APA Newsletters

NEWSLETTER ON PHILOSOPHY AND LAW

Volume 09, Number 1 Fall 2009

apa
The American Philosophical Association
University of Delaware
Newark, DE 19716

APA NEWSLETTER ON

Philosophy and Law

Steven Scalet and Christopher Griffin, Co-Editors | Fall 2009 | Volume 09, Number 1

Edition in Tribute to John Arthur

This edition honors the legacy of John Arthur, who, for eighteen years, was a Professor of Philosophy and Director of the Program in Philosophy, Politics, and Law at Binghamton University. He was also co-editor of this *Newsletter* from 2006-2007. Professor Arthur's life and career were cut short by cancer. He died in 2007 just as he was finishing his last book.

This book, *Race, Equality, and the Burdens of History* (Cambridge University Press, 2008), was the culmination of his long reflections and personal history with race relations in America. From 1981-1988 John taught at Tennessee State University, an historically black college. He was appalled at the conditions of the university relative to the predominately white Middle Tennessee State University a few miles away, and he organized a biracial group to file a suit against the State of Tennessee for violating the Equal Protection Clause of the Constitution, accepting a settlement that brought millions of dollars to improve Tennessee State University and a desegregation plan for the entire system of higher education in Tennessee. It was during those years of active social and legal engagement on matters of race that John conceived the book that he worked on until weeks before his death in 2007.

Professor Arthur was also the editor or co-editor of more than eight other books and twenty-five articles covering many issues of public concern. After teaching for thirty years, John possessed and displayed the enthusiasm of a new professor, earning numerous teaching awards. Even with lung cancer, John continued to teach into his last several months, until he could no longer stand. An account of his career and writing is published in the APA's *Proceedings and Addresses*, May 2007, 80(5).

This *Newsletter* edition focuses on John's last work, *Race, Equality, and the Burdens of History*. The contributors are Lawrence Blum (University of Massachusetts–Boston), Charles Mills (Northwestern University), and Janna Thompson (La Trobe University). Their essays offer an engaging discussion of race and racism in response to John's analyses and arguments. They also formed the basis for a Special Session sponsored by the APA Committee on Philosophy and Law at the APA's Pacific Division meeting in April 2008. We thank both the Committee for sponsoring this event and the contributors for responses that John would have deeply respected and relished for their philosophical disputation.

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ARTICLES

Confusions about "Culture" in Explaining the Racial Achievement Gap in John Arthur's Race, Equality, and the Burdens of History

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I did not know John Arthur, I am sorry to say, but I admire his book in many ways. It is an important contribution to the growing, though still quite small, serious philosophical literature on race. Arthur covers many vital topics concerning race and often has a quite distinctive approach to them.

I wish to talk about how Arthur uses the concept of "culture" in Chapter 5 of the book, "Poverty and Race." The chapter is a welcome discussion of two related issues generally discussed by social scientists and much less frequently by philosophers. One is black poverty. The other is black/white inequality with regard to various socio-economic measures, including but not restricted to poverty and income. Arthur does not always keep these two issues separated, but he appears to assume that black poverty is of moral concern and that inequality as such may or may not be, depending on the explanation for it. With regard to poverty he is concerned to argue that black poverty, or disproportionate black poverty (compared to white) is not solely a product of racism or racial oppression (161). With respect to inequality, he argues that whatever injustice there is in racial disparities between black and white cannot lie in the bare existence of the disparity itself. With regard to both, he wants to say that "culture" is a significant part of the explanation of their existence.

It is very gratifying to see a philosopher weigh in on these explanatory issues, which require a familiarity with the character of the disparities as well as a range of available and deployed explanations of them. Although I do not think that philosophers who have written on race almost ever take the simplistic position Arthur criticizes—that every disparity is an injustice, or that injustice consists in bare disparity—it is also true that few philosophers have fully attempted to come to grips with particular racial disparities, in particular domains, such as health, education, housing, income, and wealth, from an explicitly normative point of view. Arthur does not say so explicitly, but his discussion presumes that the explanations for various disparities and for poverty importantly bear on how morally troubling they are.

