# · ONE ·

## SEGREGATION AND SOCIAL INEQUALITY

### 1.1 The Ideal of Integration

This book aims to resurrect the ideal of integration from the grave of the Civil Rights Movement. This may seem a long lost cause. At the height of the Civil Rights Movement, white Americans, while claiming to agree in principle with its goals, in practice vigorously resisted policies that would achieve more than token integration of their neighborhoods and schools.[1] They got their wish. After little more than a decade of energetic federal enforcement of *Brown v. Board of Education*, overwhelming white opposition forced the courts to back down. Since the 1980s courts have largely suspended enforcement of *Brown*, while sharply constraining the freedom of schools to practice voluntary racial integration.[2] Schools have been quietly resegregating—in some regions to levels that exceed those that obtained before the courts began to seriously enforce *Brown*.[3]

One might have expected civil rights activists to press harder for integration. But by the late 1960s, left political movements were shifting priorities from "redistribution" to "recognition"—from socioeconomic equality to equality of respect and esteem for identities and cultures.[4] This shift seemed to make sense in the face of the insult expressed in white opposition to integration: why demean yourself in begging to join a club whose members despise you for your race? Hence, advocates of the Black Power Movement, such as Stokely Carmichael (Kwame Toure) and Charles Hamilton rejected integration, calling instead for black self-reliance and pride in a distinctively black culture with African roots.[5] Although shocked by blacks' calls for "power," many white ethnic groups responded to the allure of identity politics by calling for public recognition of their distinctive cultural heritage. The result, in the standard narrative, was American multiculturalism, reflected in today's motley celebrations of diversity, multicultural sensitivity training, and American history textbooks featuring favorable depictions of the achievements of Americans from different shores. As one conservative commentator puts it, "we are all multiculturalists now."[6]

Multicultural recognition is important; yet it cannot replace efforts to address the continuing reality of racial inequality. Celebrations of diversity cannot make up for the facts that blacks live several years less than whites,[7] that 13 percent of black men are disenfranchised due to a felony conviction,[8] and that more than one-third of black children live in poverty.[9]

The hope of black nationalists and left multiculturalists is that racial equality can be achieved through, or at least notwithstanding, substantial racial segregation. Conservatives have gladly accepted this agenda insofar as it reduces pressure on whites to integrate their social spaces.

This hope is an illusion. Segregation of social groups is a principal cause of group inequality. It isolates disadvantaged groups from access to public and private resources, from sources of human and cultural capital, and from the social networks that govern access to jobs, business connections, and political influence. It depresses their ability to accumulate wealth and gain access to credit. It reinforces stigmatizing stereotypes about the disadvantaged and thus causes discrimination.

Segregation also undermines democracy. The democratic ideal seeks a culture and political institutions that realize society as a system of equal citizens. Democratic political institutions should be equally responsive to the interests and concerns of, and equally accountable to, all citizens. Segregation impedes the realization of this ideal and these principles. It impedes the formation of intergroup political coalitions, facilitates divisive political appeals, and enables officeholders to make decisions that disadvantage segregated communities without being accountable to them. It undermines the competence of officeholders by limiting their knowledge of and responsiveness to the impacts of their decisions on the interests of all.

If segregation is a fundamental cause of social inequality and undemocratic practices, then integration promotes greater equality and democracy. Hence, it is an imperative of justice. It is also a positive good. It should appeal to us as well as command us to action. In our preoccupation with celebrating our particularistic ethno-racial identities, we have forgotten the value of identification with a larger, nationwide community.[10] Integration in a diverse society expands our networks of cooperation and provides a stepping stone to a cosmopolitan identity, which offers the prospect of rewarding relations with people across the globe.

Recognition of the deep connections among integration, equality, and democracy lies at the core of the quiet revival of integrationist thought among American intellectuals.[11] It also grounds affirmative action in education. Alas, we stand at a critical turning point for the prospects of integration. Race-based affirmative action has been prohibited by popular referendum in several states, with more on the way. Integrative policies

are in retreat. This book explains why this is a disaster, not just for African Americans, but for America as a whole. Against these trends, we need to restore integration to a central place on our political agenda.

## 1.2 A Note on Method in Political Philosophy

This is a work in nonideal theory. I do not advance principles and ideals for a perfectly just society, but ones that we need to cope with the injustices in our current world, and to move us to something better. Since this book is a response to current problems, it integrates research in the social sciences in ways not ordinarily found in works of political philosophy.

This method is unorthodox. Nonideal theory is usually regarded as derivative of ideal theory. Don't we first need to know what an ideally just society would be, to identify the ways our current society falls short? Shouldn't the principles for an ideal society be settled first, so that we can work out how to get there from here?

This challenge misunderstands how normative thinking works. Unreflective habits guide most of our activity. We are not jarred into critical thinking about our conduct until we confront a problem that stops us from carrying on unreflectively.[12] We recognize the existence of a problem before we have any idea of what would be best or most just.

Nor do we need to know what is ideal in order to improve. Knowledge of the better does not require knowledge of the best. Figuring out how to address a just claim on our conduct now does not require knowing what system of principles of conduct would settle all possible claims on our conduct in all possible worlds, or in the best of all possible worlds.

In our current world, the problem I propose to investigate is the persistence of large, systematic, and seemingly intractable disadvantages that track lines of group identity, along with troubling patterns of intergroup interaction that call into question our claim to be a fully democratic society of equal citizens. This admittedly inchoate starting point is akin to the complaints of fatigue, insomnia, and headache a patient might bring to her doctor: there seems to be something troubling here, but its precise contours require detailed empirical investigation and await a definitive diagnosis and evaluation.

