Reconstructing Race: A Discourse-Theoretical Approach to a Normative Politics of Identity

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-Andrew J. Pierce

The claim that race is “socially constructed” has become something of a platitude in social science and philosophy. At a minimum, such a claim means to reject the notion that conceptions of race have some biological or “scientific” foundation, and suggests instead that the notion of race is a purely human invention – a conventional way of ordering societies rather than a natural fact about the world. But the political and normative implications of this basic agreement are far from clear. Some have taken it to mean that we ought to stop talking about “races” as though they were real, and work to develop other kinds of identifications to replace so-called “racial” identities. Others have suggested that, though race may not be ontologically real, political structures that take races as basic make race an unavoidable social reality, such that, as a matter of political practice, it is unwise to eliminate talk of race. And others still have argued that racial identity can be reinterpreted in such a way as to shed its deterministic connotations, but retain important features that have come to flourish under the oppressive force of, say, black identity. In short, the fact that race is “socially constructed,” important an insight as it is, tells us relatively little about what role, if any, race ought to play in a more just social order and in the construction of healthy collective identities. This paper aims to get clear on the normative implications of the “social construction” thesis, not just for political practice in non-ideal societies where racial oppression remains, but in “ideal” (presumably non-racist) societies as well. That is, I am interested in the question of whether race and/or racial identity would have any legitimate place in an ideally just society, or to state it another way, whether the concept of race can be extricated from the history of racial oppression from which it arose. The position I defend is a version of what has come to be called a “conservationist” view. I argue that racial identities could be normatively justified based upon modified principles of discourse (which, I argue, are appropriately applied to contexts of collective identity formation), though I do not endorse the stronger claim that racial identities are an inevitable feature of any form of social organization that societies now structured by race could aspire to, as some other conservationists claim. Moreover, I do not take conservationism to imply that future racial groups would be the same as current racial groups, a point I illustrate through an analysis of whiteness.

Constructivism, Eliminativism and Conservationism

The social construction thesis has led some to argue that since the concept of race has no real referent (and moreover, since “race-thinking” is
often morally problematic), it should be discarded altogether. Kwame Anthony Appiah, one of the most fervent proponents of this kind of *eliminativism*, argues succinctly that “there are no races. There is nothing in the world we can ask race to do for us,” in short, that race “refers to nothing in the world at all.” Given, in other words, that modern science has failed to identify any discrete entities called “races,” use of the term lacks a referent and so is, strictly speaking, meaningless. Continued employment of the term rests on a conceptual mistake, one that is frequently morally pernicious besides.

But, one may wonder, does the lack of a scientific foundation for race really mean that our everyday race-terms lack reference? After all, don’t we know who we mean when we talk about blacks, whites, Latinos, and etc.? Perhaps not. Naomi Zack shares Appiah’s skepticism about the existence of races, and in *Race and Mixed Race*, she provides similar arguments to show that race has no scientific foundation and further, that folk criteria of race, which attribute racial membership based primarily upon heredity, fail to achieve their purported goal of completeness (such that *all* persons would have a designated racial membership), since mixed-race persons do not fit within their classificatory scope, and further since there is no defensible way to distinguish mixed race persons from “pure” race persons. For example, there is no logical reason why a person with three white grandparents and one black one should be considered black, while a person with three black grandparents and one white one should not be considered white. And insofar as most if not all persons in racialized societies like the U.S. (not to mention Latin American nations) are “mixed” to some degree, then folk criteria of racial membership are fatally flawed as well.

But there are good reasons for hesitating to make the leap from this ontological claim (that races do not exist) to the normative claim that we should retire racial categories from our vocabulary, and so, presumably, from our laws and policies as well. This hesitance is based on the recognition that racial categories are useful for picking out, for example, ‘persons whose ancestors were victims of American chattel slavery’, and who might have legitimate moral claims based on that ancestry. That is, one intuitively plausible answer to the question, ‘why continue to talk about “races” if there are no such thing?’ is that, though race is not “real” in any ultimate metaphysical sense, it is still an important concept for understanding contemporary social reality, given that racial categories still structure the experiences of individuals and the functioning of institutions in “racialized” societies. One need not believe in God to understand the horrors of the Spanish Inquisition (or, to use Appiah’s example, one need not believe in witches to understand the functioning of the concept of witchcraft in early colonial New England). One can continue to hold that such concepts have a *social* reality, even if one denies that they are real in the deeper senses above. In relation to race, such a position has come to be called *constructivism*. Racial constructivists accept that race has no biological foundation, yet they argue that, as a result of human action and the widespread, consequential successes of pseudo-scientific and folk theories of race, race has
come to be inscribed in the institutions and practices of contemporary societies in ways that cannot be illuminated without recourse to some conception of race. Accordingly, they hold that race does have a socio-historical reality, even if it cannot be linked to biologically significant “racial” differences.

In *Color Conscious*, Appiah purports to take constructivist criticisms as well as concerns for social policy seriously, returning to and refining his metaphysical arguments against race, but ultimately conceding that it may be wise to retain a conception of “racial identity” for political purposes. Here Appiah acknowledges that “race” (a term he renders in scare-quotes to consistently remind the reader of his metaphysical skepticism as to the existence of its referent) is not only an ascriptive signifier, but that it is also central to non-ascriptive “identification,” which he understands as “the process through which an individual intentionally shapes her projects – including her plans for her own life and her conception of the good – by reference to available labels, available identities.” He acknowledges, in other words, that despite their complicated history and relation to racist practices of classification and hierarchy, racial identities may nonetheless be important and valuable to the persons they purport to classify, thus resisting a view that he nonetheless claims to be sympathetic to, a “metaphysical” conception that “count[s] nothing as a racial essence unless it implicate[s] a hierarchy among the races.” Rather, he allows room, as it were, for a “recreational” conception of racial identity that sees one’s “race” as a part of, but not wholly or even largely determining one’s personal identity, similarly, he thinks, to the way that some Americans identify with their Irish or Italian heritage. Appiah thus recognizes that race and racism are not logically or conceptually connected, even if their empirical co-development suggests otherwise.

