

A Commentary on *Color Conscious: The Political Morality of Race**

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I. INTRODUCTION

Moral inquiry is a fundamentally interpretive enterprise. Yet its interpretive tasks assume special importance when we seek to resolve moral conflict about political life.¹ Discussions of American political morality must, first of all, interpret constitutive principles of liberal democracy—such as equality before the law, respect for individual liberty, and equality of opportunity. Since these principles define a political *ideal*, interpretations must weigh present approximations of the ideal against the effort to promote its fuller realization in the future. We must also articulate the moral relevance of past political arrangements which have shaped the contexts to which interpreted principles apply. Finally, moral inquiry must help us articulate our self-understandings, and encourage us to scrutinize them—and possibly to revise them—in accordance with morally compelling principles. The two essays by Anthony Appiah and Amy Gutmann that constitute *Color Conscious: The Political Morality of Race* ably meet these interpretive demands. Together they provide a richly illuminating account of the moral and political implications of “race.”

Color Conscious does not claim to be a comprehensive treatment of the subject; each essay attempts to answer one essentially self-contained question. Appiah’s essay, “Race, Culture, Identity: Misunderstood Connections,” considers whether demands for political recognition of racial identities are compatible with requirements of American political morality. In “Responding to Racial Injustice,” Gutmann considers whether color-conscious policies—in employment, college admissions, and electoral redistricting—can be consistent with America’s newly evolved ideal of color-blindness. The essays also divide the interpretive labor. Appiah

* K. Anthony Appiah and Amy Gutmann, *Color Conscious: The Political Morality of Race* (Princeton, N.J.: Princeton University Press, 1996). All parenthetical references in the text are to this work.

1. This conception of moral inquiry is developed more fully in my *Fieldwork in Familiar Places: Morality, Culture, Philosophy* (Cambridge, Mass.: Harvard University Press, 1997).

emphasizes self-scrutiny, challenging the ways in which American racial classifications continue to shape—or, more to the point, distort—understandings of human diversity and individual identity. Gutmann focuses on interpretation of political principles, arguing that color-blind interpretations are inadequate in some nonideal contexts of contemporary American life.

Yet the authors share a broader vision—though they do not explicitly articulate it. They agree on the fundamental worth of the liberal democratic ideal and of the American attempt to realize it. They also believe that there is a gulf between that ideal and the reality of contemporary American life. That gulf is in principle bridgeable, according to their accounts, by means of intelligent public policies. Such policies must be compatible with what they take to be an insufficiently appreciated fact: that the idea of race—with its claims of inherited group “essences” having cultural, psychological, and moral implications—is empirically ungrounded and fundamentally implausible. They hold that the conceptual hegemony of the idea of race has, nonetheless, produced social and economic inequalities which public policy must seek to remedy. Color-conscious policies, they urge, may provide the only means of severing persistent links between social status and racial classifications.² Yet the authors caution that such policies are defensible only in response to racial injustice, and that even personal commitments to color consciousness may prove inimical to the liberal democratic ideal.

Critics will wonder whether color-conscious public policies genuinely conform to the American liberal democratic ideal. I show that Gutmann's defense of such policies—with some important revisions—embodies a reasonable interpretation of liberal democratic principles. Though her interpretation may not convince the most ardent critics of color-conscious policies, it performs the morally important task of requiring both foes and friends of the policies to formulate their positions with new clarity. Other critics will wonder whether we must relinquish personal commitments to color consciousness in order to achieve and protect a just society. I argue that Appiah rightly rejects the essentialist fictions of the race concept and the destructive consequences of certain contemporary understandings of racial identity. But some ways of affirming color consciousness—that is, of affirming racial identity freed from essentialism—can be morally constructive components of the social bases of self-respect, and thus have beneficial consequences for political life. Throughout the discussion, I show that both essays generate invaluable reflection on the plausibility of racial classifications, the moral dimensions of identity, the political implications of historical injustice, and the nature of American democracy.

2. The fact of agreement on this point doesn't fully emerge in Appiah's main essay but is certainly clear in his epilogue to the volume.

