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The Problems of Faith and Justice**

Introduction

The breaking of the rule of the color line poses both moral and religious problems for the American people. It poses moral problems because the color line violates both the well-being of individuals and the well-being of the community as such. It stands in direct opposition to the democratic order of community. It poses religious problems because it violates the transcendent dignity of human being as such, individual human beings and covenants of being human. It stands in direct opposition to the democratic faith.

The color line functions both as a symbolic universe and as a distributive rule. Each of these functions tends to reinforce the power and obscure the reality of the other. It is as a symbolic universe that the color line poses religious problems and as a distributive rule that it poses moral problems. As a symbolic universe, it is a structure of "bad faith." As a distributive rule, it is a constant source of harm to individuals and to the structure of the community inhibiting the free pursuit of legitimate public and private purpose, unfair in its distribution of goods and opportunities, disregarding of legitimate claims to rights and obligations, imposing structures of control that do not meet the canons of democratic responsibility.

We call the color line a symbolic universe because it is a set of facts which appears to explain itself. The subordination, denial of ordinary status, dynamic of fear and avoidance, violence—all appear to be "reasons" for the separation. The separation and subordination seem to justify the denial of ordinary status while the denial of ordinary status, in turn, seems to justify the dynamic of fear and avoidance. On and on to the violence and its rationalization.

Racist realism is thus the fallback position when bigotry is out of fash-

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ion in this culture. That is the position, as with Tocqueville, that appeals, to the "facts," unable to justify them on the one hand, but unable to foresee any structural alternative on the other hand. The appeal is to "common sense"; and the message of common sense is that it is a sometimes ugly situation to which we have no alternative. Therefore, it is a case of making the best of a bad situation.

In what way can this be said to pose religious problems? There is no necessary appeal to the divine in either the making or the keeping of the color line (even though such appeals have been and continue to be made). Are we not better advised to get the theology out of the matter altogether and settle down to dealing with the color line as a problem of justice? Surely that alone is difficult enough. Why introduce the problem of faith as well?

It seems that while faith and justice, like facts and values, may be logically distinct or at least distinguishable, nonetheless they are everywhere found mixed in activities, events, and structural contexts. Indeed, they are found so mixed that there is always an empirical as well as a theoretical question, which is which? And this is not an easy question to settle in particular cases. It is some advantage just to know that it is a question.

In the case of the color line, unless the question of faith is dealt with, the question of justice cannot even come up. We can see why this is so if we look at racist realism which is an interesting case because it is a minimalist defense of the color line. What racist realism asserts is that, however one may feel about the color line, the fact is that there is nothing to be done about it, that it exceeds the power and wisdom of human effort to abolish it—i.e. whatever else it may be, the color line cannot be a question of justice because justice is limited to what human effort can accomplish.

As John Dewey said so nicely: "No one is ever forced just by the collection of facts to accept a particular theory of their meaning, so long as one retains intact some other doctrine by which he can marshal them."[1] Thus we see that as long as the color line functions as its own reasons for being and continuing, there is not even any sense of a need for alternatives, let alone a real sense of alternatives. This color line is a socially structured doctrine of its own inevitability, a self-fulfilling prophecy of helplessness with regard to our own common humanity. As long as that doctrine remains intact, the damage goes on.

This may seem an unusual use of the word "faith." In most minds the idea of faith is primarily identified with elevated beliefs about the meaning of the world beyond this life, and that may be true, depending on

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[1] John Dewey, The Public and Its Problems, (Denver: Alan Swallow, n.d.), p.3.

what is intended by the phrase "beyond this life." For many in the West it is the idea of immortality, of life after death, of the supreme destinies and transformations for which this life is a preparation of some kind. For others, it is an idea about the depth, the richness, the ultimate meaning of "this life," not in its egocentricity, but in its wider reaches.

In either case, faith is a primitive and primordial orientation toward the nature and the significance of the human enterprise itself. And that is what the color line represents: a primitive and primordial orientation toward color as a determining factor in the nature and significance of the human enterprise.

The Color Line and The Invisible Religion as Structure of Faith

The color line creates a world that, on its own terms, makes sense. That is its most important characteristic which needs to be explained and understood. That is the source of its normative function. It will help to explain this otherwise elusive and seductive charactistic if we approach the color line not only as a social structure and distributive rule—which it clearly is—but also as a set of socially structured religious meanings, a structure of faith, a structural universe of principles, values, beliefs, symbols, rituals, and associations by which color is defined as a preferred and preeminent mode of being, around which it makes sense to organize significant aspects of our common humanity. If we approach the color line as a social structure of faith, it is not for the purpose of justifying it, but for the purpose of showing that it is "bad faith."

Ours is a religiously pluralistic society, which is to say that there is more than one social structure of faith competing for attention and importance. And the major choices are not defined by the usual rubrics of Protestant, Catholic, Jew, and Other. Those have become more like points of ethnic identification than of faith orientation, swept along by the "modern bargain" by which public institutions agreed to be denominationally neutral while the traditional religions agreed to restrict their claims to the "private sphere." Ostensibly they could compete there for the attention and loyalty of individuals without coming into direct conflict with each other and without disturbing the civic peace.

The result of this modern bargain has not been a religiously neutral culture of "secular humanism" as some may suppose. Instead the result has been the development of a society in which the focus of faith has centered on concerns about the interior life of the individual as the matter of ultimate importance, identifying the interior life of the individual as a private matter, indeed as generating and occupying a "private sphere." Under this bargain the churches have prospered, denominations have proliferated and a rich array of "ultimate meanings" has increased

the individual's apparent freedom to choose those symbols and beliefs which seem most deeply to express individual orientations toward what ultimately matters.