I will focus largely on educational disparities, as Arthur gives a good deal of space to them and sees education as a prime causal factor in black poverty; and because disparities

in school achievement among whites, blacks, Latinos, and Asians have been the source of a great deal of public concern. The disparities are generally referred to as "the achievement gap." Arthur focuses mostly on whites and blacks and I will do so as well.

From a normative point of view, there are (at least) three normatively interestingly different categories of explanations given for why blacks score lower on the average than whites on standardized tests, receive lower grades in school, and graduate from college at about half the rate of whites. One is some form of racial discrimination. Teachers treating students differently based on race; black students not being encouraged to take advanced placement tests that would help them get admitted to better colleges; the fact that teachers in largely black schools are on the average less qualified than those in white schools—all these are plausibly regarded as constituting discrimination against black students. They are instances of what I will call for convenience "racism-based" explanations, which is not to deny that different ones may differ in normatively-relevant character.[1]

A second category is culture-based explanations. Arthur is particularly concerned to establish that, as he says, "cultural differences clearly also play an important role in explaining educational achievement" (178). The distinction between racism-based and culture-based is generally quite normatively charged. Discrimination and racial oppression are clearly both wrong and not in any way the fault or responsibility of the victimized group. So to the extent that a given disparity can be attributed to such factors, doing so can fairly straightforwardly underwrite a moral claim to closing up the gap produced by those factors. Of course, acknowledging a claim on public action to close racial gaps often leaves us a long way from figuring out *how* to do so, and to do so in a way that does not conflict with other significant values. Nevertheless, the acceptance of discrimination as an explanation is, from a normative point of view, thought to contrast strongly with appeals to culture. Culture is generally seen as emanating from, and the responsibility of, the group itself, rather than being a result of mistreatment by others. Conservatives on these racial matters often claim that black culture is destructive or at least counterproductive in various ways, and regard the solution to the problem of inequality as that black people have to change their culture. In the area of education, Stephan and Abigail Thernstrom in their 2004 book *No Excuses* make perhaps the best-known use of this culturalist argument, and Dinesh D'Souza does so with regard to the position of blacks in U.S. society in general (in *The End of Racism* from 1995).[2] Arthur has a somewhat more nuanced view of culture than do these authors. He does not see culture as purely or simply a matter of self-generated values but, at least sometimes, partly as a response to external conditions. Nevertheless, in the main, Arthur's attempt to establish culture as an explanation of black underperformance in school (and of black poverty) is meant to contrast with racism-based explanations and to be normatively much less troubling.

A third category of explanation of racial disparity is "class-based" explanations. A standard example is that upper-income students do better in school than lower-income students, and blacks are disproportionately clustered in the latter and not in the former group. So this class-based fact can be part of an explanation of why, on average, black students do not do as well in school as whites. The normative status of class-based explanations is quite complex, and is often confused in popular thought. Some researchers imply that if one can account for a racial difference by a class-based disparity, this makes the racial difference less troubling; the assumption is that class-based disparities are less morally problematic than racism-based ones, and some see them as not troubling at all, simply what one would expect from a society that has different socio-economic classes. Arthur's position on this is complex, and I do not have time to discuss it in this presentation. In Chapter 8, he invokes Rawls's notion of fair equality of opportunity in discussing education (though in a different context, that of affirmative action). By doing so, he recognizes that many class-based disparities are themselves unjust, independent of their impact on race-based ones. Arthur is also concerned to establish, in both Chapters 5 and 8, that there are cultural explanations of racial disparity and that these are distinct from both class-based and racism-based ones. But, I would suggest, his conception of class is too narrow, and further scrutiny would show that some of what he sees as culture-based factors are actually class-based. Arthur sees class primarily as income, and he sees differences of income as explaining only a small part of the achievement gap. However, prominent researchers in this area measure class not simply by current income but in a more complex way that takes into account how long the family has had that income, its wealth, parental education, and the income status of the previous generation. On that definition, class explains a good deal more of the gap. For example, parenting practices are recognized to have an impact on school readiness, and thereby to school achievement. Blacks with the same level of income differ with regard to the relevant parenting practices; but if this broader notion of class is used, the differences are greatly reduced.[3]