II. COLOR CONSCIOUSNESS, FAIRNESS, AND SOCIAL POLICY

Gutmann offers a sustained defense of the view that color conscious policies are sometimes the most morally appropriate response to racial injustice. She rejects demands of race proportionality in university admissions, for instance, or in electoral redistricting. Moreover, she insists that defensible policies must "help secure their own demise" (p. 133). To this end, they must combat racial stereotyping of social roles, provide identity role models for disadvantaged groups, and provide diversity role models for all citizens. Defensible policies, Gutmann urges, must also "avoid gratuitous unfairness": that is, they must be "as fair as possible, relative to available alternatives," to those most adversely affected by them (p. 133). By this account, it is more justifiable to take membership in a disadvantaged group as a qualification for some valued position than it is to allow color to "override" qualifications. Admission standards which treat race as a relevant qualification meet this demand, according to Gutmann. So, too, does the 1989 Piscataway, New Jersey, School Board decision to treat color as a tie-breaking qualification in determining which of two otherwise equally qualified teachers to dismiss during a budget crisis. Gutmann also believes that preferential treatment (the use of color to override qualifications) can be fair—especially when the greatest costs of such policies are borne by relatively advantaged individuals. Indeed, she thinks that preferential treatment can be fair even when relatively disadvantaged persons bear disproportionate costs, if efforts are made to provide them with "some kind of compensation" (p. 133).

Gutmann accepts that "morally motivated people" may object to her account.³ Yet she thinks that such critics are mistaken about what constitutes a fundamental principle of political morality and that they misunderstand the contemporary contexts to which the interpreted principles must apply. These mistakes, she maintains, result in a failure to accord sufficient moral relevance to continuing racial injustice. In her view, the principle of fairness among individuals is a fundamental principle of political morality, not the principle of color blindness. Fairness is rightly given a color-blind interpretation in a just society, but, she adds, we do not live in a just society. The lingering effects of legally sanctioned racial injustice, exacerbated by ongoing discrimination, create what Gutmann considers to be a moral context in which fairness can reasonably be given a color-conscious interpretation (p. 125).

A "morally motivated" critic might acknowledge the need to interpret the principle of fairness and accept the moral relevance of racial injustice but still wonder how a political morality which licenses color-conscious policies can genuinely prepare us to leave such policies behind. One way to accommodate this concern is to require legislators or

3. By "morally motivated," here, Gutmann seems to mean not motivated by racially discriminatory preferences.

other policy makers to specify a precise period of time after which the policies would be jettisoned.⁴ Alternatively, precise time determinations might be left up to the institutions, but legislators or other officials might supply criteria for calculating the time required by different kinds of institutions to combat racial stereotyping and to provide a reasonable number of identity and diversity role models. Everything that Gutmann says about the details of color-conscious policies suggests that she would consider this a friendly amendment to her views.

But specifying time limits is not sufficient to ensure that color-conscious policies can in fact "secure their own demise." They must also be designed to minimize—and, ideally, to eliminate—singling persons out on the basis of color once they have assumed valued positions in particular institutions. In current practice the failure to meet this demand frequently hinders the effort to combat racial stereotyping of social positions. The problem is especially acute in undergraduate education, where those who design and administer color-conscious policies often conceive of them not as a response to racial injustice but as noblesse oblige for the intellectually deficient. This leads to the assumption that students admitted through color-conscious policies are either in constant need of remedial attention or that they are too sensitive to be held to established standards—or sometimes both. Acting on this assumption requires constant tracking of students by color—collectively by administrative offices, and individually by local instructors—on the grounds that they are essentially "at risk." But few students treated in this way are likely to further the broader social aim of challenging racial stereotyping of educational success.

Some critics of color-conscious admissions assume that the higher failure and drop-out rates of black students admitted through such policies show that most of these students are, in fact, intrinsically "at risk" and not suited for the institutions which admitted them. But Claude Steele has shown that in some institutions, the problem with failure and drop-out rates involves some black students not admitted through color-conscious policies. Steele discovered that even at high levels of preparation (combined SAT scores from the 1300s to the 1500s), drop-out and failure rates for black students in some institutions are still higher than those for white students.⁵ A complex set of factors combine to produce

4. Orlando Patterson makes a similar suggestion in chap. 5 of *The Ordeal of Integration: Progress and Resentment in America's "Racial" Crisis* (Washington, D.C.: Civitas/Counterpoint, 1997).

5. Perhaps even more interestingly, Steele finds evidence that black college graduates of the 1950s tended to have better overall records in college than many of the most well-prepared black graduates of the 1980s. Steele suggests that the academic culture of the 1980s—especially its destructive attitude toward black students and the academic "dis-identification" of some students themselves—may be part of the explanation for this. Claude Steele, "Race and the Schooling of Black Americans," *Atlantic Monthly* (April 1992).

this result, but Steele convincingly argues that the nature of some institutions' color-conscious policies, and especially the attitudes which the problematic policies encourage among instructors and administrators, are an important part of the problem.⁶

Color-conscious admissions programs at some undergraduate institutions have avoided the at-risk model by offering academic support which does not infantilize and humiliate and by encouraging responsible student efforts to make for up any gaps in preparation. Students admitted through such programs have impressive levels of academic success and quite respectable graduation rates.⁷ Moreover, students admitted to graduate and professional schools through color-conscious policies who complete the programs and go on to have careers in their graduate fields have had remarkable levels of career success. These successes jointly challenge the notion that color-conscious admissions require a general lowering of institutional standards, and they also contradict the claim that color-conscious policies are intrinsically destructive of the self-respect of those who benefit by them. They suggest, further, that the design of color-conscious policies is not merely a logistical concern but a matter of genuine moral importance.