Thomas Luckmann has analyzed this development in his study, The Invisible Religion.[2] According to Luckmann, individuals stand as consumers before a vast array of historically developed "ultimate meanings," filling their lives, like shoppers with market baskets, with prepackaged religious meaning, selected from the shelves of our supermarket culture. In his view, this modern orientation has shifted the focus of sacred meanings from the world to the self. This sacralization of the individual is articulated as the autonomy of individual being, mysteriously atomized in a private sphere of family, friends, and such meanings as they can share, sustained by the shared task of constructing a personal but private identity. The preferred and preeminent modes of being are private ones. The nature, limit, importance, and context of common humanity are seen in terms of their availability for private uses, in this world and any others.

This preoccupation with the private as the preeminent may be descriptive but it is also problematic. The world remains intrusive even at the normative level as the bearer of competitive religious meanings. The anomaly of this orientation toward the autonomous individual is that, in its pursuit of an ultimate privacy, this culture has elaborated the most powerful and extensive collective structures ever erected by any culture, structures which make conflicting claims on the interior quite as much as the exterior life of the individual. Ironically, the focus on the private individual tends to obscure the social structure of the orientation itself and to mystify the consequences of this orientation for the shape and context of our common humanity. Both in its focus of attention and in its corresponding inattentiveness this orientation is not well equipped either to grasp the significance of the color line or to envisage a world of meanings "beyond this life" if by "this life" we mean a life ruled by the color line.

The color line is a world-creating and world-limiting orientation, an orientation which assimilates somewhat "unconsciously" with the invisible religion of the private sphere. It functions to define the nature, the limits, and the importance of our common humanity in the everyday world. Much of this function may well be "unconscious," but we need not assume that is because it is so deeply rooted in the psyche. It may be because it is so pervasively enacted in the solid structure. To be sure, the color line produces attitudes—the dynamic of fear and abasement is one of its dimensions; but attitudes are well-known to vary significantly with

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[2] Thomas Luckmann, The Invisible Religion: The Problem of Religion and Modern Society, (New York and London: The Macmillan Company, Collier Macmillan, Ltd. 1967).

changes in the structure of situations. It is at least an open question how the "unconscious" is distributed as between psychic and social structures.

To see the color line as a socially structured faith is first and foremost to see it as what it is, to see it whole, and to take seriously the power it exerts. But it is also the first step in relativizing that power. Like other dismal forces in the human condition, the color line gains power and dominance the more it functions unconsciously as an "unseen" force. One of the lessons of cultural relativity is that in every age and climate "realism" wins the day. It is the fantastic array of realisms which needs to be explained. There never was a "realism" that did not have a moral universe of some sort embedded in it, and, consequently, enacted through it. It is not, however, an easy matter to get at that moral universe because it is disguised as "common sense" and it is protected by socially embodied and culturally articulated structures of faith.

Uncovering those socially embodied and culturally articulated structures of faith is a primary task for social ethics. Raising them up to a level of awareness through disciplined discourse is an important prerequisite to the clarification of the moral problematic. While it is true that the religious and the moral are not the same thing, it also seems to be true that each requires the other to be understood and, what is more, enacted. These structures of faith elude perception not because they are so abstract, but because they are so concrete, because their doctrinal assertions are not printed in books. They are embedded in apparent "facts."

The color line is a set of facts, but it is also a socially structured doctrine about the meaning of those facts. As a doctrine, it is a socially structured assertion about the moral meaning of those facts, disguised as nothing but matter of fact, common sense. As long as the social structure remains intact, sheer inertia remains on the side of the moral doctrine that it asserts. It has a credible claim to be "the real world."

Understanding these structures is as much a descriptive task as understanding the patterns of kinship, the distributions of political and social power, the status system, the class conflicts, or the maximizations of "self-interest." Such structures can be found wherever there are real social relations which embody, imply, or evoke principles, values, beliefs, symbols, rituals, and associations which represent claims as to the preferred and preeminent modes of being by which a community characterizes itself. These are the forms which faith takes in our common life.

The Democratic Faith as an
Ambiguous Alternative

There is no need to assume that there is or can be only one such structure in any given society, certainly not ours. There may be many and the

culture may be characterized by conflicting claims, as ours most certainly is. The color line is one such structure of faith. Luckmann's invisible religion of the autonomous individual is yet another. A third one, which is important for our consideration here, is the democratic faith.

Even in the United States where democratic values have at least some institutionalization and popular support, the rise of an urban cum metropolitan, industrial cum technological social order has made the notion of democratic social change difficult even to understand, let alone to pursue and perchance achieve. The social order is dynamic and full of changing forms, but only some of that change has been deliberately pursued and even most of that could hardly be called "democratic social change."

If the democratic prospect is still a socially embodied structure of faith, it certainly seems to lack the matter of fact common sense realism that so greatly enhances the effectiveness of the color line. Or does it? Part of the strength of the color line lies in the fact that its cumulative and interacting dimensions are not perceived with the full force of their inner unity and coherence. It benefits from a certain amount of unconsciousness. There are cumulative and interacting dimensions to the democratic prospect too; but it redounds to the weakness of the democratic prospect that these dimensions are not perceived as parts of the same thing. Unlike the color line, the democratic prospect has something to gain from critical attention.

