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Structural Racism, Institutional Agency, and Disrespect

-Andrew J. Pierce

ABSTRACT: In recent work, Joshua Glasgow has offered a definition of racism that is supposed to put to rest the debates between cognitive, behavioral, attitudinal, and institutionalist definitions. The key to such a definition, he argues, is the idea of disrespect. He claims: “ φ is racist if and only if φ is disrespectful toward members of racialized group R as R s.” While this definition may capture an important commonality among cognitive, behavioral, and attitudinal accounts of racism, I argue that his attempt to expand the definition to cover institutional or “structural” racism is less persuasive. Alternatively, I argue that structural racism must be understood in terms of injustice rather than disrespect. This involves giving a fuller account of how institutions are related to the beliefs, actions, and intentions of individuals, and thus how they can come to embody a certain kind of agency.

In contemporary race theory and recent social and political philosophy generally, the proper understanding of racism has been a matter of significant contention. On the one hand, racism has been variously conceived in terms of belief, behavior, volition, and psychosexual aversion, just to name some of the main candidates. What these conceptions share, despite their differences, is that they attempt to explain and understand the racism of *individuals*. In this sense, one might consider them micro-analyses of racism. On the other hand, racism has been understood in *structural* or *institutional* terms¹, as a system of power that disadvantages some to the benefit of others. These conceptions attempt to explain the racism of social structures and institutions rather than individuals. In this sense then, one might consider them macro-analyses of racism. However, far from the image of complementary perspectives that the language of ‘micro’ and ‘macro-analyses’ suggests, these two perspectives are often understood as competing conceptions, not least because the two approaches lend themselves to different conceptual frameworks and methodologies; individualist approaches tend to favor moral, ethical, or psychological methods, and structuralist approaches tend to favor socio-political and economic methods. Typically then, each approach will attempt to show how the other is derivative: institutions are

racist insofar as they embody the racist beliefs, intentions, etc. of individuals, or individuals are racist insofar as they support and benefit from racist power structures, and so on.

Recently, Joshua Glasgow has made a significant contribution to the growing literature attempting to define racism.² He argues for a “monistic” definition that can capture the ordinary use of the term in all of its variety, and thus put to rest the debates between cognitive, behavioral, affective (or “attitudinal” as he has it), and structural approaches to defining racism. The key to such a definition, he argues, is the idea of disrespect. He offers, then, the following definition: “ ϕ is racist if and only if ϕ is disrespectful toward members of racialized group R as R s.”³ The chief advantage of this definition over previous attempts is supposedly that ϕ here can refer to any number of the things that we might want to call racist: beliefs, attitudes, actions, persons, institutions, policies, countries, and so on. I will argue that while Glasgow’s definition may capture an important commonality among cognitive, behavioral, and attitudinal accounts of racism (all of which he understands as “agent-based” accounts), his attempt to expand this definition to cover structural racism is at best incomplete, since it fails to explain how institutions can express disrespect. That is, insofar as the ability to show respect (and therefore the ability to fail to show respect) requires a certain kind of moral agency, the claim that institutions and other non-human entities are capable of disrespect implies that they possess this kind of agency, a claim that Glasgow fails to demonstrate. In what follows then, I consider two models for understanding institutional agency and its relation to individual agency. However, even with the aid of these models, it becomes clear that structural racism cannot be fully captured by the idea of disrespect. Rather, structural racism must be understood as an *injustice*, one which can obtain even if a particular institution does not disrespect those it disadvantages. I thus conclude that a bifurcated or “dual perspective” account of racism is preferable to monistic accounts like Glasgow’s.

I. RESPECT AS A CAPABILITY OF PERSONS.

As Kant has made especially clear, respect is a fundamental feature of moral agency, a feature that is distinctively human.⁴ It makes little sense to see an earthquake or hurricane as being disrespectful to the individuals it harms. Nor does an animal that attacks a human do so out of a lack of respect for human life, or for that particular human life. Respect, and so disrespect, is a human capacity, part of a uniquely human moral sensibility. It is not my intent, nor Glasgow’s, to argue for a particular understanding of what respect or disrespect entails. My only claim here is that respect and disrespect, whatever they entail, have their source in human moral agency. This claim, however, raises questions about other applications of the concept, since disrespect is often predicated of various non-human as well as human entities: laws and policies, states of affairs, institutions and so on. If it is true that the capacity for respect is ultimately located in human persons, then laws, institutions, and so on, if they are disrespectful, are so only in

a derivative sense, insofar as they come to embody the disrespectful motives, attitudes, or beliefs of persons.

Glasgow calls this a reductionist view, and distinguishes between two varieties. “Time-slice” reductionism holds that an institution or other non-human entity is disrespectful if and only if, at time T, it is animated by the disrespect of individual persons. So, in the case of racial disrespect (which Glasgow argues is coextensive with racism) an institution could only be considered racist if it currently possessed members, directors, authors, etc. that actively supplied its racist motives. Glasgow rightly rejects time-slice reductionism, which implausibly suggests that a racist institution would “magically” become nonracist once the last racist member dies.⁵ At most, such an institution might, insofar as it was truly non (or better, anti-) racist, gain the *motivation* to eliminate and restructure its racist practices, policies, etc., but those practices and policies will not change automatically (nor magically) simply because of changes in the beliefs and attitudes of the individuals associated with it.

“Genetic” reductionism, on the other hand, seeks to trace institutional disrespect to disrespectful individuals in the institution’s history or origins. So, in the case of racial disrespect, an institution is racist if and only if its practices, policies, and so on were at one time motivated by racist individuals, and those practices and policies remain in force. Glasgow finds this a more plausible approach, but still argues that whether or not one can identify in the history of racist institutions some individual racist beliefs and attitudes, the *present* racism of those institutions is sometimes separable from those beliefs and attitudes. That is, one might grant that an institution has a history of racially disrespectful individuals, but still recognize that what makes an institution racist *now* is that it has certain effects in the present, and not that it is contingently traceable to the beliefs and actions of past associates. So, Glasgow admits of the possibility at least of so-called “pure” cases of institutional racism, as exemplified in his *Real Estate* example, to which I will now turn.