Still, these concessions to constructivism do not amount to an abandonment of racial eliminativism. Eliminativists like Appiah may concede that racial identities are important in the short term, for challenging and resisting racism both in its structural manifestations and in its individual psychological effects, while still insisting, as Appiah does, that “we need to go on to the next necessary step, which is to ask whether the identities constructed in this way are ones we can all be happy with in the longer run.” He implies that racial identities would not be satisfactory in the long term (presumably meaning under more ideally just conditions), since they have a tendency to be “too tightly scripted” and to “go imperial,” overshadowing and even being supposed to determine other aspects of one’s personal identity. Yet this is the extent of his argument against racial identities under more just social conditions. Nowhere does he argue that racial identity necessarily leads to these undesirable consequences. His final word is only that the “fruitful imaginative work of constructing collective identities for a democratic nation” must “recognize both the centrality of difference within human identity and the fundamental moral unity of humanity.”
Likewise, even though Zack denies that races are “real” in any important sense, she does consider the possibility of an acceptable, non-binary system of racial identification. She asks her readers to imagine two races, P and Q:

If the society in which P’s and Q’s lived were value-neutral about P and Q, then S and T, as mixtures of P and Q, might privately decide that they were both P and Q or that they were perhaps a different race, O. If racial designations were important for some reason (albeit still value-neutral), then individuals such as S might insist that the “authorities” recognize the existence of O. Alternatively, T’s, who were more Q than P, might shrug and call themselves Q’s. There might also be U’s, the offspring of P-Q’s and P’s, who were more P than Q, and these U’s might call themselves P’s or insist on a new racial designation, N. At any rate, it would be possible, if society were neutral regarding P and Q, to speak of individuals who were mixed P and Q, and to leave it up to those individuals to support research into their own new racial characteristics and ultimately make a decision about how, as individuals of mixed race, they wished to be regarded racially. If racial categories were important for some reason, and if society were neutral about them and there were a fair degree of freedom and self-determination in that society, then that might be the dynamic of racial change.

The conditional antecedent “if racial categories were important for some reason” (even in a society which was “value-neutral” about racial membership) is crucial here, and both Zack and Appiah seem to agree that in such a society racial categories would not be important. Still, Zack seems to suggest that a conception of racial identity that met these conditions would presumably be normatively acceptable, even if perhaps irrelevant. The key feature of such a conception, it seems to me, is what might be called “self-ascription”: the idea that persons (or as I will argue, groups) should have some freedom to self-identify, racially or otherwise, as they see fit, and, in so doing, to play a role in interpreting the meaning of the collective identities with which they identify. This is in stark contrast to the currently dominant system of racial classification which, issues of “passing” aside, is largely determined ascriptively, by forces outside of one’s control, such as the infamous “one drop rule,” and other equally arbitrary measures. In the next section I will give an account of how the social construction of racial identity could do justice to this kind of self-ascription, which I specify in terms of a collective, discursive process adhering to certain rules. That is, I will show how racial identities could be normatively justifiable, in terms of an appropriately modified discourse ethic, in a way that is consistent with the intuitions even of eliminativists like Appiah and Zack. First, however, let me make clear how such a view is “conservationist,” and what such a position consists in.

Conservationism is succinctly captured by Lucius Outlaw’s claim that racial identity would continue to be important “even if, in the very next instant, racism and invidious ethnocentrism in every form and manifestation were to disappear forever.” That is, conservationism sees in racial identities either something inherently valuable, or at least something so basic to human
understanding that it would be impossible to eliminate. Outlaw, for example, sets out to defend a conception of race as a “real, constitutive aspect of determinate populations of human beings,” a conception he sees as a third way between deterministic, “scientific” conceptions that see race as a fixed biological essence and accounts (both eliminativist and constructivist) that see race as arbitrary, ideological, fictional, or otherwise unreal. By contrast, Outlaw understands races as “social-natural kinds”: groups defined in reference to both social-cultural and physical-biological characteristics, or more precisely, groups defined by physical-biological characteristics as they are interpreted, contested, and given meaning by different socio-cultural groups in different historical periods. In short, the fact that the meaning and extension of race is variable and contested throughout history and into the present does not mean that it is arbitrary and meaningless. Rather, Outlaw proposes that races develop and evolve, “as do all things in the natural world, but in ways that are characteristically human.” And though he concedes that racism and racial oppression have significantly affected the currently dominant racial ontology, he nonetheless maintains that races are “the result of bio-cultural group attachments and practices that are conducive to human survival and well-being, and hence must be understood, appreciated, and provided for in the principles and practices of … a liberal, democratic society.”

In other words, Outlaw recognizes that the biological evolution of human groups is itself conditioned by normative regulations – rules about mate selection, treatment of “outsiders,” duties to our environments, and so on – in ways that, presumably, are not the case for other animals. The constitution of races is the result of such normative arrangements, and serves no less a purpose, Outlaw thinks, than the survival of the group. Race (or perhaps race-ing), then, is an inherently normative enterprise, even as it draws from and transforms our physical and biological “nature” in a reflexive manner. The crucial task for conservationism is to show that such an enterprise need not result in the kinds of racism and “invidious ethnocentrism” that have tainted so much previous thinking about race, and resulted in the kinds of oppressive institutions and practices that structure societies today; that is, that the constitution and preservation of races can be “guided by norms that we hope – and our best judgments lead us to believe – will help us to achieve stable, well-ordered, and just societies, norms bolstered by the combined best understandings available in all fields of knowledge that have to do with human beings and that are secured by democratically achieved consensus.” In what follows, I identify and describe just such norms, and show how they might apply to the construction of race under more just social conditions.

