to note that astute external observers of race relations in the United States have often stressed just this point. Thus in the early nineteenth century one finds Alexis de Tocqueville remarking that “the prejudice rejecting the Negroes seems to increase in proportion to their emancipation, and inequality cuts deep into mores as it is effaced from the laws” (de Tocqueville 1848:316). And at mid-twentieth century one finds Gunnar Myrdal pointing out the power of “vicious circles” of cumulative causation—self-sustaining processes in which the failure of blacks to make progress has justified for whites the very prejudicial attitudes that, when reflected in social and political action, have served to ensure that blacks would not advance (Myrdal 1944). I will suggest that subtle processes of this kind are at work among us, even today, and that a proper study of contemporary racial inequality requires one to identify such tragic, self-perpetuating processes, and in so doing, to lay bare the deeper, structural causes of African-American disadvantage.

## **Racial Stereotypes**

I rely heavily in this paper on the elementary observation that, in the first instance, “race” is a mode of perceptual categorization people use to navigate their way through a murky, uncertain social world. I want us to think about people as being hungry for information, constantly seeking to better understand the social environment in which they are embedded, searching always for markers, guideposts, clues that can equip them to make wiser choices on matters of consequence. This is a cognitive, not a normative, activity. Information-hungry human agents—in making pragmatic judgements, to be sure, but also as a necessity for survival—will notice visible, physical traits presented by those whom they encounter in society: their skin colour, hair texture, facial bone structure and so forth. There is neither shame nor mystery in this. The practice of grouping people together on the basis of their common possession of visible bodily

marks is a universal aspect of the human condition.<sup>2</sup> One of the ways that we generate and store social information is to classify the persons we encounter—that is, form broad categories between which contrasts can be drawn and about which generalizations can be made—so that we can better know what is to be expected from those with whom we must deal, but about whom all too little can be discerned. So I would like to begin with a few observations about the act of “racial classification”.

As befits an economist, I employ the concept of classification in the decision-theoretic sense: decision makers (agents) act in ways that affect others (subjects) on the basis of what can be observed about those toward whom their actions are directed. An employer hires, a banker lends, a landlord rents, a neighbour moves, a suitor woos, or not, and so on. As a purely cognitive matter, agents, surveying the field of human subjects, endeavour to discern relevant distinctions among subjects in that field in order to refine their actions, so that those actions may better serve their ends. To make a distinction of this kind is to engage in an act of “classification” in the sense that I intend here. When distinctions are based in some way on a subject’s “race”, then we are dealing with an act of “racial classification”.

### ***What is race?***

I want now to say more formally what I intend by the term “race”. In this essay I use that term to refer to a cluster of inheritable bodily markings carried by a largely endogamous group of individuals, markings 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. This definition has three aspects: ease of identification, relative immutability and social signification. While physical markings on the human body are central to my notion of “race”, I stress (in keeping with axiom 1) that nothing triggers the underlying biological factors that may engender those markings. My definition only requires that the pertinent physical traits are passed on across generations, are easily discerned and are not readily disguised. Moreover, what is “essential” here is that these physical traits are taken to signify something of import within an historical context. “Race”, according to my way of thinking, is all about embodied social signification. As such, much depends on the processes through which powerful meanings come to be associated with particular bodily marks. Obviously, these will have to be historically specific, culturally mediated processes.<sup>3</sup>

There has been much recent discussion in philosophy and cultural studies about the ontological status of race—whether there are any things in the world that may be taken as corresponding to the word race, and so forth. It has become fashionable to put the word in quotes, by way of emphasizing its problematic scientific and philosophical status. The core claim in the literature is that there exist no objective criteria—biological, cultural or genealogical—through use of which a set of human beings can be consistently partitioned into a relatively small number of mutually exclusive, collectively exhaustive subsets that may be taken as races. Belief in the existence of races, according to this view, is rather like belief in the existence of witches—just mischievous superstition, nothing more.<sup>4</sup> I do not follow this line of argument here.

Of course, neither I do dispute the core claim—axioms 1 and 2 declare as much. But I find little of interest in this philosophy of language exercise. Rather, I am impressed, as any good social scientist would be, by the fact that so much human behaviour has become organized around racial categorization, despite its evident lack of any basis in biological taxonomy. This, it would appear, is what must be explained. One has no need for objective rules of racial taxonomy to study, as I do here, the subjective use of racial classifications. It is enough that influential obser-

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<sup>2</sup> Indeed, recent research in neuroscience suggests that perception of racial difference is deeply rooted in the human brain. Teams of brain scanners and social psychologists working in concert have recently found that a “particular part of the brain becomes more active when people look at members of a different race” (Berreby 2000:F3).

<sup>3</sup> With this definition in hand, I henceforth drop the fashionable practice of putting the word “race” in quotes, relying on the reader’s understanding of what I intend with the term.

<sup>4</sup> Eloquent and powerful arguments exposing ethical and philosophical problems with the race concept can be found in Gilroy (2000) and Appiah (1992). For a discussion of the scientific limitations of the race idea, see Cavelli-Sforza (2000).

vers (passersby on the street, new neighbours before the moving van arrives, policemen, employers, bankers and so on) hold schemes of classification in their minds, and act on those schemes. They need not make their schemes explicit; their methods of classification may well be mutually inconsistent with each other. And while it may be true that these agents could not give cogent reasons for adopting their schemes, it is also the case that they are unlikely ever to be asked to do so.

Still, if a person is aware that others in society are inclined to classify him on the basis of certain markers and if, in turn, this classification constitutes the basis of differential actions affecting his welfare, then these markers will become important to him. He will pay attention to them, and become conscious (and, I dare say, self-conscious) with regard to them. He will, at some level, understand and identify himself as being “raced”. This will be a rational cognitive stance on his part, not a belief in magic, and certainly not a moral error.

Moreover, whatever the scientific status of the race concept, the social convention of classifying people on the basis of their bodily markings will typically have profound, enduring and all too real consequences. This ubiquitous practice can, at one and the same time, be eminently consistent with reason, stubbornly resistant to change, and a formidable barrier to the attainment of social justice. To illustrate how and why this can be so, I want now to consider in some detail the inner workings of what I will call “self-confirming racial stereotypes”.

### ***Self-confirming racial stereotypes***

A “self-confirming stereotype” is a statistical generalization about some class of persons regarding what is taken with reason to be true about them as a class, but cannot be readily determined as true or false for a given member of the class. Furthermore, this generalization is “reasonable” in the specific sense that it is self-confirming: observers, by acting on the generalization, set in motion a sequence of events that has the effect of reinforcing their initial judgement. And so a “self-confirming racial stereotype” is simply a generalization of this kind about a class of persons defined in part or altogether on the basis of whatever categories of racial classification happen to be operative in observers’ minds. I wish to consider the rationality, durability, efficiency and fairness of self-confirming racial stereotypes.

Obviously, a generalization about some group can be supported by evidence without that evidence having in any way been influenced by the actions of those making the generalization. Thus not all “reasonable” stereotypes will be self-confirming. However, I am interested here in the special circumstance in which those making a supposition about some group of persons have within their power the ability to act so as to influence the population being observed. For reasons that will become clear, this particular circumstance is highly relevant to the task of understanding and evaluating the social problem of persistent racial inequality in the United States.

I acknowledge that this use of the term “stereotype” diverges from common parlance. *Webster’s New World Dictionary* defines “stereotype” as “a fixed idea or popular conception about how a certain type of person looks, acts, etc”. One senses a connotation of “unreasonableness” in that definition—the stereotype being a false or too simplistic supposition about some group: “blacks are lazy”, “Jews are cunning” and so on. While I do not dispute that this crude overgeneralizing behaviour occurs, it is not my subject here. Rather, my model of stereotypes is designed to show the limited sense in which even “reasonable” generalizations, those for which ample supporting evidence can be found, are fully “rational”. I argue that such generalizations often represent instances of what I will refer to as “biased social cognition”.

The self-confirming property of stereotypes as I define them is, therefore, crucial to my argument. I will be positing situations in which stereotypic thinking seems plausible, so that I can go on to show that, even then, where race is involved, things may not be quite as they appear. To illustrate, if agents hold a negative stereotype about blacks, they may think (correctly) that, on the average and all else equal, commercial loans to blacks pose a greater risk of default

or that black residential neighbourhoods are more likely to decline. But this can hardly be the end of the story. What about the possibility that race conveys this information only because agents expect it to, and then act in ways that lead to the confirmation of their expectations? What if blacks have trouble getting further extensions of credit in the face of a crisis, and so default more often? Or what if non-black residents panic at the arrival of blacks, selling their homes too quickly and below the market value to lower-income buyers, thereby promoting neighbourhood decline?

If under such circumstances observers attribute racially disparate behaviours to inherent limitations of the stereotyped group—thinking, say, that blacks do not repay their loans or take care of their property because they are just less responsible people on average—these agents might well be mistaken. Yet, given that their conjecture about blacks is supported by hard evidence, they might well persist in the error. *Now, notice one thing: this mistake would be of great political moment. For attributing an endogenous difference (a difference produced within a system of interactions) to an exogenous cause (a cause located outside that system) leaves one less interested in working for systemic reform.* This is the effect I am after with the models to be elaborated below, and this is why I am willing to employ an apparently loaded phrase like “biased social cognition”: it is a politically consequential cognitive distortion to ascribe the disadvantage to be observed among a group of people to qualities thought to be intrinsic to that group when, in fact, that disadvantage is the product of a system of social interactions. My contention is that in American society, when the group in question is black, the risk of this kind of causal misattribution is especially great.

### ***The logic of self-confirming stereotypes***

Now, whether race is involved or not, the logic of self-confirming stereotypes as I conceive them entails three key components:

1. Rational statistical inference in the presence of limited information (an employer, for example, wants to know how reliably and skilfully a prospective employee will work, if hired, and draws conclusions based on the data at hand—say, the employee’s performance during a probationary period).
2. Feedback effects on the behaviour of individuals due to their anticipation that such inferences will be made about them (a worker, in this example, decides whether or not to acquire certain skills partly on the basis of what this worker thinks employers will conclude about him when he seeks work).
3. A resulting convention (economists call this an “equilibrium”) in which mutually confirming beliefs and behaviours emerge out of this interaction (the employer’s surmise about his workers and the workers’ decisions about skill acquisition are mutually consistent).

How can we relate this abstract way of thinking to the subject at hand? In the broadest terms, this stereotype-logic provides an analytic template to illustrate how the cognizance of race comes into existence and is reproduced through time in society. This logic, in other words, provides insight into how and why observers use racial categories for their classifying purposes. The point is that the inferential, self-confirming logic just outlined can easily be contingent upon the racial characteristics of subjects, to the extent that altogether different outcomes occur for subjects who belong to different races—that is, distinguishable by observable bodily marks. Although these race-markers may be of no intrinsic significance, they nevertheless can serve as useful indices around which human agents organize their expectations.

One way to think about race conventions, then, is to see them as the equilibria that emerge when subjects and agents in the habit of noticing certain racial markers interact with one another on matters of consequence under conditions of limited information. It becomes “rational” for agents to classify a subject using functionally irrelevant (racial) markers because this allows them more accurately to assess that subject’s functionally relevant but unobservable traits.

Physical traits matter because observers (correctly) expect them to matter. This expectation induces agents to interact with subjects in a manner that depends on race, thereby creating different incentives for subjects in racially distinct population subgroups. Responding to these incentives, subjects adapt according to how they expect to be perceived, which is to say, they adapt differently depending on their race. In the equilibrium, this race-varying behaviour by subjects is consistent (on the average) with observing agents' initial beliefs, confirming the agents' supposition that a subject's race would be informative. Race conventions emerge as by-products of the happenstance of observable morphological variability in human populations. Put differently, race matters "in the equilibrium" (as we economists would say) as a result of the inexorable logic of self-confirming feedback loops.

At this (admittedly high) level of generality, a race could be constructed around any cluster of inheritable physical markers shared by a largely endogamous human subpopulation that are easy for observers accurately to assess and that can be misrepresented only with difficulty. Observers, doing the best they can under trying circumstances, end up partitioning the field of human subjects in such a way that a person's hard-to-observe but functionally relevant (say, economic) traits can be effectively estimated by paying attention to that person's evidently informative, though functionally irrelevant, (racial) traits.

This, then, is my "model" of self-confirming racial stereotypes.

### ***Some illustrations***

We are clearly in need of examples at this point. Here, then, are a couple of thought experiments to illustrate the logic just outlined.

Imagine a group of employers who harbour the *a priori* belief that blacks are more likely than others to be low-effort trainees. Suppose they observe the number of mistakes any employee makes on the job, but not the effort exerted by that employee during the training period. Let employers have the option of terminating a worker during the training period, and suppose they will find it much more difficult to do so later on. Then employers will set a lower threshold for blacks than for other employees based upon the number of mistakes needed to trigger dismissal, since, given their prior beliefs, they will be quicker to infer that a black worker has not put in enough effort to learn the job. Mistakes by black workers early in their tenure will provide evidence of the employers' worst fears, more so than an equal number of mistakes by other workers. Employers will, therefore, be less willing to extend the benefit of the doubt to blacks during the training period.

But how will black workers respond to such behaviour by employers? It is costly to exert effort during the training period, and the reward for doing so can only be realized if an employee escapes termination. Knowing they are more likely to be fired if they make a few mistakes, an outcome over which they cannot exert full control, more black than other workers may find that exerting high effort during the training period is, on net, a losing proposition for them.<sup>5</sup> If so, fewer of them will elect to exert themselves. But this will only confirm the employers' initial beliefs, thereby bringing about a convention in which the employers' racial stereotype—"blacks tend to be low-effort trainees"—will (seem to) be entirely reasonable.