Of course, the methods that might be used by employers to make important decisions about the fortunes of their employees will not be precisely analogous to methods used by academic institutions to make important decisions about the fortunes of students. But whenever color-conscious policies require employers continually to consider color when making important decisions about employees—even during budget shortfalls and corporate downsizing—those policies will always have the potential to undermine their proponents' broader aims.

It is not clear that Gutmann can adequately address these concerns, especially in light of her analysis of the Piscataway case. According to Gutmann, the policy implicit in the school board's decision satisfied an important constraint on defensible color-conscious policies—that they must help secure their own demise. Yet the Piscataway policy seems to have been diametrically opposed to this goal. By relying on racial diversity to decide which of two equally senior teachers to retain, the school board brought considerations of color into an important employment decision long after the concerned parties had not only assumed their positions but displayed their abilities to perform the requisite tasks. The black teacher in the case was, reportedly, deeply distressed that considerations of color were used to determine her worthiness to keep her job.⁸

6. *Ibid.*

7. Patterson cites intriguing evidence that, prior to the enactment of California's Proposition 209 (which prohibits color-conscious admissions), the University of California was particularly successful in this regard (Patterson, pp. 156, 222 n. 7).

8. See, e.g., Abby Goodenough, "Prospect of Costly Loss Prompted School Board Members to Drop Their Case," *New York Times* (November 22, 1997).

Her distress is compelling evidence that the policy was unlikely to prepare the citizens of Piscataway to leave color consciousness behind.

But the case falls short of Gutmann's standards in other important ways. Gutmann contends, at one point, that any policy that disproportionately burdens a few individuals must include an effort to compensate them for that burden (p. 133). The school board's policy placed a disproportionate burden on *one* person (who not unexpectedly took the matter to court). Yet in a display of extraordinary stubbornness the board refused opportunities on several occasions to settle the case. In so doing, they effectively refused to compensate the burdened party, and this refusal is inconsistent with what Gutmann rightly considers to be a requirement of fairness. This was, no doubt, why a coalition of civil rights organizations intervened to help settle the case before it could be decided by the Supreme Court. The coalition understood that the Piscataway case did not embody fundamental goals and principles that proponents of color-conscious policies should defend, and they wisely kept it from becoming a legal landmark with the potential to undermine color-conscious policies altogether.⁹ Ironically, their intervention is more in line with Gutmann's principles than is Gutmann's own defense of the case. In a further irony, in the same paragraph in which Gutmann defends the case, she also asserts that the most justifiable color-conscious policies are "not likely to be the most piecemeal" (p. 133). But everything about the Piscataway case suggests that it was about as "piecemeal" a policy as can be imagined.

Suppose that Gutmann were to revise her analysis of the Piscataway case to accept that color-conscious policies should ideally eliminate continual tracking by color. Suppose, further, that she were to accept the demand that such policies specify time limits and more carefully address problems of compensating those who bear disproportionate burdens. Would the morally motivated proponent of color blindness still have a compelling objection to Gutmann's view? To answer this question, we must look more closely at Gutmann's conviction that the color-blind interpretation is inadequate to contemporary contexts. Gutmann asserts, at one point, that the controversy over preferential treatment persists because "despite a widely shared commitment to nondiscrimination," American society still fails to "satisfy the premise of a perspective that makes color blindness the obviously correct interpretation of . . . justice as fairness" (pp. 124-25). This assertion does not do exactly what Gutmann claims. The persistence of controversy is not explained by facts about social institutions but by facts about what people believe can be justifiable in efforts to improve those institutions. Facts about social institutions explain why one might be suspicious of the notion that the com-

9. See Barry Bearak, "Rights Group Ducked a Fight, Opponents Say," *New York Times* (November 22, 1997).

mitment to color blindness has special efficacy in efforts to eliminate racial injustice. If the commitment to color blindness is as widely shared as Gutmann believes, the persistence of racial injustice makes it eminently reasonable to challenge the efficacy of that commitment.