Real Estate. For centuries, members of R1 systematically targeted the economic resources of members of R2 for (unjust) suppression, first through a state-supported system of slavery, then through a state-supported system of segregation. Eventually, there was a racial rapprochement, where all state-supported means of R2’s economic repression (including criminal laws, voting rights, and tax-and-transfer schemes) were abolished. However, the rapprochement was not complete in the sense that no reparations were made to members of R2, and therefore the postrapprochement era begins with R1s uniformly having more wealth than R2s. Two hundred years later, there are no longer any attitudes, behaviors, or beliefs, among either R1s or R2s, which we would ordinarily identify as racist. However, there also is no change in mortgage policies, which ensures that more, and more beneficial, mortgages go to those with better credit ratings, and better credit ratings are assigned to those with greater assets. As a direct result of this state of affairs, R2s still have fewer good homes, less wealth, and a weaker sense of economic security than R1s have.⁶

Glasgow claims (and I share the intuition) that we should describe this state of affairs as racist, even though no one involved with the relevant institutions

holds any racist attitudes or beliefs. And even though one could trace the offending practices in this example to the racist attitudes and beliefs of past RIs, Glasgow insists that those past attitudes do not explain why the practice is racist in the present. He thus takes this to be a case of pure institutional racism.

The problem here is that once Glasgow denies that *Real Estate's* racism can be traced to the racially disrespectful attitudes, beliefs, and actions of past individuals, the link to individual agency is severed, and one can no longer explain the source of the disrespect. Put another way, "pure" cases of institutional racism seem to require something like "pure" institutional agency, an agency that is not traceable to the agency of individual moral agents, past or present. At worst this is an absurd consequence. At best it stands in need of further explanation. In the next section I introduce two ways of understanding this relationship between individual and institutional agency, one based in the social contract tradition, and the other drawing from Habermas' sociology of system and lifeworld. This will help us to determine if the idea of "pure" institutional racism can be salvaged.

II. TWO MODELS OF THE RELATION BETWEEN INDIVIDUAL AND INSTITUTIONAL AGENCY

Perhaps the most familiar way of accounting for institutional agency is found in the theory of the social contract. Social contract theory, as found in Hobbes and Locke especially, provides a model for how the rational autonomy of individuals is "transferred" to a sovereign institutional body (even if this is just the "body" of one individual, the sovereign, it can still be thought of as institutional rather than individual, as Hobbes makes especially clear), through consent. On this model, the ability of a sovereign body to act as an agent, for example, in making laws, or determining punishments for transgressing laws, is derived from the "natural" powers of individuals, including the power of autonomy or self-legislation (the ultimate source of legislative powers) and the power to punish offenses to oneself (the ultimate source of executive power). Despite significant differences in the way Hobbes and Locke explicate these powers (concerning, for example, whether they ought to be separated into several institutions or combined in one absolute power, whether individuals can or should relinquish the right to ongoing input into these institutions, and so on), the idea that the power of political institutions comes from the consent of the individuals that they govern represents the revolutionary core of social contract theory. Though it may not be typically understood in such terms then, social contract theory can be seen as providing an account of how individual agency can be "institutionalized" in a certain way. That is, when a group of individuals agree to establish an institution, defined by certain social roles and allocated certain powers, and when these individuals further agree to recognize the acts of such an institution as legitimate and binding (at least amongst themselves), it becomes possible to understand such an institution as possessing an independent, institutional agency. Call this the *contract model* of institutional agency.

This model invokes the idea of a contract for the purposes of explanation rather than justification. These two functions of contract theory are often

conflated, but nonetheless distinct. It is conceivable, for example, that some group of persons could contractually establish an institution intentionally designed to dominate, oppress, or exploit another group of persons. The question of whether such an institution is morally legitimate is distinct from the question of whether the contract model usefully illuminates the process that gives rise to it. Indeed, regarding institutional racism, I presume, as will most readers, that the institutions that are appropriately labeled as such are *illegitimate*. This has little to do with whether the contract model provides a plausible explanation of why such institutions are racist, or how they come to embody individual morally relevant features like disrespect.

Charles Mills' seminal work *The Racial Contract* provides a clear example of how the contract model can be used to theorize systematic, institutionalized racial oppression. Mills argues that racial oppression can be usefully understood as arising from the conscious, explicit historical agreements of whites, agreements to colonize, enslave, and expropriate the resources of nonwhites throughout the world.⁷ Thus, the theory of the Racial Contract purports to be descriptive rather than normative, and emphasizes the role of human agency in the construction of white supremacist social and political institutions. Far from conflating the explanatory and legitimating functions of contract theory, Mills' description of the Racial Contract allows us to see why the institutions it gives rise to are illegitimate: because they arise from agreements that dramatically affect the lives of many millions of nonwhite people *without their consent*. Mills' view can thus be understood as a version of genetic reductionism. His claim is not that currently living whites have secretly agreed to construct and promote racist institutions (though he does note that all whites are "beneficiaries" of white supremacy, whether they support it or not), but that such institutions derive their agency from past (and some present) "signatories" to the contract, those who do actively construct and promote them.⁸

Mills' theory of the Racial Contract illustrates one of the advantages of the contract model of institutional agency. It reminds us that the faceless, anonymous institutions of modern life have human roots, and that their shortcomings and injustices are thus *human* shortcomings and injustices. It reminds us that "white supremacy... is a political artifact, a human construct, an artificial human contrivance involving elements of choice, deliberation and purpose, brought into existence by humans and maintained by (some) humans' acquiescence and support, in short a conventionally-generated human creation."⁹ This implies that such injustices are not inevitable, and that it is possible to hold persons responsible for them. In the same way, the traditional social contract emphasized that society itself was an artificial human construction rather than a "natural" entity, as Aristotle and other Ancients presumed. As a result, social hierarchies previously thought of as inevitable now appeared as malleable in the interests of justice and human emancipation. Thus the contract model should at least make one wary of the idea of "pure" institutional agency, insofar as thinking about institutions in this way might conceal the human agency that gives rise to them,

and thus fail to recognize the moral responsibilities and failures of those human agents.