Alternatively, suppose most taxi drivers refuse to stop for young black men after a certain hour because they fear being robbed, though a few drivers will stop for anyone. Let us say that there are two types of young men—those merely trying to get home late at night and those intent on robbery—and let us suppose that the relative number of the two types does not depend on race. Now, for most young men, anticipating a long wait will discourage dependence on taxi transportation. They may arrange to ride with friends, take public transport or bring a car, and this is

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<sup>5</sup> Raising employers' review standards could also elicit greater effort from workers. But since an impossibly difficult standard makes effort superfluous, a tougher standard must discourage effort after some point. I am implicitly assuming in this thought experiment that, by withholding the benefit of the doubt from black workers, employers move beyond that point.

especially so if a young man is simply trying to get home. But a person bent on robbery will not be so easily deterred. Even though he knows most cabs are unlikely to stop, he only needs one to do so to accomplish his night's work.<sup>6</sup> Given that taxi drivers treat blacks differently, stopping less frequently for them, and that robbers are less easily deterred than are the law abiding, the drivers' reluctance to stop will discourage relatively more of the law abiding than of the robbers among blacks from relying on taxi transportation. This effect will not be present for non-blacks, since drivers are quite willing to stop for them. Hence, through a process that economists call "adverse selection", the set of young black men actually seen to be hailing taxis after dark may well come to contain a noticeably larger than average fraction of robbers, precisely the circumstance presumed by the drivers in the first place.

Notice what is happening here: the drivers' own behaviour has created the facts on which their pessimistic expectations are grounded. Indeed, in the context of this thought experiment, were most drivers as willing to stop for young black men as for others, the set of blacks hailing cabs would be no more threatening than the overall population average. But then it would be reasonable for drivers to pay no heed to race when deciding whether or not to stop! So is it "rational" or not, for drivers to use race as a signifier of danger? Clearly, once a convention employing the self-confirming stereotype has been established, the drivers' beliefs and actions are defensible on the basis of reason. And yet the deeper conclusion—that there is an intrinsic connection between race and crime—is altogether unjustified. I think it is safe to assume that this subtle distinction will elude most cab drivers, politicians, op-ed writers and not a few social scientists!

### ***Some core questions***

At this point, a reader may be asking some questions, such as:

1. If the racial markers are truly arbitrary, then why are the blacks so often on the short end of this process?
2. If the association between payoff-irrelevant markers and payoff-relevant traits is not intrinsic, but is engendered by the nature of agent-subject interaction, then shouldn't somebody learn what is going on and intervene to short-circuit the feedback loop producing this inequality?

These questions go to the heart of the matter and dealing with them leads naturally into a discussion of racial stigma. Before going further, however, I wish to make two observations.

First, I want to emphasize that I do not see the feedback mechanism just illustrated as the be-all and end-all of race-based behaviour in society. As will become evident, I believe that people pay attention to racial markers because they convey social meanings, and not just social information. Still, I think that to study conventional stereotyping is an empirically relevant and analytically useful exercise. It yields insight into how racially disparate outcomes can be understood without recourse to essentialist assumptions of innate racial difference. It shows how acquired differences in capabilities between members of different racial groups—due, for instance, to unequal access to resources critical for human development—can be magnified into even larger differences in social outcomes. It clarifies why "The data bear me out when I say 'those people' are really less productive" is not an acceptable answer to the complaint that widely disparate group outcomes should be a cause of concern for anyone interested in social justice. This way of thinking at least hints at how great the cost may be—for members of a racially marked group, to be sure, but for the entire society as well—when widely held negative stereotypes about a visibly distinct subset of the population are allowed to persist indefinitely. And it shows why broad-based, system-wide interventions may be the only way to break into the causal chain that perpetuates racial inequality over time.

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<sup>6</sup> More generally, both types of young men could be discouraged by the drivers' reluctance to stop. What is required for this example to work is that the proportion of robbers among those hailing cabs rises as the frequency of stops declines. This condition will hold if the law abiding are more sensitive to delay than are those bent on robbery, which is quite plausible.

Second, I want to discourage any rush to moral judgement about the behaviour of observing agents (the employers or cab drivers) in the examples just offered. As I see it, we are dealing with deep-seated cognitive behaviour here. There is no getting around classification—it is the way of the world. People will classify when the stakes are high enough. Thus, our imaginary taxi driver stands to gain \$10 from a law-abiding fare but to lose, say, \$10,000 on average if he stops for a robber (allowing for possible loss of life or limb). With those stakes, even if the probability of robbery is on the order of one chance in a thousand, a small difference in the behaviour of racial groups may shift a driver's cost-benefit calculus from a "stop" to a "do not stop" decision. With the stakes so high, with information so limited, and given that a real correlation between "race" and "chance of robbery" is there to be observed, why should we condemn this taxi driver?

However, consider a traffic cop sitting in a \$50,000 cruiser, who has received \$100,000 worth of training, is backed by a big bureaucracy, and has a computer at his fingertips that allows him, by simply reading a license plate, to instantly generate reams of information. This is an observer with no excuse for allowing his behaviour to be driven by racial generalizations. So my purpose here is to analyse, not moralize. I am arguing neither "for" nor "against" stereotypes. I seek merely to grasp their consequences; to fathom how racial stereotyping creates the facts that are its own justification; to understand how reasonable people, who base their perceptions and beliefs on hard evidence, can nonetheless hold the pernicious idea that blacks are different from others in some deeper (than race) way that accounts for their lowly status. The social production of such outcomes must first be understood. Only then, it seems to me, will it be possible to engage in effective social criticism.

But what about those core questions? I will address them in turn.

The self-confirming feedback processes just illustrated treated each instance in isolation from the others, made no mention of history, and ignored factors like prejudice and misinformation—indeed, wilful misinformation. Nor did it allow for any interaction between, on the one hand, reasonable information-based distinctions and, on the other hand, maltreatment of persons due to old-fashioned, unreasoning racial antipathy. And crucially, it did not ask whether persons subject to marker-based discrimination would have their ideas about their own worth or that of others with the same markers affected in any way. It is clear that, in the case of African-Americans, all of these are counterfactual omissions. Taking such factors into account would, I submit, go some way toward answering core question 1.

Now, consider core question 2, which might be expanded as follows: why don't people learn about the self-confirming feedback mechanism and intervene in order to break the production of racial stereotypes, or disrupt their reproduction through time? Why doesn't somebody do something about the entrenchment and reification of this way of thinking? If race-based classification is a human product—a social construction—then shouldn't humans be able to control it? This question goes to the core of my concerns in this essay, so I will take it up at some length.

### ***Learning about feedback effects***

To aid in this reflection, consider the key distinction between "competitive" and "monopolistic" observing situations. A competitive situation is one in which there are a large number of observing agents, each encountering subjects from an even larger, common population, each taking actions in relation to these subjects but knowing that, owing to their relatively insignificant size, no action they can take will affect the population's characteristics. A monopolistic situation is one in which a single observing agent (or a quite small number) acts on a population of subjects. Examples of competitive observing situations include the taxi drivers encountering prospective fares and deciding whether or not to stop on the basis of their estimates of the likelihood of being robbed, and the low-wage labour market of a big city where many small employers hire from a common labour pool and use race as an indicator of likely worker reliability. Examples of monopolistic observing situations include a police department setting policy about



how its officers should conduct traffic surveillance, the labour market in a small city where one or a few big employers dominate the hiring, and a huge bureaucracy like the military that deals with millions of people on a national scale.

Now, a monopolistic observer might, upon reflection, become aware of how his behaviour (the use of racial markers to formulate race-dependent estimates of subjects' hard-to-observe traits) produces feedback effects in the distinct populations in a way that ends up confirming his initial beliefs. That is, a monopolistic observer might try to internalize the incentive effects sketched earlier in order to improve the equity and efficiency of the subject-observer interactions. But this would not be possible for a competitive observer. Even if a small employer or a taxi driver learned or was told about such feedback effects, there would be nothing to be done because, in a competitive situation, an individual's action has so little impact on the overall observing environment. So core question 2 is most relevant in monopolistic observing situations.

This terminology—referring to “monopolistic” and “competitive” observing situations—is borrowed from economics in analogy with the distinction between sellers who do and those who do not have the power to set market prices. The analogy can be taken one step further: even when sellers lack market power they can still act in concert, with the aid of government regulations, to set and enforce a minimum price. Likewise, in my model, even though competitive agents cannot influence the observing environment on their own, their collective action via government remains a possibility. So core question 2 may still be relevant in competitive observing situations, once allowance is made for the possibility of a co-ordinated response implemented through public policy. In any event, the question is certainly relevant in monopolistic observing situations, and these are numerous enough. So why, we must ask, do those observers who have “the power to create facts” not learn and intervene?

To venture an answer, and to hint further at the role of racial stigma in my overall argument, suppose this observer can credit two qualitative causal accounts of what produces his data. The first is the story just told, in which race predicts behaviour only because, thinking it will do so, the observer uses the race-marker to discriminate, thereby inducing a statistical association between a functionally irrelevant, though easily observable, marker, and functionally relevant, but unobservable, trait. The second account posits that the marker itself is intrinsically relevant in some way. That is, the second account credits to some extent the view (racial essentialism) that I explicitly rejected in axiom 2. Now, if a monopolistic observer believes mainly the first account, he will see the racially disparate outcome as being anomalous or surprising. He may therefore find it to be in his own self-interest to experiment, in order to learn about the *underlying process* that is generating his observations. He may be led in this way to reduce his reliance on the racial marker and, in so doing, to unmake the factual circumstance that initially justified its use.

However, if this monopolistic observer credits mainly the second, essentialist account, he will not see much of a benefit to be garnered from experimentation.<sup>7</sup> (We need not assume that the observer wholly believes one story or the other; he may think either possible. My argument works so long as the essentialist account is given sufficient weight.) In this case, the observer's experience does more than simply confirm his beliefs; it comports with his inchoate sense of the natural order of things. “Those people just don't make good workers,” he will conclude, and he will continue to view them with the scepticism that, on the unsurprising (and uninspiring) evidence at hand, they seem so richly to deserve. Now, a rationalistic account could be developed in which an agent experiments, even though with current beliefs this seems unlikely to pay off, because the agent thinks those beliefs may be wrong and realizes that experimentation may uncover the error. This,

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<sup>7</sup> Regardless of which account he credits, in the real world of American society, beyond the confines of my thought experiments, a monopolistic observer has another important option: he can simply avail himself of an alternative source of labour exhibiting none of the problems associated with blacks—by moving his operations to a different region, or hiring immigrant workers rather than African-Americans. The interesting point here is that negative stereotypes about one group may persist precisely because of the existence of positive stereotypes about another group, and vice versa. The two sets of beliefs can be mutually supportive via interacting, self-confirming feedback processes of the sort illustrated here. Although I cannot pursue this complication in this paper, the questions it raises are of theoretical interest and, I think, also of practical importance. I am very much indebted to the sociologist John David Skrentny of the University of California at San Diego for comments that stimulated me to think in this direction.

for instance, is one way that scientific communities function so as to advance the frontiers of knowledge. However, as Thomas Kuhn observed long ago, experimentation of this kind generally requires an observer to encounter events that are anomalous, challenging previously taken-for-granted understandings (Kuhn 1962). And whereas the incentives facing scientific investigators are structured precisely to encourage this “anomaly hunting”, it is something of an understatement to observe that the incentives facing those who employ low skilled workers or who run police departments are not so structured.

The key point here, and the answer I have for core question 2, is this: learning to discard an erroneous or incomplete causal explanation in matters of race is generally not a straightforward undertaking. If, according to Kuhn’s thinking, highly disciplined scientific communities have trouble abandoning an outmoded paradigm, we may be sure that less formal social aggregates will as well. Revision of beliefs may well be a cognitive activity, but that cognition is always rooted in a social context and influenced by the taken-for-granted suppositions that agents hold.<sup>8</sup> As a result, if a racial disparity does not strike a powerful observer as being disturbing, anomalous and contrary to his unexamined and perhaps not even consciously espoused presumptions about the nature of his social world, then he may make no special effort to uncover a deeper (than race) cause of the disparity. Certainly, the possibility that his own behaviour has helped to engender the problem will be unlikely to occur to him. However reasonable (that is, non-arbitrary, grounded in evidence) his beliefs may be, the process through which he arrives at and holds on to those beliefs need not, and generally will not, be “rational” at all.

### ***Race and social cognition***

This is not to say that rationality has no role to play in the process of social learning. We can stick with a more or less rational account of learning, and simply observe that people have to take a “cognitive leap of faith” with respect to how they specify the environment in which their learning is to take place. That choice of specification, plausibly, cannot be a fully rational act. Intuitively, the cognition underlying it is more a “pattern recognition” than a “deductive” type of cognition. It is as if the agent is thinking: “This fits. This feels about right. I think this framing of the problem is more or less accurate. Now, having so framed, I will go on to make a deductive calculation about whether this or that alternative hypothesis, seen from within my adopted frame of reference, makes sense”.

I admit that this is far from a rigorous social-psychological argument. I am aware that, by advancing it, I step rather far out on the proverbial limb. But as the force of core question 2 makes clear, some speculation of this sort is warranted, given the stakes. For if agents do not learn about mechanisms within their control that reproduce racial inequality through time, the results may be tragic. Consider the possibility that learning about the ultimate (not proximate) causes of a group disparity fails to occur for one division of the population (black/white) because, when told that the blacks are lagging, the general feeling is: “They are about where we expected them to be”. But learning does take place for a different division of the population (male/female) because, upon hearing that the girls are lagging, people instinctively think: “Something must be dreadfully wrong”.

This is no simple accusation of “racism”. Nor am I charging the American people with caring more about gender inequality than about racial inequality—though this may be the case. Rather, I am making what I take to be a pertinent observation about the cognitive-adaptive possibilities implicit in various social situations, in which observers try to discern how the facts on which they base their decisions have been generated.

Specifically, I want to distinguish two cognitive acts required to process social information—specification and inference. An observer first adopts a specification, within the framework of which an inference is subsequently drawn. Specification refers to the qualitative framework

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<sup>8</sup> The social psychology literature abounds with evidence supporting this claim. See the still useful, though somewhat dated, survey by Nisbett and Ross (1980).

guiding an agent's data processing mechanisms. Inference refers to the quantitative calculation of parameters from available data. The language is borrowed from statistics but is intended to apply to the cognitive assessments of ordinary persons, not statisticians.