What I want to focus on in the remainder of my presentation is Arthur's conception of culture and of culture-based explanations of educational racial disparities. He appears formally to endorse Orlando Patterson's definition of "culture" as "a repertoire of socially transmitted and intra-generationally generated ideas about how to live and make judgments, both in general terms and in regard to specific domains of life" (179). Arthur cites this definition in relation to his own statement that "families impart different cultural values and beliefs to their children" and he illustrates it thus:

> Some families stress the importance of religious faithfulness or wealth, while others might encourage artistic creativity, intellectual accomplishment, philanthropy, sports competition, political power, or social acclaim. Some children are read to from the time they are infants, while others are left to watch television; some are encouraged or even required to excel in school, others in athletics, in art, or in nothing at all. (179)

Notice that while religiosity and the pursuit of wealth or artistic creativity are values that parents might impart to children, reading to children and letting them watch a certain amount of television are more appropriately thought of as practices than actual values, practices that might be engaged in from a variety of values, or from something other than values. Parents might well not read to their children because they are not very comfortable with reading themselves, or are not well educated, or have less time than parents in the comparison group. By categorizing parenting practices under "values" Arthur gives the impression that reading to one's children is a simple function of whether the parent places a value on her children's developing into readers or not. If added to the assumption that cultures are for the most part internally generated, one gets the result that parents who do not read to their children are choosing to impart the value of not-reading, or at least not to impart the value of reading. While as mentioned Arthur sometimes rejects this assumption, that does not come until later (than Chapter 5), and it is an assumption that is natural to make concerning this portion of his argument.

One might reply that whether parents read to their children or let them watch a lot of TV can quite plausibly be seen as part of a "family culture"; and, indeed, the definition from Patterson citing "ideas about how to live" might allow for including such *practices* (i.e., "how to live") under the category of "culture." I don't think our intuitions about the use of the word "culture" are sufficiently fine-tuned to resolve this definitional dispute. But it is important to distinguish between a cultural practice that could be engaged in for several distinct reasons related to values in different ways or not related to values—I will call this "culture as habitual practice"—and specific values that are transmitted to one's children, which I will call "culture as values."

Arthur plausibly moves from family-based cultures to ethnicity-based ones on the way to discussing working up to black culture. Family cultures are often embedded in ethnic ones, which can be a source of familial practices and values. Having introduced ethnicity, Arthur gives the following example to illustrate—that Jews in the U.S. are 25 percent of law school faculty, that they made up half the lawyers in Hungary in 1920 (where they were 6 percent of the population), and that they owned 80 percent of the retail clothing businesses in New York at some unspecified time in the past. In explanation of these disproportions, Arthur proffers an emphasis in Jewish culture and religious practice on law; the value of learning and scholarship; the ability to trust other members of the community; and the advantages of belonging to a tight-knit family. This is a very misleading grouping under the heading of "ethnic culture." Part of why ethnic groups tend to cluster in certain occupations or areas is that they have been prevented or discouraged from *other* occupations. This is certainly the case vis-à-vis Jews. Moreover, once a group establishes a sort of "beachhead" in one occupation it becomes much easier for other members of that group to go into that area, entirely independent of the group's values in any meaningful sense. This dynamic is part of why in the U.S. Chinese often went into the laundry business, why Koreans own small businesses in central cities, and Indians, motels in the Southern U.S. The alleged tight-knit families that Arthur mentions might contribute to this "ethnic nicheing" process, entirely independent of familial values; but the dynamic depends on only some degree of kinship or connection within an ethnic group, not necessarily rising to the level of "tight-knit." Networks of credit help establish businesses within an ethnic community. And there is also a role modeling dimension, reinforced by but not entirely dependent on families, in which seeing other members of one's ethnic group in an occupation makes that occupational path seem more accessible than others. So whatever reasons have led to ethnic nicheing in the first place, there is a tendency for the group to remain disproportionately represented in that occupation. But the reasons for this have little to do with culture-as-values, that is, with what Arthur calls "the importance of the connections between culture and educational achievement" (180).