To be clear, my argument entails only a weaker version of conservationism, one which aims to establish the possibility of a normatively justifiable conception of race. I am skeptical, as I noted in the beginning, about the claim that racially defined human groups are evolutionarily necessary or inevitable, though it is not my intention to dispute that claim here. Even this
weaker thesis is controversial enough, however, in that the mere possibility of a normatively justifiable conception of race refutes the widely held view that a just society would necessarily be a race-less society. In establishing certain norms by which racial identity could be vindicated, I will show that such a refutation is well-founded.

Racial Identity and the Discourse Ethic

As noted above, I take it that the key to the normative justifiability of racial identity is the idea of self-ascription. An acceptable conception of race would be one that recognizes the right of those it purports to classify to voluntarily accept or reject that identity, as well as to freely shape and interpret it. This guiding idea, however, requires clarification. In particular, one wonders whether such a right or principle has any limit. Does it entail, for example, that someone with primarily Anglo-European heritage and light skin could legitimately claim to be black, Latino, or Asian (I’ll call this ‘the wannabe problem’)? And more worrisome, does it entail that someone who voluntarily accepts a racial identity that he or she interprets as being superior to others require equal respect and recognition, simply in virtue of its being “self-ascribed” (I’ll call this ‘the bigotry problem’)? Addressing these concerns requires distinguishing between individual and collective self-ascription, or so I will argue. Self-ascription is best understood as a collective, discursive undertaking and not as an individual right. Understood in this way, difficulties like those noted above are avoided. Such an understanding has the further merit of being explicable in terms of procedural norms analogous to those used in evaluating moral and political discourses. In this way, one can respect groups’ right to self-ascription without sacrificing a normative perspective from which to critique them. The central task of this essay is to show how this is possible, and make explicit what kinds of norms make it possible. Before turning to that discussion, however, let me explain why I take the individualist interpretation of self-ascription to be unwarranted, thereby addressing the wannabe problem, and pointing to a response to the bigotry problem.

Objections of the first kind, which wonder whether individuals could simply choose their racial memberships unencumbered by any of the factors that are currently relevant to racial classification, presuppose that self-ascription applies primarily at the level of the individual. Michael Walzer argues convincingly against this interpretation, by claiming that “the ideal picture of autonomous individuals choosing their connections (and disconnections) without restraints of any sort is an example of bad utopianism.” He argues that generalizing the value of voluntary association to all human associations is sociologically naïve and philosophically suspect. Some associations, he thinks, are simply non-voluntary, and (what is the more important claim here) that this fact is perhaps unavoidable and not necessarily morally or politically egregious. He thus concludes that “freedom requires nothing more than the possibility of breaking involuntary bonds and, furthermore, that the actual break is not always a good thing, and that we need not always make it easy.” In support of this
conclusion, Walzer points out that our associational life is constrained in a variety of ways: by the kinds of families, cultures, and political structures we are born into, by the forms of association that are socially available, and by the rules of morality. In other words, he posits a “radical givenness” of our associational possibilities, and argues that this givenness is morally justifiable in that without it “society itself would be unimaginable.”

It seems to me that Walzer is right about this radical givenness. Of course individuals are born and socialized into certain associations, traditions and practices. Taken to the extreme, one could deduce from such constraints that none of our choices, associational or otherwise, are voluntary, since they are always conditioned by a variety of factors outside of our control. Still, there are important distinctions to be made. Race, gender, and other ascriptive categories are involuntary in a much stronger sense than political affiliation, religion, citizenship, and so on. In a society like ours, there is little or no possibility of “breaking [those] involuntary bonds.” Indeed, the fact that Walzer admits that the possibility of exiting involuntary associations (and identities) must be retained is itself a kind of weak voluntarism, since completely involuntary associations are for the most part impossible to leave. One does not need to imagine individuals completely unencumbered by social, political, and cultural ties in order to argue that ideally, groups (including associations and identity groups) ought to be voluntary, at least in a weak sense like the one Walzer himself expresses.

The real target of Walzer’s critique is a certain kind of postmodernism that sees the construction of identity and association as a project for individuals, a kind of “self-fashioning,” to use the term he attributes to Julia Kristeva, George Kateb, and similar thinkers. Yet this is only one interpretation of the claim that identities are “socially constructed” and not, I think, the most plausible one. Surely individuals should have some freedom in regard to how they see themselves racially, but such a freedom is not unlimited or unconditional. It is not, in other words, best understood as other individual rights are sometimes understood: as individual claims against the interference of others. Rather, the construction and interpretation of collective identities like race is an inherently collective project. As Michael Omi and Howard Winant suggested in their groundbreaking study on the formation and transformation of racial categories in the United States, “racial signification” is inherently “discursive.” So, regarding the case of the wannabe, one can say that certainly nothing prevents her from claiming to be black, Latina, or etc. However, that claim is not automatically deserving of recognition. It must be taken up in discourse, whereby it can be accepted or rejected by other members (and, I suppose, potential members) of the race in question. The norms that I identify as appropriate guides to the reconstruction of racial identities apply here, to the collective, discursive procedure, rather than to individual thoughts and actions. Such norms also suggest a response to the more difficult bigotry problem, as will become clear.
The principle of self-ascription (that racial, and perhaps other kinds of collective identity are justifiable insofar as they are voluntarily accepted or rejected, as well as freely shaped and interpreted by those they aim to classify) can be understood as a “discursive” justification of such identities, inspired by the program of “discourse ethics” developed and defended primarily by Jurgen Habermas. The goal of that program was to reconstruct the normativity of the Kantian Categorical Imperative in intersubjective terms. Very roughly, this meant replacing the “monological” procedure of testing one’s individual maxims in the way Kant suggests with a discursive procedure which finds norms valid insofar as they “could meet with the agreement of all those concerned in their capacity as participants in a practical discourse.” Habermas specifies such an agreement by way of four pragmatic rules of discourse:

1. Nobody who could make a relevant contribution may be excluded (the inclusiveness condition).
2. All participants are granted an equal opportunity to make contributions (the equality condition).
3. The participants must mean what they say (the sincerity condition).
4. Communication must be freed from external and internal coercion so that the stances that participants take are motivated solely by the rational force of the better reasons (the freedom condition).