The most successful assaults on racial stereotyping of social roles—in the American military and in some parts of the corporate world—have resulted from policies which seem to support Gutmann's challenge. The success of these policies in promoting the ideal of American democracy is not irrelevant to understanding the requirements of American political morality. Still further, Gutmann makes a strong case for color-conscious efforts to promote substantive equality of citizenship rights. She shows that the "concentrated political influence" of voters in majority-white districts in the South (where cross-racial coalitions are infrequent) makes it virtually impossible for black voters in those regions to get "substantive representation."¹⁰ In such contexts, she urges, it is fully consistent with the ideal of fairness to use "race" as a factor in determining the boundaries of electoral districts. Unless we intend to break up electoral districts which give Southern white voters concentrated political influence, she convincingly argues, "we cannot consistently and fairly stop short of recognizing the legitimacy of color conscious redistricting" (p. 160, cf. p. 155).

Of course some critics who might accept color-conscious policies to promote substantive equality of citizenship rights will reject the use of color-conscious policies in employment decisions and university admissions. Along with theorists of "global" color-blindness, these critics will argue that color consciousness in hiring and admissions decisions wrongly rejects the principle of merit. Color-conscious policies violate the merit principle, it will be urged, because "race" is an unearned characteristic. But Gutmann plausibly denies that color-conscious policies are unique in appealing to unearned characteristics. She reminds us, for instance, of the frequency with which university admissions committees consider geographical residence as part of the qualifications for admission. But she could have added that hiring practices and admissions policies in America are replete with exceptions to the idea of individual merit. From veterans' preferences in civil service exams (which may extend to veterans' widows), to admissions preferences for the relatives of college alumni, as well as the nepotism that limits membership in various trades and access to certain kinds of employment in business, group claims and unearned characteristics have long been accepted as compatible with liberal democratic principles.¹¹ It is certainly appropriate to

10. By "substantive representation," Gutmann means representation that takes their interests into account and may be more likely to move the United States toward overcoming racial injustice (Appiah and Gutmann, p. 155).

11. John Skreteny, chap. 3 in *The Ironies of Affirmative Action: Politics, Culture, and Justice in America* (Chicago: University of Chicago Press, 1996), esp. pp. 46–53.

subject all these practices to greater scrutiny. But, as Gutmann suggests, if we continue to accept the familiar exceptions while rejecting color-conscious exceptions that might somehow challenge them, we are more likely to further injustice than to remedy it.

Gutmann nonetheless misses an opportunity to offer a more robust response to concerns about fairness. Her account fundamentally depends, as I have shown, on the idea that compensation should be provided when a policy disproportionately burdens a few persons, or disproportionately burdens a large class of persons who are relatively disadvantaged. But Gutmann never develops this idea in any detail. She makes a passing observation that a democratic society should provide "some kind of compensation" to relatively disadvantaged individuals who bear a disproportionate share of the costs of promoting a just society. But what kind of compensation is appropriate, and how is it to be distributed? Is the eleventh-hour approach of the Piscataway settlement to be the norm? Finally, what should we make of Gutmann's support for the Piscataway school board, given their resistance to compensating the (sole) party burdened by their policy? Of course, even with a detailed theory of compensation, Gutmann might not be able to meet all relevant objections about fairness. But such a theory might well satisfy at least some of the most vehement critics.

Developing that theory would also provide a rhetorically important opportunity to estimate the social costs of compensation, since some of the most vehement critics of color-conscious policies simply misrepresent the facts. It is important to note, first of all, that color-conscious admissions policies affect an extremely small number of college applicants. According to the Educational Testing Service, a majority of four-year colleges in America admit more than 75 percent of their applicants, while only 7.3 percent admit less than half of their applicants.¹² Further, color-conscious initiatives to integrate historically black public institutions in some states appear to favor white students and to impose burdens on black students. Proponents of the color-blind ideal are strangely silent about this problem. Still further, recent studies show that the number of persons burdened by color-conscious employment policies is also quite small.¹³

Considerations about the numbers affected cannot alone settle conflicts about how to understand equality of opportunity and equality before the law. Yet the numbers do show that is disingenuous to claim moral parity between "reverse discrimination" and the centuries-long, socially widespread discrimination that color-conscious policies seek to remedy. Moreover, this absence of moral parity is clearly relevant to determining

12. Steven A. Holmes, "Thinking about Race with a One-Track Mind," *New York Times* (December 21, 1997).

13. Patterson, chap. 5.

whether there is a compelling government objective in sanctioning a temporary reliance on color-conscious policies in order to pursue racial justice. Gutmann's account of such policies—revised along the lines suggested here—is an eminently reasonable contribution to the debate. It remains to be seen whether legislators and courts will allow such an account to shape their reading of the Fourteenth Amendment, and especially of Title VII of the 1964 Civil Rights Act.