That loose thinking may not matter too much from a normative point of view in understanding Jews' disproportion in the legal profession. But, of course, where Arthur is going with this is the much more normatively charged area of black underperformance in education. So, Arthur says, "The importance of the connections between culture and educational achievement are illustrated by an account of a black high school student reported in the *New York Times*. It shows the effects of culture in schools and in particular, its effect on black children who criticize students who work hard as 'acting white'" (180). The idea that black students routinely chastise and stigmatize academically successful black students by saying they are acting white, and that this is a major cause of black underachievement, is probably the most widely parlayed explanation of the achievement gap in the public eye. It constituted then-Senator Obama's almost sole reference to education in his famous 2004 speech to the Democratic Convention, where he said, "In any inner city neighborhood…children can't achieve unless we…eradicate the slander that says a black youth with a book is acting white" (448 in *Dreams From My Father*).[4] The so-called "acting white" phenomenon has been much studied and researchers differ as to its extent, but virtually all agree that it plays a very small part in understanding black underachievement as a whole.[5] Yet its appeal to whites is evident. It simultaneously expresses the idea that white students are studious and on track and places the blame for black educational underachievement squarely on the black community itself. The power of this popular trope is shown in that, after making the statement just quoted, Arthur illustrates it with a quote from a black student that talks about his fellow students not taking school very seriously, but does *not* mention anything about "acting white." Not taking school seriously enough can not be equated with the acting white phenomenon, which is only one possible explanation of the former.

Of course, if it is true that blacks do not take school as seriously as whites, this is troubling in itself, and could easily be a causal factor in black underperformance in school, independent of the acting white issue. But there could be many sorts of reasons for this lack of engagement other than a culture of poor educational values among black youth. (Note that we do naturally speak of such attitudes and values as "cultural" even though they are attributed only to an age-cohort and so are not necessarily trans-generational. This suggests that Patterson's definition is not entirely accurate; some cultural values can be held by certain age cohorts but not others within a larger ethnic group. I will adjust my "culture as values" definition to allow for age cohort-based cultures.) Just to give one plausible example of a reason for lack of engagement of a racism-based sort: blacks face discrimination in the labor market so that their school achievement is not as rewarded as is that of whites and other groups. That discrimination is well-documented. One particularly striking example, often cited, is a study by two economists of the response of companies in several distinct industries to the resumés of about 28,000 presumed job seekers. (The resumés were actually dummies but were carefully constructed from real resumés and divided into two equivalent groups distinguished only by whether the names on the resumés "sounded" black or white [Jamal vs. Greg, Lakisha vs. Emily].) The study found that the white resumés received a 50 percent higher call-back rate than the black, that the racial gap existed in every industry and at every level of qualification. Moreover, a point especially pertinent in this context, there was *more* discrimination at the upper ends—that is, more qualified blacks were discriminated against to a greater extent than were less qualified blacks.[6] I am citing this study not as the last word on the presence and degree of labor market discrimination, but only to say that a sense among blacks that educational success does not translate into occupational success as much as it does among whites could plausibly be regarded as both a rational response to that discrimination and as part of the explanation of why black students do not work as hard in school as white students. And it is a type of racism-based consideration that Arthur ignores entirely.[7] It is not "cultural" in the culture-as-values sense.

