This book philosophically addresses problems of past racial discrimination in the United States. John Arthur examines the concepts of race and racism and discusses racial equality, poverty and race, reparations and affirmative action, and merit in ways that cut across the usual political lines. A former civil-rights plaintiff and professor at an historically black college in the South, Arthur draws on both personal experience and rigorous philosophical training in this account. His nuanced conclusions about the meaning of merit, the defects of affirmative action, the importance of apology, and the need for true equality illuminate one of America’s most vexing problems and offer a way forward. His book is relevant to any society struggling with racial differences and past injustices.

John Arthur died of cancer in January 2007, after completing this book. He was professor of philosophy and Director of the Program in Philosophy, Politics and Law at Binghamton University, State University of New York. He is the author of Words That Bind: Judicial Review and the Grounds of Modern Constitutional Theory; The Unfinished Constitution: Philosophy and Constitutional Practice; and Studying Philosophy: A Guide for the Perplexed. Since 1979, Professor Arthur was the editor of one of the most widely used ethics anthologies in the United States, Morality and Moral Controversies, soon to be published in its 8th edition.
Race, Equality, and the Burdens of History

John Arthur

Binghamton University,
State University of New York
For Amy, who made this and so much more possible
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This book has been many years in the making. My academic interest in racism and racial equality dates from graduate school at Vanderbilt University, where I minored in Afro-American studies (as we called it then) at neighboring Fisk University while working on my Ph.D. in philosophy. After completing my Ph.D., I also did an M.A. degree in sociology, writing a thesis on racial integration of higher education. I later taught for nearly a decade at historically black Tennessee State University in Nashville.

Faculty and students at Tennessee State worked in appalling conditions, often overcoming obstacles that nobody should have to put up with, while a few miles away predominantly white Middle Tennessee State University enjoyed far better facilities. In an attempt to redress this injustice and eliminate de facto segregation, another faculty member and I decided to organize a biracial group of faculty and students in order to go to Federal Court. Our suit accused the State of Tennessee of violating the Equal Protection Clause of the U.S. Constitution through its failure to desegregate its educational system and for its neglect of Tennessee State University. We eventually agreed to accept a settlement offer that brought new programs and millions of dollars to improve Tennessee State University as well as a new Desegregation Plan for the state’s entire system of higher education. I decided to write a book about racial equality during those years, and I have worked on it intermittently ever since.

Various parts of this book have appeared in print as articles. Sections of Chapter 1 appeared in “Critical Race Theory: A Critique” and in

“Multiculturalism.”² My discussion of institutional racism in Chapter 4 draws on “Institutional Racism and Equal Protection.”³ An earlier version of parts of Chapter 6 appeared in “Racism and Reparations.”⁴

I have also presented earlier versions to colloquia at many universities. My discussion of affirmative action formed the basis of presentations at Balliol College, Oxford, and at George Mason University. The material on racial equality and strict scrutiny also benefited from comments in the Oxford Seminar on Law and Philosophy in the spring of 2003. Parts of my discussions of Critical Race Theory were presented to the Philosophy Triangle at Cambridge University and at Hamilton College. And, finally, I gave parts of Chapter 6, on reparations and apologies, in talks at the University of Reading and at Green Mountain College. Whenever possible, I have indicated my debts to individual commentators and critics in my footnotes.

An early draft of this book was completed while I was a Visiting Fellow at Balliol College, Oxford, and I want to thank Balliol College and its fellowship for the opportunity to spend the year 2002–2003 in their remarkably stimulating and congenial environment. Jerry Cohen, Joseph Raz, and Nicos Stavropoulos were especially generous and helpful during that year. Many other friends and colleagues also provided invaluable criticisms and suggestions. These include Charles Goodman, Christopher Knapp, Mel Leffler, Steve Scalet, Danny Shternfeld, Bill Throop, and Lisa Weil. I especially want to thank Phyllis Leffler and Amy Shapiro, who read and made valuable comments on earlier drafts of this book.

John Arthur
Binghamton, New York