Now, I assert that the mental processes underlying these cognitive acts are fundamentally different, and that while inference may be well conceived as a fully rational enterprise, specification is best thought of as an intuitive, instinctual, pattern-recognition type of activity. The cognition underlying the self-confirming feedback loops that lead to racial stereotypes, as illustrated in the foregoing thought experiments, is an instance of inference. But the questioning of long-held beliefs, and the willingness to experiment for the sake of learning even though it might seem not to pay off—these are instances of specification. We should expect non-rational factors—in particular, the taken-for-granted meanings that may be unreflectively associated with certain racial markers—to exert a significant influence on the latter type of cognitive behaviour.

Here, then, is my final answer to core question 2: race may be a human product, but, because it is a social convention that emerges out of the complex interactions of myriad, autonomous decision makers, it is not readily subjected to human agency. Between reflective human agents and their social artefacts stand mechanisms of social intercourse that are anything but transparent. Because we filter social experience through racial categories, and given the ancillary meanings with which those categories are freighted, we can be led to interpret our data in such a way that the arbitrariness of the race convention remains hidden from our view, leaving us “cognitive prisoners” inside a symbolic world of our own unwitting construction.

### ***Looking ahead***

With these speculations in view, it should now be easier to see the key role that racial stigma plays in my argument. In the next section I propose that durable racial inequality be understood as the outgrowth of a series of “vicious circles of cumulative causation”. The story goes something like this: the “social meaning of race”—that is, the tacit understandings associated with “blackness” in the public's imagination, especially the negative connotations—biases the social cognitions and distorts the specifications of observing agents, inducing them to make causal misattributions detrimental to blacks. Observers have difficulty identifying with the plight of a people whom they mistakenly assume simply to be “reaping what they have sown”. This lack of empathy undermines public enthusiasm for egalitarian racial reform, thus encouraging the reproduction through time of racial inequality. Yet, absent such reforms, the low social conditions of (some) blacks persist, the negative social meanings ascribed to blackness are thereby reinforced, and so the racially biased social-cognitive processes are reproduced, completing the circle. As they navigate through the epistemological fog, observing agents find their cognitive sensibilities being influenced by history and culture, by social conditions and by the continuing construction and transmission of civic narrative. Groping along, these observers—acting in varied roles, from that of economic agent to that of public citizen—“create facts” about race, even as they remain blind to their ability to unmake those facts and oblivious to the moral implications of their handiwork.

Calling this behaviour racism, while doing little violence to the language, also fails to produce much insight. How, we should ask, will this self-reinforcing process be contested? Epithets are unlikely to be of much help. Subtle dynamics underlie racially biased social cognition—dynamics that are not much illuminated when conceived simply as some form of anti-black enmity. Note, for instance, that the argument to this point has made no reference to the race of the observer. Whereas a theory grounded in racial enmity would have trouble explaining anti-black sentiments held by other blacks, nothing in my theory prevents a black from succumbing to the same cognitive biases as anyone else, when drawing inferences about the underlying causes of racial inequality. Nor would I dismiss the possibility that perceptions by blacks of the larger society—of the opportunities available to them for upward mobility, for instance—might be distorted by racially conditioned causal misattributions on their part.

Here is yet another reason to resist the temptation to moralize when discussing these issues. I believe that it is more fruitful to focus on the cognitive rather than the normative aspects of this problem, attending to how people—often unthinkingly—think about social information. So, anyway, I hope to persuade the reader with the argument to follow.

## **Racial Stigma**

I have just argued that human beings are hungry for information, that we partially sate this hunger by paying attention to the bodily markings of those whom we encounter in society, and that this nearly universal practice—the forming of generalizations based on superficial physical traits by decision-making agents with the power to create facts—can have politically profound and morally disturbing consequences. But that is only part of the story. We humans are also hungry for meaning(s). As the sociologist Pierre Bourdieu has cleverly observed, “the experience of meaning is part and parcel of the total meaning of experience” (Bourdieu and Wacquant 1992:9). If navigating our way through the social fog is a problem, this is only because we have goals, purposes and ultimate ends. We strive to “transcend the world of existences”, in Vaclav Havel’s lovely phrase—to impute an ineffable significance to the artefacts that furnish our lives. In what follows I hope to show that considering the experience of racial meaning is necessary if we are to fully grasp the meaning of racial inequality as it is now experienced in American society.

Because human beings look for and derive meaning from the material substratum in which we are embedded, human behaviour is determined not only by material and institutional structures, but also by what those structures are understood to signify. The arbitrary bodily marks associated with racial distinction are among the structures in our social environment to which meanings about the identity, capability and worthiness of their bearers have been imputed. I repeat: race is all about embodied social signification. In this sense, it is a social truth that race is quite real, despite what may be the biologic-taxonomic truth of the claim that there are no races. Recognizing this social truth is critical to the project at hand. For the social meanings imputed to race-symbols have had profound, enduring and all-too-real consequences—consequences due not to any race-dependent biological processes but rather to a system of race-dependent meanings, habitual social significations, that can be more difficult to “move” than that proverbial, all-too-material, mountain.

So, having made the economist’s case about information, incentives and racial reputations, I now look at racial stigma in order to expand horizons. These morphological features—associated in a society at a historical moment with what are taken to be the races—are more than mere forecasting tools. Nor are they simply ciphers facilitating a more or less accurate reading of a person’s unseen traits. They are also signs from which cues of identity are drawn, and upon which indices of belongingness are inscribed. *As we encounter one another in social space, we perceive the physical markings on one another’s bodies and go on to play our respective parts, enacting scripts written long before we were born.* It is hard not to notice these racial signs, difficult not to be moved in any way by them. We become confused or discomforted when confronted by someone who does not fit our categories. We search for an inoffensive way to resolve the ambiguity—to discover whether she is (and whether she thinks of herself as being) black or white, Asian or Hispanic. This ought not to matter, we tell ourselves, for how we approach her, for where we see her fitting into our lives—and yet, all too often, it does matter, and profoundly so. The potential for sociability is circumscribed by instantaneous, visceral reactions to the race-markers of the other. Here, I maintain, is a key feature of our problem. For when that “other” being encountered in American society is black, taboos and suspicions—long in the making, and difficult to acknowledge or confront—come quickly to the fore. This is no longer the taxi driver’s problem—the evidently justified fear of harassment or worse. Here we enter the territory of racial stigma, of dishonourable meanings socially inscribed on arbitrary bodily marks, of “spoiled collective identities”.

### **Goffman's "stigma" and mine**

I approach "racial stigma" via the work of Erving Goffman (1963). In his book *Stigma: Notes on the Management of Spoiled Identities*, Goffman studies the problems faced by people with virtual social identities that are disreputable or "spoiled"—people carrying bodily marks (stigmata) that incline others to judge them negatively, but also people with less visible markings who live at constant risk of being "exposed". So Goffman's stigmatized were the blind, the deaf, the "cripple", the drunk, the former mental patient and the homosexual.

Taking his analysis as a point of departure, I wish to emphasize one of Goffman's central distinctions: between an identity constructed "from the outside", via social imputations based on a person's physical presentation, and an identity constructed "from the inside", via the accumulation of facts specific to a person's biography. The former is virtual, a social artefact, a construction that reflects whatever social meanings may be ascribed to the visible marks. The latter is actual, a life history, something relatively objective, more or less independent of conventional ascriptions. These two identities—the virtual and the actual ones—can diverge systematically in the social experience of a given individual.<sup>9</sup> And when this happens, an interesting drama unfolds for both subject and observer. This is Goffman's key insight, which I borrow to enrich this reflection on racial inequality.

Let the virtual social identity imputed to a subject be negative, because observers tend to associate the visible indicators at hand with some dishonourable conception of the subject. Then, following Goffman, this person's social identity is "spoiled" in an essential way, and it can rightly be said that the person is "stigmatized". Moreover, and crucially, this stigmatization is not merely the drawing of a negative surmise about someone's productive attributes. *It entails doubting the person's worthiness and consigning him or her to a social netherworld.* Indeed, although the language is somewhat hyperbolic, it means being sceptical about whether the person can be assumed to share a common humanity with the observer. Drawing on this observation, and calling to mind the legacy of racial dishonour engendered by the history of chattel slavery in the United States, I want to suggest that the idea of "racial stigma" can be used to gain insight into problems of perception, representation, and standing in contemporary American public life that adversely affect (some) blacks.

### **Race and social meaning**

How, one might ask, does a society of "raced agents" come over time to invest what are, after all, arbitrary physical markers—indices with no intrinsic connection to human abilities, hopes and fears, worthiness and dignity—with so much emotive power? That is, why do people cry, or die, because of meanings they associate with race-related experience? This is a deep question to which I cannot provide a comprehensive answer here. But an analogy may be helpful: what could be more arbitrary than the co-ordinating convention, stop on "red" and go on "green"? It would surely work just as well the other way around—stop on "green" and go on "red". The particular colours being used here have no intrinsic significance. Still, it is not difficult to imagine that, in time, "red" might (for meaning-hungry human agents) become imbued with a sense of prohibition, and "green" with a sense of licence. Once this were so, it would then be difficult to use those symbols in any other way, despite the arbitrariness of their initial designation.

So here we have a case—admittedly artificial—in which arbitrary markers nevertheless become vested with meanings that stubbornly resist change and that, when widely shared in society, place objective limits on the range of feasible social actions. But we need not look only to artificial cases. It is a commonplace of social life that accidents of time and geography—our dates or places of birth, for instance—become infused with an abiding significance, leaving us feeling connected in some way to other people with whom we may share little more than some

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<sup>9</sup> Thus, a working-class black teenager taking the bus home from his after-school job late one evening may be, on the facts of his biography, a model of integrity and seriousness. But, an off-duty police officer observing this same youth walking from the bus stop to his home at that hour may conclude, based on his age, dress, gait, location and the time of day, that this youngster is a potential criminal who must be approached with caution.

happenstance of common origins. In analogous fashion, the symbols we call race have, through time, been infused with social meanings bearing on the identity, the status and the humanity of those who carry them.

Once established, these meanings can come to be taken for granted, enduring unchallenged for generations. In a hierarchical society, a correspondence may develop between a person's social position and the physical marks taken in that society to signify race. Bodily signs that trigger in an observer's mind the sense that their bearer is ordained to be "a hewer of wood and drawer of water", a member of a "master race destined to rule the world", or a "social pariah best avoided at all costs", illustrate the possibilities.

When the meanings connoted by race-symbols undermine an observing agent's ability to see their bearer as a person possessing a common humanity with the observer—as "someone not unlike the rest of us"—then I will say that this person is "racially stigmatized", and that the group to which he belongs suffers a "spoiled collective identity".

### ***In defence of axiom 3***

But in what sense can "blackness"—by which I mean the racial designation of African-Americans—be taken to be a "spoiled collective identity"? I begin by noting that race conventions have evolved in the circumstances of time and place peculiar to a given society. This race-making was a different process on the North American continent in the seventeenth and eighteenth centuries than it was at the southern tip of the African continent in the eighteenth and nineteenth centuries, and so on. Accordingly, when considering the social meaning of race in the United States, one wants to pay attention to the specific historical processes that conditioned our nation's race-making. Fundamental in this regard, I assert, was the institution of chattel slavery, an institution grounded in America's primordial racial classification—the "social otherness" of blacks.

This assertion was formalized in my axiom 3, which postulated an ingrained racial stigma adversely affecting blacks. Of the three axioms that I have offered, this one is likely to be the most controversial. Invoking the spectre of slavery in a discussion of contemporary racial inequality will raise eyebrows. ("That was a long time ago", I hear the sceptics saying.) And yet, as the argument to this point makes clear, much rests on my conviction that the history of slavery in America casts a long shadow, one with contemporary relevance. So it is worthwhile to offer some of the motivation for my decision to adopt axiom 3.

In his profound treatise, *Slavery and Social Death*, the historical sociologist Orlando Patterson (1982) has argued that one cannot understand slavery without grasping the importance of honour. Slavery, he states, is a great deal more than an institution allowing property-in-people. It is "the permanent, violent domination of natally alienated and generally dishonoured persons" (page 13). By surveying this institution across five continents over two millennia, Patterson shows that the hierarchy of social standing—masters over slaves, reinforced by ritual and culture—is what distinguishes slavery from any other system of forced labour. This is a parasitic relationship within the social body: masters derive honour from their virtually unlimited power over slaves, who are radically marginalized because their very social existence is wholly dependent upon relations with their masters. In the American context, obviously, the rituals and customs supporting this hierarchical order—the system of taken-for-granted meanings that made possible an adherence to high Enlightenment ideals in the midst of widespread human bondage—came to be closely intertwined in both the popular and the elite culture with ideas about race. As such, dishonour, shown so brilliantly by Patterson to be a general and defining feature of slavery, became, in the (American) case at hand, inseparable from the social meaning of race.

So my syllogism is this: in general, slaves are always profoundly dishonoured persons. In the experience of the United States, slavery was a thoroughly racial institution. Therefore, the social meaning of race emergent in American political culture at mid-nineteenth century was closely connected with the slaves' dishonourable status. True, "that was a long time ago". And true,

many Americans have great-great grandparents who were profoundly dishonoured. My point, to be illustrated momentarily, is that black Americans are exceptional in the extent to which remnants of this ignoble history are still discernible in the nation's present-day public culture.

Now if, with Patterson, we can see in American slavery not merely a legal convention but also ritual and custom defining and legitimating an order of racial hierarchy, then we should also be able to see that emancipation—the termination of the masters' legal claims—could, in itself, never be sufficient to make slaves and their progeny into full members of society. The racial dishonour of the former slaves and their descendants, historically engendered and culturally reinforced, would also have to be overcome. I claim that an honest assessment of current American politics—its debates about welfare, crime, schools, jobs, taxes, housing, test scores, diversity, urban policy and much more—reveals the lingering effects of this historically engendered dishonour.