Such a lack of effort among black students could be regarded as "cultural" in the habitual practice sense. Yet, the way it is cultural is very different from the conservative assumption that culture is a communally self-generated set of habits or values. The practice in question—academic disengagement—is a rational response to external circumstances, namely, racial discrimination, and thus would not be the fault of the students,

or the black community as a whole; and the racism-based explanation would underwrite a case for public rectification of some sort, either cracking down on the job discrimination or giving more resources to the schools black students attend, or both.[8] Note that the distinction between internally and externally generated cultural expressions cuts across the "habitual practice" vs. "values" distinction. That is, either values or practices can be primarily internally generated or primarily externally driven.

Arthur makes two other remarks about alleged cultural factors among black students that exhibit familiar confusions. After citing plausible studies to the effect that black children watch more television and are read to less than white children, he says, "These cultural differences in parenting practices are further confirmed by studies of students' attitudes" (183). He thus implies that the student attitudes he is about to report are somehow "cultural" in nature.[9] But the attitudes he actually reports are that black students do not work as hard in school, do not do as much homework as whites, and that "twice as many black students as whites report that they do not understand very well what they had been told to read." That black students do not work as hard is part of what he is allegedly trying to explain. The mere fact of it is not something about culture. *Why* don't they work as hard? Well, his citing that they don't understand what they are asked to do by their teachers—at twice the rate of whites—suggests a possibly significant factor. But this is not a *cultural* factor in any sense so far noted. It simply means that something is going wrong in the communication between teachers and black students.

Such miscommunication has been extensively researched by Ronald Ferguson, a leading achievement gap researcher. Ferguson looked at different instructional styles and their impact on student learning. He asked students to assess their teachers on two statements: "If you don't understand something, my teacher explains it another way" and "My teacher has several good ways to explain each topic." Not surprisingly, Ferguson found that teachers who notice and track whether their students understand what they are saying and what they are asking of them are more successful; their students learn more.[10]

Although there may be "cultural" differences in the "habitual practice" sense, related to the students' race and class, that affect how likely the teachers, given their own race and class background, are in the course of their own customary practice to make themselves understood, the impact of these in some sense cultural differences is quite easy to rectify if the teacher simply does what Ferguson asked his students about—find out when students are not understanding, and learn alternative ways of saying the same thing, perhaps through some familiarity with the students' own home-based and peer-based ways of talking. "Cultural" often carries the implication of a deeply rooted set of values or practices, but here the impact of students' linguistic practices would not be cultural in that sense, if teaching practices could so easily affect that impact.

This improvement in instruction should be within the reach of almost any teacher, although perhaps some current teachers may be too set in their ways to voluntarily change to adopt them. Communicating with students across a race and class divide might require teachers to have some familiarity with the home and youth ways of speaking that the students bring to school, to rectify the divide that Ferguson mentions. But doing so should not be regarded as less than what it is appropriate to expect from teachers.

To sum up, then, once we have clearly distinguished from "culture as values," mere culture as habitual practice, ethnic nicheing, rational or at least understandable responses to racism, and teacher practices that readily correct for failures to communicate with students, there is not much left of the idea that a culture of school disengagement is an important determinant of black student underperformance. Of course, I have not in this short presentation provided anything like the empirical case for the actual degree of the link between the two. I do note that Richard Rothstein, in his exhaustive survey of class-based factors in the racial achievement gap, summarizes his findings in this way: "All it is reasonable to say is that most of the racial test score gap probably results from social class factors, but a small part may also result from a culture of underachievement" (56).[11] My point here has been to do some conceptual work on the concept of "culture" and suggest that Arthur's confused usage of it is likely to greatly exaggerate the significance of culture-as-values on educational disparity. However, I do want to affirm that I think Arthur was right to think that culture of that sort plays *some* part, and that racial progressives cannot avoid dealing with culture. Not all black-white inequality, in education or more generally, can be accounted for by racism-based and social class factors; and Arthur is in good company with William Julius Wilson, the pre-eminent urban sociologist of our time, whose most recent book argues that racial progressives must take culture seriously, while he also argues that most conservatives and liberals overstate its causal significance.[12]