The preferred and preeminent modes of being toward which the democratic structure of faith is oriented are empirically complex and apparently internally ambiguous. The expectation of self-respecting citizens in a self-governing community is perhaps the most general statement of the orientation; but the vision of citizens is rooted in a perception of individuals as possessive but perfectible and probably ultimately private, while the vision of community is rooted in a reliance on majorities to check the power of the few and on rights-based procedures to check the power of the majorities. Embedded within these expectations is a transcendent vision of a public which is ambiguously and ambivalently articulated, in some respects as the sum or balance of the many private interest, in other respects as a body—the people—with a life and interests and dignity of its own.

This structure of faith is embodied in certain matter of fact common sense activities which are not always consciously associated with each other nor with the overall orientation which they articulate. There is, for instance, the much remarked but little studied penchant of Americans to articulate their purposes, public as well as private, through the formation of voluntary associations. Through these associations, Americans create various forums in which to exercise their rights of free speech and assembly in relation to all manner of issues in order to persuade friends and enemies alike of the rightness of their concerns and to test as well as

to display the strength of their purpose and resolve. There is hardly an issue in American life which has not gained access to public attention through the formation of associations determined to be the voice of the people. This is one of the most competitive aspects of American life. Even large corporations, in other ways so unquestioned in their exercise of power, find it necessary to defend and advance some of their most important interests in this arena.

For all the individualism, real and alleged, there is a built-in behavioral connection between the perception of issues and the formation of associations. In the everyday world, this is what Americans mean by their "natural rights." Freedom of speech, action, and even religion translate as a matter of common sense into the opportunity to pursue issues as one sees them in the company of others who more or less agree.

It is taken for granted that all this should be within the law, in some sense, even when changing the law is part of the purpose. Since the laws are considered amendable to orderly, democratic change by means of pressures generated within this voluntary sector, it is also taken for granted that activities are to be limited by respect for the rule of law. This is a kind of fact consent, not to the status quo necessarily, but to the capacity of the people as a whole to deal fairly, albeit as forcefully as required, with the issues arising in their midst, the rule of law being both the source and the symbol of that consent.

At the same time, both the law and the people in general relate to persons as individuals. At least for moral purposes, each person is considered—and on the whole considers him/herself—as a morally responsible agent of his/her own life. This is taken for granted in everyday activities, and it has to be proven in some way or other if there are circumstances which might mitigate this forcefully structured assumption. That each person is the bearer of his/her own conscience tends to be the center of explicit moral concern.

It is taken for granted that the individual is committed to "bettering" him/herself. This emphasis on improvement (or its opposite) is expressed in mobility—personal mobility through the life cycle and social statuses, social mobility expressed in highly visible but private, domestic arrangements which are publicly symbolized geographically.

That any person can make a new beginning is a counterpoint to the structural pressure that each individual is the responsible agent of his/her life. An emphasis on natality accompanied by all sorts of ways of staying young and a fascination with changing fashions in all spheres of life produces an interest in children, not in themselves but as the Future, an ambiguous role for already existing beings. It is also an ambiguous role for the future. Since so much is expected of it, the "future" becomes present reason for dealing with people who seem to be in the way of it. The temptation to violence is typically the strongest when the drive for a

new beginning, personal or political, seems threatened or thwarted. This gives us a history of violence that seems to be justified because it is believed to have been a "last resort" to preserve or prevent some new beginning.

In the democratic structure, it is not only violence, but reason, too, has been defined by its function in relation to new beginnings. Much of the so-called anti-intellectualism in American life is really an impatience with theoretical speculations abstracted from life's events and problems. The orientation is toward practical reason, toward reason in its capacity to inform and guide decisions and actions, toward reason as an instrument of governance, management, and control. Within this structure of faith, violence begins where reason cannot secure the new beginning, where conscience feels encroached by hostile forces, where consent appears to be withdrawn or undermined, where persuasion is at an impasse, where associations still feel strongly about their purposes but futile about their powers. Perhaps this is the deepest ambiguity: that this vision of self-respecting citizens in a self-governing community generates some of the very forces which most threaten its fulfillment.

The Democratic Faith, The Color Line, and The Invisible Religion in Conflict

The democratic faith is something more polymorphous than an American Creed. It is capable of rather diverse developments and articulations; but in its structural aspects it is at all important points in conflict with the structure of the color line.

The separations of the color line violate and abridge the free exercise of the capacity for association. The subordinations of the color line violate and abridge the free exercise of the capacity for initiation, collective as well as individual. The denial of ordinary status on the basis of arbitrary color categories violates and abridges the free exercise of the capacity for conscience. The legitimation and expectation of violence violate and abridge the free exercise of the capacity for political interaction. And the rationalizations of the color violate and abridge the free exercise of the capacity for reason.

The invisible religion of the autonomous individual seems to assimilate rather easily with the color line. With its focus on the private sphere, the tendency is to accept separation based on family, ethnicity, and any condition of likeness as desirable components of identity. With its focus on the self, the tendency is to discount social causes of inequality and look to pride and the marshaling of personal resources as the proper response to disadvantage. It leads with an interpersonal rather than a political notion of consent. Conscience appears as an instrument of self-development rather than as a source of transcendent judgment about the merits

of the self in relation to others. The whole realm of political interaction, so disruptive to the private sphere, seems more like requiring management rather than participation. The primary focus of reason in the invisible religion is to scout the world for resources that can be used in the construction and reconstruction of the self—and, therefore, in the defense of the self. It is an orientation of high expectation for the interpersonal world and aversion to the impersonal world.