III. CULTURE AND THE FUTURE OF COLOR CONSCIOUSNESS

Gutmann's claims about the limits of personal commitments to color consciousness are less compelling than her interpretation of the principle of fairness. Color consciousness, as Gutmann understands it, rightly rejects the idea of race as "essential, natural divisions among human beings," yet embodies an awareness of the ways in which racial classifications have served as the bases for "invidious discriminations" (pp. 163–64). Yet she insists that color consciousness "cannot be disengaged from the recognition of ongoing racial oppression and still retain its value"—not even as an element of our self-conceptions (p. 176). But it is far from clear why this should be so.

Gutmann observes that color consciousness "imposes on us a group identity, whether or not we appreciate the identity attributed to us" (p. 168). But she recognizes that we are identified by all sorts of characteristics which are beyond our control—such as membership in families and citizenship in national communities. She even reminds us that we frequently discover reasons not merely to accept, but to celebrate some involuntary attributions of identity—as well as the moral obligations with which they are commonly linked. Why should the identities linked with color consciousness be any different? Gutmann suggests, at one point, that color consciousness is somehow detrimental to full acceptance by Americans generally of the cultural achievements of black Americans. Other things being equal, she contends, "cultures are more valuable to the extent that more people have access to them. This is a reason to look forward to the further decoupling of color and culture" (p. 175). Yet she never explains why "decoupling" color and culture is a condition of enhancing access to certain achievements.

Consider that national allegiances, for instance, do not limit the ability to appreciate the value of the U.S. Constitution. The document has been emulated by other nations, its principles have inspired dissident political movements, and the way of life it underwrites continues to lure immigrants from around the globe. Access to the constitution's value as a cultural and political achievement is also compatible with appreciating its origins on the American continent and its continuing development in the interplay of passions and interests, moral concern, and legal interpretation that have shaped American history. Why must color consciousness be different, in this respect, from national allegiance?

Cultural achievements, as Appiah reminds us, are not the exclusive preserves of particular groups of people—not even of the people whose members and traditions produce them.¹⁴ Further, anyone can appreciate the achievements of any culture, and anyone who is sufficiently talented can interpret, and even extend, any cultural tradition. It is thus that white musicians have made important contributions to jazz and black musicians have excelled in Italian, French, and German opera. Gutmann rightly cautions against essentialist linkings of culture—seconding a claim compellingly defended by Appiah as well. Black Americans have no special natural ability to create, interpret, or appreciate jazz, just as Italians have no special natural ability to create, interpret, or appreciate opera. But it is nonetheless important that we cannot fully appreciate a Puccini aria unless we know something about the musical traditions from which Puccini, and Italian opera generally, emerged. Similarly we cannot fully appreciate a composition by Thelonius Monk unless we know something about the musical traditions developed by black Americans and the extent to which Monk's work may have challenged those traditions. If the achievements of black Americans must be detached from their origins to be appreciated as fully American, this tells us more about the destructive effects of American prejudice than about general requirements for cultural access.¹⁵

Even more important, a color-conscious identity can be a central element of what a Rawlsian might call the social bases of self-respect.¹⁶ Affirming such an identity is no more intrinsically dangerous to autonomy than affirming an identity as a member of a particular family or as a citizen of a particular nation. To be sure, color-conscious identifications may fall short of autonomous commitments—especially when they are insufficiently detached from the distorting effects of racial classifications. In a distressing example of this phenomenon, young black Americans who consider academic success to be a way of “acting white” have accepted a self-conception that remains disastrously entangled in essentialist racial fictions. Yet the remedy for this—as I will argue more fully

14. Moody-Adams, *Fieldwork in Familiar Places*, pp. 216–17.

15. Gutmann's observation is not unimportant, however, since it may explain why jazz is more fully appreciated—as a genuinely American cultural product—outside of America than within. On p. 175, Gutmann rightly observes that the cultural heritages of black and white Americans are inseparable from each other. This is particularly true in the case of American music; jazz is just the most well-known case. Virtually every form of music deserving the title “distinctively American” bears the stamp of black American influence, including American musical theater, American gospel and religious music, American popular music of all forms (including “country and western” as well as jazz and rhythm and blues), and nineteenth- and twentieth-century American folk music.