By "racial dishonour" I mean something specific: an entrenched, if inchoate, presumption of inferiority, of moral inadequacy, of unfitness for intimacy, of intellectual incapacity, harboured by observing agents when they regard the race-marked subjects. Axiom 3 asserts that this spectre of "social otherness", of racial dishonour that emerged with slavery and that has been shaped over the post-emancipation decades by political, economic and cultural forces specific to American society, remains yet to be fully eradicated.

So my use of the term "racial stigma" alludes to this lingering residue in post-slavery American political culture of the dishonour engendered by racial slavery. It is crucial to understand that this is not mainly an issue of the personal attitudes of individual Americans. To reject my argument here with the claim that "stigma cannot be so important because attitude surveys show a continued decline in expressed racism among Americans over the decades", is to thoroughly misunderstand me. I am discussing social meanings, not attitudes—specifically the meanings conveyed by race-related public actions and events. I am also invoking what might be called the "rules of acceptable public discourse" or, as the sociologist John David Skrentny<sup>10</sup> (page 36) puts it, the "*boundaries of legitimate policy making*" that constrain politicians when they formulate and justify the policies they advocate. I have in mind the unexamined beliefs that influence how citizens understand and interpret the images they glean from the larger social world. I am claiming that the meaning of a policy—job preferences, say—is quite sensitive to the race of those affected: veterans are acceptable beneficiaries but blacks violate meritocratic principles. I assert that public responses to a social malady—drug involvement, say—depend on the race of those suffering the problem: the youthful city-dwelling drug sellers elicit a punitive response, while the youthful suburban-dwelling drug buyers call forth a therapeutic one.

Nothing in these examples, I claim, turns on the racial attitudes of the typical American. Everything depends, I am arguing, on racially biased social cognitions that cause some situations to appear anomalous, disquieting, contrary to expectation, worthy of further investigation, inconsistent with the natural order of things—while other situations appear normal, about right, in keeping with what one might expect, consistent with the social world as we know it. These cognitive distinctions tend to be drawn to the detriment of millions of racially stigmatized citizens, I assert, because of the taint of dishonour that is part and parcel of the social meaning of race in the United States. Now, I may be right or I may be wrong about this, but no attitude survey can decide the issue.

### ***Racial stigma at work in America***

Consider some basic facts about race and social intercourse in the United States. According to the 1990 Census of the Population, among married persons 25–34 years old in 1990, some 70 per cent of Asian women, 39 per cent of Hispanic women, but only 2 per cent of black women had white Anglo husbands (Farley 1996). Discussion of the threat of "black crime" and the scourge of "black illegitimacy" is a staple of call-in radio shows. Racially mixed church congregations are rare

<sup>10</sup> See Skrentny (1996) for an illuminating exploration of how the development of race-preferential policies has been shaped by social meanings attached to race.

enough to make front-page news. So culturally isolated are black ghetto-dwelling teenagers that scholars find convergence in their speech patterns over great geographic distances, even as this emergent dialect grows increasingly dissimilar from the speech of poor whites living but a few miles away. Childless white couples travel to Colombia and China in search of infants to adopt, while ghetto-born orphans go parentless. When geographers study the spatial distribution of populations in the larger northeastern and midwestern cities, they find clusters of African-Americans within a few miles of one another, in seas of despair, surrounded by the richest middle class on earth. This litany is not meant as an indictment of American society for being irredeemably racist. But it does illustrate how deeply embedded in the consciousness of this nation is the racial “otherness” of blacks. And it gives some idea of the way stigma can circumscribe opportunities for (some) blacks to develop their personal capacities, to become more integrated into society, and thus to diminish their own stigmatization.

The social isolation and negative perception of urban ghettos is a leading example of racial stigma at work in America today. These black ghetto dwellers are a people apart, ridiculed for their cultural styles, isolated socially, experiencing an internalized sense of despair, with limited access to communal networks of mutual assistance. The purported criminality, sexual profligacy and intellectual inadequacy of these people are the frequent objects of public derision. It does not require enormous powers of perception to see how this symbolic degradation ties in with the history of race relations in the United States. The sociologist Loic Wacquant of the University of California at Berkeley has provided an apt account—based on his observations and interviews with the residents of a low-income Chicago neighbourhood—of exactly what I have in mind here:

In America, the dark ghetto stands similarly as the national symbol of urban ‘pathology’, and its accelerating deterioration since the racial uprisings of the mid-1960s is widely regarded as incontrovertible proof of the moral dissolution, cultural depravity and behavioral deficiencies of its inhabitants. ... Today, living in the historic Black Belt of Chicago carries an automatic presumption of social unworthiness and moral inferiority which translates into an acute consciousness of the symbolic degradation associated with being confined to a loathed and despised universe. Over and beyond the scornful gaze of outsiders and the reality of exclusion from participation in society’s regular institutions, the thoroughly depressed state of the local economy and ecology exerts a pervasive effect of demoralization upon ghetto residents. ... For the ghetto is not simply a spatial entity, or a mere aggregation of poor families stuck at the bottom of the class structure: it is a uniquely racial formation that spawns a society-wide web of material and symbolic associations between color, place and a host of negatively valued social properties (Wacquant 1993:371–373).

The historical processes that produced these urban black ghettos graphically illustrate how racial stigma, operating over the course of the late nineteenth and early twentieth centuries, helped create the facts that are its own justification. Consider that, at the turn of the twentieth century, with millions of (black) American peasants waiting in the wings, there occurred a rapid expansion of the industrial economy in the North. Due to a complex set of social and economic relations between the peasants and southern landowners, and to the disproportionate political influence of the latter in the US Congress, we ended up with peasants from Eastern and Southern Europe being drawn in the tens of millions to people the burgeoning capitalist economy of the North even while the American peasants were kept in the margins. Here, it seems to me, is a clear implication of “racial dishonour” in early twentieth-century America. Few powerful people at the time desired to see millions of black Americans—their fellow citizens—moving out of the South to the great northern cities. Thus black migration to the Promised Land of urban opportunity lagged behind that of European ethnics by decades. And when black migrants finally began to arrive, and to compete for housing, jobs and political power, they encountered fierce resistance from the relatively new Americans of that day.



Contemporary public deliberations over policy issues like welfare and crime also provide evidence of racial stigma at work. Investigators studying the determinants of state-level welfare policy in the wake of the 1996 reform of federal welfare laws (giving states greater autonomy to set their regulations) are beginning to uncover evidence that jurisdictions with more blacks on the rolls have used their newfound discretion to implement more punitive revisions of their welfare regulations—being more likely to cap benefits to mothers who have additional children while on the rolls, to impose time limits and work requirements for beneficiaries stricter than the minimal federal requirements, and so on (Soss et al. 2001). Studies of the way the news media cover poverty and welfare issues tell a similar story. The political scientist Martin Gilens combed through all of the issues of three leading news magazines, *U.S. News and World Report*, *Time* and *Newsweek*, published between 1950 and 1992, analysing how photographs were used to depict the poor in the stories dealing with poverty and welfare (Gilens 1999). He found that over half of all poor people pictured were African-American, even though, on the average, blacks made up less than one third of the poor during this period. Most revealingly, though, he also found that the overrepresentation of blacks in these media-generated images of poverty was greatest when the general public mood was least sympathetic to the poor; that stories showing “problem cases” among welfare recipients used black images at a higher rate than could be accounted for by blacks’ representation among such cases; and that, together with the general overrepresentation of blacks in these images of the poor, whites were overrepresented in the pictures accompanying stories about “success cases”.

The jails of America overflow with young black men. The number incarcerated on a given day has more than quadrupled over the past two decades, largely as a consequence of our anti-drug law enforcement policies (see Tonry 1995). Consider some of the ethical issues raised by our drug enforcement regime. Here we are, a rich nation with a middle class interested in consuming the very substances that the same middle class is interested in outlawing. And so we carry on an illicit commerce to the tune of \$100 billion a year, drawing coca out of the ground in Bolivia and Peru, through Colombian processing facilities and transshipment points farther north, corrupting everything in its wake: government officials in Mexico and the Caribbean as well as our own urban police departments. And yet when we decide to take action against this commerce, we balance our cultural budget on the backs of the weakest and the darkest of our fellow citizens, though they are by no means the only users. That is a social fact that impresses me, and I see stigma, the non-attribution of a common humanity, at the core of that problem.

Why is there so little public debate in the United States about what is a really dramatic social fact? We now have nearly 1.2 million African-Americans under lock and key. We have huge urban neighbourhoods where the norm is that young men will spend time in jail, where the entire communal life orients around grey stone buildings—institutions dedicated to the physical control of human bodies. This is the Land of Liberty, yet some class/race-defined segments of the society literally live in a police state. Now, perhaps that must be so. But why is there no public reflection about it? Why does this circumstance not create dissonance? How is it that our moralists and our political leaders are able to sleep at night in the face of these facts?

Dramatic racial disparity in imprisonment rates does not occasion more public angst, I suggest, because this circumstance does not strike the typical American observer at the cognitive level as being counterintuitive. It does not, to a sufficient degree, disappoint some deeply held, taken-for-granted expectations and assumptions about the nature of our society. It can be accounted for by a narrative line attributing the outcome to the inadequacies of the persons who suffer the condition, not to any as yet undiscovered problems with our own social organization.

The public’s response to black/white differences in imprisonment rates is almost as muted as is its response to male/female differences. Regarding the latter, the public line, in effect, is this: “Everybody knows that men are more violent and aggressive than women, so the disparity comes as no surprise”. This is not often said directly, but it is the tacit public belief, and it may be a valid claim about gender differences. Few thoughtful people would knowingly espouse such a view about racial disparity, however. Yet, given the vast overrepresentation of blacks

among those held in state custody, the lack of any sense of alarm in American public discourse suggests that collective decisions about criminal justice policy are being taken, at least tacitly, as if such racial essentialism were a widely held view. That is, by failing to consider how our policies, in conjunction with racially influenced patterns of social interaction, may be generating an unfair outcome, we act, in effect, as though the problem here lies with *them* and not—as is, in fact, the case—with *all of us*.

I maintain the following: if there were a comparable number of young European-American men on beer-drinking binges, or anorexic teenage girls starving themselves to death, and if these were situations in which the same degree of human suffering was engendered as is being produced in this case, it would occasion a most profound reflection about what had gone wrong, not only with *them*, but also with *us*. “What manner of people are we to produce such an outcome?” would become a key question. It would never be dismissed with the thought that those people are simply reaping what they have sown. It would disturb us at our core. So the question becomes, what disturbs us? What is dissonant? What seems anomalous? What is contrary to expectation? A racial group is stigmatized when it can experience an alarming disparity in some social indicators, and yet that disparity occasions no societal reflection upon the extent to which that circumstance signals something having gone awry in *our* structures rather than something having gone awry in *theirs*.

Consider the debate about race and intelligence that has raged in recent years, thanks, in large part, to the best-selling book *The Bell Curve: Intelligence and Class Structure in American Life* (Herrnstein and Murray 1994). What does the typical well-educated American know about IQ differences among people from Tennessee, Texas and Massachusetts? I venture that most Americans know next to nothing about such disparities, if any exist. What is more, I assert that it would be illegitimate to make a factual claim about such differences in a public argument over policy—to object to the interregional redistribution of resources, for example, on the grounds that people in the less advantaged regions are merely receiving their IQ-adjusted deserts. Or I can put the point somewhat differently. The American population is ageing, and it is known that intelligence declines as a person ages, after some point in the life cycle. It is a demographic certainty that there will be relatively more older people in the American population in the years to come, and it is a legal fact that laws against age discrimination have abrogated mandatory retirement. These things taken together imply, as a mathematical necessity, that the American workforce is going to be made “dumber” by those baby boomers who insist on staying in the workforce beyond their prime years. Where can one read about the dire consequences of this development for the productivity of the American economy? Nowhere. Why not? The reason, I suggest, is that those older, soon-to-be-less-intelligent workers are our mothers and fathers. We are not about to set them to one side and engage in an elaborate discourse about their fitness. And if they are “dumb”, then they are our “dumb” moms and dads. Like those living in different regions, we who belong to different generations will not permit ourselves to be sundered by any civic boundary. We will sink or swim together.

The point here, once again, is that some social disparities are salient and others not. The salience of social facts is not determined in an entirely rational, deductively confirmed manner. It involves a mode of cognition that depends on some prior patterning or orientation that is not, itself, the product of conscious reflection. Now, when powerful social cognitions in American political culture are biased against blacks, as I believe they are, and they are based upon the issue of race and intelligence, for instance, is that *simply* racism? Yes and no, I would say. Yes, it is racism, but by no means is it simply racism. I suggest that “racism” is too coarse a category to do the analytical work that needs doing here. Exactly what is the nature of racism in the examples I have been considering? What is its mechanism? *I want to propose with this notion of “racial stigma” that a withholding of the presumption of equal humanity is the ultimate mechanism of racism in American public life.* It will be hard to nail that one down by searching through government statistics for evidence of racial discrimination. The effects of stigma are surely more subtle than that. *Those effects are deeply embedded in the symbolic and expressive life of the nation, and in the narrative account that is finally to be told about the nation’s origins and destiny.* My fundamental

claim in this essay is that to achieve racial justice requires that government recognize the phenomenon of racial stigmatization and take proactive steps to neutralize it. I turn now to a defence of this claim.

## Racial Justice

It may be helpful to summarize the argument to this point. I have argued that race is best thought of as a social convention: markings on the bodies of human beings—of no intrinsic significance in themselves—become invested through time with reasonable expectations and powerful social meanings. Seeing race as a conventional, not a natural, category suggests that no innate, sizeable disparity of human potential between distinct racial groups exists. So no appeal to innate racial difference can explain African-American disadvantage. Yet because race conventions can seem to be natural and quite consistent with reason, and because they convey significant social meanings, people with particular race-markers may become stigmatized—seen by their fellows as “damaged goods”, as *them* not *us*, as persons who lack the ability or “culture” to succeed in society’s mainstream. Moreover, since legitimate public action in a democracy must comport with how observers interpret social experience, and because the meanings connected with race conventions can distort social-cognitive processes in the citizenry to the detriment of the stigmatized, reform policies that ameliorate the disadvantage of the racial “other” may fail to garner a majority’s support. I have argued earlier in this paper that black Americans are a stigmatized people in this sense. I want now to investigate what might be implied by this view for the pursuit of social justice in the United States.