It is the conflict among these competitive religious meanings which is the key to understanding both the scope and the context of our moral problems and the resources actually available for the constructive pursuit of alternatives. If we have learned anything of general significance from the past century of studying the history of religions, it would seem to be this: that it is the humanistic import which shines through and is enacted through the diversity of socially structured faiths. The varieties of religious experience, encounter, and expression which prevail among a people are significantly what makes that people a people or, what is the same thing, faiths are best understood as providing structured and symbolic definitions of the nature, limits, importance, and content of their common humanity. It is by turning to the actual forms of common humanity that we gain access to the meaning of these diverse orientations and that we are in some position to judge the acceptable and legitimate range of religious pluralism, on the one hand, and to see "bad faith" for what it is, on the other hand.

It is the constitution of the everyday world in terms of its preferred orientations. It is, therefore, by their contribution to the constitution of the everyday world that faiths must ultimately be judged by others if not by their adherents. In fact this is the only basis on which they can be judged by others. The transcendental mysteries and deliverances of various faiths are inaccessible to nonadherents; but the everyday consequences constitute a sphere of responsibility for adherents and nonadherents alike. It is thus not quite true to say that faith is an utterly private persuasion beyond the legitimate judgments of those who do not share the persuasion. Faiths are socially structured claims about what ultimately matters in this world or any other; and while there is room for literally incredible differences of persuasion on that count, still there is a limit to the toleration that can be or should be allowed—and that limit is the test of justice.

"Bad faith" is any faith that requires and thus justifies harm to others in its very expression, that promotes in its adherents and imposes on the wider community the sacrifice of others in the name of innocence and rectitude. It is one thing if we choose to sacrifice ourselves to some transcendent good. It is quite another matter if we choose to sacrifice others—and it makes no difference whether we do it for some transcendent good or for some selfish good. It is all the same "bad faith".

Justice, not faith, is the final appeal in the midst of the pluralism of persuasions to which we are subject. Appeals to faith are not the final appeal in matters which affect the community at large. In matters affecting the community at large the final appeal must be to considerations which are in principle accessible to all, a condition which appeals to faith alone cannot meet. To the degree that the everyday consequences of structures of faith constitute a sphere of responsibility for adherents and nonadherents alike, then it requires common rules for adjudicating what is to be allowed and what is to be done. To the extent that what is at stake is good faith, this poses no problem in principle because the final appeal of faith is to its persuasiveness anyway; and to the extent that bad faith is at stake, the only decisive way to demonstrate the claim would be to show that the harm which it is said to impose constitutes injustice.

The Problem of Justice: Common Rules and Equal Rights

Ideas of justice may well be as controversial as affirmations of faith; but at least they are in principle discussible by everybody. They call for evidence which is publicly available, and they eventuate in rules of public order. Ideas of justice are not basically ideals to be pursued. They are rules to be accepted or imposed. Problems of justice are, accordingly, problems in the rules by which communities order their lives and the lives of the individuals who participate in them. This is one of the defining characteristics of problems of justice, namely that they concern not only the unjustifiable harm done to individuals, but the unjustifiable harm done to the order of the community itself.

Ideas of justice are propositions whose subject is first and foremost the state and whose predicates are intended to discriminate legitimate from illegitimate uses of coercion. Coercion is not a problematic notion. It means forcing someone to do something that he or she would prefer not to do or prohibiting someone from doing something that he or she would prefer to do. It means placing limits on the unrestrained pursuit of preference.

As the civil rights movement collapsed in the 1960's, it was an open question whether it was the color line or the democratic faith which was on trial at the bar of justice. In effect, they both were; and in fact they both still are.

The triumph of the Civic Credo in Chicago and the emergence of the conservative black power frame work nationally seemed to say that the color line per se posed no great problems for democratic values. Indeed, in each case, normative vision was narrowed to what could be done within the basic terms dictated by the color line itself. Attempts to force change through nonviolent strategies appeared within this framework to be irrational and counterproductive provocations of white anger. At-

tempts to force redistribution of educational and economic opportunities appeared within this frame work to be appeals for "reverse discrimination." Attempts to press the rights claims of blacks appeared to be appeals for preferential treatment, compounded by group denigration.

In a lineup like that, either the color line was a legitimate outcome in a democratic society or the color line was a problem of justice but democratic values were insufficient, to say the least, to identify it as such. The color line in the metropolitan areas was operating under the normative protection of putative democratic values as a legitimate outcome of the normal functioning of democratic institutions. True or false? That was and is the question.

The answer is: false; and the reasons are fairly straight forward. The genius of democratic theories of the state lies in their recognition that the persuasions of the mind are many and diverse. Consequently, the principle of consent occupies a central place in democratic theory as an essential component not only for political order but even for justice itself. That may be the paradox of democracy, i.e., that justice requires coercion but that justice also requires consent; but it is also the strength of democracies. Justice is a work of the state and of the citizens, the highest form of self-government.

How, it may be (and has been) asked, can the principle of consent be respected and still place limits on the free pursuit of preferences?