16. On the idea of the social bases of self-respect, see John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), p. 440. For fuller discussion of the links between racial classifications and the social bases of self-respect, see my “Race, Class and the Social Construction of Self-Respect,” *Philosophical Forum* 24 (1992–93): 251–66.

in discussing Appiah's view—is not to urge these young people to relinquish color consciousness. Instead, they must find more defensible forms—principally by reclaiming the success of persons who have affirmed identities as black Americans and yet triumphed over discriminatory stereotypes. The most defensible forms of color consciousness, I think, are those which eventually allow one to affirm a psychologically healthy and morally constructive pleasure in recognizing shared history, overlapping experiences, and shared resilience over time. A healthy color consciousness need not prevent one from claiming affiliations (even close ones) with others who affirm different identities. Nor does a healthy color consciousness have any implications at all for those (from any group) who may choose to reject it. There is no reason to believe that, disengaged from concern about racial prejudice, color consciousness cannot “retain its value.”

IV. IDENTITY, OPPOSITION, AND SELF-RESPECT

In his “Race, Culture, Identity: Misunderstood Connections,” Appiah is deeply skeptical of the idea that color consciousness might be a socially benign and psychologically constructive dimension of a racially just America. But he relies on different terminology to develop that skepticism, taking a complex concept of “racial identity” as central to his account. A racial identity, Appiah contends, is an identity associated with a racial label that has been used historically—in social practices of ascription, as well as in self-identifications—to attribute inherited racial essences to groups of people (pp. 81–82). This concept plausibly allows him to recognize that racial labeling has had complex social consequences—without having to accept that there actually are any racial essences.

Appiah makes a compelling case against the concept of race by challenging its central idea: that inherited racial essences with moral, psychological, and cultural implications even exist. He convincingly argues that nothing in the world satisfies the criteria implicit in this idea and that no defensible account of human biological diversity can do the explanatory or classificatory work required by it (pp. 71–74). This stance is supported by studies of gene differences between major population groups which show nearly as much genetic variation between individuals from the same “racial” group as between individuals from different groups.¹⁷

17. Masatoshi Nei and Arun K. Roychoudhury, “Gene Differences between Individuals from Different Ethnic Groups,” *Science* 177 (1972): 434–36. For further important background, see Frank Livingstone, “On the Non-Existence of Human Races,” in *The Concept of Race*, ed. Ashley Montagu (New York: Free Press, 1964), pp. 46–60; and Gloria Marshall, “Racial Classifications: Popular and Scientific,” in *The Racial Economy of Science*, ed. S. Harding (Bloomington: Indiana University Press, 1993); and L. Luca Cavalli-Sforza, Paolo Menozzi, and Alberto Piazza, *The History and Geography of Human Genes*, abridged ed. (Princeton, N.J.: Princeton University Press, 1996), pp. 16–20.

Moreover, appeals to "internal" biological traits and facts about body chemistry have consistently failed to support the conventional race concept. For instance, while the tendency to crumbly ear wax links together several east Asian populations, the tendency to adhesive ear wax links together "Caucasian" and "Negroid" populations.¹⁸ Forensic anthropology has been claimed to prove the reality of race—despite a relatively high rate of misidentification. But even the "successes" of forensic anthropology simply mirror socially constructed conceptions of allegedly racial body types.¹⁹ Finally, while the absurdity of the conventional race concept is independent of facts about so-called race-mixing, the long-standing fact of miscegenation in America makes American racial categories deeply problematic.²⁰ The "one drop rule" was a response to miscegenation—functioning first to create as many slaves as possible, and eventually to cement the social and economic inequalities of the Jim Crow period. American racial classifications have always been political tools, gaining political currency in the late eighteenth and early nineteenth centuries largely because they could be wielded in attempts to explain and justify American slavery.²¹

But Appiah believes that even detached from belief in racial essences, racial identities and racial identifications remain morally and politically problematic (p. 82). He worries, first of all, about the conse-

18. Richard Goldsby, in his *Race and Races* (New York: MacMillan, 1970), claimed to show that such phenomena as ear wax formation help prove that racial classifications mark off essential differences between persons. But in seeking to make this point he cites statistical distributions of the phenomena which, in fact, support the contrary view that racial classifications are very much social constructions. For more sustained discussion of the difficulties of trying to link racial classifications with internal body chemistry or biological make-up, see Jared Diamond, "Race without Color," *Discover* (November 1994), pp. 83–89; see also C. Loring Brace, "Non-racial Approaches towards the Understanding of Human Diversity," in Montagu, ed., pp. 103–52.

19. Barbara J. Fields, "Slavery, Race, and Ideology in the United States of America," *New Left Review*, no. 180 (1990): 95–118, p. 96.