Two distinct moral desiderata animate the discourse about race and social justice in America. One view I will call “race-blindness”—the conviction that racial identity should play no part in the way people are treated in public life, that we should be “blind” to race. The other view I will call “race-egalitarianism”—the conviction that, because of an unjust history, we should endeavour to reduce inequalities of wealth and power between racial groups, as such. It is instructive to contrast these two ideas. Race-blindness is a procedural standard. It deals with prerogatives of the individual. It emphasizes autonomy and impartiality. And it does not depend on history—either for its rationale or for its implementation. Advocacy of “blindness” in this sense, as a touchstone of moral public action in matters of race, is a natural consequence of a commitment to liberal individualism.

By contrast, race-egalitarianism focuses explicitly on the status of groups. It entails looking not only at the procedures employed in a society, but also at social outcomes those procedures generate. And it finds its justification in a comprehensive understanding of how current racial disparities have come to be. Thus race-egalitarianism is a view that conflicts to a degree with the precepts of liberal individualism.

I will be arguing here for a priority of these moral concerns: race-egalitarianism over race-blindness. My view is that one cannot think sensibly about social justice issues in a racially divided society if one does not pay attention to the race-mediated patterns of social intercourse that characterize interpersonal relations in that society. Once the reality of these racially biased interactive patterns is taken into account, race-blindness begins to look much less attractive as a moral position, precisely because of its individualistic, ahistorical and procedural focus.

### ***Anonymity and liberal neutrality***

To aid in the development of this argument, I invite the reader to consider the formidable intellectual edifice that is modern social choice theory. This literature at the junction of economics and philosophy pursues the formal, logical derivation of implications for public decision making that issue from various postulates chosen to capture ethical intuitions about social justice. Over the last half century, social choice theory has been central to the ambition of laying down a coherent intellectual foundation for the normative assessment of public action. Its best known

text is also its founding text: Kenneth Arrow's (1963) monumental *Social Choice and Individual Values*. The reputation in philosophy and economics of another Nobel Laureate, Amartya Sen, is also grounded on his early work in this field.

A question of fundamental importance is raised in this literature—a question concerning the right ordering of relations between the state (which has a monopoly on the legitimate exercise of coercion) and the citizenry (which must live with the consequences of state action). That question may be posed as follows: suppose some social, public or collective choice is to be made, and that individuals can rank the alternatives from among which that choice will be taken. Individuals are capable, that is, of putting the alternatives into an order—of ranking the alternatives, from their personal points of view, from that which is the most to that which is the least desirable. Further, imagine that—in an expression of collective rationality—this public choice, the one to be enforced by the state, is to be taken in accordance with some (now) collective or public ranking scheme. Then how can this collective ordering of social alternatives be derived from the rankings of individuals?

Surely, in a society that values liberty (may I and my children ever live in such a place!), there must be some link between these two. The state's actions, imposed by force on all of us, ought to "respect" in some way our individual valuations. So the central question of social choice theory is whether and how the evaluative criteria guiding public decisions with collective consequences can be derived from the evaluative criteria held by individual citizens. The relationship between the values of individuals and the criteria of social choice cannot be arbitrary—or else "liberty" is a sham.

Do not misunderstand. I am not here celebrating freedom to the exclusion of all other values. Nor do I claim that the only dimension of freedom worthy of consideration finds its expression in the linkage between individuals' preferences and the criteria of public choice. Still, if collective choices among public policies—between preserving the environment and "growing" the economy, for instance—are made in a manner that is neither responsive to, nor reflective of, the "will(s) of the people", then surely the persons living in that society do not enjoy a degree of autonomy that most of us would associate with freedom. So social choice theory expresses, in a formal and logically precise way, one of the central problems of liberal political theory.

Now, I invoke this theory so as to sharpen my discussion of the question at hand: how ought we Americans approach the public issue of pronounced and durable racial inequality? I believe that liberal theory is inherently limited in its capacity to engage this question, and a consideration of the social choice problem helps us see why. An oft-imposed constraint on the relationship between individual and collective valuation in the social choice literature is the so-called Anonymity Axiom. This is a postulate that declares it to be illegitimate for the social ranking to favour one state of affairs over another—A over B, say—if the only distinction between the two situations is that the identities of persons located in various positions of the social order have been changed. That is, let situations A and B entail the same number of persons in poverty, with inadequate health care, held in prison, and the like, but with different groups of people suffering these conditions in situations A and B. "Anonymity" in public choice requires that state action express no preference between these two situations.

This is a kind of neutrality. If the only reason to prefer one situation to another is that different people enjoy what is worth having or suffer what must be endured—then identity, pure and simple, will have been allowed to dictate public valuation. This, a certain brand of liberal social philosophy holds, amounts to giving some people power over others on the basis of nothing more substantial than who they happen to be. The "anonymity" postulate rules such an eventuality out of bounds.

Notice one thing, however. An immediate corollary of this axiom is that a project to reduce inequality between identity-based groups in society—for its own sake, and not merely as a means to some other, identity-neutral end—would have to be judged an illegitimate social goal.

This is because pursuing racial equality for its own sake means valuing more highly a situation in which racial disparities are reduced, even if overall inequality among persons remains unchanged. Ultimately, my argument in this section rejects this implication of “anonymity” as a requirement of social choice. Thus, I must argue against the axiom itself. Race-blindness, when interpreted so as to delegitimize actions needed to foster greater racial equality in contemporary American public life, is one expression of the liberal neutrality principle underlying the Anonymity Axiom. I will argue here that race-blindness represents a superficial moral stance, given the historical situation, and that it should be rejected.

More generally, I call into question the adequacy of liberal individualism as a normative theory, given the historical fact of racial subordination and the continuing reality of racial inequality. I suggest that there are questions of social ethics arising under these conditions—in societies sharply stratified along racial lines—to which liberal individualism gives no good answers.

By “liberal individualism” I refer to the tendency of thought that seeks to critically assess the justice of a society’s distribution of resources solely in terms of the welfare of individuals, while giving no independent weight to the economic or social position of identity-based groups. I think this tendency of thought particular to liberalism is mistaken. I think (and think I can show) that it is an error to see only individuals, and never groups, as the legitimate subjects of a discourse on social equity. I believe (and believe I can demonstrate) that the manner in which liberal political theory deals with the ethical problems raised by the pronounced and durable social-economic disadvantage of African-Americans is troubled, inadequate, superficial and incomplete.

My topic, then, is racial justice. Now, as just suggested, it is impossible to avoid a philosopher’s quibble over this use of words. Taking “racial” as modifier of “justice” inevitably raises hackles, because doing so declares an interest in the well-being of groups of persons—groups defined in terms of something called race. Liberals fear that the freedom, dignity, integrity, autonomy and/or rights of individuals will be trodden underfoot in a mad rush to obtain justice for fictitious “races”. Beneath the surface of ostensibly progressive rhetoric about “racial justice”, liberal individualists detect the distinct odour of an unjustifiable essentialism—a retrograde belief in racial essences.

I disagree. The concerns expressed by liberal critics of the idea of “racial justice”, though not unreasonable, are nevertheless misplaced. Indeed, I believe that public discussion about justice for racial groups is necessary for an intellectually rigorous and historically relevant social criticism in the United States. Moreover, I think it possible to conceive of social justice in regard to matters of race in such a way that the pitfalls liberals most fear can be avoided.

### ***The trouble with liberalism***

My problem with liberal individualism is that it fails to comprehend how stigma-influenced dynamics in the spheres of social interaction and self-image production can induce objective racial inequality, decoupled from the discriminatory acts of individuals, carrying over across generations, shaping political and social-cognitive sensibilities in the citizenry, making racial disparity appear natural and non-dissonant, stymieing reform and locking in inequality. The core point for me is that those “selves” who are the enshrined subjects of liberal theory—the autonomous, dignity-bearing individuals whose infinite value (ends in themselves, never means to an end) has been enshrined by Immanuel Kant at the centre of the liberal project—these selves are not given *a priori*. That is, while the dignity of the individual is highly prized in the liberal tradition, the attitudes, values and beliefs of these individuals—which determine who they are and how they behave—do not exist outside the context of an ongoing system of social interactions. Rather, these attitudes, values and beliefs are products of social relations, and of economic and political institutions. That is, the selves at the centre of liberal theory are, to a not inconsiderable degree, creatures of the very

systems of laws, social intercourse and economic relations that a normative theory is to assess.<sup>11</sup> Neither their ideas about the good life nor (crucial for my purposes here) their self-understandings as raced subjects come into being outside the flow of history and the web of culture. So, it is impossible to make generalizations about what is required to protect the dignity of these persons, to preserve their autonomy and to honour their choices, without making explicit reference to this historical and cultural context.

And likewise, the diminished selves, the self-doubting, alienated, nihilistic, self-destructive selves – these are social products. I want to pay attention to this fact within the project of political theory. I cannot abide the imposition of abstract strictures of neutrality upon a game in which systematically non-neutral practices have left so many raced and stigmatized outsiders with so few good cards to play.

To reiterate: this is not some over-theorized discourse in defence of affirmative action policies. I desperately want to avoid having the far-reaching implications of my argument projected onto the narrow and partisan ground of the debate over racial preferences. I am not motivated here by a desire to preserve special treatment for blacks, or to keep someone's child from being admitted to a prestigious college. Rather, I am moved by the spectre of one million African-American men physically confined in penal institutions, by the fact that the average black 17-year-old reads with the proficiency of the average white 13-year-old, and by the racial poverty rates, unemployment rates and marriage patterns that are documented in Loury (2000). The position I hold is that race is not irrelevant to these problems. One ought not to be "colour-blind" when addressing them. Race is important not only for technical reasons, or instrumentally – these being problems whose solutions might entail race-conscious action. Race also matters in American society, in regard to problems of this kind, because these disparities rest upon and, in turn, serve to reinforce, powerful social meanings detrimental to blacks.

Moreover, I believe that the phenomenon of racial stigma poses intractable problems for liberal individualism. For there is a sphere of intimate social intercourse, governed to some degree by raced perceptions in individuals' minds, that, out of respect for liberty and the dignity of human beings, should not become the object of political or bureaucratic manipulation. Yet, as I have argued, race-preferential associative behaviour helps perpetuate a regime of development bias against blacks, largely because of a protracted, ignoble history during which reward bias against blacks was the norm. Thinking in terms of racial stigma provides insight into race-constrained social interactions, and into race-influenced processes of social cognition, exposing the forces at work in a raced society like the United States, that create causal feedback loops perpetuating racial inequality, and that impede their identification. Moreover, as expanded upon below, this way of looking at things has an important implication for political philosophy. In particular, it leads me to reject colour-blindness (or the related notions of race-neutrality and racial impartiality) as the moral standard in regard to issues of social justice and racial inequality in the United States.

True, the so-called underclass in the ghettos of America is behaving badly, in self-destructive and threatening ways. But those patterns of behaviour, embodied in those individuals, reflect structures of human development that are biased because of a history of deprivation and racial oppression. The result, then, is to produce, in our time, wide disparities in some indicia of behaviour across racial groups. What does the abstract individualism of liberal theory suggest that we do now? Throw up our hands. Declare that no questions of justice are raised. Scratch our heads and say that we don't quite know what to do. Too bad, we lament, but... There is, I believe, a gaping hole in any normative framework that can provide us with no better answers than those.

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<sup>11</sup> This critique of liberalism is similar in spirit to the so-called communitarian arguments (which hold that liberalism ought give greater weight to the values and traditions associated with specific communal ways of life) found in the work of Michael J. Sandel (1982) and Charles Taylor (1992), among others.

### ***Historical causation and social justice***

I have been invoking history as a factor conditioning the ethical assessment of contemporary social arrangements. And yet the explicit channels of historical influence, on which social scientific work can shed some light, must of necessity remain opaque and vaguely specified. What might be called an “epistemological fog” obscures the causal dynamics at work across the generations and limits our ability to know in detail how past events have shaped current arrangements. Thus, it may be reasonable to assert in a general way that past racial discrimination in formal economic relations (for instance, slavery and official segregation), together with present discrimination in informal social contacts (residential segregation and low rates of racial intermarriage, for example), disadvantages blacks by impeding their acquisition of skills. But it is nearly impossible to say with any quantitative precision just how much current racial inequality is due to this source of disadvantage.

Consider the recent argument of Orlando Patterson on behalf of the proposition that the high rates of paternal abandonment of children among present-day African-Americans is due to the devastating consequences for gender relations among black descendents of American slavery, and of the racist system of Jim Crow segregation that followed (Patterson 1998). In my view, Patterson’s argument is persuasive. But even so, he can provide no answer to this crucial counterfactual query: what would family patterns be like among today’s blacks in the absence of these historical depredations? This question is important because, without some sense of the extent of damage caused by past violation, it is difficult to gauge the appropriate scope of remedy.

Now, one could take the view, as some conservatives have done, that this limitation in knowledge should short-circuit claims for racial egalitarianism that rely upon the past unjust treatment of some racial group. While acknowledging the plausibility of this view, I nevertheless reject it. Rather, I suggest that a compensatory model, familiar from tort and liability law, is the wrong way to think about this question. My position, contrary to what I believe are simplistic applications of liberal neutrality that issue in mandates of colour-blindness, is that *past racial injustice is relevant in establishing a general presumption against indifference to present racial inequality* (thereby militating against the implication of the Anonymity Axiom). But the degree to which social policy should be oriented toward reducing present racial inequality, the weight to be placed on this objective in the social decision calculus, is not here conceived in terms of “correcting” or “balancing” for historical violation. Thus I argue that, even though quantitative attribution of causal weight to distant historical events is not possible, one can still support qualitative claims.