One of the strengths of a democratic society is that it gives wide birth to the free pursuit of preferences, viewing them as basically benign and generally productive both of individual satisfactions and of social goods. Adam Smith's System of Natural Liberty consisted almost entirely in the proposal that the state should stand back and provide only that minimal framework required to release and protect the free pursuit of individual preferences. Jeremy Bentham's Utilitarianism argued that persons basically seek to maximize their own pleasure and to avoid pain, or in the modern idiom, to maximize "benefit" and minimize "cost." John Stuart Mill adapted these ideas into arguments for representative democracy and universal education. The point in each case was that the people know best what they want in this life and that the "state" consists in those minimal arrangements necessary to allow the release of individual energy for the free pursuit of preferences.

Now the question is whether the color line is merely an outcome of the free pursuit of individual preferences? It does not appear to be. Insofar as the tendencies to violence, fear, and abasement are essential dimensions of it, the color line appears to be a coercive rule, no matter how slavishly it is obeyed. Even if a plausible case could be made that the color line, especially in its contemporary form, is merely the outcome of the free pursuit of individual preferences, however, it would not necessarily follow, that it was a democratically permissible dynamic.

Both historically and ethically, Western democracies are rooted in the affirmation and protection of rights universally ascribed to each and every person. These rights form the basis for the claim of equal citizenship in a self-governing body politic. Both historically and institutionally as well as ethically, the color line is a denial and violation of rights on the basis of variously elaborated categories of color. We have already come to this judgment in the case of slavery and Jim Crow, even though each in its own heyday found defenders who tried to argue around the rights violations perpetrated in those forms of the color line. Now we have before us the case of the metropolitan color line; and once again, rationalization is the order of the day, obscuring the causes of disorder in the community.

In its appeal to rights, democracy is as much an anthropology as it is a political theory or system. Thus, in the encounter with the color line, we are driven to reexamine the anthropology quite as much as the institution of democracy.

It is the democratic vision that the individual has a right to the free exercise of these capacities and, as a result, the community incurs the social obligation to shape institutions and policies which do not violate the free exercise of these capacities and which in fact facilitate their free exercise. These human capacities translate into both individual rights and social obligations by virtue of the claim which each of us necessarily makes to their free exercise. At a minimum, the democratic vision includes the following capacities as providing a basis for rights:

1) The capacity for association is the ability which we all have to join with others for mutually agreed upon reasons. This is the right to pursue purposes of our own choosing in the company of persons of our own choosing. The freedom of speech is one of the exercises of this capacity. (Stated in this context, it makes clear that there is a corresponding freedom of listening.) We have the social obligation to provide an orderly (legal) framework within which associational life can ultimately be adjudicated.

2) The capacity for initiation is simply the ability which each of us has to be the cause of his or her own behavior, to be the source of our own choices and actions. This is our right to be self-determining, including—if you will—the right to make our own mistakes. There is no social obligation to see that each of us gets his or her own way; but by virtue of this right there is a social obligation to see that individuals are not discriminated against in terms of their access to those goods and services and opportunities which are basic to the pursuit of personal well-being, material and otherwise, and which are generally available.

3) The capacity for consent is the ability to give and withhold assent and participation in the structure and/or direction of one's actual or potential relationships, public as well as private. This right not to be forced

into direct relationships translates into a social obligation to proceed in the pursuit of purposes and relationships only within the boundaries set by the other rights and on the basis of free and timely expressions of desire and approval and with proper safeguards for the protection of un-consenting parties.

4) The capacity for conscience and self-respect is simply the recognition that each of us carries on a subjective life of his/her own in the course of which one comes to one's own judgments about the merits of the self and others. The right of conscience asserts the inviolability of this domain and underlies the stringent social obligation institutionalize only socially inclusive and equitable criteria for social participation, while allowing self-exclusion for reasons of conscience.

5) The capacity for political interaction arises from our ability to respond to the effects and consequences of the actions and transactions of other persons and groups on ourselves. We have the right to organize institutions which transcend interpersonal interactions, and to fashion common purposes to control the effects of those interactions, and to provide means for the peaceful settlement of conflicts arising from those interactions. The right to participate in these matters imposes the social obligations to minimize violence, to exercise coercion only within the bounds set by the other rights, and to provide fair and due process for the pursuit of these matters.

6) The capacity for reason, the ability to think, to know, and to understand, requires great care of discipline and development. The right to think freely and for one's self, therefore, imposes a social obligation to provide universally available institutions for the development and expression of thought and to provide an institutional order hospitable to deliberation both in its structure and in its policies.

The rational and political specification and defense of these rights and obligations is subject to continuing controversy and diverse theories about what these rights are and what they require in the body politic; but it is the existence of these "rights questions" which impose the problem of equality on democratic politics. Because of the "rights question", democratic societies place themselves under the obligation to justify inequalities by showing either that they arise from the free exercise of rights or, at least, that they do not violate or abridge the free exercise of rights. The democratic notion of equality is rooted, in the first instance, in the claim to equal rights. Therefore, the democratic notion of equality stands or falls on the rational explication of these rights and the specification of the institutional arrangements required to protest and advance such rights as may be rationally defensible and situationally specifiable.