The viability of this approach to moral justification has received much attention, and is beyond the scope of this paper. However, it is surprising that, in light of attempts to apply discourse-ethical principles to the spheres of democracy, law, politics, and scientific practice, among other things, relatively little has been written on its applicability to discourses on identity. In particular, I think that a discourse-ethical approach to racial identity is especially informative, and thinking about the above rules as normative guides for racial discourse provides a richer and deeper understanding of the process of self-ascription. In order to see how, let us return to the questions raised above, concerning wannabes and bigots.

The first principle, which requires inclusiveness, captures the essence of the response to the wannabe problem. The claim of the wannabe cannot be rejected *prima facie*. It must at least be considered. But, importantly, neither does the inclusiveness condition require that the wannabe’s claim ultimately receive recognition. As philosophers from Hegel on have shown, individual identity is shaped by, and in turn shapes, the identities of others. This means that the wannabe’s claim to be a member of race or group X (when she has traditionally not been considered a member of that race or group) cannot be acknowledged by the other members of the group without expanding or revising their own conceptions of ‘what it means to be an X,’ and so also rethinking their own identities in certain ways. In short, the wannabe’s claim affects the other members of the group, and so they ought to have some say in whether or not it gets recognition. It is in this sense that I think it is accurate to characterize
identity claims as “contributions”. They are contributions to an ongoing project of interpreting the meaning of racial membership, a project of collective self- ascription.

Thus, “inclusive” does not necessarily mean “including everyone”. To the contrary, the inclusiveness condition allows for legitimate exclusions, namely of those whose contributions are collectively found irrelevant, harmful, disrespectful, and so on. Indeed, perhaps unlike the kinds of discourses aimed at securing universal moral norms, identity groups are frequently (if not necessarily) defined by their exclusions of some “others” – a “them” to our “us”. A discursive understanding of identity construction however, aims to demonstrate that such exclusions are non-arbitrary and can be understood in normative terms.

This kind of exclusion is also different from the strategic kind of exclusion that oppressed groups might demand based upon their oppression – the exclusion of men from all-woman groups, the formation of exclusive black or Latino organizations, and so on. That kind of exclusion or separatism, if it is justified, is justified based upon non-ideal circumstances: imbalances of power that make oppressed groups vulnerable in ways that other groups are not, and therefore merit special protections that for other groups (men, whites, etc.) would be unjustified. Exclusions of the type discussed above are a different matter. They do not derive from non-ideal asymmetries of power (remember, my concern is about whether racial identities would be legitimate in a more just, non-racist society where, presumably, strategic exclusions based upon oppression would no longer be justified), but from formal principles of discourse that ensure equal consideration for all, even those who are ultimately excluded.

The sincerity condition further distinguishes ideal identity discourse from non-ideal, strategic identity discourse, and also sheds further light on the wannabe problem. Under circumstances of oppression, there are many reasons why groups might take a strategic, rather than sincere (or, to use a dangerous term, authentic) stance toward their racial identity. In the first place, they might outright refuse to elaborate their racial identity in the terms available in public discourse. David Ingram points out that such a “refusal to enter into the established discourse may well represent a principled moral stance against oppression and injustice,” especially when the “established discourse” caricatures a group’s identity in harmful ways. Secondly, oppressed groups are sometimes forced to construct their identities reactively, in ways that combat harmful stereotypes, but these (re)constructions may well be strategic, and just as “essentializing” as those they mean to combat. For example, even Appiah, who vehemently rejects “race” as a false and useless concept, nonetheless recognizes that “racial identity” cannot simply be done away with for the purposes of political action. Rather, it is something that must be used strategically and even “ironically” until it is no longer necessary: that is, until
oppression is eliminated and collective identity can be constructed sincerely, without concern for how it may function strategically.

The phenomenon of “passing” also provides a good example of how oppressive conditions may sometimes promote insincerity. While the individual motivations for passing surely vary, some oppressed individuals who “pass” as white, straight, Christian, and so on, presumably do so to avoid some of the hardships associated with being or being seen as who they “really” are. Without delving too deeply into this complex issue, it is clear at least that, where the negative consequences of being a member of a certain group are eliminated, the strategic motivation to conceal one’s membership in that group is also. This is why the sincerity condition is included in the features of identity construction under ideal circumstances. By no means, however, does this condition require constructing some ideal of authenticity to which groups or their members can be held accountable, an undertaking which I take to be highly problematic.

In a more just, non-racist society however, insincerity should count against the wannabe’s claim. If one’s claim to be a member of racial group X aims solely to mock that group, or to secure advantages associated with membership, that may be a legitimate reason not to recognize the claim. Take, for example, the case of a Dutch Afrikaner living in the United States, claiming to be “African-American” for the purpose of applying for a college scholarship. Or take an individual or group claiming Native American heritage in order to obtain a gaming license reserved for Native peoples. Again, I hesitate to say that such claims must necessarily be rejected, or even that they may not ultimately be sincere. A discourse-ethical approach to identity construction maintains that that judgment should be a product of actual discourse, and not of armchair speculation. But the perceived advantages of membership in cases like these give one initial reasons to be suspicious.

Let me turn now to the equality and freedom conditions, which will make possible a response to the more troubling bigotry objection. Recall that that objection wondered whether a racial group that collectively understands itself as being superior to another racial group (and so, is fundamentally racist) deserves recognition merely due to the fact that their collective identity is voluntarily adopted and collectively interpreted. The temptation for reasonable persons is to reject such a group’s self-understanding based upon substantive features of that self-understanding, such as its professed racial superiority. Yet the committed proceduralist cannot avail herself of this type of solution. Rather, if such a group is to be criticized, it is not on the basis of its substantive commitments, but rather on the basis of the ways in which it arrives at those commitments. One can ask, for example, if all relevant contributors were included and given equal opportunities to contribute to the discourse (the first and second conditions, respectively), and whether its conclusions were arrived at freely and without coercion (the fourth condition). As a matter of fact, I think
that the kinds of groups that most concern reasonable, tolerant persons (for example, white supremacist groups) would fail by these criteria.