There are three basic reasons to start political philosophy from nonideal theory—from a diagnosis of injustices in our actual world, rather than from a picture of an ideal world. First, we need to tailor our principles to the motivational and cognitive capacities of human beings. Rousseau famously sought legitimate principles of government, taking people "as they are and laws as they might be."[13] Rousseau's starting point, people *as they are*, is apt. A system of principles that would produce a just world

if they regulated the conduct of perfectly rational and just persons will not do so when we ask human beings, with all our limitations and flaws, to follow them. Just institutions must be designed to block, work around, or cancel out our motivational and cognitive deficiencies, to harness our nonmoral motives to moral ends, to make up for each other's limitations by pooling our knowledge and wills. To craft such designs, we must analyze our motivational and cognitive biases, diagnose how they lead people to mistreat others, and how institutions may redirect them to better conduct.

Second, we risk leaping to the conclusion that any gaps we see between our ideal and reality must be the cause of the problems in our actual world, and that the solution must therefore be to adopt policies aimed at directly closing the gaps. Thus if (as some conservatives suppose) the ideal society would be a color-blind one in which everyone adhered to principles of individual responsibility, a work ethic, and traditional family values, the solution would appear to be to end race-conscious policies, preach the right values to individuals, and back them up with punitive measures against those who fail to measure up. Or if (as some on the multiculturalist left suppose) the ideal society would be a system of separate and distinct identity-based communities, each enjoying equal esteem and material resources, the solution would appear to be abundant diversity activities preaching tolerance and celebrating diverse cultures, along with distributions of goods proportional to identity group populations. Such recommendations are like a doctor who prescribes sleeping pills and aspirin to the patient who complains of fatigue, insomnia, and headaches. Without a detailed empirical investigation of the underlying causes of the complaints, we risk missing out on more fundamental and complex diagnoses—for example, that the patient suffers from depression, or a brain tumor—and hence risk missing out on genuine solutions. I believe we have made this mistake for our problems of group inequality. In §4.3 and §§8.2–8.5 I explain why the conservative recommendations are misguided, and in §9.2, why the left multiculturalist recommendations are misguided.

My claim is not simply that those on the left and right adopt insufficient means to ends that remain untouched by empirical inquiry into the causes of our problems. Rather, in the course of investigating these causes, we will find that we need to draw distinctions—for instance, among racial stereotyping, racism, and racial injustice (§3.1), among different racial concepts (§8.2), and among different types of discrimination "on the basis of race" (§3.5, §8.3)—occluded by ideal theories that are founded on inadequate empirical assumptions. And once we draw these distinctions as needed to make sense of our problems, we must reconsider whether the evaluations we adopted toward phenomena fall-

ing under the incoherently lumpy concepts (e.g., "racism" and "racial discrimination") make any sense as applied to the newly distinguished phenomena. In other cases, empirical inquiry may show us that certain distinctions—for instance, among civil, political, and social rights—that were thought to designate phenomena meriting distinct evaluations make little sense because empirically, these rights stand or fall together in a republic (§5.1). This recognition in turn forces us to enrich our understanding of the constitutive commitments of republicanism, and thereby to transform that ideal. When we alter our conceptual maps to gain a more empirically adequate understanding of our problems, we also open some and close other evaluative options. New conceptual terrain provides new perspectives from which to engage in evaluation and thereby prompts us to articulate new ideals.

Third, starting from ideal theory may prevent us from recognizing injustices in our nonideal world. Consider how ideal social contract theory works. Social contract theory assumes that the operative principles of society must be justifiable to all its members. A society counts as ideally just so long as the occupants of every representative social position *in that society* would approve of the way it operates, and prefer it to the alternatives. For example, in the ideally just world governed by Rawls's principles of justice, some class inequality will exist.[14] Hence, the principles of justice must be justified to members of each class position.

This orientation raises methodological difficulties when the contractualist ideal is used as a standard of assessment for nonideal societies. For *when we assess whether a society is deviating from ideal justice, we still assess it from the standpoint of representative positions in the ideally just society.* Since no racial positions exist in the ideal society, they do not define a standpoint from which to assess racially unjust societies. Hence, ideal theories that make race invisible fail to supply the conceptual framework needed to recognize and understand contemporary racial injustice. The principled color blindness of ideal theory is epistemologically disabling: it makes us blind to the existence of race-based injustice.[15]

Consider the dilemma of middle-class blacks choosing where to buy a house. Most blacks prefer to live in racially integrated neighborhoods. Most whites prefer to live in neighborhoods that contain no more than token numbers of blacks.[16] Many resist the entry of blacks into their neighborhoods through unwelcoming and hostile behavior. Most of this behavior is legal and would, due to rights of free speech and association, be legal even in an ideal society. Such behavior constitutes a serious dignitary harm to blacks and deters them from seeking housing in overwhelmingly white neighborhoods. The resulting racial segregation of neighborhoods also has adverse material consequences. For example, it isolates blacks from the white-dominated referral networks that govern

access to better jobs. Even if egalitarian policies compressed the variation between the most and least advantaged positions, African Americans would still have a just complaint that their segregation deprives them of equal access to better jobs.

Viewing this phenomenon through the color-blind lens of ideal theory, we would assess it not from a racial position, but from an individual or class position. We can recognize an assault on an individual's dignity in the fact that she faces arbitrarily hostile treatment at the hands of others. But this individualistic perspective does not capture all of the expressive harms in the case. To be treated in a hostile way *on account of one's race* injures not only the individual directly targeted, but everyone in her racial group. It brands her and her group with a racial stigma. These expressive injuries are visible from the position of a racially stigmatized group, but invisible from the position of a putatively raceless individual.

The material disadvantages imposed on the African American who, deterred by the prospect of a hostile reception in a white neighborhood, chooses to settle in a poorer black neighborhood are also hard to see from the perspective of a raceless class position. Her class position did not disadvantage her: she was financially able to buy a house in the white neighborhood. She chose not do so because of the costs it entailed for her *as an African American*. From the perspective of a raceless representative position, this is no violation of equality of opportunity, but a voluntary choice not to take advantage of an opportunity. The dignitary harms to her racial identity that she would suffer for taking up the opportunity are not represented.