Indeed, a sharp contrast can be drawn between two different ways of dealing with the problem of a morally problematic racial history. One seeks “reparations”, conceiving the problem in compensatory terms. The other conceives the problem, let us say, in interpretative terms—*seeking public recognition of the severity, and (crucially) the contemporary relevance, of what transpired. In the latter view, the goal is to establish a common baseline of historical memory—a common narrative, if you like—through which the past injury and its continuing significance can enter into current policy discourse.* (An analogy might be drawn here, suggested by the debate over the Truth and Reconciliation Commission in post-Apartheid South Africa: the compensatory approach is rather like putting as many past offenders as possible on trial, punishing them for their wrongdoing and getting justice for survivors of the victims. The interpretative approach is a bit like waiving the pursuit of individual criminal liability in the interest of bringing to public light the true nature of what took place under Apartheid.) What seems conceptually important, though, is to clarify that, while some reckoning with the racist history of the United States remains to be done, this reckoning may, for political as well as epistemological reasons, be inappropriately specified when cast in terms of “reparations”. What is required, instead, is a commitment on the part of the public, the political elite, the opinion-shaping media and so on, to take responsibility for such situations as the contemporary plight of the urban black poor, and to understand them in a general way as a consequence of an *ethically indefensible past*. Such a commitment would, in this view, be open-ended and not contingent upon demonstrating any specific lines of causality.

This distinction between quantitative and qualitative historically based claims is important, I think, because it casts doubt on the adequacy of purely procedural theories of justice when analysing matters of race. Race-blindness, as understood by critics of affirmative action, is one such theory. In general, procedural theories of social justice turn on the answers to two kinds of questions: what are people entitled to? And what actions affecting the distribution of claims are legitimate? Then any state of affairs that respects individuals' entitlements and comes about from procedurally legitimate actions is held to be just. Notice, however, that *procedural theories are essentially incomplete, because they cannot cope with the consequences of their own violations*.

Suppose we are given a set of rules about how people are to treat one another. Suppose further that people happen not always to follow these rules. As just noted, history can be messy stuff. Teasing out causal implications across centuries of procedural violations is impossibly difficult. So if procedurally just requirements are not adhered to at some point—people entitled to the fruits of their labour are not rewarded accordingly, say—then at some later point, perhaps a century on, consequences will be rife in the interstices of society. But, as argued earlier, it will be impossible in principle to identify and to quantify these effects. What then would a procedural account have to say about this? Simple notions about providing compensation for identifiable historical wrongs may work when individual interactions are being considered, but they cannot possibly work for broad social violations—chattel slavery, for instance. A procedural theory leaves us with no account of justice under such circumstances. This is a fundamental incompleteness in the theory, one that is especially pertinent to a consideration of racial justice in the United States.<sup>12</sup>

To pursue this point somewhat more formally, let us call a system of rules about social justice procedural if it satisfies the following:

1. a list of rules or procedures is specified about how people are supposed to deal with one another; and
2. a state of affairs is held to be just if it evolves from a just original state, where every step in the evolution is brought about by the freely chosen actions of mutually consenting agents, all of which are consistent with the rules specified in (1).

Furthermore, call such a system closed to moral deviation if it meets the following test: whenever some state of affairs is brought about through actions by some agents that breach the rules specified in (1), it is in principle possible to “recover” from the effects of this breach through a series of counteractions that are themselves consistent with the rules set out in (1).

In other words, a procedural account of social justice is closed to moral deviation if one can correct the consequences of rule violation through actions that are themselves consistent with the rules. In the absence of this “closure” property, a procedural theory would need to be supplemented by some non-procedural account of how to manage the states of affairs arrived at in the aftermath of the commission of procedurally unjust acts.

To assess the coherence of this procedural approach, it is useful to consider an elemental distinction between two kinds of behaviour: what I will call *discrimination in contract* and *discrimination in contact*. The phrase “discrimination in contract” is meant to invoke the unequal treatment of otherwise like persons on the basis of race in the execution of formal transactions—the buying and selling of goods and services, for instance, or interactions with organized bureaucracies, public and private. Discrimination in contract, in other words, is a standard means by which reward bias against blacks has been affected. By contrast, “discrimination in contact” refers to the unequal treatment of persons on the basis of race in the associations and relationships that are formed among individuals in social life, including the choice of social intimates, neighbours, friends, heroes and villains. It involves discrimination in the informal, private spheres of life.

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<sup>12</sup> Nozick (1974) provides a prototype of the procedural approach, in the sense being criticized here. I hasten to note that Nozick is, himself, aware of these difficulties and proposes various amendments to his procedural theory in an effort to deal with them.



Elsewhere I have demonstrated that notwithstanding the effective prohibition of discrimination in contract, historically engendered economic differences between racial groups can persist indefinitely when discrimination in contact continues to be practised (see Loury 1977, 1995). That is, non-discrimination, once having been established in the sphere of contract but not in the sphere of contact, can admit of an indefinite perpetuation of the racial inequality originally engendered by historical contractual discrimination. Stated in terms of the language just introduced, this demonstration implies that the colour-blindness derived from the Anonymity Axiom—treat all subjects interchangeably and take note of no person's racial identity in the execution of social choice—when viewed as a procedural account of racial justice, is not closed to moral deviation. This, then, is the basis of my larger argument that, *as a matter of social ethics, policies should be undertaken to mitigate the economic marginality of members of historically oppressed racial groups*. This is not an argument for reparations. When the developmental prospects of an individual depend on the circumstances of those with whom he or she is socially affiliated, even a minimal commitment to equality of opportunity for individuals requires such policies.

### ***Affirmative action and the poverty of proceduralism***

The current policy debate over racial preferences in higher education, while not the most significant racial justice question facing the nation today, is nonetheless worth considering here. I incline toward the view that the affirmative action debate receives too much attention in public discourses about racial inequality, obscuring as much as it clarifies. However, by exploring some aspects of this hotly contested public question, I hope to illustrate more incisively the conceptual distinctions that drive my larger argument.

In their widely discussed study *The Shape of the River*, William Bowen and Derek Bok, two former Ivy League university presidents, argue that administrators of the great educational philanthropies in the United States should have the ability to pursue more racial diversity in their undergraduate enrolments as a vitally important educational goal (Bowen and Bok 1998). They offer data to suggest that, through the prudent use of racial identity in the admissions process, this objective is now being achieved by many institutions, and at a tolerable cost. Their evidence persuades me, though, of course, reasonable people can differ on this point. But, in the main, this controversy does not turn on the facts, and it will not be resolved by more or better evidence. Rather, at the core of this argument is a dispute over the very idea that racial integration in elite higher education is a good thing.

One might well ask why such an evidently progressive goal should be so controversial. I see two reasons: first, the goals openly espoused by prestigious colleges and universities are inevitably indicative of the larger, collective ideals animating the nation. (And, in light of their considerable influence on national life and culture, this is no less the case for the private than for the public institutions. What a Harvard or Princeton strives for is necessarily, to some degree, what America seeks.) That this society remains a deeply flawed one as long as black Americans are not fully included in its upper reaches is a notion that has never garnered universal assent in American public life. Second, the plain fact is that access to elite higher education dramatically enhances one's chances to acquire influence in our putatively meritocratic society. Competition for relatively few seats at the table of power is keen, and many chafe at the idea of their child's place being taken by someone "undeserving".

So the process of selecting those who will enter the prestigious colleges and universities is a visible, high-stakes civic exercise. And the perceived legitimacy of these annual "selection rituals" is a matter of vital public interest. As I have noted, two normative concerns are at play in the struggle to define "legitimacy" here—race-blindness and race-egalitarianism. Among the most important conclusions emerging from *The Shape of the River* is that, though not mutually inconsistent, these two ideals are in tension with each other: it is often the case that violating race-blindness can powerfully abet the pursuit of racial equality. This is because, given the differences in test-score distributions among blacks and whites, achieving racial integration at highly selective colleges requires that the chance of being admitted, given a student's test scores, be higher for black than for

white applicants. As a matter of simple logic, a college with limited places to fill can achieve more racial diversity only if some black applicants are admitted who would otherwise have been rejected, while some non-black applicants are rejected who would otherwise have been admitted. Selective institutions will naturally try to reject the least qualified of the otherwise admissible non-black applicants while admitting the most qualified of those black applicants who would otherwise have been rejected. Yet, in doing so, the college necessarily uses a racially preferential admissions policy. Thus, with resources limited, and with a college committed to remaining highly selective, the two normative concerns come clearly into conflict. A choice between them must be made.

Now, the relevant point for the purposes of this essay turns on the conceptual distinction between procedural and egalitarian moral interests. To develop this point, I suggest a terminological convention: let us reserve the phrase “race-blind” to describe the practice of not using race when carrying out a policy. And let us employ a different term—“race-indifferent”—to identify the practice of not thinking about race when determining the goals and objectives on behalf of which some policy is adopted. If a selection rule for college admissions can be applied without the racial identity of applicants being known, call that rule “race-blind”. In contrast, if a selection rule is chosen with no concern as to how it might affect the various racial groups, then call that rule “race-indifferent”. My fundamental claim is that the most important moral questions in matters of race are about indifference, not blindness (which is not to deny, of course, that “blindness questions” can sometimes matter a great deal).

The utility of distinguishing between indifference and blindness becomes clear when one considers that both ameliorating the social disadvantage of blacks and exacerbating this disadvantage can alike be achieved with race-blind policies. Yet whereas a race-blind policy explicitly intended to harm blacks could never be morally acceptable, such policies adopted for the purpose of reducing racial inequality are commonplace, and uncontroversial. Put differently, given the facts of US history, departures from race-indifference are, and should be, evaluated asymmetrically: those harmful to blacks are widely held to be suspect, whereas non-indifferent undertakings that assist blacks are widely recognized as necessary to the attainment of just social policy.

For example, when a court ruling forbade the practice of affirmative action in college admissions in Texas, the legislature responded by guaranteeing a place at any public university to the top 10 per cent of every high school class in the state. This so-called 10 per cent rule mainly benefits students with low test scores and good grades at less competitive high schools—disproportionately blacks and Hispanics—and certainly this was the intent. That is, this rule, while being race-blind, is most decidedly not race-indifferent. Thus we have a situation in Texas in which the explicit use of race in a college admissions formula is forbidden, while the intentional use of a proxy for race publicly adopted so as to reach a similar result is allowed. Can there be any doubt that, had a different race-blind proxy been adopted in order to exclude black and Hispanic students from public institutions in Texas, this would be morally unacceptable?

This example illustrates why the key moral issues having to do with race are most often about indifference, not blindness: on the whole, most citizens in the United States see reversing the effects of a history of immoral race relations as a good thing and perpetuating those effects as a bad thing. The choice of instruments to pursue these ends is often of less moment than the choice among the ends themselves.

Indeed, this is so in other policy areas as well: the primary normative concern is not racial discrimination as such, but rather involves deciding how much account to take of racially disparate consequences when choosing among what may be alternative, non-discriminatory policies. Consider some typical policy dilemmas:

1. Where should a new public facility be located—in the urban centre or at the periphery?
2. How will a county’s governing commissioners be selected—by elections at the local district level, or from a countywide competition?

3. What protocol should govern the use of deadly force by police officers—shoot whenever feeling threatened, or only when one's life seems to be in the gravest danger?
4. Should a school's history curriculum stress the glories of European exploration and settlement, or the horrors visited upon indigenous peoples by that settlement?

To insist on indifference to race when approaching these questions is to evidence both political stupidity and a wilful disregard of the concerns of social justice. But to insist on blindness to race is also inadequate as a guide to policy. Just as worthy racial goals can sometimes be effectively pursued with race-blind means (like the 10-per-cent plan in Texas), so too, a race-transcending public goal is sometimes best pursued with non-race-blind (shall we say "race-sighted"?) means.

Consider, to further illustrate, a state's governor who seeks to appoint judges to the courts. He might reason as follows:

I need to have a diverse group of appointees both for my own political protection and in the long-term interest of preserving the legitimacy of the administration of justice in this jurisdiction. If I appoint all white men, even though they appear to be the best qualified, not only might I do damage to my reputation, I might also cause some people to doubt that the courts will treat them fairly, thereby undermining public confidence in legal institutions. One of my responsibilities as governor is to ensure that this does not occur.

Maintaining the courts' institutional legitimacy is not a racial goal; it is something everybody has a stake in. And yet, in order to do it, a governor might have to take racial identity into account to see whether his list of possible appointees contains a sufficient number of racial minority group members.

In contrast, consider a federal anti-drug policy concentrating on arresting street-level traffickers and putting them away for a long time. This is a race-blind policy, formulated to pursue non-racial public ends, but one having pronounced racially unequal results. Such policies have led to the incarceration of young people of colour in vastly disproportionate numbers—young people, it might be argued, who to some degree are engaged in the illicit traffic precisely because they are at the margin of society and their alternative opportunities are scant.<sup>13</sup> As a result of this and similar policies, out of the two million people under lock and key on any given day in the United States, some 1.2 million are blacks, though blacks are only about one eighth of the national population. A concern solely for the race-blindness of policy instruments—are the police and the courts applying the laws without racial discrimination?—would fail to raise the larger question: is this not a public policy that should be examined because of the cost it is imposing on a particular community?

Of course, the example of US anti-drug policy is controversial, but at a minimum reasonable people must accept the central logical claim here: that this race-blind policy instrument raises a question of social justice, the answer to which turns in part on the policy's racially disproportionate effects.<sup>14</sup> And it is this distinction—between "blindness" and "indifference"—that I seek to emphasize, because one can slide quickly from a forceful critique of race-sighted policy instruments (arguing that they should be race-blind) into a denial of the legitimacy of any discussion of public issues that is formulated in racial terms (arguing that such discussions should be race-indifferent).

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<sup>13</sup> See Tonry (1995) for an extended critique of US drug policy along precisely these lines, and for compelling evidence in support of the claim that US drug policy has led to young blacks being imprisoned disproportionately.