20. Approximately 75 percent of people who would be classified (and usually self-identified) as black American are in fact "racial hybrids"—with varying percentages of "Caucasian" genes (and less frequently, Native American genes). See T. Edward Reed, "Caucasian Genes in American Negroes," *Science* 165 (1969): 762–68. Reed estimates (p. 762) that usually between 2 and 50 percent of the genes of an individual "American Negro" are derived from "Caucasian ancestors." Much of this genetic complexity predates the Supreme Court decision in *Loving v. Virginia* which struck down legal prohibitions of interracial marriage, since it is largely a product of the complex consequences of interracial mating during American slavery. Still further, the 1920 census contained the last count of "mulattoes" in the United States, largely on the strength of a 1918 Census Bureau report conceding that it was impossible to tell *by sight* which American negroes were of "mixed blood" and which were not. See Joel Williamson, *New People: Miscegenation and Mulattoes in the United States* (New York: Free Press, 1980), pp. 111–13.

21. Barbara J. Fields, "Ideology and Race in American History," in *Region, Race, and Reconstruction: Essays in Honor of C. Vann Woodward*, ed. J. Morgan Kousser and James M. MacPherson (New York: Oxford University Press, 1982), pp. 143–177; see also Fields, "Slavery, Race, and Ideology in the United States of America."

quences for individual autonomy. Racial identities, he argues, tend to be so "tightly scripted" that they almost inevitably have a tyrannical influence on individual thought and action (pp. 99, 104). But he also contends that racial identities are linked with an ideal of authenticity that, in contemporary contexts, leads to demands for social and political recognition of those identities (p. 94). The underlying "rhetoric of authenticity," he argues, ignores the dialogical constitution of individual identity. In this regard, he rightly observes that the identity of black Americans, for instance, has not been constructed entirely within black American communities but, importantly, within American institutions. But Appiah also believes that demands to accord political recognition to allegedly authentic collective identities pose important dangers to the liberal democratic ideal. We will move beyond racism, he continues, only when we move beyond "current racial identities" (p. 32).

But it is not clear that racial identities must have the consequences which Appiah fears. To begin with, racial identities need not be linked with demands for social and political recognition. When detached from belief in inherited racial essences, the act of affirming a racial identity might simply be a way of claiming solidarity with a group of people defined by a commonality of experiences and shared histories of resilience in the face of hardship. Some products of these experiences and histories can properly be called culture; affirming a racial identity might thus involve claiming a special bond to some of the group's cultural products. But since the relevant experiences and histories are complex, when applied to black Americans, this conception of racial identity would conform to Appiah's reasonable insistence that there is a plurality of black American cultures (p. 97). Still further, since it rejects the idea of inherited essences and relies on affirmation rather than conscription, it need not undermine autonomy. Finally, a healthy affirmation of racial identity, as I understand it, should be a self-sufficient element of the social bases of self-respect. "Self-sufficient," here, means guaranteed by allegiance with the group—rather than by outside recognition. Thus a healthy affirmation of racial identity generates no demands for special social recognition.

Many contemporary conceptions of racial identity are not self-sufficient. For instance, white Americans whose sense of self-worth depends upon thinking of black Americans as their social inferiors accept a racial identity (even when they do not recognize it as such) which falls short of self-sufficiency. Further, Appiah identifies an equally dangerous failure of self-sufficiency in the conception of racial identity currently accepted by some black Americans. He is rightly critical of the notion that identity as a black American requires special institutional respect as *a black American*—and not simply as an American. This notion implies an inadequately self-sufficient conception of racial identity, and this is why

(as Appiah observes) it requires a consistently oppositional stance—on which identity as a black American must always be a matter of resisting “white norms” and “mainstream American conventions.”

Such an oppositional conception is deeply problematic. It is certainly incompatible with autonomy, since those who accept it define their actions not by self-generated demands but by a persistent concern for thwarting “white convention.” Equally important, by linking a vision of “authentic blackness” with oppositional behavior, it deprives its proponents of those aspects of black American history most likely to generate a self-sufficient racial identity. For instance, young black Americans who accept this conception sometimes assume that they should study American slavery principally to look for slave rebellions and other forms of visible resistance to domination. They may then feel shame that there aren’t more rebellions to be found. As a result, they miss the opportunity to inquire about the beliefs, cultural practices, and values that might have allowed American slaves to survive—and, frequently, to resist in wisely covert ways—despite extraordinary hardship. In falling short of self-sufficiency, the oppositional conception of black American identity thus deprives many black Americans of historical knowledge that might help promote a healthy sense of self-worth. The remedy for this oppositional stance cannot be found in Appiah’s postmodern proposal to “live with fractured identities” (p. 104). This is because the identity supported by the oppositional conception is already altogether too fractured. Its fractured quality is evident not only in its tendency to generate shame in response to the resilience of American slaves, but in its refusal to allow that contemporary black Americans who succeed in mainstream pursuits can really share in an “authentically” black identity.²²