To capture such race-based injustices, we need a theory that begins from a structural account of the systematic disadvantages imposed on people because of their race in our society. Nonideal theory begins with a diagnosis of the problems and complaints of our society and investigates how to overcome these problems. Nonideal theory does not dispense with ideals but conceives of their function differently from ideal theory. In ideal theory, ideals function as standards of assessment for any society. They are not subject to testing in practice because they set standards, outside of practice, for the success of practice.

In nonideal theory, ideals embody imagined solutions to identified problems in a society. They function as *hypotheses*, to be tested in experience. We test our ideals by putting them into practice and seeing whether they solve the problems for which they were devised, settle people's reasonable complaints, and offer a way of life that people find superior to what they had before.[17] If they pass the test, this does not validate them outside of history. Circumstances change, and new problems and complaints arise, requiring the construction of new ideals. If our ideals fail the test, we need to revise or replace them. This process is not merely instrumental:

it is not a matter of finding better means to a fixed end already fully articulated. Reflection on our experience can give rise to new conceptions of successful conduct. Ideals can be tested in experience because the standards they try to meet are internal to our conception of what we are trying to do—solve a problem, meet a complaint—and we could discover, through reflection on the consequences of following the ideal, that we misconceived the problem, that our proposed solution was confused or incoherent.[18] When a medicine fails to cure the illness, we don't just keep trying other medicines for the same disease. Sometimes we revise the diagnosis.

## 1.3 A Relational Theory of the Causes of Systematic Group Inequality

This book concerns *group* inequality: modes of social organization whereby bounded social groups are subject to systematic disadvantages in relation to dominant groups. Large, stable, systematic social inequalities across the world are tied to many kinds of group identities, as of race gender, ethnicity, religion, caste, tribe, clan, family line, and national citizenship. Charles Tilly has called these "durable inequalities."[19] I prefer to call them "group" or "categorical" inequalities to stress their ties to paired social categories, such as black/white, male/female, citizen/alien, and Hindu/Muslim, rather than to individual characteristics that vary continuously, such as IQ, height, and skin color. Class inequalities may also ground categorical inequality insofar as privileged classes have been able to lock in their advantages across generations by such practices as monopolistic control of higher education, class-segregated housing, norms against intermarriage, and exclusionary rules of etiquette. This is the case in the United States, where, despite Americans' beliefs that they live in an equal opportunity society, class mobility is low in absolute terms and much lower than in Canada or the Scandinavian countries.[20] However, the latter countries demonstrate that egalitarian social democratic policies can dramatically limit class heritability and prevent class inequality from becoming categorical.

Why do inequalities in material resources, rights, privileges, power, and esteem typically track social group identities? Max Weber argued that categorical inequality arises from social closure. If a group has attained dominant control over an important good, such as land, military technology, education, or purported access to the holy or divine, it often secures this advantage by closing its ranks to outsiders.[21] While it may allow relatively free circulation of this good within the group, it carefully regulates transactions between in-group and out-group members, so as to block

outsiders' access to these goods, or allow access only in ways that exclude out-groups from the full value added of their efforts. Charles Tilly, building on Weber's account, calls the first mechanism (blocking access) "opportunity hoarding" and the second (allowing access but depriving out-groups of part of their productive contribution) "exploitation."[22]

Examples abound of the ways opportunity hoarding underwrites durable inequalities. The Japanese samurai caste monopolized power by banning firearms and prohibiting commoners from carrying weapons. "Old boys' networks" limit access to business deals and executive positions to other men in their social circles. U.S. whites have long hoarded opportunities by establishing school systems that provide no, or an inferior, education to blacks, Latinos, and Native Americans. Even nonelites, such as immigrant groups in the United States, hoard opportunities by cornering the market on certain small enterprises—such as Chinese restaurants for Chinese, nail shops for Vietnamese, motels for Indians—and preferentially hiring fellow immigrants to staff them.[23] While such nonelite opportunity hoarding may not secure relative advantages over elites, it often reinforces durable inequalities suffered by other nonelite groups, such as blacks, who have no comparably lucrative opportunities to hoard.

Exploitation is also a common relation between dominant and subordinate social groups. Monopolistic controls over land, labor, or credit by feudal lords, aristocrats, and banking classes have historically constituted fundamental bases of exploitation of other classes. Examples include feudal serfdom and its more modern U.S. counterparts: white landowners imposing debt peonage and oppressive sharecropping arrangements on landless black and Chicano peasants, and the virtual enslavement of many undocumented immigrants today.[24]

Tilly argues that once categorical inequality is secured in one domain, two mechanisms, emulation and adaptation, spread it to new domains, thus making the group inequality pervasive and systematic. By *emulation*, organizations copy categorical inequalities established in other organizations. For example, the division of labor in a factory may assign women to jobs on the assembly line, and men to the higher-paying job of "machine operator" (shutting down the line when a problem arises). Other firms follow suit, assigning women to the inferior job and men to the less tedious, better-paying job. Emulation need not reflect any intent to subordinate women. It can arise from a desire to save setup costs by copying a model proven successful elsewhere. If an enterprise enjoys a competitive advantage from copying existing models, the model can spread in neo-Darwinian fashion in the absence of any sexist intention.[25] For once a particular group-defined intrafirm division of labor becomes widespread, it creates pools of differently experienced workers defined

along group lines. Firms save training costs by hiring from the group that contains experienced workers. Thus, competition can lock in group dominance of particular jobs, even if the initial group-defined division of labor was arbitrary.

In *adaptation*, groups that interact according to norms expressing their unequal positions in one domain acquire habits that spread to new domains. For example, when women enter a workplace they may be expected to replicate the domestic services for male workers that they traditionally perform for their husbands at home. They may be expected to pour the coffee for others at a meeting, take their bosses' shirts to the laundry, look pretty, and put up with men's sexual advances.[26] Habits of dominance and subordination thereby spread across domains.