<sup>14</sup> Obviously, there are also benefits to blacks from enforcement of anti-drug laws. This illustration is by no means intended to suggest that those benefits are slight. Taking them into account, and calculating the net impact of the policy on blacks as a group, would be entirely consistent with the spirit of the argument here.

With these concepts in hand, it is now easier to see the relevance of the affirmative action controversy to my larger claims about the limitations of liberal individualism. The deep questions here are these: when should we explicitly undertake to reduce racial disparities, and what are the means most appropriately employed in pursuit of that end? My argument asserts an ordering of moral concerns, racial justice before race-blindness. I believe that departures from “blindness” undertaken to promote racial equality ought not be barred as a matter of principle. Instead, race-sighted policies should be undertaken, or not, as the result of prudential judgments made on a case-by-case basis. The broad acceptance of this view in US society would have profound consequences. When prestigious institutions use affirmative action to ration access to their ranks, they tacitly and publicly confirm this ordering of moral priorities, in a salient and powerful way. This confirmation is the key civic lesson projected into American national life by these disputed policies. At bottom, what the argument over racial preference, in college admissions and elsewhere, is really about is this struggle for priority among competing public ideals. This is a struggle of crucial importance to the overall discourse on race and social justice in the United States.

Fundamentally, it is because these elite institutions are not “indifferent” to the racial effects of their policies that they have opted not to be “blind” to the racial identities of their applicants. If forced to be race-blind, they can pursue their race-egalitarian goals by other (in all likelihood, less efficient) means. Ought they to do so? Anyone interested in racial justice needs to answer this question. Liberal individualism provides little useful guidance here.

The priority of concerns I am asserting here has far-reaching consequences. It implies, for example, that an end to formal discrimination against blacks in this post-civil rights era should in no way foreclose a vigorous public discussion about racial justice. More subtly, elevating racial equality above race-blindness as a normative concern inclines us to think critically, and with greater nuance, about the value of race-blindness. It reminds us that the demand for race-blindness—our moral queasiness about using race in public decisions—has arisen for historically specific reasons, namely slavery and enforced racial segregation, over several centuries. These reasons involved the caste-like subordination of blacks—a phenomenon whose effects still linger, and one that was certainly not symmetrical as between the races. As such, taking account of race while trying to mitigate the effects of this subordination, though perhaps ill-advised or unworkable in specific cases, cannot plausibly be seen as the moral equivalent of the discrimination that produced the subjugation of blacks in the first place. To see it that way would be to mire oneself in ahistorical, procedural formalism.

Yet this is precisely what some critics of affirmative action have done, putting forward as their fundamental moral principle the procedural requirement that admissions policies be race-blind. “America, A Race-Free Zone”, screams the headline from a recent article by Ward Connerly, who led the successful 1996 ballot campaign against affirmative action in California and is now at the helm of a national organization working to promote similar initiatives in other jurisdictions. Mr. Connerly wants to rid the nation of what he calls “those disgusting little boxes” that applicants check to indicate their racial identities. He and his associates see the affirmative action dispute as an argument between people like themselves, who seek simply to eliminate discrimination, and people like the authors of *The Shape of the River*, who want permission to discriminate if doing so helps the right groups.<sup>15</sup>

This way of casting the question is very misleading. It obscures from view the most vital matter at stake in the contemporary debate on race and social equity—whether public purposes formulated explicitly in racial terms (that is, violating race-indifference) are morally legitimate, or even morally required. Anti-preference advocates suggest not, arguing from the premise that an individual’s race has no moral relevance to the race-indifferent conclusion that it is either wrong or unnecessary to formulate public purposes in racial terms. But this argument is a *non sequitur*. Moral irrelevance does not imply instrumental irrelevance. Nor does the conviction that know-

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<sup>15</sup> Connerly (2000) provides an extended exposition of his views.

ing an individual's race adds nothing to an assessment of that individual's worth require the conclusion that knowledge about patterns of unequal racial representation in important public venues adds nothing to an assessment of the moral health of our society.

The failure to make these distinctions is dangerous, for it leads inexorably to doubts about the validity of discussing social justice issues in the United States in racial terms at all. Or, more precisely, it reduces such a discussion to the narrow ground of assessing whether or not certain policies are race-blind. Whatever the anti-preference crusaders may intend, and however desirable in the abstract may be their colour-blind ideal, their campaign is having the effect of devaluing our collective and still unfinished efforts to achieve greater equality between the races. Americans are now engaged in deciding whether the pursuit of racial equality will continue in the century ahead to be a legitimate and vitally important purpose in our public life. Increasingly, doubts are being expressed about this. Fervency for race-blindness has left some observers simply blind to a basic fact of American public life: we have pressing moral dilemmas in our society that can be fully grasped only when viewed against the backdrop of our unlovely racial history.

### ***"Figment of the pigment" or "enigma of the stigma"?***

Consider the stubborn social reality of race-consciousness in US society. A standard concern about racial preferences in college admissions is that they promote an unhealthy fixation on racial identity among students. By classifying by race, it is said, we distance ourselves further from the goal of achieving a race-blind society. Many proponents of race-blindness as the primary moral ideal come close to equating the use of racial information in administrative practices with the continued awareness of racial identity in the broad society. They come close, that is, to collapsing the distinction between racial information and racial identity. Yet consciousness of race in the society at large is a matter of subjective states of mind, involving how people understand themselves and how they perceive others. It concerns the extent to which race is taken into account in the intimate, social lives of citizens. The implicit assumption of advocates of race-blindness is that, if we would just stop putting people into these boxes, they would oblige us by not thinking of themselves in these terms. But this assumption is patently false. Anti-preference advocates like to declare that we cannot get beyond race while taking race into account—as if someone has proven a theorem to this effect. But no such demonstration is possible.

The conservative scholars Stephen and Abigail Thernstrom, in their influential study *America in Black and White*, provide an example of this tendency of thought. They blame race-conscious public policies for what they take to be an excess of racial awareness among blacks. Affirmative action, they argue, induces blacks to seek political benefits from racial solidarity. This, in turn, encourages a belief by blacks in what they call "the figment of the pigment"—the conviction that, for African-Americans, race is a trait that is inexorably and irrevocably different from European or Asian ethnicity (Thernstrom and Thernstrom 1997:535). This gets it exactly backwards, in my view. It is not the use of race as a criterion of public action that causes blacks to nurture a sense of racial otherness. Rather, it is the historical fact and the specific nature of blacks' racial otherness that causes affirmative action—when undertaken to benefit blacks—to be so fiercely contested in contemporary American politics.

Moreover, the ongoing experience of racial stigma is what causes so many blacks to see racial solidarity as an existential necessity. Perhaps I could put it this way: it's not the figment of the pigment, it is the "enigma of the stigma" that causes race to be so salient for blacks today. Now mind you, I have already stipulated (in axioms 1 and 2) that, at the most fundamental level, the "pigment" is a "figment". I have rejected racial essentialism. But I also have argued that, notwithstanding the arbitrariness of racial markers, the classifying of persons on the basis of such markers is an inescapable social-cognitive activity. And I have suggested that such markers could be invested with powerful social meanings—that meaning-hungry agents could build elaborate structures of self-definition around them.

So after centuries of intensive racial classification, we are now confronted with raced subjects demanding to be recognized as such. Here are selves endogenous to the historical and cultural flow, who see their social world partly through the lens of their “pigment”, and the best some critics can do by way of a response is to dismiss them as deluded, confused believers in a “figment”. (“Why are they so obsessed with race? Can’t they see it was all a big mistake?”) Would-be moralists, even some blacks (Kennedy 1997), are puzzled and disturbed at the spectre of African-Americans being proud of the accomplishments, and ashamed of the failures, of their co-racialists.<sup>16</sup> And those to whom the “wages of whiteness” flow like manna from heaven, who have a race but never have to think about it, can blithely declare, “It’s time to move on”.

This is simplistic social ethics and sophomoric social psychology, it seems to me. And it is an especially odd position for a liberal individualist to take. I have always supposed that the core idea of liberalism is to credit the dignity of human beings. Yet when those subjected to racial stigma, having managed to construct a more or less dignified self concept out of the brute facts of an imposed categorization, confront us with their “true” selves—perhaps as believers in the need to carry forward a tradition of racial struggle inherited from their forebears, or as proponents of a programme of racial self-help—they are written off as benighted adherents of a discredited creed. We would never tell the antagonists in a society divided by religion that the way to move forward is for the group in the minority to desist from worshiping their false god. But this, in effect, is what many critics today are saying to black Americans who simply refuse to “get over it”.

The basic point to emphasize here is this: the use of race-based instruments is typically the result, rather than the cause, of the wider awareness of racial identity in society. This is why race-blindness is such a superficial moral ideal: to forgo cognizance of race, out of fear that others will be encouraged to think in racial terms, is a bit like closing the barn door after the horses have gone. One cannot grasp the workings of the social order in which we are embedded in the United States without making use of racial categories, because these socially constructed categories are etched in the consciousness of the individuals with whom we must reckon. Because they use race to articulate their self-understandings, we must be mindful of race as we conduct our public affairs. This is a cognitive, not a normative, point. One can agree with the liberal individualist claim that race is irrelevant to an individual’s moral worth, that individuals and not groups are the bearers of rights, and nevertheless affirm that, to deal effectively with these autonomous individuals, account must be taken of the categories of thought in which they understand themselves.

Indeed, it is easy to produce compelling examples in which the failure to take race into account serves to exacerbate racial awareness. Consider the extent to which our public institutions are regarded as legitimate by all the people. When a public executive (like the hypothetical governor considered earlier) recognizes the link between the perceived legitimacy of institutions and their degree of racial representation, and acts on that recognition, he or she is acting so as to inhibit, not to heighten, the salience of race in public life. When the leaders of elite educational philanthropies attempt to bring a larger number of black youngsters into their ranks, so as to increase the numbers of their graduates from these communities, they are acting in a similar fashion. To acknowledge that institutional legitimacy can turn on matters of racial representation is to recognize a basic historical fact about the American national community, not to make a moral error. The US Army has long understood this.<sup>17</sup> It is absurd to hold that this situation derives from existence of selection rules—in colleges and universities, in the military or anywhere else—that take account of race.

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<sup>16</sup> Some readers may object to my use here of the phrase “even some blacks”. A critic’s race is surely irrelevant, and my mention of it amounts to a personal attack, one might hold. I think this objection is unfounded, and it may be useful to say why: if a critic’s race is used (even implicitly) to give authority to his or her argument, then he or she can hardly demand a race-blind evaluation of that argument. It is a fact about public life in the United States that the meaning of utterances—the sincerity or profundity of them—can depend on a speaker’s race. A black adherent of race-blind liberalism, for instance, by publicly dissenting from a position most blacks endorse, does more than state an opinion. He or she will be understood as having taken a principled stand, contra filial attachment. This posture, more than its content, may be what gives the criticism its public currency. Ironically, black advocates of race-blindness are busy denying the relevance of race, even as their race helps to make their denials relevant. This observation does not refute their arguments, nor does it prove them guilty of “racial disloyalty”. But surely it is fair to take note of the irony.

<sup>17</sup> Moskos and Butler (1996) document this rationale for racial affirmative action in the US Army.

So much may seem too obvious to warrant stating but, sadly, it is not. In the Fifth US Circuit Court of Appeals Hopwood opinion, Judge Smith questions the diversity rationale for using racial preferences in higher education admissions.<sup>18</sup> He argues that, because a college or university exists to promote the exchange of ideas, defining diversity in racial terms entails a pernicious belief that blacks think one way, whites another. But this argument is fallacious for reasons just stated. Suppose one begins with the contrary premise, that there is no “black” or “white” way of thinking. Suppose further that conveying this view to one’s students is a high pedagogic goal. The students being keenly aware of their respective racial identities, some racial diversity may be required to achieve the pedagogic goal. Teaching that “not all blacks think alike” will be much easier when there are enough blacks around to show their diversity of thought. That is, conveying effectively the ultimate moral irrelevance of race in our society may require functional attention by administrative personnel to the racial composition of the learning environment. Whether, and to what extent, this may be so is a prudential, not a principled, question. It cannot be resolved *a priori*.

### ***An appropriate venue for colour-blindness***

There is, however, an objection to be raised to the position being developed here. At the consequentialist level, a critic may concede that some departures from colour-blindness are needed, though they should be “narrowly tailored” to meet only the most “compelling interest” as the language of recent Supreme Court rulings on affirmative action would have it. But at the most profound moral level, doesn’t someone who abhors the consequences of racial stigma have to affirm a kind of moral blindness to the race of agents? I think this is in fact the case, and I am not the least bit reluctant to say so, but I continue to urge clarity on this point.

Let us distinguish among three domains or venues of public action in a racially stratified society where the “blindness” intuitions of liberal neutrality might be applied.

First is the domain of policy implementation—where we decide on the instruments of public action. Here we are admitting students to college or hiring public employees or distributing social benefits. Some mechanism is being used to do this, and that mechanism may, or may not, take cognizance of a subject’s race. “Blindness” here means structuring public conduct so that people from different racial groups who are otherwise similar can expect similar treatment. This is what most people have in mind when they insist that the government should be “colour-blind”.

Second is the domain of policy evaluation—where we assess the consequences of public action. Here we are deciding whether to build a prison or a school, and if it is a school, whether it should serve the general population or only the most accomplished students. We are fighting a war on drugs and deciding whether to concentrate on the buying or the selling side of illicit transactions. As a general matter, prior to choosing a course of public action we need to assess the relative costs and benefits of the alternatives before us. The impact of an alternative on particular racial groups may, or may not, be explicitly reckoned in this assessment. “Blindness” here means not seeing a policy as more or less desirable on account of the race of those affected. This is what the Anonymity Axiom of social choice theory requires.

Third is what I will call the domain of civic construction—where we develop our nation’s sense of shared purpose and common fate. Here we are building monuments, constructing public narratives, enacting rituals and, most generally, pursuing policies that have an inescapably expressive, as well as a directly instrumental, effect. “Blindness” to race in this domain means deploying the instruments of civic pedagogy so as to promote a sense of national community that transcends racial divisions. This is what my axiom 2 (on anti-essentialism) requires, when it is embraced without reference to empirical assessments.