Such groups tend to practice what they preach in terms of inequality and exclusion. It would be hard to imagine a group whose collective identity is founded on its claim to superiority over other groups, and committed politically to their oppression and exclusion including and giving them equal consideration in its internal discourses on the meaning of (for example) being white. Moreover, if such groups were included and equally regarded, it is hard to imagine that their contributions wouldn’t fundamentally transform the nature of the group’s self-understanding. The more self-reflective of these groups are painfully aware of this fact, which is why they see diversity and equality themselves as fundamental threats to the very existence of white racial identity (a claim, I argue below, that is mostly accurate, though not to be lamented). Finally, supremacy groups and other bigots fail to meet the requirement of communicating in a way free from external and internal coercion. Hate speech, the *lingua franca* of such organizations, is inherently coercive, and works hand-in-hand with the imperatives of inequality and exclusion, which it enforces through intimidation and violence.\(^{35}\)

Still, it is at least logically conceivable that a bigoted group could construct its supremacist identity in a way that met the conditions of discourse described above. In that case, a proceduralist account of identity construction would seem to have no legitimate claim against it. But this is a bullet I am willing to bite, since I take it that such a situation is so empirically unlikely, for the reasons noted above, that it should not be of very serious concern.

Furthermore, though my claim here is that the above principles of discourse can provide a normative ground for identity construction under ideally just conditions, this does not mean that such principles are not also relevant to “non-ideal” contexts. In her analysis of the “democratic potential” of illiberal or oppressive cultural groups, Ranjoo Seodu Herr argues that the views of “cultural insiders” must be taken seriously, even when they defend cultures that internally oppress them. Instead of seeing such a defense as false-consciousness, internalized oppression, and so on, we should recognize, she thinks, that even oppressed members often find (at least potential) value in their groups, and so are more interested in reforming it internally than outright rejecting it, or opening it up to transformation from outsiders who fail to grasp the internal complexity of the culture. Thus she thinks that the morally justified response toward minority cultures is not to sanction or “liberalize” them, but “to open up and protect the channels of internal democracy so that cultural insiders are empowered to voice their differing views free from intimidation and coercion.”\(^{36}\) That is, even if groups lack the characteristics of inclusiveness, equality, sincerity, and freedom, one might still see them as evolving toward such ideals through internal reforms. In this context, the principles of discourse can be understood as aspirational. Still, it is not obvious that the same argument would
hold for racial groups as for cultural groups, and in fact, in what follows, I will argue that at least one kind of racial identity is unlikely to be reformed in such a way. The only point I mean to make here is that, where Herr’s argument does hold, the principles of discourse can act as a model for reform.

Finally, one might wonder what it means to apply a discursive process of justification to a racial or other identity group. After all, in traditional discourse ethics, the objects of discursive justification are moral claims, expressible in the form of statements which can be accepted or rejected by the parties to the discourse. A conception of a group’s identity, racial or otherwise, could be broken down into a set of moral and non-moral, purportedly “factual” claims — blacks are those whose ancestry can be traced back to Africa, blacks are those who possess “one drop of black blood,” Puerto Ricans ought to resist being conflated with other Latinos, whites ought to resist becoming racially “impure,” and etc. A group’s collective identity could conceivably be understood as the set of such claims that all or most members accept. Likewise, individual claims to membership in a particular race or group, of the form ‘I am an X,’ can also be taken up in discourse, as I discuss above. Yet, in suggesting that the “social construction” of collective identities can be illuminated by a discourse theoretical analysis, I mean more than just this. I mean that collective identities on the whole can be evaluated by the extent to which they are self-ascribed, rather than ascribed by persons and factors external to the group, and that the discursive principles that Habermas uses to guide moral discourse are also useful for understanding such a process of self-ascription, and for evaluating the discourses that give rise to particular conceptions of collective identity. So the “target” of discursive analysis here is the conception of the group’s identity (not the group itself, its members, or the individual claims that make up that conception), which is evaluated based not on its content, but on the extent to which the conception has been formulated in line with the principles of inclusiveness, equality, sincerity, and freedom. Admittedly, discourses of this kind are much more informal, multifaceted, and generally messier than formalized moral discourses, and also tend to be ongoing rather than having discrete, identifiable beginnings and ends. This is why I say that a discursive approach to collective identity formation is analogous to the discourse ethic as a justification procedure for moral claims, rather than identical to or a simple application of it. In fact, Habermas himself is reluctant to apply the principles of discourse to collective identity formation, which he understands as being linked to ethics rather than morality. I argue elsewhere that this is a mistake, and that the distinction between ethics and morality cannot be clearly drawn. Still, this way of using discourse theory is not that different from the discourse ethic proper, which, while aiming to produce justifiable moral claims through an idealized formal discourse procedure, aims just as much to evaluate actual (non-ideal) moral discourses by the extent to which they resemble the discursive ideal.
So, I take it that there are good reasons to think about identity construction on a discourse-theoretical model, and that such a model is useful, especially, for thinking about the reconstruction of racial identity. Such a model, insofar as it is procedural in nature, leaves the actual work of identity construction to those who would claim the identity as their own. Again, I take this as an advantage, insofar as it avoids the troubling paternalism that so much social theory from Leninism to feminism can fall victim to. Still, in what follows, I will engage in a bit of the precarious business of speculating as to what kinds of identities might be the product of such a process, and what kinds of identities the principles of discourse might preclude. Some may find such speculation problematic, as the discourse ethical mode of justification limits the claims one can make “from the armchair,” as it were, without actually going through the discursive process. This is true enough. But this does not prohibit the philosopher or social theorist from well-reasoned speculation or prediction of what justificatory discourses might say. To take an analogous example, a moral philosopher committed to a discourse ethical perspective might plausibly argue that the claim ‘murder is wrong’ would probably be accepted by rational parties engaged in a discourse of justification. Establishing the validity of such a claim, for one committed to such a perspective, would involve actually going through the discourse, but I don't think procedural philosophers must be prohibited from such speculation outright. Moreover, philosophers and social theorists ought not to be excluded, in principle, from being participants in discourse, such that their philosophical contributions might simultaneously count as contributions to a discourse, for example, on forms of collective identity that they may or may not claim themselves. So, I do not think objections to this type of speculation are warranted, provided that one understands that by engaging in it, one leaves behind the presumed authority of the disinterested social theorist and philosopher, and strives instead to become an equal participant in an ongoing discourse on (my own, and perhaps our own) identity.