Rights are debatable both as to their rational defensibility and as to their situational specifications. On the rational side, theories of rights seem most notable for their differences from each other. They do not

seem to agree on fundamental definition and ground rules. Neither do
they seem to coalesce around common conclusions as to why either gen-
eral or particular courses of action should be endorsed, undertaken, es-
chewed, or forbidden. Libertarians may look upon inequalities of power
and privilege and see only the natural and legitimate results of the free
pursuit of individual preference while liberationists may look upon the
same situation and see the injustice of rank oppression. Utilitarians
might look upon the inequalities and ask if they serve to promote the
greatest good for the greatest number before deciding whether they can
be justified; while Rawlsian egalitarians will look upon the inequalities
and ask whether each person, nonetheless, has an equal right to liberty
and whether these inequalities can properly be understood to be to the
advantage of all. Some rationalists would want to know if the inequali-
ties were such as to deprive persons of those basic goods necessary to the
exercise of their generic rights—voluntariness and purposiveness.[3]

How can rights occupy a central place in democratic politics and polit-
ics when there are such wide differences in their rational explication?
There are at least three important responses to that question. The first is
that these rational differences, far from cancelling each other out, serve
to underline the philosophic as well as the political importance of rights
questions. Second, it is part of the democratic vision that justice in the
community at large need not and will not be the work of one theory.
Justice is as much a community effort in its conception as it is in its
enactment. Third, when we apply any of these theories to the structure
of the color line, whatever their differences of theoretical orientation,
none of them is able to justify the rule of the color line as we have de-
scribed it. Each of these developed moral theories provides grounds for
undertaking extensive redistributive policies in the face of the color line.[4]

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[3] Alan Gewirth, Reason and Morality, (Chicago: University of Chicago Press, 1978), p.
140.

[4] The Rule of the Color Line as a Problem of Justice
The color line is a social rule which distributes advantage and disadvantage. All socially
effective rules do that. Further, the color line is a moral rule. That is only a descriptive
statement which means this rule discriminates "correct" from "incorrect" behavior in par-
ticular circumstances. For most people most of the time, it is just one rule among the many
others within which individuals and groups "naturally" have to work out their destiny. Its
functioning causes some problem. It is a matter of utmost importance, both for thought
and for action, whether the problems caused by the color line—and indeed the color line
itself—are to be understood as "natural" social problems, the sort of thing to be expected
in any society, hardships to be worked around, or whether these are problems of social
injustice, the sort of thing that calls into question certain basic premises of the social order.
Now theories of justice are perhaps most notable for their differences from each other.
They seem not to agree on fundamental definitions and ground rules; and neither do they
seem to coalesce around common conclusions as to why either general or particular courses
of action should be endorsed or undertaken. In view of this rather thorough-going diversity

Thus, even though rights turn out to be rationally defensible on alter-

especially among those who take the problems and concepts of justice most seriously, and in spite of the fact that this apparently unresolvable contentiousness about the "good" has driven many to conclude that there are nothing but practical complications and infinitely troublesome, counter-productive debates involved in the use of "justice' language to explicate large social problems, it is surprising and potentially important that there is no major, currently developed theory of justice from whose perspective the rule of the color line could be anything but an injustice. The survey which follows is but the briefest possible indication of the reasons for claiming this.

A Libertarian Argument

Since the color line is a distributive rule, if it is unjust, then any attempt to do justice would necessarily involve some kind of public policy aimed at redistribution. Among the serious theorists of justice, perhaps the most outspoken and principled critic of redistributive policies and goals is the libertarian, Robert Nozick (Anarchy State Utopia 1974).

According to Nozick, redistributive policies merely for the sake of greater equality have no justification. Inequality per se is not a legitimate political or moral problem. Indeed, from Nozick's standpoint, it is to be desired and expected in a good society. The state does not exist to ensure or to pursue equality. Its raison d'etre is liberty for individuals. He advances an "entitlement conception of justice" which entails three principles: acquisition, transfer, and rectification. This latter comes into play only where one or both of the first two have been violated. Unfortunately, this principle of rectification is the least discussed of Nozick's principles, but its sweep is apparently quite wide.

"For example," he says, "lacking much historical information, and assuming (1) that victims of injustice generally do worse than they otherwise would and (2) that those from the least well-off group in the society have the highest probabilities of being the (descendants of) victims of the most serious injustice who are owed compensation by those who benefited from the injustices (assumed to be those better off, though sometimes the perpetrators will be others in the worst-off group), then a rough rule of thumb for rectifying injustices might seem to be the following: given its particular history, what operable rule of thumb best approximates the results of a detailed application in that society of the principle of rectifications? These issues are very complex and are best left to a full treatment of the principle of rectification. In the absence of such a treatment applied to a particular society, one cannot use the analysis and theory presented here to condemn any particular scheme of transfer payments, unless it is clear that no considerations of rectification of injustice could apply to justify it. Although to introduce socialism as the punishment for our sins would be to go too far, past injustices might be so great as to make necessary in the short run a more extensive state in order to rectify them." (Nozick, p. 231.)

In the case of the color line, of course, we are not "lacking much historical information," so it seems that libertarians of the Nozick school should be quite prepared to make a strong case for redistributive "racial justice" based on their entitlement principle of rectification, one of three basic principles. This is potential support from a surprising source for extensive state action in the rectification of the rule of the color line. Support from this quarter, which is generally counted in the 'neo-conservative' corner, would certainly help in stemming the tide of declining attention to the issues of racial justice in this society and abroad.