Veterans of the racial preferences wars are most familiar with the questions—having mainly to do with the unfairness of racial discrimination—that arise in the domain of implementation. To

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<sup>18</sup> Hopwood v. Texas, 1996, 78 F.3d 932.

get a glimpse of the subtle dilemmas that arise in the domain of evaluation, imagine that the central bank is trying to decide whether or not to induce a recession, so as to lower the risk of inflation. Would it be legitimate to tolerate a somewhat greater chance of inflation while maintaining a strong demand for labour because doing so also manages to hold the unemployment rate of black youth at humane levels for the first time in a half century? Can we reckon that this is a good policy because it contributes to overcoming racial stigma, draws blacks more fully into the mainstream of society and permits them to earn the respect of their fellow citizens? (Here I mean to suggest that, but for this racial benefit, a different decision might be taken.) In other words, can we explicitly count as a benefit to society what we calculate to be the racially progressive consequences (reducing black economic marginality) of what is an otherwise race-blind action (electing to take a greater risk of inflation)?

The issues arising in the domain of civic construction are also subtle. Consider the practice of capital punishment, which may or may not deter murder, but which is most definitely the state-sanctioned killing of a human being. Would it be legitimate when deciding whether or not to undertake the powerfully pedagogic public ritual of executing lawbreakers to take note of what may be a large racial disparity in its application? (Here I am supposing for the sake of argument that the processes of policing, judging and sentencing that lead to persons being executed are not racially biased, and I am asking whether we might nevertheless reject the use of capital punishment because of its racially disproportionate effects.) In other words, must we be blind to the possibility that such a racial imbalance could distort our civic self-understanding in the United States?

Or, to take a very different case, consider the conscious act of integrating the elite who exercise power and who are honoured in the society – the people to whom we delegate discretion over our lives. Suppose we undertake to ensure that there are, visibly, African-Americans among that elite. Suppose this goal is pursued not to bestow benefits on black people, as such, but with the specific intent of integrating the national community by rubbing out in the consciousness of the populace a perception of racial difference in inherent capacities or deserved social standing. Would that be a valid enterprise? Such a project, after all, pays tribute to the idea of race-blindness, too: it seeks to diminish the sense within the polity that we consist of racial groups that are differently endowed or unequally worthy of respect, with some more deserving than others of inclusion in the prized venues of public life.

We have, then, these three domains – implementation, evaluation and civic construction – giving rise to three classes of public questions: how should we treat individuals? How should we choose the goals to be pursued through our policies? And how much awareness ought we to have of the ways in which the conduct of public business can perpetuate into yet another generation the inherited stigma of race?

Liberal individualism seems to militate strongly in favour of “blindness” in both the first and the second domains. I think this is wrong on both counts, because it is ahistorical and sociologically naive. Race-blind proceduralism fails, I have suggested, because (among other reasons) it is not closed to moral deviation. And a principled stand of race-indifference is unacceptable as well, because it rules out policies (like the 10-per-cent plan in Texas) that are almost universally credited as being necessary and proper. Given US history, few thoughtful people are prepared to import their love of the race-blind principle into the domain of evaluation. They may object to race-based selection rules, but they do not object to the pursuit of explicitly race-egalitarian outcomes through public policies that take no notice of race at the point of implementation. That is, using the linguistic convention introduced earlier, though they may embrace race-blindness, they reject race-indifference. Thus there is much (I think plausible) disquiet at the thought of constructing race-based electorates for the purpose of giving blacks greater political voice, but hardly any opposition to moving from at-large to non-racially drawn single-member voting districts when the intent is to produce a similar outcome. And, as mentioned, policies like the 10-per-cent plan in Texas, implemented through race-blind decision rules but adopted with the intent of benefiting blacks and Hispanics, are not controversial – politically or constitutionally – among most opponents of affirmative action.



I want to suggest that only in the domain of civic construction should some notion of race-blindness be elevated to the level of fundamental principle. The operative moral idea would be what the sociologist Orlando Patterson has called the principle of infrangibility (that is, the absence of boundary)—saying that we are One Nation, Indivisible, and taking that idea seriously enough to try to act (whether in a race-blind or a race-sighted fashion) so as to bring that circumstance about. Those people languishing at the margins, even if they are strange and threatening, are going to be seen as being, in the way that most fundamentally counts for our politics and civic life, essentially like us. We're going to prudentially and constitutionally, but determinedly and expeditiously, move so as to tear down, or certainly build no higher, the boundaries of race that divide the body politic.

Thus when elite college presidents who practice race-preferential admissions say, in effect, "While administering multi-billion-dollar philanthropies that enjoy (for the public good) the protection of tax exemption, we endeavour, among other things, to construct an elite leadership cadre of African-Americans at the end of the twentieth and the beginning of the twenty-first century", they say a very modest thing. In the elite schools studied by Bowen and Bok (1998), the average admissions rate for whites is about 25 per cent. Getting rid of all the affirmative action is calculated to raise that rate to about 27 per cent. So for every 75 whites rejected under the regime of race-preferential admissions currently being practised, 73 would still be rejected after the eradication of affirmative action. Why, then, all the energy, why all the angst, why all the hand wringing, why all the clamour, why all the concern that America is being run aground, that our standards are being eroded, that the barbarians are at the gates? Why such resistance when, as the data in Bowen and Bok's book show, the boundary of racial hierarchy is being erased just a little bit by the trickling few black students who, at the margin and because of the colleges' practice of affirmative action, are being inducted into the leadership cadres of the United States?

Conversely, why is there so little alarm at the enormous racial disparity in the rates of imprisonment experienced by young American men? Why is it that, when a black American scholar of unquestioned competence and respectable intellectual pedigree raises this question, he can be accused of "playing the race card"—that is, of letting his sense of racial loyalty take precedence over his commitment to promote universal public goals? In a society that loves justice and that has a troubled racial history, like the United States, is not avoiding the further demonization of disadvantaged and socially isolated inner-city black youth a public purpose of transracial significance?

I suggest that there is nothing in political liberalism, rightly understood, that should lead us to reject that public goal. There is nothing wrong with a liberal, concerned about social justice, undertaking to fight racial stigma. There is nothing wrong with constructing a racially integrated elite in America. There is nothing wrong with fretting over 1.2 million African-American young bodies existing under the physical control of the state. Indeed, I am led to wonder how any thoughtful person aware of the history and the contemporary structure of US society could conclude otherwise.

## Conclusion

Let us review the bidding. By now the reader knows why I take a constructivist position in regard to the ontological status of race. A field of human subjects characterized by morphological variability comes through concrete historical experience to be partitioned into subgroups defined by some cluster of physical markers. Information-hungry agents hang expectations around these markers, beliefs that can, by processes I have discussed in some detail, become self-confirming. Meaning-hungry agents invest these markers with social, psychological and even spiritual significance. Race-markers come to form the core of personal and social identities. Narrative accounts of descent are constructed around them. And so groups of subjects, identifying with one another, sharing feelings of pride, (dis)honour, shame, loyalty and hope—and defined in some measure by their holding these race-markers in common—come into existence. This vesting of reasonable expectation and ineffable meaning in objectively arbitrary markings

on human bodies comes to be reproduced over the generations, takes on a social life of its own, seems natural and not merely conventional, and ends up having profound consequences for social relations among individuals in the raced society.

The reader also knows that I am committed to the position of anti-essentialism. My emphasis on the conventional and not natural character of race is accompanied by a conviction that no deep-seated, inherent inequality of human potential as between the members of different racial groups exists. And so I can give no currency to essential difference as an ultimate explanation of African-American social disadvantage. This belief in anti-essentialism calls me to a ministry of racial apologetics—defending my faith in axiom 2. But it also makes me keenly aware of the presence among my fellow citizens of infidels and apostates—people who, in a not necessarily conscious manner, give credence to the essentialist view. Confronted by the facts of racially disparate achievement, the racially disproportionate transgression of legal strictures, and racially unequal development of productive potential, observers need to give an accounting. They need to tell themselves a “story”, to adopt some “model” of what has generated their data, to embrace some framework for gauging how best to respond. In effect, observers must answer the question, Where does the problem lie, with *us* or with *them*? Their willingness to examine whether taken-for-granted civic arrangements in fact correspond to their nation’s professed ideals depends upon the answers they give to this question. Indeed, the very processes of social cognition and discernment, the awareness of anomaly and capacity for empathy, the stirrings of conscience in a society will, I have argued, be influenced by widely held beliefs in this regard.

Faced with manifestations of extreme marginality and dysfunction among some of the racially marked, will the citizenry indignantly cry out, “What manner of people are *they*, who languish in that way?” Or will they be moved, perhaps after overcoming an instinctual revulsion, to ask, reflectively and reflexively, “What manner of people are *we* who accept such degradation in our midst?” The attainment of racial justice depends crucially on which narrative is settled upon. Reform becomes possible only when this second question is posed.

Readers who have persisted to this point know that I hold the latter response to be less probable, and that I expect this response to come less easily to an external observer’s mind when the raced group in question is stigmatized in that observer’s perception. Racial stigma, then, promotes the tacit presumption of an essentialist cause for racial inequality, ascribing to blacks (in the case at hand) the virtual social identity that they are, in some sense, “damaged goods”. While I am undisturbed at the use of the term “racism” in reference to stigmatization of this sort, I am also unenlightened by it.

Given my anti-essentialist commitment, I am keen to distinguish between two accounts of the problem of persisting racial inequality. One account gives pride of place to racial discrimination. The other makes racial stigma the main concern. I have argued in favour of the latter account—relatively speaking, not taking that position in an absolutist way—for two reasons. As an empirical judgement, I hold that reward bias (unequal returns to equally productive contributors) based on race, is now less important in accounting for the disparate social outcomes that history has bequeathed to us than is development bias (unequal chances to realize one’s productive potential) based on race. As a moral judgement, I assert that there is a sphere of intimate social intercourse, governed to some degree by raced perceptions in individuals’ minds, that, out of respect for the liberty and the dignity of human beings, should not become the object of political or bureaucratic manipulation. Yet in American society this race-mediated associative behaviour helps perpetuate a regime of development bias against blacks, largely because of a protracted, ignoble history during which reward bias against blacks was the norm.

The idea of discrimination points mainly to reward bias, telling us little that is useful about the practice of racial preference in associative behaviour. The stigma idea is more flexible, providing insight both into race-constrained social interactions and race-influenced processes of social cognition. Thinking in terms of stigma helps us to better understand the operations of causal feedback loops that can perpetuate racial inequality from one generation to the next.

I have argued that race-blindness—as a purely procedural theory of racial justice—is necessarily insufficient because it cannot cope with the consequences of its own violation. Moreover, in practice, the moral criterion of race-blindness fails for a related, though distinct, reason: its proponents tend to apply their cherished principle only to a restricted domain of public life—that of policy implementation in formal economic and bureaucratic undertakings. Yet the issue of racial justice, properly conceived, ought not be so limited, and the intuitive appeal of “blindness” as a guiding moral principle is far weaker when one looks outside of that restricted domain. I drive this point home by contrasting the race-blindness idea with what I have called race-indifference—a disregard for the effects of a policy choice on the welfare of persons in different racial groups. By pointing to a history of racial subordination and the evident importance of race in present-day structures of opportunity in the United States, I make the case that the “indifference” question should be regarded as ethically more fundamental than the “blindness” question. This supports my conclusion that, insofar as the concern is the lagging status of African-Americans, the quest for social justice should entail a commitment to race-egalitarianism, and that this commitment can properly be pursued through policies (such as, but not limited to, affirmative action) that may fail to meet the standards of race-blindness, race-indifference or both.

Finally, I see two essential ideas emerging from this argument. The first is the claim that both the analytic and the philosophic resources of liberal individualism are insufficient to generate an understanding of, or provide an adequate response to, the problem of pronounced and durable social disadvantage among African-Americans. I claim that abstract individualism is just not up to the task here—neither the descriptive nor the prescriptive task. The second idea is closely connected with the first. It is, to repeat, the distinction I want to insist be drawn between racial discrimination and racial stigma in discussions of the problem of social exclusion and economic disadvantage among black Americans.

This second point has important policy implications: discrimination is about how people are treated; stigma is about who, at the deepest cognitive level, they are understood to be. As such, these distinct ways of framing the problem of racial inequality lead to radically distinct intellectual and political programmes. A diagnosis of discrimination yields a search for harmful or malicious actions as the treatment, using the law and moral suasion to curtail or modify those actions. But seeing stigma as the disease inclines one to look for insidious habits of thought, selective patterns of social intercourse, biased processes of social cognition and defective public deliberations when seeking a cure. Here the limits of conventional legal action and moral suasion, and the need for deeper and more far-reaching structural reform, come clearly into view. To be sure, such reform should redress resource disparities between groups. But it should also attend to the ways in which race-mediated social meanings are constructed, in order to avoid the perpetuation into yet another American generation of the ugly legacy of racial stigma.

These essential ideas incline me to the following major conclusion: the unfair treatment of persons based on race in formal economic transactions is no longer the most significant barrier to the full participation of blacks in American life. More important is the fact that too many African-Americans cannot gain access on anything approaching equal terms to social resources that are essential for human flourishing, but that are made available to individuals primarily through informal, culturally mediated, race-influenced social intercourse. It follows that achieving racial justice at this point in American history requires more than reforming procedures so as to ensure fair treatment for blacks in the economic and bureaucratic undertakings of private and state actors.

This kind of reform, while necessary, is far from sufficient. Yet it is the only reform that the liberal-individualist morality of race-blindness affords us. I hope to have persuaded the reader with the foregoing argument that a broader and more comprehensive moral vision is required of us—the vision I have called race-egalitarianism. By this view, achieving the elusive goal of racial justice requires that we undertake, as a conscious end of policy, to eliminate the objective disparity in economic and social capacity between the race-segregated networks of affiliation that continue to characterize the social structure of American public life, and that constitute the most morally disturbing remnant of this nation’s tortured racial past.

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