However, it is also true that in our complex modern world, institutions do at least *seem* to take on a “life of their own,” an independent causal efficacy that might be understood in terms of agency. The “invisible hand” of the market economy might be thought of as such an independent agent, the enduring bureaucracy of the State, or even the “culture” of various particular institutions, to which individuals may feel pressured to conform. Whether or not such phenomena are *actually* traceable to the actions of particular individuals (that is, whether or not genetic reductionism is correct), they often *appear* as agents in their own right, which is sufficient to have real effects on the individuals who thus perceive them, effects which may or may not have been intended by the individual directors and progenitors of the institution.¹⁰ Thus one might think of the relation of individuals and institutions as reciprocal. True, institutions do not arise *ex nihilo*, but from individuals acting in concert. Contract theory usefully illustrates this process. However, once established, institutions can in turn shape and influence individuals in unintended ways. For example, the market economy in advanced capitalist societies not only responds to consumer demands, but plays a significant role in shaping those demands. The contract model neglects this important dimension of institutional agency, a dimension that is crucial for understanding how institutional racism can continue unaffected by changes in individual beliefs and attitudes. The tradition of structuralism on the other hand, rooted in Saussurian linguistics, and applied to social theory by Levi-Strauss, Althusser, Foucault, and others, goes too far in the other direction, seeing individuals as being completely determined by the structures in which they are conceived merely as “elements,” “subject-positions,” “iterations,” and so on. What is needed is a model that captures both dimensions (or perhaps, directions) of causal effect, and therefore illuminates the complex relationship between individuals and institutions.

I submit that Habermas’ sociological framework of system and lifeworld can provide a more accurate and sophisticated model of institutional agency than the contract model. That is, it captures both that institutions are born from the collective action of individuals, and that institutions can shape individuals and individual actions, sometimes in ways that affect their very ability to intentionally direct those institutions. While I am not aware of anyone who has explicitly done so, comparing Habermas’ theory with contract theory in this way should not be particularly surprising.¹¹ Habermas’ career-long task has been to provide a defense of the Enlightenment project of founding moral and political authority on a form of rationality that would allow for universal consent, essentially the same project that gave rise to the original social contract theories. The main differences lie in the way that Habermas conceives of rationality (as fundamentally intersubjective, rather than as a capacity of individual subjects), and in his attempt to take seriously the tradition (from Marx, through Weber, to Habermas’ predecessors in the Frankfurt School of critical theory) that shows how rationality has been co-opted in the service of oppression and domination. The former aspect

(the reconstruction of rationality on intersubjective grounds) culminates in Habermas' two-volume *Theory of Communicative Action*, which demonstrates that communication oriented toward mutual understanding can provide the basis for collective guidance of complex social systems.¹² To understand society in this way – as a cooperative, intentionally directed endeavor – is to look at it from the perspective of the *lifeworld*. The latter aspect (sensitivity to the potential for domination inherent in social processes of “rationalization”) leads Habermas, drawing from the systems theory of Talcott Parsons and Niklas Luhmann, to theorize the ways in which social systems can develop their own independent rules and imperatives, which can interfere with and undermine their collective, intentional direction. Habermas names this latter phenomenon the “colonization of the lifeworld.” In order to sufficiently compare this model to the more familiar contract model, it is necessary to say a bit more about the concepts of system and lifeworld, and the role that they play in Habermas' theory of communicative action.

As just noted, the analysis of society from the perspective of the lifeworld emphasizes the ways in which society is guided by the collective volition of its members. In Habermas' own words, it is “the intuitively present...familiar and transparent, and at the same time vast and incalculable web of presuppositions that have to be satisfied if an utterance is to be at all meaningful.”¹³ That is, the lifeworld is the shared, linguistically mediated “world” that forms the necessary background against which communication can be successful. The lifeworld thus marks a kind of implicit *agreement*, a rather banal one, perhaps, but also a very important one, since Habermas takes this kind of linguistic agreement to demonstrate the possibility of a normative perspective in general, one that can be put to use in moral, political, and legal discourse. However, Habermas warns against a “hermeneutic idealism” that understands society as a whole in these intentionalist terms. The lifeworld perspective, he thinks, must be supplemented by another perspective that theorizes the *limits* of communicative action, as well as its impediments. The *systems* perspective then, takes into account precisely those tendencies that Weber and early critical theorists saw as all-encompassing. Modern social systems like the state and the economy do take on their own kind of instrumental rationality, understood as a means of effectively achieving its ends, which is separate in principle from the communicative rationality of collective action. In the first place, this is simply because increasing social complexity makes direct, intentional control of complex social systems impossible. Perhaps in small, primitive societies, social organization could be understood solely in intentional terms. But in modern society, we cannot exchange goods and services by way of coming to mutual agreement about the value of goods in each case. So a market economy arises, along with the medium of money (or, if one prefers, the “commodity form”), to “unburden” the lifeworld of this demand. Similarly, in large, complex societies, we cannot feasibly come to agreement about every law or policy that presents itself in the political arena. So a representative system arises to carry out this task, a system which also has its own unique form (the form of positive law).

Habermas does not find these systems inherently problematic. They arise to meet the needs of lifeworlds overburdened by social complexity. However, the instrumental rationality they employ as means to human ends does suffer from the dangerous tendencies toward domination that early critical theorists identified. An economic system based on the commodity form, for example, tends by its very nature to expand beyond its proper scope, since capitalism cannot reproduce itself except through constant growth. This expansion is both horizontal, seeking out new markets for goods and services, and vertical, commodifying areas of human life previously considered sacred, or at least not subject to principles of exchange. The relinquishing of political authority to professional politicians also tends to expand beyond its necessity, insofar as it begins to view *all* political decisions as expert matters, creating a “democratic deficit” that undermines its own legitimacy. These are examples of the “colonization of the lifeworld” by systemic imperatives. With the image of colonization, Habermas means to acknowledge the dangers of Weberian rationalization that previous critical theorists recognized while still maintaining a theoretical space for critical reflection and transformation of these very systems.

I think that anyone who is sufficiently familiar with it would agree that Habermas’ theory of communicative action provides a more sophisticated and empirically accurate picture of how individuals come to linguistically mediated agreements (including contractual agreements), and how such agreements come to have normative force, than contract theory. However, it is not my purpose to argue this point here. The more important point of comparison involves the systemic dimension of his analysis, and the idea of systemic “colonizations” of the lifeworld, for which there is no correlate in the contract model. If the idea of “pure” institutional racism is defensible, it might find a qualified defense here, in an explanation of how systems that have their origins in collective, intentional action become “uncoupled” from that kind of intentional direction, and instead take on an independent, self-sustaining character.¹⁴ That is, thinking about institutional racism as a “colonization of the lifeworld” captures the initial intentionality of racial oppression as well as the semi-autonomous character it takes on once reified into systems. Once collective, willful racial oppression is solidified in systems of law, “objective” economic imperatives, and so on, oppressor groups are “unburdened” of the physical and psychological requirements of oppressing. Whites, for example, can now enjoy all the privileges of whiteness while simultaneously professing a cheery attitude of liberal tolerance. They can enjoy higher wealth and wages without the moral turpitude associated with expropriation. And they can hold the highest offices and positions while resting assured that everyone else had “equal opportunity” to hold them as well. In this way, the white psyche is insulated from the potentially damaging effects of oppressing, and is thereby enabled to construct a positive *individual* identity, supposedly separate from its membership in a particular group (the white race).¹⁵ This psychological unburdening mirrors the physical unburdening of an earlier system of slavery that literally unburdened white slave-owners of the labor necessary for the production of material wealth.