Applications: Mestizo and White Racial Identity

Is it the case, one might wonder, that whites, when confronted with a confusing array of diverse racial identities, might simply “shrug and call themselves white”? That is, could whiteness continue to exist as an option for racial identification under non-racist conditions, and if not, what options does this leave for persons traditionally considered white? The question is an especially pressing one if collective identity is of the kind of constitutive importance that many have argued it is, and since one might think that the lack of a positive reconstruction of white racial identity leaves a void that is too often filled by traditionally racist, white supremacist conceptions of whiteness. The answer, I believe, is that white identity is not discursively justifiable, mainly because it is inherently coercive and exclusionary, failing, at least, the first and fourth conditions of discourse. Yet, I will argue, this lack of justification need not cause too much worry, since white identity lacks the intersubjective resources and benefits of other kinds of collective identity, such that, in the
absence of other, illegitimate kinds of benefits (i.e. all of the economic, political, psychological and social benefits associated with being in a position of relative dominance) one wouldn’t expect it to remain of much value to those it purported to describe anyway. That is, in precise opposition to the standard view that sees whiteness as the norm and nonwhiteness as the deviation or exception, I will argue that white identity is actually the anomalous identity, one that, when uncoupled from the system of racial oppression in which it formed, fails to provide the benefits typical of collective identity. If this is true, then one should expect that white identity would eventually be replaced by more useful and democratic forms of collective identification. The outlines of such alternatives are already visible even in our own society, and demonstrate that the illegitimacy of white racial identity does not leave white people “marooned” without any resources for collective identification.

In order to begin to understand why white racial identity is illegitimate, one must understand its history, and the conditions under which it formed. Presumably, white racial identity stands in some relation to European heritage, though one should be cautious about equating the two. Previous to the eighteenth century, the idea of race as denoting specific lines of descent still marked a division between the “noble races” of European stock and their ignoble, though nonetheless similarly pigmented countrymen. At its most general, this idea of race allowed for a commonality among nations or peoples, circumscribing the membership of the French, German, or English “races.” It was only in the New World, where English and other Europeans were confronted with the reality of slavery, that whiteness came to denote a commonality among Europeans of different types. Putatively setting aside old and deeply ingrained internal inequalities, the express purpose of such an identity was to distinguish the free European from the enslaved African, based upon the latter’s supposedly inherent dependency. In this way, slavery could be reconciled with the nascent values of liberalism. This opposition of slave and freeman is at the root of the United States’ binary racial system, a system into which successive waves of immigrants would be forced to assimilate.

Such a collective identity, which depended upon the lack of discursive equality, coercion in a most concrete form, and systematic exclusion of “relevant contributions,” would clearly not meet the discursive conditions for legitimating collective identity. On the face of it however, this historical fact does not preclude the possibility of a positive reconstruction of white identity that recognizes the illegitimate origins of whiteness in order to replace them with new, more appropriate foundations. If black racial identity, born as it was from coercive, hateful, and false ascriptions, can be reconstructed and reinterpreted in a positive way, one might think then, that white identity could be similarly transformed. This is a version of what David Ingram calls the “symmetry thesis,” the idea that “if it is legitimate for oppressed racial and ethnic minorities to affirm their respective racial and ethnic identities, then it must be legitimate for whites to do so as well.” Ingram rightly rejects such a
thesis, on account of the fact that the many asymmetries of power that advantage whites over nonwhites provide strategic and political reasons for nonwhite racial solidarity, pride, and even “defensive” racism that do not exist for whites. Yet whether such an argument would still hold in contexts defined by more symmetrical relations of power (that is, by greater equality) among races is less than clear. One might think that under such conditions, where strategic concerns no longer provide compelling reasons for defensive racial solidarity, the appropriateness (or inappropriateness) of racial affirmation could be determined in a general way, a way that would apply equally to both whites and nonwhites.

To the contrary, I think that white identity can be shown to be illegitimate even under ideal political circumstances. The problem with whiteness is not, ultimately, that its substantive commitments are somehow immoral, undesirable, or vicious. Rather the problem, in this context, is that whiteness lacks any substantive foundation. There is no underlying value that can be retrieved, reinterpreted, or rediscovered when the unsavory exterior of privilege, power, and violence is stripped away. Whiteness is, at bottom, empty. Despite all of the positive characteristics that supposedly correspond to European culture – rationality, temperance, beauty, virtue, and so on – whiteness, as an identity meant to bind together diverse European cultures and distinguish them collectively from those Europeans meant to oppress, is a purely negative construction. It is defined, as the brief history of its birth above illustrates, by what it is not. Whites are not (and cannot be) slaves; whites are not savages; whites are not, above all, Africans. Likewise, and still today, one’s whiteness is determined primarily by the absence of non-white ancestors, unlike non-whiteness, which is determined, according to the one-drop rule, by the presence of (at least one) non-white ancestors. The complete lack of substance, and corresponding lack of verifiability of such a “unity based on an absence” is, strangely enough, illuminated by Zack’s seemingly intentionally opaque representation of the essence of whiteness, which notes that “the sole determinant of A’s whiteness is the absence of any individual who is defined by the presence of one individual who cannot be defined by the absence of those individuals whose absence defines A.” If this sounds like Hegelian logic, it is no coincidence. As black thinkers from Fanon to Du Bois have often recognized, the modern binary racial system is a nearly literal instantiation of Hegel’s master/slave dialectic. Though whites hold coercive power over nonwhites in a variety of ways (objective as well as subjective), white racial identity itself depends wholly upon the subjugation of its racial other for its existence. Without that power, the seemingly solid notion of whiteness melts into air. To state the conclusion simply: white racial identity depends upon and only exists within the context of white supremacy.