The oppositional conception of black identity is thus constituted by precisely the “tightly scripted” characteristics which Appiah rightly rejects. As a result, it frequently becomes the obsessive focus of those who accept it—just as Appiah might expect (pp. 98–99, 102–3). But the oppositional conception, as I have urged, is not the only possible conception, and there are obvious reasons to seek its demise. Yet this cannot be accomplished by adopting what Appiah calls a “recreational” conception of racial identity—though such a conception must surely be recognized as a reasonable option for those who wish to adopt it (p. 103). Nor can the necessary work be done by emulating the habits of other Ameri-

22. Further evidence of its fracture is the frequency with which successful black American rap singers who adopt the oppositional stance in their music, particularly in the subgenre sometimes known as “gangster rap,” are celebrated by their fans for their conventional material success. There are additional ironies in the success of gangster rap—most important, the fact some of the most oppositional rap music is popular amongst suburban white teenage males (perhaps as much for its outrageous attitudes toward women, as for its opposition to mainstream convention).

cans who affirm hyphenated identities—such as the Irish American identity cited by Appiah.²³ Black Americans who affirm a nonrecreational racial identity (an identity that firmly rejects marginality and failure) must understand the demands of that identity in the context of the histories and experiences of black Americans. Appreciating these histories and experiences would allow them to seek ways to develop the social bases of healthy self-respect, especially for those young black Americans whose vision is distorted by the oppositional conception. If successful, such efforts might thwart the disastrous operation of a phenomenon described by Robert Merton as the self-fulfilling prophecy. In the form of that phenomenon associated with the American idea of race, American cultural expectations that black American students “must” fail frequently end up evoking the very behavior likely to ensure that they will fail.²⁴ Efforts to disrupt this process would prepare the way for richer and more varied conceptions of black American identity and also encourage a wider appreciation—among Americans generally—of the complex contributions that black Americans have made (and can continue to make) to the moral, political, and cultural life of America. Black Americans who take part in these efforts will not only serve the interests of black Americans themselves, they will greatly enrich the life of American democracy.

V. CONCLUSION

Serving the purposes of American democracy will also require a broader effort by Americans generally to approximate more fully the liberal democratic ideal. Contrary to the complaints of some prominent critics, recent opinion polls consistently suggest that a majority of Americans are willing to accept color-conscious social policies as part of that effort—if they are convinced that the policies are as fair as possible. I have suggested that when color-conscious policies include explicit time limits, avoid continual tracking by color, and attempt (where possible) to compensate burdened parties, they can be part of a morally defensible effort to promote a just society. But Americans must also respond more effec-

23. Anyone who contemplates the fortunes of Irish Americans in South Boston in the late 1990s will see that Irish American identity can also take self-destructive and dangerously oppositional forms.

24. Much of what mystifies students of psychometrics about the average scores of black Americans on standardized tests (such as IQ tests and the SAT) can be explained by reference to the workings of this self-fulfilling prophecy. Claude Steele rightly suggests that “academic disidentification” by the students is an important part of this phenomenon. See also, Moody-Adams, “Race, Class, and the Social Construction of Self-Respect,” pp. 260–63, for fuller discussions of the self-fulfilling prophecy in academic settings. Finally, it should be stressed that black students taking standardized tests bear extraordinary psychological burdens that far outstrip the test anxiety experienced by the average nonblack student. After all, black students can never simply represent themselves alone, but the fortunes of an entire “race”—tens of millions of people.

tively to structural changes in the economy which have altered the nature of work for all Americans—especially, but not only, for Americans who have been disadvantaged by racial discrimination. Finally, we must confront the difficult truth that invidious discrimination on the basis of race (and ethnicity) did not magically end with the passage of the 1964 Civil Rights Act. In the administration of the criminal law, in housing, and in banking, for instance, we do not yet accord all Americans equality before the law.²⁵ One of the single greatest challenges of the new American century will be finding ways to envision a future that is free of the destructive fictions of racial essentialism. The conception articulated by Anthony Appiah and Amy Gutmann in *Color Conscious* makes an invaluable contribution to that task—even (perhaps, mostly) when we disagree with some of its details.

25. For detailed discussion of the problems of discrimination in administration of the criminal law, see Randall Kennedy, *Race, Crime, and the Law* (New York: Pantheon, 1997).