Putting Habermas' system and lifeworld framework to use for understanding institutional racism in this way requires going beyond his generalized account of the benefits and burdens of various systems, however. It requires recognizing that the "vast and incalculable web of presuppositions" underlying social interaction in countries like the United States includes various *racial* presuppositions; in other words, it requires recognizing that the lifeworlds of the denizens of such countries are *racialized* lifeworlds.¹⁶ Accordingly, the benefits (unburdening functions) and burdens (colonizing functions) are not equally distributed across a generalized lifeworld, but unequally distributed along racial lines, in ways that are fundamentally unjust. This unjust distribution of benefits and burdens is critical for understanding contemporary institutional racism. So, while the system and lifeworld model of institutional agency may provide a better understand of how institutions can come to embody moral attitudes like disrespect, and may even provide a way of reconciling genetic reductionism with cases of "pure" institutional racism, it also points to a very different way of understanding institutional racism: as a matter of *injustice* rather than disrespect. I will now turn to this alternative conception, and its advantages over Glasgow's disrespect analysis.

III. RACISM AS INJUSTICE.

In order to demonstrate the inadequacy of Glasgow's disrespect analysis for understanding institutional racism, let me provide an alternative case of "pure" institutional racism to consider alongside his *Real Estate* example. Call this example the *Toxic Doughnut Hole*.¹⁷

The Toxic Doughnut Hole: On the outskirts of a major U.S. city, a predominately black community is literally surrounded by landfills, sewage plants, chemical refineries, and toxic dumps. The air, water, and soil are polluted at levels three to four times what is considered safe. Rates of cancer, asthma, and emphysema, among other illnesses, are more than double that of the general population. Furthermore, the industries surrounding this community are inspected and cited less frequently by regulatory bodies than comparable industries in white communities, and when they are cited for regulatory infractions, the fines levied are consistently less than those imposed for comparable violations in white communities. Let us suppose that the directors of these industries lack any beliefs, attitudes, or behaviors that we would normally consider racist. The motivation for locating their facilities here is purely economic: lower real estate prices, lower taxes, favorable zoning regulations, and etc. Let us suppose further that in locating their facilities here, these industries actually sought out the input and consent of the neighboring community, thus extending them due respect. And let us suppose that, as an economically depressed community desperate for jobs and tax revenue, the community consented to the construction and location of the facilities.

Excepting the bit about seeking and receiving the consent of the affected communities, situations similar to this have frequently been described as cases of environmental racism, and I think the description is apt. If it is, the fact that the disadvantage is not caused by the racist beliefs or actions of individuals makes it a case of *institutional* racism. The question is: if such situations can be described as

racist, is it because they are disrespectful, as Glasgow would insist? If so, then the introduction of consent, as evidence of respect, should be sufficient to make the situation no longer racist. I think that it is not.

First, let us set aside all of the typical difficulties with consent that this example raises. Let us presume that all community members, present and future, consent to the construction of the facilities, that their consent was given with full knowledge, and so on. So long as a systematic racial disadvantage remains, I contend that extending respect to the affected parties does not preclude describing the situation as racist. Rather, what makes this example (as well as Glasgow's *Real Estate* example) racist is that *some individuals benefit undeservedly on the basis of race, and others suffer undeservedly on the basis of race*. Insofar as systematic undeserved advantage and systematic undeserved suffering are unjust, racism of this sort, institutional racism, is better understood as a distributive injustice, or, more precisely, a systematically related set of distributive injustices, producing systematic advantage or disadvantage depending on one's race. To say that the distributive injustices are systematically related means that they are, if not interdependent, at least mutually supporting in ways that dispose those who suffer from one to suffer from others as well. For example, the fact that African-Americans have a rate of poverty nearly twice that of whites predisposes them to suffer from other kinds of harm: poorer schools (given that educational funding is frequently linked to property taxes), greater likelihood of being a victim of violent crime and greater likelihood of imprisonment (presuming some link between poverty and increased criminal activity), reduced access to commercial services (since banks, grocery stores, and so on prefer to locate in neighborhoods with greater disposable income), and etc.¹⁸ In turn, poor schools, high crime, etc., exacerbate poverty for current and future generations, perpetuating structural disadvantage. This is oppression in its precise meaning, which Marilyn Frye defines as including "situations in which options are reduced to a very few and all of them expose one to penalty, censure or deprivation."¹⁹ She illuminates this experience through the metaphor of a birdcage. If one focuses on any single wire, one cannot grasp why that wire impedes the bird's motion. It is only when one understands the systematic relation of the wires to one another that one can see why the bird is immobilized. Institutional racism is a kind of oppression, and the image of the birdcage illuminates its systematic nature.

The idea of disrespect fails to capture this kind of systematic disadvantage. In the case of the *Toxic Doughnut Hole*, it is understandable that a community in desperate need of jobs might consent to the building of job-producing industrial facilities even if those industries had significant costs in terms of health. Yet even when consent is sought and received, and when the affected parties are treated respectfully, the situation is still unjust. The injustice lies in the fact that certain communities are forced to make such choices in the first place. One needs to ask (if not in the hypothetical example, at least in its real-life correlates) why certain minority communities are forced to choose between jobs and health, between living in safe neighborhoods and receiving fair treatment from police, between