In concrete terms, this means that, despite its privileged status, white identity fails to provide for its members the resources typical of other collective identities. Insofar as certain presuppositions structure interaction and communication among whites (such as the presumption of white superiority, and
the presumption that all whites unconditionally accept and defend the privileges of whiteness, and so on), it may be possible to speak of a *white lifeworld*. Such a lifeworld enjoys a social and political privilege which is reproduced through acceptance of its central presumptions. Nonetheless, it must be understood as culturally impoverished. This is because the privileges of whiteness are often (but not always) bought at the cost of the loss of the cultural, ethnic, and national identities from which whiteness recruits. In the United States, what is important above all is not one’s Italian-ness, Irish-ness, and so on, but one’s whiteness. Yet the latter does not provide resources for social integration, identity formation, and mutual understanding equivalent to the former. This is why, as Noel Ignatiev quips, “the typical ‘white’ American male spends his childhood as an Indian, his adolescence as an Afro-American, and only becomes white when he reaches the age of legal responsibility.” This desire for “crossover” (one might add the adolescent fetish for Zen Buddhism and other vaguely “eastern” ideas) attests to the inadequacy of white identity as a basis for relating to others on equal footing in increasingly diverse social settings. Unlike other racial identities, which are perceived, rightly or wrongly, as having a certain content, whiteness is thought to lack content, such that, for example, often only nonwhites are described as “ethnic.” The result is that whiteness has come to be synonymous with boring, average and conformist, none of which are things that adolescents (who, after all, are probably engaged in the project of identity formation more directly than any other demographic) want to be.

Moreover, the background assumptions involved in affirming a white identity (and thus reproducing a white lifeworld) actually impede, rather than facilitate communication oriented toward mutual understanding. As Mills notes “part of what it means to be constructed as ‘white’… is a cognitive model that precludes self-transparency and genuine understanding of social realities.” For example, many whites today seem genuinely puzzled about blacks’ insistence on the reality of racial oppression, since they believe that everyone’s life chances are determined primarily by effort and willingness to work hard. If certain groups fail to succeed, then it must be the result of a lack of such qualities, or a lack of the motivation to develop them. Such a view is consistent with the familiar statistics on racial inequality, as well as with the background assumption of white superiority, in this case, superiority of motivation, ingenuity and industry. Similarly, whites in the not-so-distant past convinced themselves that nonwhites were not fully human, that they evolved from a different species, that some had tails and magical powers. Such false presumptions are the girders that support the white lifeworld, a lifeworld maintained by the exclusion of those who would dispute its false history and willful ignorance. In other words, white identity, like the Aryan racial identity of the Nazis, is founded upon an elaborate mythology that corresponds only tangentially to historical reality. Such a system of false beliefs replaces the “rational force of the better reasons” with coercive power. When that coercive power is abolished, those background assumptions are easily debunked, and the identity that they support collapses. The result is a lifeworld that is severely
disabled in its public communicative competency. The various handbooks on “racial etiquette,” “getting along with black people” and so on provide an illustration of this communicative disability that would be humorous if its consequences were not so serious. 

So where does this leave whites who want to distance themselves from the unjust advantages of whiteness and pursue more just social interactions? If collective identity is important, as I have suggested it is, not just for political action, but for human flourishing in general, then what identity can they claim as a basis for their own lives and their own political agendas? Crossover and experimentation with nonwhite identities is one possibility, as indicated above. Yet one must proceed cautiously with such a suggestion, since crossover always runs the risk of expropriation, and since willingness to adopt the style, music, and “culture” of nonwhite peoples does not necessarily imply willingness to accept them as equals, let alone take up their struggles as one’s own. Still, a cautious optimism about sincere crossover (let us not forget the third principle of discourse here) is part of the story about what “whites” are supposed to do with themselves in the wake of the abolition of whiteness. The other thing to note is that, although it may be unreasonable or unnecessary to presume that racial identity would disappear in an ideal society, it is not unreasonable to presume that it would be less important. Whereas in our society, Howard Winant observes, “to be without racial identity is to be in danger of having no identity,” race might be less prevalent, if still important to some, in a more just society. As Ingram notes, “in struggling against racism there are many positive nonracial identities whites can embrace – religious, secular humanist, and civic patriotic.” Also, one should not underestimate the value of art, sport, and other activities as a means of constructing a meaningful identity with others. Being involved in an underground music scene, an art collective, an organized sport like football or basketball, or a less organized sport like skateboarding can provide a sense of identity and community that supplies resources similar to some forms of racial identity, and can even, under the right circumstances, foster critical consciousness about the illegitimate identities that such communities replace. Further, I see no reason to limit the scope or value of such collective identities to non-ideal identity politics. While they may be instrumentally valuable as a means for creating solidarity with other forms of anti-racist identity politics, they are also valuable in themselves, as functional contexts for communication and socialization, and would be so even (or perhaps especially) under more ideal social circumstances.

Regarding the seemingly strange idea that some might have racial identities while others do not, I imagine there was a time when it seemed equally absurd for someone not to have a religious identity of some sort, even if it was “atheist” or “heretic”. I imagine also that, for the people of that time, it would have been difficult to imagine religious identity as an object of choice, such that some people could choose none at all. Similarly, it is difficult for us to imagine a world in which some groups choose to define themselves racially, while others
simply do not. But such a world is within the realm of the possible, and would be justified in reference to the discursive principles I have discussed in this essay. Therefore I think the worry about the lack of constructive alternatives for identity formation for white (or perhaps “formerly white”) people is overstated. One must take care here however, so that the situation does not become one in which only nonwhite people are considered “raced,” while only (formerly) white people are considered race-less, a situation that would mimic the problematic normalization of whiteness that already exists today. Such a result does not, however, follow necessarily. The key is to assure that the right and ability to choose whether or not to identify oneself racially is equally available.