Endnotes

1. Another racism-based explanation that I will not consider here, but which is certainly significant, is the legacy of historical oppression. I mean this to be distinct from direct discrimination. An example would be the hypersegregation of blacks, a legacy of both *de jure* and *de facto* segregation and related policies which disadvantages black students in several distinct ways. (This sort of explanation can sometimes be part of the explanation of one of the other three categories discussed here.)
2. Abigail and Stephan Thernstrom. *No Excuses: Closing the Racial Gap in Learning* (Simon and Schuster, 2003). Dinesh D'Souza. *The End of Racism: Principles for a Multiracial Society* (New York, 1995).
3. A widely cited article summarizes its findings in this way: "Our results imply that it takes at least two generations for changes in parental socio-economic status to exert their full effect on parenting practices." M. Phillips, J. Brooks-Gunn, G. Duncan, P. Klebanov, J. Crane. "Family Background, Parenting Practices, and the Black-White Test Score Gap." In *The Black-White Test-Score Gap*, edited by C. Jencks and M. Phillips (Brookings, 1998), 137.
4. The full quote is as follows: "In any inner city neighborhood… children can't achieve unless we raise their expectations and turn off the television sets and eradicate the slander that says a black youth with a book is acting white."
5. J. Ludwig and P. Cook. "The Burden of 'Acting White': Do Black Adolescents Disparage Academic Achievement?" in Jencks and Phillips, *op. cit*. Rothstein, *Class and Schools: Using Social, Economic, and Educational Reform to Close the Black-White Achievement Gap* (Teachers College Press, 2004), 56. Ferguson, *Equity and Excellence: An Emerging Vision for Closing the Achievement Gap* (Harvard Education Press, 2007), chapter 5.
6. Bertrand and Mullainathan, "Are Emily and Greg More Employable than Lakisha and Jamal? A Field Experiment on Labor Market Discrimination?"
7. Although Arthur does not discuss this sort of discrimination as a factor related to the achievement gap, he does discuss another factor that he sees as part of the legacy of racial oppression, and that is "rumors of inferiority," which is blacks' internalizing the view originating in the slave era and reinforced during segregation that they are intellectually inferior. I cannot engage with his discussion here, but will only mention that Arthur tends to conflate this issue with blacks

wrongly believing that they have many fewer opportunities in the society than they do have.

8. I also note that while there is an extensive literature on the more general issue of black underachievement and a smaller but still substantial one on the so-called acting white phenomenon, Arthur cites as support for his view only one vignette from a *New York Times* columnist, and a study by Richard Herrnstein and James Q. Wilson, the former of whose work on genetic differences among races and classes has been widely rejected by the scholarly community.
9. Earlier I noted the confusion about parenting practices and culture in the first part of this sentence.
10. Lecture, Lesley University, February, '09.
11. Rothstein, *op. cit*.
12. W.J. Wilson. *More Than Just Race: Being Black and Poor in the Inner City* (Norton, 2009). (I heard a talk on this book; I have not read it.)

Comments on John Arthur's Race, Equality, and the Burdens of History

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I am delighted to be on a panel commenting on the late John Arthur's *Race, Equality, and the Burdens of History*,[1] though deeply sorry, of course, that his sadly premature death means that he cannot join us and reply to our comments. Since, given my own perspective on race, I am going to be critical of Arthur's book, I should begin on a positive note by praising it as a welcome addition to the steadily growing literature on philosophy and race. It is a book with many virtues. It is constructed and written with great clarity; it canvasses an impressive range of literature; it reflects an obviously serious and thoughtful attempt to grapple with a number of very important issues; and it develops and argues for a set of positions that—whether you agree with them or not—force you to reconsider your assumptions, no matter where you're located on the racial-political spectrum. As such, it achieves admirably the traditional philosophical goal of challenging the conventional wisdom, provoking discussion, and stimulating us to re-examine what we may have been taking for granted, in the process contributing to the clarification of crucial claims and arguments in a way beneficial for all sides to the debate.