quality education and personal safety, and so on. If minority communities are consistently faced with such dilemmas more frequently than white communities, one can describe the situation (and the society at large, if such situations are sufficiently widespread) as racist. Moreover, the health-related disadvantages in this example are systematically related to other disadvantages. As mentioned, the companies' reasons for locating their facilities in this neighborhood are, we imagine, purely economic. But we must ask why such incentives exist. Why are property taxes so low? Presumably, the high crime, high unemployment, low income, and other typical characteristics of impoverished communities play a role in creating this economic incentive. Why are zoning regulations so lax? Perhaps because impoverished communities are also frequently politically disenfranchised, and so raise fewer effective complaints than better-situated communities. When one begins to ask these questions, what emerges is a picture of some populations systematically disadvantaged by various interrelated barriers, and other populations systematically advantaged by those same barriers. That toxic waste, landfills, and etc. are disproportionately located in poor, minority communities means that they are disproportionately absent from well-off white communities, who also probably benefit more from the products and processes that produce such waste. That fewer mortgages go to "R2s" in Glasgow's *Real Estate* example, means that more are available to "R1s." Put simply, when dealing with finite resources, a disadvantage for one group creates an advantage for everyone else.²⁰ This principle is straightforward, but frequently those who are willing to admit that racial minorities face significant disadvantages resist making the logical step of acknowledging that non-minorities thus enjoy significant advantages. That these advantages and disadvantages track along racial lines means that they are not based on merit, just transfer, or any other plausible criteria for distributive justice. In short, they are undeserved. This is why they represent an injustice.

Institutional racism of this kind does not depend upon the ongoing intentional malice of racist agents, though it does perhaps depend on the willful, self-serving ignorance of advantaged populations. This is why institutional racism can occur in the absence of individual racism. Frequently however, those who attempt to give a general account of racism take immorality to be an essential feature of racism, and so take it that any definition of racism must account for this feature. One might wonder whether an institutional account of racism can do this. Admittedly, insofar as an institutional account of racism, sees (this kind of) racism as a property of systems, institutions, and structures that distribute benefits and burdens in unjust ways, rather than as a property of persons, or their beliefs, attitudes, actions, etc., it complicates the attribution of moral responsibility. However, the complexity here mirrors a complex reality, one which admits of various degrees of moral responsibility. For example, one could argue that it is immoral to benefit from unjust inequalities, or from the suffering or oppression of others, while recognizing that doing so is less morally egregious than actively causing such suffering. It is not necessary, and probably not helpful, to label those benefitting from unjust systems of institutional racism racists. But it is possible to recognize a moral responsibility for unjust advantages.

Focusing on injustice allows one to make important distinctions among forms of racism. Glasgow notes rather dismissively in the beginning of his article that “while there is some excitement over the proposition that only the most powerful members of society can be racist within it, a consensus seems to be emerging that just about anyone can be racist.”²¹ And while he doesn’t cite any evidence of this emerging consensus, he does briefly return to the point at the end, arguing that, though he is inclined to reject the view that racism requires power, his disrespect analysis is neutral with regard to this question, holding that “if only the most powerful can generate racial disrespect (which I doubt), then only the most powerful can be racist.”²² Perhaps there is an emerging consensus that “just about anyone can be racist,” if not in the academic literature, then at least in popular wisdom. I do not doubt that racial minorities can have beliefs and attitudes about whites that could be described as racist, nor that such beliefs and attitudes can have real, serious effects, for example when they motivate hate crimes against individual whites. There are reasons to hesitate about thinking that all forms of racism are equally immoral, but let us set them aside here and presume that they are. There is still an important difference between white and anti-white racism: anti-white racism typically lacks the systemic uptake necessary to become institutionalized, while white racism today is paradigmatically institutional.²³ Put another way, even if one assumes that all (individual, agent-based) racism is immoral, it does not follow that all racism is unjust. If one draws the typical modern distinction between morality and justice in which morality governs the character/actions/intentions of individuals, while justice governs social institutions (and societies on the whole), it follows that only those forms of racism that have become institutionalized or systemic should be evaluated in terms of justice. Anti-white racism may be immoral, but white racism is frequently both immoral *and* unjust, insofar as it encourages and is encouraged by structural imperatives that systematically disadvantage non-white populations. This is a critical insight, for reasons that I will make clearer in the next section, and Glasgow’s disrespect analysis fails to capture it.

Finally, a dual perspective account like the one I am offering is non-reductionist. Some accounts of institutional racism may insist that, insofar as individual beliefs, attitudes, and actions are shaped by social institutions, all racism can ultimately be traced to institutional racism. Such a view actually represents a third kind of reductionism, in addition to “time-slice” and “genetic” reductionism. Just as one might understand institutional racism reductively, as derivative of individual “agent-based” racism, one might conversely understand individual racism reductively, as derivative of institutional racism, and be no less a monist for it. Glasgow hints at such views when he mentions, in a footnote, that even in the absence of individual agent-based racism, “institutional racism can foster agent-based racism” anew, insofar as the inequalities produced by institutional racism may encourage racist views about natural differences in ability and so on.²⁴ However, I think such an institutional reductionism is ultimately mistaken as well, in part because it would be vulnerable to the criticism about lacking an account of moral responsibilities for racism. My account

however, does not insist that *all* racism is institutional, only that *some* is. It thus retains a place for agent-based accounts of racism that focus on individual moral responsibility for beliefs, actions, and etc. Still, I do think that the most persistent and egregious kinds of racism that countries like the United States face today are structural or institutional in nature, rather than individual, a point I will now turn to.²⁵

IV. “ORDINARY USAGE” AND OTHER SEMANTIC ISSUES.

Glasgow’s attempt to define racism in terms of disrespect takes as its primary adequacy criterion that a proper definition should “accommodate ordinary usage.”²⁶ Glasgow does not take this to preclude that the term to be defined is “often used in contested ways,” but he nonetheless insists that “other things equal, the more that an analysis can accommodate ordinary usage, the better.”²⁷ Other things, of course, are not equal. Rather, the deeply divisive racial inequalities in places like the United States often produce significantly different estimations of what counts as racism, and how prevalent it is. A recent poll, for example, shows that black Americans are more than twice as likely as white Americans to say that racism is a “very serious” problem.²⁸ While this may be a result of differential access to the kinds of experiences that would lead one to draw this conclusion, it may also be the result of differences in the “ordinary” conceptions of racism held by white and black Americans. Moreover, one can think of cases where a particular action, belief, policy, etc. is considered by some to be racist, and the precise opposite of that action, belief, policy etc., is considered racist by others. Affirmative action, for example, is often characterized as racist by its detractors, while its supporters sometimes label such opposition itself racist. More generally, social policies that take race into consideration in any way are thought by some to be racist, whereas others accuse such a naïve “colorblind” approach of perpetuating racism. One may take instances such as these as *prima facie* evidence that there are different accounts of racism at work in the opposing judgments. If so, appealing to ordinary usage will not be helpful.