Finally, Anglo-American race theory can learn much from Latin-American reflections on race and racial identity, not least because Latin-American experiences and conceptions of race provide ways to think beyond the problematic racial binary that has frequently characterized the experience and theorization of race in the United States. The Mexican philosopher Jose Vasconcelos, for example, envisioned as an outgrowth of the racial mixing typical of Latin America a “new race, a synthetic race that aspires to engulf and to express everything human in forms of constant improvement,” a race he named “la raza cosmica,” and opposed to “the inflexible line that separates the Blacks from the Whites in the United States.” And more recently, Linda Alcoff, among others, draws from Vasconcelos to develop a positive reconstruction of mixed race or “mestizo” identity. In the first place, this “new” racial designation is meant to account for the experiences of people who have no place in the dominant, bi-racial system of classification; to create a “linguistic, public, socially affirmed identity for mixed race persons.” Yet, it is also more than a mere addition to the available options for racial identification. Again, insofar as we are all racially mixed in one way or another, mestizo identity confronts the dominant idea of race, in which all persons have a distinct, non-overlapping, hereditary racial identity with an alternative model valued for its “inclusivity and dynamism.” La raza cosmica and mestizo identity are not just about giving names to the nameless. Rather they compete in the realm of racial discourse to encourage the already named to rethink their identities as well. Still, even though such racial identities could, in principle, apply to everyone, Alcoff and Vasconcelos do not insist that they must. They preserve the possibility, in other words, that Q’s could still “shrug and call themselves Q’s.” In accordance with the freedom condition of discourse, the conception of mestizo race encourages us to rethink our racial memberships, but it does not coerce us to do so. Mestizo racial identity then, may be a good example of the kind of racial identity one might expect to see in a more just society, though, again, from the procedural standpoint, the actual forms that racial identity might take remains a matter of speculation. Still, such an employment of philosophical imagination can begin to fill out the skeletal picture of identity construction guided by discursive procedural norms.
1 I would like to thank David Ingram, Charles Mills, Jackie Scott, and David Schweickart, as well as the Editor of Philosophical Forum, and an anonymous reviewer, for their helpful comments on various drafts of this essay.

2 When I say “ideally just,” I do not mean that one must abstract away all historical particularity to arrive at some pure, universal *a priori*, but rather a just society that is actually achievable given its particular history. In that sense, the idea is similar to Rawls’ vision of a “realistic utopia,” though our intuitions about what that would entail and what features are relevant to its analysis otherwise differ.


4 This implies, of course, that meaning is determined by reference. Appiah, however, shows how it fails by other theories of meaning too.


8 Ibid: 82.


10 Ibid: 105.


12 Whether such a freedom has any limits – whether, for example, someone our society would label white could “become black” by self-identifying as such – is one of the main questions that the following pages attempt to address. To foreshadow what is to come, I argue that the principles of discourse do place limits on individual freedom to self-ascribe; that, in short, my self-ascription must be validated by others through a discursive process that presupposes certain ground rules.


15 Ibid: 11.

16 Ibid: 12.

17 Ibid: 2.

One may think of examples that contradict this claim. Slavery is a good example of a completely involuntary association, but a slave can still escape, even if such an exit is treacherous and difficult. Yet this “break” is incomplete, insofar as an escaped slave was, for a long time, still considered a slave. It is only when the institution itself is altered (if not abolished) that the break is complete. In relation to identities rather than associations the impossibility is stronger still. A person considered black, or female, could undergo a sex change, skin bleaching, plastic surgery, and so on to try to shed his or her ascribed identity. Yet if all the “facts” about such persons were widely known, the majority of persons would still conclude that such a person was “really” black or “really” a woman, drawing from the hegemonic classifications that their societies impose upon individual identities. Again, it is only when these hegemonic views are altered (or abolished) that a real break becomes possible.


This formulation of the rules of discourse comes from Habermas (1999): 44. Other formulations vary slightly, but this formulation suffices to bring out the parameters of the discourse ethic, and new possibilities for its application. Also, I have taken the liberty of giving these rules shorthand names for ease of reference (the inclusiveness condition, and so on). Habermas does not provide such a lexicon.


This is in contrast to the political philosophy of Carl Schmitt, which has recently become fashionable, and which sees the essence of politics as the arbitrary determination of one’s friends and enemies. See Carl Schmitt. *The Concept of the Political*, trans. George Schwab. (Chicago: University of Chicago Press, 1996).


By “who they ‘really’ are” I mean according to their own estimation, or else to the socially dominant mode of determining group membership, for example, according to heredity. I do not mean to suggest that the identities in question are in any sense “real”.

I don’t discuss the third principle of discourse here, since I have little doubt about the sincerity of such groups. Unfortunately, their sincerity and dedication to their cause is part of what makes them so dangerous.


‘Interview,’ Race Traitor. Ed Noel Ignatiev and John Garvey (New York: Routledge, 1996): 289. Ignatiev and Garvey co-edited the journal Race Traitor, the most important articles of which this volume anthologizes.


Skateboarding, for example, began as a mostly white sport, a derivation from surfing, but has now developed a distinctly urban style and has come to be truly multiracial. Punk Rock, again mostly white, though it drew from Caribbean influences, has helped many white youths to develop critical consciousness about issues of class, race, gender, and so on as well as provided an outlet to explore and express this newly discovered consciousness. See Stephen Duncombe and Maxwell Tremblay, eds. White Riot: Punk Rock and the Politics of Race. London: Verso, 2011.