As categorical inequality spreads, people explain and legitimate it by inventing stories about supposed inherent differences between their groups. For example, military castes may acquire dominance in access to food as well as military technology. They thereby grow bigger and stronger than the peasants they oppress and acquire habits of aggression and arrogance. Stunted peasants cower before them not just in battle but, by adaptation, in other domains as well. The military caste thus finds evidence for its legitimating story, that they are by nature strong and brave, the peasants by nature weak and cowardly—and hence, that the peasants are unfit to be warriors and legitimately deprived of access to military technology, and that the warriors are fit to rule the peasants in every domain. Similarly, whites tend to limit access to stable jobs to fellow whites, relegating blacks to temporary, part-time, or marginal jobs in the secondary labor market. Over time, whites acquire résumés documenting long-term stable employment, whereas blacks' résumés evidence a patchy employment record, interpreted as a sign of their poor work ethic, which justifies a reluctance to hire them for permanent jobs in the primary labor market. In both cases, groups are deprived of experiences that would qualify them for access to the goods in question, and that deprivation is turned into a rationale for continued deprivation. Ideologies of inherent group difference misrepresent the effect of group inequality as its cause.[27]

Tilly's theory identifies group segregation as the linchpin of categorical inequality. "Segregation" may refer either to *processes* or *conditions*. Segregative processes consist of any intergroup relations (laws, norms, practices, habits) by which one identity group closes its social network to counterpart groups. Segregation has two basic modes: *spatial segregation*—processes that assign groups to different social spaces and institutions—and *role segregation*—processes that assign groups to different social roles. Such processes are instruments and reflections of the segregation

of social networks of affiliation, collegiality, identity, trust, and loyalty. Examples include laws prescribing segregated schools, norms against intergroup marriage, ethnocentric job recruitment practices, emulation of ethnically based job assignments within a firm, and habits of avoidance—such as crossing the street when out-group members are coming one's way—that keep one group out of contact with another. They typically result in the *conditions* of spatial or role segregation, respectively, although such conditions may also arise from other causes.

Segregation typically leads to group inequality when the group practicing social closure controls the allocation of goods critical to securing power or advantage. It may control processes of spatial allocation so as to assign out-groups to spaces lacking the critical goods, and/or control processes of role allocation so as to assign themselves dominant roles and out-groups subordinate roles. Such hierarchical role segregation can survive formal desegregation of facilities, geographical mixing of populations, and even close contact between the groups.

The connection between segregative processes and conditions and group inequality is contingent. A group practicing social closure might not succeed in establishing dominance over others, even if it (initially) controls a critical good. Out-groups may devise means of penetrating the privileged ranks, find alternative modes of access to the critical good, or gain access to other critical goods. If a group does not control a critical good, then neither processes nor the condition of segregation generally cause group inequality. If both groups enjoy parity in control of separate spaces that afford roughly equal opportunities, or if the separate roles they occupy yield comparable advantages, group segregation may not lead to group inequality. For example, Catholics and Protestants in Northern Ireland rigidly segregate themselves by neighborhood, school, church, and friendship but are roughly economically equal.[28] Such segregation is deplorable on cosmopolitan and democratic grounds, but not from an egalitarian perspective.

Several features of Tilly's theory are worth stressing. First, this is a generic theory of categorical inequality. Following Weber, Tilly argues that the same mechanisms generate and sustain group inequality, regardless of the content of group identities—whether these are defined by race, gender, religion, ethnicity, citizenship, tribe, caste, or class.[29]

Second, inequality arises from the relations between groups—that is, intergroup processes or modes of interaction—rather than from characteristics internal and original to the groups as such (for example, distinct group cultures) or from individual characteristics such as intelligence, courage, ambition, shiftiness, or criminal tendencies thought to be inherent in, or intrinsically manifested to a greater degree by, members of a

particular group. Inequality may *cause* members of a group to manifest qualities that befit, or seem to befit, them for the superior or inferior positions to which they are assigned. But such differences were not inherent in the groups to begin with. Narratives that trace inequality to primordial group differences are ideological rationalizations of outcomes due to unequal social relations.

Third, the mechanisms that spread inequality need not depend on intentions to do so. Adaptation works by the spread of habits, expectations, and norms of interaction that may operate unconsciously. Emulation may spread through competition. Categorical inequality thus arises as the by-product of unconscious activity or actions aimed at other goals.

Fourth, group stereotypes, ideologies rationalizing group inequality, and accompanying out-group contempt and antipathy are more the effect than the cause of group inequality. Social closure is initially motivated by ethnocentrism (in-group favoritism), not out-group antipathy. However, one leads to the other as advantaged groups cultivate norms of out-group exclusion to police their boundaries, and as ideologies arise that rationalize group inequality. Because prejudice is more the effect than the cause of segregation, we cannot eliminate categorical inequality by working to reduce prejudice, if we leave processes of segregation in place.[30]

## 1.4 Critique and Extension of the Relational Theory of Group Inequality

Tilly's theory offers a powerful account of the causes of categorical inequality. The centrality of segregation to group inequality, the generality of mechanisms of inequality across different types of groups, the priority of intergroup relations to group differences, the spread of inequality independent of conscious prejudice, and the priority of practices of inequality to identities, prejudice, and ideology are key features of Tilly's theory that I endorse. But Tilly's theory requires modification and extension around the mechanisms underlying group inequality and the basic forms of group inequality.

### *Mechanisms of Group Inequality*

Tilly advances a comprehensive theory of the causes of group inequality in access to material goods, according to which his four mechanisms— opportunity hoarding, exploitation, adaptation, and emulation—all anchored by social closure, explain virtually all group inequality. Tilly's theory focuses on economic (opportunity hoarding, exploitation), cultural

(adaptation), and competitive (emulation) mechanisms of inequality, to the exclusion of other causes. A more complete account of causal mechanisms of inequality should include additional mechanisms.