Worse yet, deferring to the ordinary usage of a morally and politically loaded term like racism can actually discourage using the term in non-typical ways that nonetheless might illuminate important features of social reality, like the existence of unjust, systematic racial disadvantage. In fact, I think this is precisely the problem with standard accounts of racism, which typically do reflect the way the term is ordinarily used, a use that is deeply connected to the individual, agent-based view, and therefore makes it difficult to recognize forms of racism that don’t readily correspond to individual moral failings. In describing institutions which systematically disadvantage some racial groups as “racist,” I am admittedly parting with some forms of ordinary usage, but this is because those forms are an impediment to recognizing some of the most harmful instances of racial disadvantage. So, if abandoning ordinary usage must count as a cost of my view, as Glasgow insists, then I take it that this cost is outweighed by the benefit of being able to address the serious and egregious injustice of institutional

racism, which his own account fails to do, for the reasons outlined in the previous pages.

In other words, ordinary usage cannot be taken as a neutral adequacy criterion for defining socio-cultural terms like racism, because the meaning of such terms depends upon changing social practices.²⁹ Relying on ordinary usage in spite of this begs the question of whether such usage requires revision in light of certain social or historical facts. In the case of racism, my argument is that such revisions are in fact necessary. Historians, sociologists, and philosophers alike have demonstrated that contemporary (post-Civil Rights era) manifestations of race and racism differ significantly from pre-Civil-Rights-era racism.³⁰ For one, racial discrimination has come to be prohibited *de jure*, and a corresponding near-consensus has emerged that such forms of discrimination (as well as racist beliefs, attitudes and practices more generally) are deeply immoral. Likewise, explicit racial prejudice has, for the most part, become socially taboo, and so its public manifestations have become predictably less prevalent.³¹ If one relies on an “ordinary” conception that limits racism to the actions, attitudes, and beliefs of individuals, one would be tempted to conclude from these facts (as many have) that racism is no longer a serious problem, or at least not nearly as serious as it once was. However, the inequalities in wealth, health, education, employment, and virtually every other measure of well-being that accompanied the explicit prejudice of the pre-Civil-Rights era have not similarly diminished, as one might expect.³² The divergent courses of racial prejudice and racial inequality then, seem to suggest that the latter is not dependent upon the former. Thus an institutional or structural conception of racism like the one I have provided above is necessary in order to explain the persistence of racial inequality in the structures and institutions of civil society, separate from the beliefs, attitudes, and actions of individual persons.

Still, one might wonder, why insist on describing the systematic racial inequality that continues to mark the post-Civil-Rights era as a form of *racism*? Why not reserve the term racism for phenomena involving intentional acts of discrimination and speak, on the other hand, of racial *injustice*, racial *inequality*, racial *oppression*, or even white supremacy? Lawrence Blum, for example, argues that there is an important difference between a company that uses word-of-mouth recruiting with the intention of excluding black applicants, and a company that has no such intention, but achieves the same outcome. “The commonality,” he suggests, “is best expressed by saying that both practices equally sustain racial injustice or have a deleterious impact on black job seekers, not by saying they are both examples of ‘institutional racism.’”³³ His justification for reserving the term racism for cases of intentional harm (institutional or individual) is two-fold. On the one hand, he aims to resist an “all or nothing” approach to racism that overlooks the various nuances between different kinds of “racial ills.” By developing a vocabulary that reflects these differences, one can more easily recognize that not all of the actions, attitudes and beliefs frequently referred to as racist have the same moral value. That is, racial insensitivity may be bad, but not

as bad as racial hatred, as expressed in hate crimes, for example. Similarly, an institution that unintentionally furthered racial inequality may be bad, but one that does so intentionally is worse.

I am sympathetic to Blum's concern to reserve the term 'racism' for only the most serious racial ills. But this is precisely why I think the term *should* be used for (even unintentional) cases of institutional racism, since these, rather than intentional acts of prejudice, are the most far-reaching, normatively pressing varieties of racial ills present in society today. If the force of our considered judgments about individual racial prejudice could be applied to the trenchant racial inequalities still common in the United States today, perhaps we might make some long overdue progress in addressing those inequalities, in the interest of justice.

I also recognize the importance of distinguishing shades of moral responsibility in relation to "racial ills," as I mentioned above. For example, I think those who merely benefit from institutional racism are less morally culpable than those who actively promote it, and I think those who unknowingly benefit from it are less morally culpable than those who knowingly do so. Indeed, one of the reasons for providing a more detailed account of the relation between seemingly independent systemic imperatives and the conscious, collective actions of individuals is to capture the complex ways in which individuals can exert conscious, collective control over complex systems, thus bringing them back under the purview of morality (in addition to justice). Admittedly, I have not focused extensively on the moral implications of my thesis, but I do think that recognizing the existence and scope of contemporary institutional racism does have such implications, for example, in regard to the question of whether one has a moral duty to oppose unjust systems, or to refuse (where possible) undeserved advantages.

But Blum presents a more pragmatic justification for his restricted usage as well. He worries that the "conceptual inflation" of the term racism has weakened its denunciative force; that since the term racism has come to be so widely and diversely used, those that are accused of it may simply shrug it off, or claim that their accusers are overly sensitive.³⁴ In relation to institutional racism, the worry seems to be that labeling certain institutions racist risks branding those individuals involved with it as racists, and that such a label immediately puts such individuals on the defensive, intent on denying the validity of the individual charge by disputing the institutional one (or vice versa).

It does seem that expanding the term 'racism' to encompass structural disadvantage risks alienating some whites, who understand the claim to entail that their position of relative advantage makes them "racists," as anyone who has attempted to address issues of institutional racism in the classroom knows. White students frequently, and somewhat justifiably object to any (perceived) inference about their individual moral character based on structural features of their society

that are (perceived to be) outside of their control. But this resistance is based on a misunderstanding. While individual and institutional racism frequently overlap (for example, when the latter is motivated by the racial malice of individuals), the two are conceptually separable, as I have aimed to demonstrate in this essay. So, condemning an institution as racist does not directly imply anything about the moral standing of the individuals associated with it. When whites (or any other relatively advantaged group) fully understand this, they can abandon the typical reflexive, defensive posture, and approach institutional racism as participants in a collective project in the interest of social justice.