A Rationalist Argument

Alan Gewirth's Reason and Morality (1978) is an argument for a 'supreme principle of morality' for both individual and institutional action. His whole argument drives toward a direct confrontation with the rule of the color line. ". . .every agent," says Gewirth," logically must acknowledge

native and arguable grounds, we can find some convergences at least

certain generic obligations. Negatively, he ought to refrain from coercing and from harming his recipients; positively, he ought to assist them to have freedom and well-being whenever they cannot otherwise have these necessary goods, and he can help them at no comparable cost to himself. The general principle of these rights and obligations may be expressed as the following precept addressed to every agent: Act in accord with the generic rights of your recipients as well as of yourself. I shall call this the Principle of Generic Consistency (PGC). . . .(Gewirth, p. 135)

"The PGC is an egalitarian universalist moral principle since it requires an equal distribution of the most general rights of action. It says to every agent that just as, in acting, he necessarily manifests or embodies the generic features of action-voluntariness and purposiveness-and necessarily claims the generic goods as his rights, so he ought to accept that his recipients, too, should manifest or embody these same generic features and have these same generic goods as their rights." (Geirth, p. 140.)

Nor does Gewirth's PGC remain an individualistic or merely interpersonal principle. It authorizes both a minimal and a supportive state capable of pursuing both retributive and redistributive justice. "In a broad sense," he says, "both retributive and redistributive justice are corrective and distributive in that both undertake, at least in part, to correct situations that are morally wrong (in that they violate the equality of generic rights) either by distributing penalties to persons who deserve them because of their criminal actions or by redistributing components of well-being. . . . The situation corrected by redistributive justice. . . does not carry a connotation of personal guilt because the situation is a social, dispositional one involving multitudes of persons whose comparative possession of well-being has, at least in part, a much broader historical and institutional base. Redistributive justice, as dynamic, seeks to move toward a previously nonexistent equality." (Gewirth, p. 294.)

Gewirth's argument would seem to authorize rather extensive state action on behalf of redistributive policies aimed at correcting the inequalities consequent to the rule of the color line, provides only that persons are not made to pay for crimes which they themselves did not commit and provides that the solution does not consist in trading deprivations of voluntariness and purposiveness.

An Egalitarian Argument

In John Rawls' Theory of Justice (1971), which in their elementary form are stated as follows:

"First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.

Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all. . . ." (Rawls, p. 60.)

"By way of general comment, these principles primarily apply . . . to the basic structure of society. They are to govern the assignment of rights and duties and to regulate the distribution of social and economic advantages." (Rawls, p. 61.)

"For the present, it should be observed that the two principles (and this holds for all formulations) are a special case of a more general conception of justice that can be expressed as follows:

All social values - liberty and opportunity, income and wealth, and the bases of self-respect - are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage."

"Injustice, then, is simply inequalities that are not to the benefit of all." (Rawls, p. 62.)

There have, of course, been sophists in all times who have argued that in some way or

about what should not be done or allowed. When we turn to these practi-

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other, the color line does distribute inequalities which are to the benefit of all (See, for instance, recurring arguments of this sort in David Reimers account of White Protestantism and the American Negro); but none of them could meet Rawls' standards for a "well-ordered society." Yet, as obvious as that is in general, the case does need to be made much more specifically in relation to the actual dimensions and operations of the color line which is, in our society at least, part of the "basic structure of society", the very level of reality to which Rawls' theory is addressed.

A Utilitarian Argument

Even the utilitarians, so much out of fashion and favor with these others (but still in command of the intellectual operations of most of our actual institutions, especially of government and business) provide grounds for justice which cannot reasonably be accommodated to the rule of the color line - at least if Dorothy Emmet Rules, Roles and Relations (1966) is to be believed in her rather creative uncovering of the moral and empirical premises of that tradition. She is aware that the utilitarian tradition, if it is to amount to anything besides the universalization of cultural relativities and collective biases, and if it is to give any sort of moral guidance, must be rooted in something other than either tradition or preference. She claims that the search for such rooting is worthwhile because she finds in utilitarianism a subtle theory of moral judgement "Although judgement is guided by rules," she observes, it does not simply apply them automatically. Moral judgement remains problematic; it is indeed possible that skill in making moral judgements can grow through facing the fact that they are problematic."

Consequently the conditions and the contexts become as important as the judgements themselves. Judgements are problematic because, in part, the nature of the subject making the judgements is problematic in fairly specific and situational ways. In various version of utilitarianism, the individual has been successively everything and nothing; but for Emmet, ". . .respect for persons as a moral notion is not just awareness of individuals, it expresses a conviction about their status. The romantic notion of the bare subjective "I" and the behavioristic notion of the incumbent of a role and function can be split off from this as limiting concepts. But in actual fact can we identify the pure subject in action apart from the social and institutional support represented by the notion of the human person?" (Emmet, p. 178.)

The human person is an institutional being whose judgements are institutional judgements with the force arising from that person's institutional roles and functions. "If we look upon the notion of rights and obligations as arising out of the kinds of relations, ascriptive or contractual, in which we stand to people, it is obviously tempting, "she says," to bring into line the notion of obligation to any other human being as such by talking, as the Stoics did, of the actions proper to a human being. If we do not use the notion of a general human role and function, we can rephrase the question by asking whether, besides particular obligations in particular roles, ethical systems include ideas of what would be right or wrong when done to anyone, whosoever he was. One might imagine an extension of moral relations thus happening logically through the character of moral judgement itself, by which reasons are demanded to justify differential treatment; and in time, in some cases, the reasons getting threadbare. (Emmet, p. 179-180.)