First, violence and conquest have been historically important mechanisms of categorical inequality. Violence was a basic means of spreading racial inequality in the history of imperialism and played key roles in maintaining U.S. slavery and its successor system of white supremacy. Vulnerability to violence remains a central dimension of subordinate social status for many groups, including women and sweatshop factory workers.

Second, inequality also often spreads by "leverage," whereby a group, having attained dominant control over one important good, uses that dominance to extend its control over other goods.[31] Thus, the Chinese literati leveraged their dominance in poetry writing to control over the imperial bureaucracy by installing a rigorous examination system as a hurdle to attaining political office. Other groups have leveraged dominance in religious authority, military prowess, and financial capital into dominance in political power, landownership, and esteem.

Third, political power plays a central role in the construction of inequality. While Tilly rightly emphasizes that categorical inequality can spread and sustain itself through emulation and adaptation, without laws and state policies aimed at institutionalizing it, we should not underestimate the historical importance of state action in extending inequality across domains. Even when it does not directly aim at institutionalizing inequality, it often plays important indirect roles. Where once whites kept blacks down by legally prohibiting anyone from teaching them to read, now an elaborate set of laws—including fragmentation of local governments, zoning regulations, and local financing of schools—works with nonlegal mechanisms sustaining residential racial segregation to exclude blacks from good schools.

Fourth, a comprehensive theory of group inequality must include an account of the psychological mechanisms—stereotyping and prejudice—underlying the intergroup interactions that reproduce inequality. Tilly dismisses group prejudice as merely a byproduct of inequality. He rightly stresses that prejudice does not explain how categorical inequality begins, that segregation plays an independent role in explaining inequality, and that prejudice is caused by inequality. Nevertheless, theories of prejudice and stereotyping must figure in any credible account of the micro mechanisms underwriting adaptation. This is especially important now that antidiscrimination laws and egalitarian norms have forced many boundary maintenance practices underground, to unconscious cognitive processes.

Finally, Tilly's definition of exploitation as the gap between group members' returns on their labor and the value they add to production needs

to be modified. In complex economies characterized by a comprehensive division of labor, where everyone's efforts contribute jointly to the production of the economy's total output, and everyone's efforts causally contribute to others' productivity, it makes no normative sense to credit bits of production to the independent efforts of specific producers.[32] One could reconstruct a useful conception of exploitation by shifting from an outcome-based definition in terms of productive contributions to a procedural one based on the interactions of the parties. This would better fit Tilly's relational theory of inequality. A procedural account locates exploitation in such conduct as fraud, discrimination, breach of contract, employer collusion, coercive imposition of contractual terms, and coercive blocking of worker exit. These unjust modes of interaction typify the conditions experienced by today's most highly exploited laborers, such as bonded laborers, sweatshop workers, the victims of trafficking, and undocumented immigrant workers. This procedural alternative captures much but not all of what we would intuitively consider exploitation. As a more comprehensive conception is unnecessary for the purposes of this book, I shall not pursue one.

### *Forms of Group Inequality*

Tilly's theory focuses on material inequalities. We can expand it to cover other types of group inequality by taking Iris Young's typology of unjust forms of intergroup relations as a starting point.[33] According to her, there are "five faces of oppression": exploitation, marginalization, violence, cultural imperialism, and powerlessness. Young's notion of exploitation roughly corresponds to Tilly's. Marginalization captures a subset of extreme cases of opportunity hoarding, whereby a chronically unemployed group is excluded from opportunities to participate in productive life. Young's other three categories have no clear counterparts in Tilly's theory.

Group-based violence is the infliction of physical force against people on account of their social group membership, or on account of their violation of subordinating social norms to which their group is subject. Examples include gangs beating up men because they are gay, and men beating their female domestic partners for talking to other men. The injury of pervasive violence is both physical and expressive. Widespread or normative group-based violence marks victimized groups as lacking moral standing to make claims on those who assault them, and as so inferior or alien that they may be abused with impunity.

Cultural imperialism involves the imposition of a dominant group's culture and interpretations of the world on subordinate groups. It includes the repression of a group's legitimate cultural practices (for example, Turkey's

former prohibition of Kurdish language broadcasts), forced conversion of the group to dominant practices (as when Jews were forced to convert to Christianity during the Spanish Inquisition), propagation of stigmatizing representations of the group's culture (as when Islam is portrayed as a terrorist religion), and the erasure of a group's culture from representations of the wider society (as when school textbooks falsely represent everyone as heterosexual). It also includes the propagation of dominant groups' biased perceptions and explanations of group identities and differences as authoritative.

Powerlessness is the condition of being unable to influence one's situation and the world around oneself because others deny one meaningful opportunities to participate in the decision making of the institutions—especially the state—under which one lives with others. It involves the denial not just of formal rights of participation, such as the vote, but of "respectability"—the social status constituted by others' recognition of one's entitlements to have a say in what is going on, to be listened to, and to receive a respectful response.

Young's more expansive typology of modes of intergroup oppression shares with Tilly's theory an emphasis on intergroup relations (systematic interactions) as the fundamental ground of group inequality. Her account helps us see that these social relations are not only causes of unjust distributions of material goods, but unjust in themselves. It also facilitates a more comprehensive view of how segregation is implicated in group inequality.

Consider her concept of marginalization. Young confines it to exclusion from the labor force. This concept can be extended to other domains such as housing (in the case of homelessness), education (in societies where some social groups are denied access to schooling), and public spaces (in societies where certain groups—for example, widows, wives, or people with disabilities—are confined to the home). These are all forms of opportunity hoarding. They amount to systematic exclusion of subordinated groups from access to opportunities to participate meaningfully in social life. They require group segregation, so that goods enjoyed by the dominant group do not circulate beyond its boundaries.