In the short time available to me, I will not, of course, be able to discuss the many topics covered in this book. So I will be focusing on a few key (and interlinked) themes: Arthur's conceptions of personhood and race, his suggested analysis of racism, his theoretical emphasis on intention, his explanations of continuing black poverty, and his position on issues of racial justice. My overall line of argument will be that Arthur's individualistic analysis of racism both understates and misconceives the centrality of racial subordination to U.S. history, and that his opposition to measures of compensatory racial justice is therefore unjustified.

1. Personhood and race

Let me start with the issue of the relationship between personhood and race. Doing what we all do (even if I am the only one who is going to admit it) when we open a new book in an area in which we're supposed to be a player—i.e., turning to the index to see whether we've been cited or not—I discovered to my chagrin that Arthur was critical of my "subperson" concept (Mills, Charles, 107), first introduced in a 1994 essay, "Non-Cartesian *Sums*," and later developed further in my 1997 book *The Racial Contract* (inexplicably absent from his bibliography).[2] Arthur writes: "Popular assumptions about the justification given for slavery are often erroneous. It is sometimes said, pointing to the three-fifths compromise in the U.S. Constitution, that the rationale for slavery rested on the idea that slaves were seen as less than fully persons. Charles Mills expresses this idea" (107). But though I do mention the three-fifths compromise in the essay, that was not my basic rationale for introducing the concept. Rather, it was as part of an argument more fully developed in my later work, that the most illuminating way to think of white racism is as partitioning humanity into whites and nonwhites, with the latter group having an inferior moral status owing to their being either literally nonhuman (bestial), or humans lacking, because of race, the prerequisites for moral equality. As I said in "Non-Cartesian *Sums*":

> What is a (racial) "subperson"? ...[T]he peculiar status of a subperson is that it is an entity which, because of phenotype, seems (from, of course, the perspective of the categorizer) human in some respects but not in others. It is a human (or, if this word already seems normatively loaded, a humanoid) who, though adult, is not fully a person. …This, then, is a more illuminating starting point than the assumption that in general all humans have been recognized as persons (the "default mode," so to speak). ...Even after emancipation, you are categorized on the basis of your color as an inferior being, since modern racial slavery (unlike the slavery of antiquity) ties phenotype to subordination.[3]

It should have been obvious, then, that I am using "person" as equivalent to "*full* person," that is, someone with all the rights and freedoms of *equal* moral status. Insofar as blacks and other people of color were denied these rights and freedoms because of their race they were clearly *not* regarded as full persons. Thus, they were, in my taxonomy, "subpersons." Arthur contends that because the Constitution explicitly refers to slaves as "persons," and "slave codes and judicial opinions...acknowledged slaves' status as persons" (107-8), then theorists like myself and others sympathetic to this line of argument have misread the ethico-juridical rationale of the "peculiar institution." But that is because he is using "person" in such a way that it can accommodate a range of moral statuses: "[Slavery's defenders] argued that slaves were less than *equal* persons. Slaves were thought to have less moral standing" (3). I, on the other hand, am using the term in such a way that—bracketing the standard problem cases (children, those who are severely mentally handicapped, people in a permanent coma, etc.)—"person" = entity of equal moral status having equal rights and freedoms. So when Arthur goes on to answer the question of how slavery was defended at the time, and cites justifications whose "underlying assumption... is the natural inferiority [physical, intellectual, and moral] of the negro to whites" (110-12), he is not, as he seems to think, providing an answer that contradicts me. Rather, he is using "person" in a different way that makes it possible for there to be both full persons and morally inferior persons, whereas I am suggesting that it is more illuminating to formally demarcate the latter as subpersons.

So is this just a trivial dispute about the use of words, not worth the page and a half I've already spent on it? I would claim not. My broader argument, which is meant to apply to European imperialism, colonialism, and aboriginal expropriation globally, not just African slavery in the U.S., is that Western thought develops in the modern period so as to accommodate the planetary racial subordination of people of color, who were *not* seen as moral equals, full persons. The conventional narrative of modernity, in which the ascriptive hierarchy and differentiated moral statuses of the ancient and medieval worlds