On the other hand, some resistance to recognizing institutional racism goes deeper than just labels. There may be good (prudential) reasons for whites to resist having the advantages they enjoy characterized as the unjust effects of institutional racism. Consciously or unconsciously, white resistance to claims of institutional racism may be an attempt to secure and protect those resources that have been accumulated over centuries of white supremacy. Charles Tilly calls this “opportunity hoarding,” and argues that it typically characterizes the most trenchant forms of social inequality, including racial inequality in the United States.³⁵ As I argued above, for whites to acknowledge that racial minorities are structurally disadvantaged by institutional racism implies that their own accomplishments are, at least in part, the product of structural advantages and are, therefore, not entirely deserved. This kind of acknowledgement is made difficult not only by our psychological makeup,³⁶ but also by practical imperatives to protect the resources and opportunities of oneself and one’s social group. These are serious obstacles to eliminating institutional racism, deserving of more consideration than I can give them here. My only point at present is that these difficulties are not a result of using the language of racism to characterize the advantage. The obstacle remains whether one describes such a state of affairs as involving “racial injustice,” “racial disadvantage,” “racial inequality,” or whatever other term one prefers.

So, while it is important to pay attention to the various degrees of moral responsibility associated with institutional racism, and while it pays to think carefully about how one makes the case for institutional racism in the classroom, or in other settings, neither the principled nor the strategic objections to characterizing structural racial disadvantage as racist ultimately succeed. Neither do the concerns about departing from “ordinary usage” outweigh the value of drawing attention to fundamentally unjust forms of social organization.

V. CONCLUSIONS

I have argued here that Glasgow’s “disrespect analysis” of racism fails to capture the essence of institutional racism, which is not a matter of respect, but of *justice*. In making this case, I have tried to specify the relationship between individual and institutional agency, something Glasgow’s analysis seems to me to require, but fails to provide. While this effort does not ultimately vindicate Glasgow’s account of institutional racism, it is a valuable task in its own right, insofar as it helps to

illuminate the relationship between the individual beliefs, attitudes, and actions that are most commonly described as racist, and the institutional arrangements that structure opportunities and resources in ways that produce serious, systemic racial injustice, and that may or may not be animated by individual racism. Contract theory can be helpful to this end, as it illustrates the ways in which social institutions can arise out of the conscious, collective will of individual agents. However, contract theory fails to capture the other side of the equation: the ways in which institutions, once established, can in turn exert pressure on individuals to conform to institutional demands that appear to have a certain kind of autonomy. This dimension of institutional agency is crucial for understanding how institutional racism can continue virtually unabated even as individual racism becomes less prevalent. When one understands the unburdening function of social systems, the fact that extreme racial injustice can coexist with a superficial racial tolerance is not at all puzzling. It is precisely because of the increasing complexity and efficiency of social systems that intentionally racist enforcement of white supremacy is no longer necessary. Systematic poverty, for example, combined with a massive prison-industrial complex is far more effective at disenfranchising black voters than the Ku Klux Klan could have ever been. And the corresponding advantage to whites can be enjoyed without the pangs of conscience that might be the result of active racial hostility. In order to capture the way in which institutions can sustain racial advantage semi-autonomously, I have introduced Habermas' system/lifeworld framework, with the important qualification that the benefits (unburdening functions) and harms (colonizing functions) of systems are not evenly distributed across a generalized lifeworld, but depend significantly on how one is positioned racially in society. This unequal and unjust distribution of systemic benefits and burdens, rather than disrespect, is the key to understanding institutional racism.

Finally, let me remind the reader that my injustice-based account of institutional racism is not meant to supplant Glasgow's view across the board. That is, I am not claiming that *all* forms of racism must be understood in terms of justice, only that institutional racism must. I suppose this makes my view pluralist, as opposed to Glasgow's monist view. But unlike, say, ontological pluralism, a pluralist view of racism does not entail that individual and institutional racism are distinct entities without overlap. Indeed, one of the advantages of the system/lifeworld framework is its ability to illuminate the ways in which the two are related; that is, the ways in which individual racism can become institutionalized, and the ways in which institutional racism can produce individual racism. Yet this is different from seeking to reduce the two phenomena to one, based on some unifying feature like disrespect, or injustice. Given that philosophers since time immemorial have been driven to discover the most basic components of the world (both natural and social), I can certainly understand the desire for a unified account. I do not think, however, that a pluralist (or "dual perspective," as I prefer to call it) view should be particularly troubling for social theorists. Simplicity may be a theoretical virtue, but from a sociological perspective, one should not be surprised if a particular social phenomenon admits

of different levels of explanation, according to different models. It may be that in some cases, such theoretical pluralism provides a richer account of the phenomenon than any one theoretical framework alone. Such seems to be the case with racism, notwithstanding Glasgow's attempt to account for its many forms under a single analysis.³⁷

¹ For the purposes of this paper, I will use the terms 'structural' and 'institutional' racism interchangeably.

² Joshua Glasgow, "Racism as Disrespect," *Ethics* 120 (October 2009).

³ *Ibid.*, 81.

⁴ For Kant, of course, the capability of respect derives from the possession of reason, and so it is not only a distinctively human capacity, it also applies only to human persons. See Kant's *Critique of Practical Reason* 5:76 in *Practical Philosophy: The Cambridge Edition of the Works of Immanuel Kant*. Ed. Mary J. Gregor. (Cambridge: Cambridge University Press, 1996). One need not see respect as a purely rational phenomenon, nor limit its application to human persons in order to accept that respect has its source in human moral agency. The latter is the only claim I am making here.

⁵ Glasgow, "Racism as Disrespect," 74.

⁶ *Ibid.*, 73.

⁷ Charles Mills, *The Racial Contract*. (Ithaca: Cornell University Press, 1997).

⁸ *Ibid.*, 11. Mills' distinction echoes the distinction in traditional social contract theory between tacit and explicit consent.

⁹ Charles Mills, "The Racial Contract as Methodology (Not Hypothesis)" *Philosophia Africana* 5.1 (2002): 80.

¹⁰ This phenomenon is similar to what early Marxists and critical theorists referred to as the "reification" of social relations.

¹¹ There has been extensive comparison of Habermas' view with that of Rawlsian contractarianism, including their own important exchange (See Habermas' "Reconciliation Through the Public Use of Reason: Remarks on John Rawls' Political Liberalism," *The Journal of Philosophy* 92.3 (1995): 109-31., and Rawls' "Reply to Habermas," 132-80 in the same volume). However, Rawls' variety of contract theory, following in the Kantian tradition, aims at *justification* rather than explanation, and so has little to do with what I have called the "contract model" of institutional agency.