The case of societies in which women (at least of certain castes or classes) are confined to the home illustrates the dual nature of group segregation. Spatial segregation in one domain—public spaces—does not preclude intimate contact between groups in another—the household. Whether segregation takes the form of spatial/institutional separation or role segregation depends on the good being hoarded. In some contexts, as in public facilities, where contact would entail conceding access to the good being hoarded, segregation involves avoidance of intergroup contact. Where contact is permitted, access to critical goods (including

power) is denied by ensuring that contact be on terms of domination and subordination. This is a matter of role segregation. Jim Crow segregation illustrates the same two-sided logic. Across-the-board spatial segregation by race was never the norm in a society where middle-class white women considered it their privilege to escape housework by hiring black female domestic servants to do it and entrusted black nannies with their children. Nor does it describe the norm for their husbands and sons, who often raped and sexually harassed their black servants.[34] Racial segregation in public facilities and domains of power went hand-in-hand with interracial intimacy on subordinating terms. Contact was fine as long as it was based on relations of domination and exploitation. Marginalization and exploitation thus represent two different sides of the segregation coin.

Young's category of cultural imperialism conflates two distinct phenomena: cultural imposition and group stigmatization. "Cultural imperialism" usually brings the first to mind: this is the unjust imposition of a dominant group's cultural practices—a language, say, or a religion—on subordinate groups. This framing presupposes a neutral stance between the cultures and argues only against imposition. In this case the remedy may be individualist—let each individual freely choose which practices to accept—or multiculturalist—arrange institutions so as to accommodate or subsidize cultural diversity.

Entirely different is the case of a dominant group's entrenching stigmatizing representations about a subordinate group in public discourse. The subordinate group need not belong to a distinct culture. Men and women do not belong to distinct cultural groups. Rather, stigmatizing representations of women figure in the norms defining gender relations within a *single* culture. In this case neither the individualist nor the multiculturalist remedies are apt. We should not be neutral between stigmatizing and nonstigmatizing representations of innocent groups. The stigma is objectionable in itself.

Group stigmatization legitimates and reinforces the two sides of segregation. It underwrites two different types of attitudes toward segregated, subordinated groups: contempt and aversion (hatred, fear, suspicion, alienation).[35] Stigmatizing stereotypes represent subordinate groups as possessing traits that merit these attitudes. To justify contempt, and hence exclusion from positions of authority and placement in servile, subordinate roles, blacks are stereotyped as stupid and lazy; women, as incompetent, weak, and emotionally unstable. To justify aversion and avoidance, blacks are stereotyped as criminal and violent; women, as sex-crazed harlots threatening to tempt men into sexual sin. The latter stereotype of women in some Middle Eastern, North African, and South Asian societies rationalizes prohibitions on female contact with unrelated men, exclusion from most formal employment, and sometimes extreme marginalization

through confinement to the home. The dramatic decline of this stereotype in Western countries reflects the facts that women have advanced their participation in most domains and have thereby undermined the basis for it (which was rooted in part in men's inability to imagine how they could relate to women other than as sex objects).

Violence has often been used as a tool for enforcing segregation. Honor killing of women enforces norms against contact between women and unrelated men. Antiblack lynching traditionally enforced norms against intimate contact between black men and white women. Group-subordinating violence may also include the application of physical force against members' personal property. The antiblack race riots in Tulsa in 1921, which left thousands of blacks homeless and destroyed a thriving black business district, were a case of racial violence that kept blacks in subordinate roles by cutting off their access to forms of property that would support their autonomy and personal independence.

Powerlessness is both a cause and an effect of segregation. The segregation of women from the public sphere and from better-paying "male" jobs makes them more vulnerable to male domination within their families. When state power has been hoarded by dominant groups, they often leverage this power to extend segregation to other domains.

Thus, the different types of unjust group relations form an interlocking set of practices that support group segregation and inequality. All of my proposed modifications of Tilly's theory reinforce his core thesis: that the central cause of categorical inequality is the exclusion of one social group from equal access to critical resources controlled by another. Segregation—social closure—is the linchpin of categorical inequality, since it is needed to keep critical goods preferentially circulating within the dominant social group and out of the hands of the subordinate group, except on disadvantageous terms.

## 1.5 A Relational Account of the Injustice of Systematic Group Inequality

The relational theory of inequality locates the causes of economic, political, and symbolic group inequalities in the relations (processes of interaction) between the groups, rather than in the internal characteristics of their members or in cultural differences that exist independently of group interaction. It provides a useful perspective for normative purposes because unequal relations among people (that is, modes of social hierarchy), as manifested in their interactions, are proper objects of direct normative assessment in a theory of justice. This relational approach contrasts with views that take de facto inequalities in goods as objects of direct nor-

mative assessment independent of the relations through which they are produced or their effects on social relations.

Let us define a *relation* between two people as a mode of conduct—a practice or habit in accordance with a principle, rule, process, or norm—by which one party interacts with (or avoids) the other party, or acts in ways that affect the other party's interests or autonomy. The relation may be face-to-face or mediated by institutions such as the state. It is a *group* relation if the process governs relations between groups. How should we evaluate such relations? I shall advance two approaches to this problem: one broadly contractualist, the other democratic.

Contractualist theories of justice regard persons as self-originating sources of claims:[36] they are entitled to equal standing to demand that others respect their autonomy and interests in accordance with general rules that apply to all and that can be reasonably rejected by none.[37] Since this is a project in nonideal theory, I shall not attempt to construct a contractualist decision procedure that aims to identify an ideal set of rules for interpersonal relations. Instead, I shall use the general contractualist idea to identify objectionable types of interpersonal relations and reasonable alternatives to them. Since this is an investigation into group inequality, I shall focus on intergroup processes that are causally or constitutively connected to categorical inequalities.

In §1.4, I offered a list of types of oppressive group relations, building on Young: marginalization, exploitation, powerlessness, violence, cultural imposition, and stigmatization. Members of all of the types of groups often discussed as subjects of justice—race, ethnicity, nationality, religion, class, caste, gender, sexual orientation—and similar ascriptive identity groups may reasonably reject social arrangements that oppress them in these ways.[38] Contractualists therefore regard such social arrangements as unjust. This conclusion applies across international borders. Thus, distinctions of national citizenship cannot justify opportunity hoarding so extreme as to cause marginalization (mass, chronic unemployment) in other countries. For example, rich country tariffs, agricultural and manufacturing subsidies, and other barriers to trade that prevent poor countries from exporting the principal goods in which they enjoy a comparative advantage, and which thereby cause chronic unemployment in the poor countries, are unjust.

Oppression refers to social inequalities that impose severe disadvantages on its victims. Many cases of socioeconomic inequality are not so extreme. What shall we say about cases in which one social group suffers from higher unemployment rates than another, but not so high as to make it a marginalized group? Without denying that a contractualist approach can help us assess such cases, I suggest that we draw additional evaluative resources from a democratic approach to group inequality.[39] Such

an approach initially narrows our focus to social relations within the borders of a democratic state but expands the demands of justice inside those borders.[40] The distinctive normative feature of democratic societies is social equality. All of the members of a democratic society have a just claim to stand in relations of equality with their fellow citizens. As I shall argue below (and in §5.4), this is more demanding than nonoppression in group relations.

Suppose we take the relations between people as primary objects of assessment for the purposes of a theory of justice. We can then derive a standard of justice in distributive outcomes as follows: an inequality in the distribution of some good is unjust if it *embodies* unjust social relations, is *caused* by unjust relations (interactions, processes) among people, or *causes* such unjust relations. This standard enables us to assess as unjust various group inequalities that might not be severe enough to count as forms of oppression, although they violate democratic demands for social equality. (It also reminds us that whether an inequality in the distribution of some good is unjust usually depends on the processes that produce or maintain it.)

Sometimes the distribution of specific goods *embodies* unjust (unequal) social relations. This is true for basic rights and liberties. The all-male franchise exemplifies a distribution that embodies unequal social relations between men and women. Men thereby get to unilaterally set the terms by which men and women interact. (The all-male franchise is also unjust because it is caused by and a cause of further unjust social relations between men and women.) For these sorts of goods, an equal distribution among citizens is usually required for them to stand in relations of equality to one another.

In other cases, the distribution of specific goods *causes* unjust social relations. For example, a system that distributes legal services solely through market provision causes unjust social relations, by making the poor vulnerable to violations of their legal rights by the state and private parties. At least two types of claim follow from the requirement that distributions not cause unjust social relations. First, citizens have a claim to a level of goods sufficient to enable them to participate as equals in society. This claim goes beyond subsistence. It includes, for instance, an entitlement to an income sufficient to purchase good enough clothes that one is able to appear in public without shame, according to prevailing public standards of respectable appearance. It also includes a right to certain configurations of public goods. Those who mobilize by wheelchair are entitled to an infrastructure of public roads, buildings, and transportation that accommodates their needs, lest they be excluded from opportunities to participate in public life. Fair access to responsive public officials also falls under this heading. Second, citizens have a claim

to fair opportunities to develop their talents to compete for positions of authority and jobs that pay more than the minimum they can claim under the first principle. A group denied such opportunities, although its members have the potential to serve in such positions, has been relegated to an inferior status, confined to menial, servile occupations. These two types of claim—to minimum levels of goods needed for interaction on terms of equality with others, and to fair opportunities for the development and exercise of talent—are needed to overcome the two dimensions of segregation—exclusion of one group from contact with another, and contact only on subordinating terms.

Finally, the distribution of goods may be *caused* by unjust social relations. Under this heading we include distributions caused by failures to satisfy the preceding requirements—unequal distributions of basic rights and liberties, undemocratic distributions of political influence, failures of access to minimal levels of goods, and unfair distributions of opportunities. We must also include specific discriminatory actions and policies. Unequal distributions brought about through widespread group discrimination exemplify injustices caused by unjust social relations.

In defining unjust intergroup processes, however, we confront a difficulty. A just and democratic society must secure not only the equality of its members, but also their liberties, including their freedom of speech and association. This requirement is in tension with the demands of equal standing because individuals may exercise their freedom of speech by propagating stigmatizing ideas about other groups in society, and their freedom of association by practicing social closure. To evaluate cases, we must distinguish (a) prejudice and stigma from ethnocentrism, (b) the responsibilities of agents in different social domains, and (c) legal from moral claims of justice.

On Tilly's theory, categorical inequality begins with pure ethnocentrism or in-group favoritism. A group that has acquired control over an important good favors its members in granting access to it. Favoring in-group members does not entail any kind of prejudice toward or stigmatizing representations of out-groups.[41] A group may be merely indifferent toward out-groups—or even like them, but favor their own group more. However, prejudice and stigma arise from ethnocentric opportunity hoarding and exploitation through at least two routes. First, advantaged groups may cultivate prejudice and stigma to reinforce group boundaries and motivate in-group members to keep their distance from out-groups. Second, when ethnocentric conduct generates systematic categorical inequalities, dominant groups create stigmatizing stories about marginalized and subordinated groups to explain and rationalize their disadvantage—mainly, by attributing their disadvantage to deficiencies of talent, virtue, or culture intrinsic to the group. Stigma, in turn, often

leads to prejudice, since it represents disadvantaged groups as deserving their inferior position and hence as contemptible (if they are exploited or role segregated) or alien (if they are spatially segregated). But this connection, too, is contingent since "cold" cognitive bias (stereotypes) and "hot" (emotional) prejudice are psychologically somewhat independent.[42]

Conduct grounded in group prejudice or stigma toward racial, gender, ethnic, and similar groups is always unjust because it assaults the dignity of groups that do not deserve to be demeaned, and it usually also impairs their access to important goods on unjustified grounds. Those disadvantaged by such conduct have a moral claim that the actors moved by prejudice or stigma stop. Conduct grounded in pure ethnocentrism does not always inflict an expressive harm or violate principles of distributive justice. Whether it does depends on the responsibilities of the agent in the social domain in question. Democratic regimes have a duty to serve all citizens impartially. Ethnocentric conduct by officials is thus unjust since it distributes such services in violation of the public duty of impartiality. It may also be demeaning, if it is systematic enough to amount to a public designation of some groups as more entitled to public service than others. The same considerations apply to operators of public accommodations, including private commercial establishments, who have a duty to serve all members of the public impartially, and to employers and those selling real estate, who are obligated to do their part to ensure fair economic opportunities to all. But individuals acting out of warm feelings for in-group members in the context of personal relations of friendship and intimacy do not demean out-groups or otherwise act unjustly. Out-group members are not morally entitled to demand that these individuals befriend them. This does not mean that such conduct is beyond moral criticism. It contains the seeds of injustice since it may spread its effects beyond the sphere of intimate relations and may lead to categorical inequality, prejudice, and stigma by the routes outlined above.