¹² Jurgen Habermas. *Theory of Communicative Action*. trans. Thomas McCarthy. 2 vols. (Boston: Beacon Press, 1985).

¹³ Jurgen Habermas. *The Theory of Communicative Action. Vol. 2. Lifeworld and System: A Critique of Functionalist Reason*: 131.

¹⁴ To be clear, this is not to hypostatize institutions or systems, metaphysically or otherwise. The point is that their *appearing* to take on a kind of autonomy or independence is often sufficient to have real effects on those who thus perceive them. This is why I say that the defense of "pure" institutional racism is a qualified one. This is also the fundamental insight behind theories of "reification" going back to Marx.

¹⁵ Mills understands this in terms of an "epistemology of ignorance," a willful, collective misunderstanding that provides for whites the "cognitive and moral economy psychically required for conquest, colonization, and enslavement." Mills *The Racial Contract*, 19. My point here is similar, though it doesn't entail the stronger claim that this "unburdening" requires a special epistemological framework for its analysis.

¹⁶ For an analysis of the racialized (white) lifeworld, see Davis S. Owen. "Towards a Critical Theory of Whiteness," *Philosophy and Social Criticism*. 33.2 (2007): 203-22.

¹⁷ While I make some counterfactual assumptions in this example. The name and the details of the situation come, quite unhypothetically, from the experiences of members of the Altgeld Gardens community, a neighborhood on the far south side of Chicago.

¹⁸ U.S. Census Bureau. *Income, Poverty and Health Insurance Coverage in the United States, 2009*. Current Population Reports P-60-238 Tables 4 and POV04. See also www.census.gov/hhes/www/poverty.html.

¹⁹ Marilyn Frye. *The Politics of Reality: Essays in Feminist Theory*. (Berkeley: Crossing Press, 1983): 2.

²⁰ This kind of advantage is often referred to as “white privilege.” See Paula S Rothenberg. *White Privilege*. 4th ed. (New York: Worth Publishers, 2011) and Shannon Sullivan. *Revealing Whiteness: The Unconscious Habits of Racial Privilege*. (Bloomington, IN: Indiana University Press, 2006.)

²¹ Glasgow “Racism as Disrespect,” 64.

²² *Ibid.*, 89.

²³ To say that this is “typically” true does not mean there aren’t exceptions of course. In his book, *“I’m Not a Racist, But...” The Moral Quandary of Race*. (Ithaca: Cornell University Press, 2002): 37, Lawrence Blum gives the example of a predominantly black school in which a white student faces systematic discrimination as well as individual harassment. One could count this as an example of institutional racism, but this doesn’t preclude the claim that the opportunities blacks have to exercise institutional power over whites are few in comparison to the opportunities whites have to exercise power over blacks.

²⁴ Glasgow Racism as “Disrespect,” 76. Footnote 32.

²⁵ This is not to ignore the disturbing growth of extreme right-wing nationalism, white supremacist organizations, and reactionary racist political parties in Europe and the United States.

²⁶ Glasgow “Racism as Disrespect,” 64.

²⁷ *Ibid.*, 65.

²⁸ CNN Poll conducted by Opinion Research Corporation. Dec. 5-7, 2006. N= 1,207 adults nationwide (MoE +/- 3), including 703 non-Hispanic whites (MoE +/- 3.5) and 328 blacks (MoE +/- 5).

²⁹ See Clevis Headley “Philosophical Approaches to Racism: A Critique of the Individualist Perspective,” *Journal of Social Philosophy* 31.2 (2002): 223-57, as well as Charles Mills “‘Heart’ Attack: A Critique of Jorge Garcia’s Volitional Conception of Racism,” *Journal of Ethics* 7.1 (2003): 29-62.

³⁰ See for example Eduardo Bonilla-Silva. *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*. (Lanham, MD: Rowmann and Littlefield, 2006); G. M. Fredrickson. *Racism: A Short History*. (Princeton University Press, 2002); M. Omi and H. Winant. *Racial Formation in the United States*. (New York: Routledge, 1994); R. Smith. *Racism in the Post-Civil Rights Era*. (Albany: SUNY Press, 1995), and so on. The list would, of course, be quite longer if it included those who took such developments to mean that racism is no longer a serious problem in the post-Civil-Rights United States.

³¹ It is an open question as to whether these beliefs and attitudes really are less prevalent, or whether their proponents have simply acclimated to a culture in which it is not appropriate to express them publicly. Moreover, it is often difficult to quantify the matter, given that persons may conceal their true beliefs and attitudes in order not to incur social disdain (as in the much-discussed “Bradley effect” on voting behavior). My argument here does not commit to nor depend upon a position on this issue, though I suspect that the allegedly radical decrease in racial prejudice is somewhat exaggerated.

³² Melvin L. Oliver and Thomas M. Shapiro. *Black Wealth/ White Wealth: A New Perspective on Racial Inequality*. (New York: Routledge, 1996) provides an illuminating summary of such persisting inequalities. See also Elizabeth Anderson *The Imperative of Integration*. (Princeton: Princeton University Press: 2010).

³³ Lawrence Blum *I’m Not a Racist, But*, 24.

³⁴ *Ibid.*, 2.

³⁵ Charles Tilly. *Durable Inequality*. (Berkeley: University of California Press, 1999).

³⁶ For example, psychological research on “attribution bias” has shown that we are more likely to explain our own successes by reference to intrinsic features of ourselves: our dedicated work ethic, amenable personality, compassionate demeanor, and etc., while our failures are often blamed on external factors. By contrast, we are more apt to explain the success of others by reference to external factors, like luck, and their failures by reference to their intrinsic qualities. This kind of bias extends to social groups, with individuals attributing the success of those like themselves to intrinsic features, and those unlike themselves to extrinsic factors, and likewise with failures. See E.E. Jones and V.A. Harris “The Attribution of Attitudes,” *Journal of Experimental Social Psychology* 3.1

(1967): 1-24, as well as J. Block and D.C. Funder, "Social Roles and Social Perception: Individual Differences in Attribution and 'Error,'" *Journal of Personality and Social Psychology* 51 (1986): 1200-1207.

³⁷ I'd like to thank David Ingram, Lawrence Blum, and Lucius Outlaw for helpful comments on various drafts of this work. I'd also like to thank the Editor, Michael DePaul, as well as an unusually thorough and helpful anonymous reviewer.