These moral claims of justice are distinct from legal claims. Even though stigmatizing speech and prejudicial rejection of others in the private sphere are unjust, there are compelling considerations of freedom of expression and association that argue against legally prohibiting such conduct. This does not mean that the state must allow such injustice to spread its effects unimpeded. Public schools play an important role in promoting norms of respectful discourse and undermining prejudice. Nor should the state be passive about private ethnocentric affiliation, even when it is legal and not unjust. Because such affiliation contains the seeds of injustice, the state should take steps to prevent ethnocentric patterns of affiliation from reproducing themselves in institutions of civil society such as public schools. They should take active steps to bring students from different groups together. Ethnocentrism also obstructs the development of a com-

mon identity as citizens, which is needed to sustain a vibrant democratic culture and support democratic governance. This gives states further reasons to encourage people to forge more inclusive, less parochial identities in the domains they control.

This book aims to establish integration as an imperative of justice and an ideal of intergroup relations in democratic society. It is not an exercise in ideal theory, which often lacks the ability to identify injustice in our nonideal world. Instead, it begins with a diagnosis of a central social problem: the persistence of systematic group inequalities defined along such lines as race, ethnicity, nationality, religion, class, caste, and gender. Group inequalities arise when a group has acquired a dominant position with respect to a critical good such as land or education and practices social closure to prevent other groups from getting access to these goods, except on subordinating terms. Social closure, or segregation, thus has two sides: suppression of intergroup contact when such contact would cede equal access to the good to outsiders, and promotion of intergroup contact when the advantaged group can relate to outsiders as authorities to subordinates and thereby manipulate the terms of intergroup cooperation to its advantage. A group's dominance over one good then extends to others by emulation, adaptation, leverage, violence, and political control. Group inequality thus arises from the relations or systematic interactions between social groups. The advantaged group may oppress outside groups by reducing them to a marginalized, exploited, powerless, or stigmatized class, vulnerable to group-based violence or denied cultural freedoms. Or it may impose less extreme disadvantages on them: subjecting them to systematic discrimination, denying them equal political influence, and depriving them of the resources they need to stand as equals with others and of opportunities to develop their talents to qualify for positions of authority. Oppressive social relations are unjust because they deprive members of the disadvantaged group of their basic human rights. Less extreme forms of group inequality are unjust because they violate a fundamental norm of democracy, which is social equality. A normative theory that takes social relations as a primary object of normative assessment focuses on such types of injustice. It takes distributions of goods to be unjust if they cause, embody, or are caused by unjust social relations.

The relational theory of group inequality can be used to explain inequalities between any social groups. It offers only an explanatory scheme. In any particular case, the theory must be filled in with a specification of the multiple mechanisms by which group closure generates and reproduces inequality. Such specification is also important for normative purposes. Whether an inequality in distributive outcomes is unjust depends on whether it was caused by, or tends to cause, unjust social

relations. Knowledge of causal mechanisms is also needed to fashion remedies, given that our aim is not merely to correct the distributive consequences of unjust social relations, but to eliminate unjust and unequal group relations.

To vindicate and apply the relational theory of group equality, we must therefore fill in the schema by applying it to a particular case. This book takes inequality between blacks and whites as its central case. My choice of this case is partly based on the centrality of black-white inequality to U.S. history and politics. This is also the most intensively researched case in the United States. The quality, range, and abundance of data and theory on black disadvantage, segregation, and their causal mechanisms vastly exceed that for any other racial groups, and for most other categorically unequal groups as well.[43]

In nonideal theory, normative inquiry begins with the identification of a problem. We then seek a causal explanation of the problem to determine what can and ought to be done about it, and who should be charged with correcting it. This requires an evaluation of the mechanisms causing the problem, as well as the responsibility of different agents to alter these mechanisms. If they are unjust, we then consider how these mechanisms can be dismantled. The remaining chapters follow this procedure for our case study. Chapter 2 outlines the direct impact of black-white segregation on black socioeconomic disadvantage. Chapter 3 explores the ways segregation causes racial stigma, and the many ways stigma propagates black disadvantage. Chapter 4 evaluates the causes of racial segregation, tracing them to unjust antiblack intergroup processes. Alternative explanations of black disadvantage that try to dismiss claims that U.S. society is responsible for dismantling its causes, and pin primary responsibility on blacks, are defective on both empirical and normative grounds. Chapter 5 initiates the positive case for racial integration, arguing that it is needed to realize a democratic culture and to fulfill the promise of democratic governance to serve all citizens equally. Chapter 6 examines the causal impact of racial integration, arguing that it improves blacks' access to important goods, reduces prejudice and stigmatization, and improves the competence and accountability of decision-making groups responsible for serving the public. Chapter 7 evaluates four main arguments for affirmative action, arguing that it is best defended as an integrative tool for blocking and dismantling the core causes of race-based disadvantage. Chapter 8 argues that the core "color blindness" arguments against race-based integrationist policies are conceptually confused, empirically mistaken, and lacking a normative rationale. Chapter 9 concludes that, notwithstanding difficulties in the experience of integration, it is an imperative of justice and democracy.