Surely the rule of the color line could qualify as an institutional case of differential treatment whose reason are "getting threadbare"; but in Emmet's utilitarianism, this is but the beginning of moral wisdom. It tells us that we face a problem of moral judgement; and of these she counsels: "to face them responsibly is to approach them as moral problems, without special pleading, fear or favor. It is also to face them as moral problems where the answer is not always given just by looking up the local book of rules (Emmet, p. 108.) At that point, Emmet's rule utilitarianism recommends a rational search for a 'natural proce-

cal questions, however, questions about what should be done and what

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dural justice' rather than a 'universal substantive code.'

A Liberation Argument

Finally in this brief survey of diverse theories of justice, there is the liberationist school which is generally thought to be set over against these more traditional modes of ethical thinking. According to James Cone (God of The Oppressed, 1975), color has become both the literal and the symbolic locus of God's liberating presence in history. "The politics of the resurrection," he says, "is found in its gift of freedom to the poor and the helpless. Being granted freedom while they are still poor, they can know that their poverty is a contrived phenomenon, traceable to the rich and the powerful of this world. This new knowledge about themselves and the world, as disclosed in and through the resurrection, requires that the poor practice political activity against the social and economic structures that make them poor. . . . If Jesus' presence is real and not docetic, is it not true that Christ must be black in order to remain faithful to the divine promise to bear the suffering of the poor?. . . . The 'blackness of Christ', therefore, is not simply a statement about skin color, but rather, the transcendent affirmation that God has not ever, no not ever, left the oppressed alone in the struggle. . . . On the one hand, oppression is the denial of freedom, and therefore the opposite of liberation. But on the other, in an unredeemed social existence no one can be free who is not oppressed, that is, identified with the struggle of the unfree. . . . it is material reality (social, economic, and political existence with the poor) that makes for the proper understanding of spiritual reality (all oppressed). . . . Because the phrase 'all are oppressed' can be understood only from the perspective of the poor, only they are in a position to take seriously the universal dimension of the gospel of liberation. This places an awesome responsibility upon them. . . . the criteria of ethical judgement can only be hammered out in the community of the victims of injustice. . . .(Although) being a member of the oppressed community does not grant one immunity from error and sin . . . .White oppressors must be excluded from this black ethical dialogue, because they cannot be trusted. . . . They who are responsible for the dividing walls of hostility, racism and hatred, want to know whether the victims are ready to forgive and forget - without changing the balance of power. . . . there can be no reconciliation with God unless the hungry are fed, the sick are healed, and justice is given to the poor. . . . White people must be made to realize that reconciliation is a costly experience. . . . separation is a fact of life. . . . We now know that reconciliation must start first with black brothers and sisters who have suffered the pain of a broken community." (Cone, pp. 125, 135, 137, 147, 149, 150, 207, 208, 216, 226, 241, 245.)

It is, perhaps, not clear what Cone's notion of ultimate justice through liberation is; but the same could be said of Emmet's natural procedural justice through utilitarianism. It is clear that the destructive rule of the color line stands out as both literally and symbolically indicative of the deepest injustice, an injustice for which Cone will brook no defense whatever, and an injustice which demands a regrouping of forces, new initiatives and demands from the victims and an ultimate redistribution of power and resources. We did not recount Cone's somewhat inconclusive grappling with the complexities of violence as they arise in the rule of the color line or his rejection of nonviolence as an absolute moral principle because, in these respects, he does not differ from the other theorists under consideration. Violence is a moral problem in the rule of the color line; but it is not peculiarly his problem.

What we have tried to show, altogether too briefly in this review of diverse justice concepts, is the remarkable unjustifiability of the rule of the color line when viewed from the perspective of these theories which are not otherwise remarkable for their principled agreements. If we have a situation which neither libertarians nor liberationists, neither rationalists, nor egalitarians, nor utilitarians can justify, then three things follow: (1) We have an

should be prohibited, we meet yet another set of debatable positions. Questions of rights and justice, after all, are not basically abstract, theoretical issues; they are questions about what should or should not be done or allowed in particular situations. Theories of rights and justice meet ultimate test in the concrete controversies over what can or should actually be done in particular situations to achieve the equalities required by successful rights claims.

In the face of the color line, there are only three basic strategic redistributive options and, as we shall see, none of them is likely to be effective at the structural level unless all of them are pursued. These options are 1) desegregation, 2) black power, and 3) integration. Desegregation is a strategy which looks to the rectification of the color line through the prohibition of discriminatory behavior and through the undertaking of compensatory efforts on behalf of those who have been harmed by it. Desegregation strategies are strong in the identification of behavior that should be stopped—no more dual school systems, no white primaries, and no racial exclusion from juries, jobs, and public accommodations; but desegregation is weak in identifying affirmative duties and in defining adequate compensatory programs. The more desegregation is pursued, the more it forces the question of affirmative duties. The civil rights movement in Chicago was a case study in this very dynamic. That movement came apart as proponents of integrationist affirmative duties and proponents of black power affirmative duties ended up in conflict with each other, each critical and skeptical about the efficacy of the others' proposals. As far as efficacy was concerned, both were right to be skeptical.

Integration is the strategy which looks to the fulfillment of desegregation through the institutionalization of broadly inclusive rules of participation in all areas of social life—in schools, housing, jobs, politics, commerce, culture, and interpersonal relations. The integrationist strategy is strong in its pressure for common rules and in its realistic emphasis on the unity of the social, economic, and political systems and, therefore, on the drive to secure equality of consideration and participation for blacks in all the institutions of national culture; but integration is weak in the apparent conflict between its search for common rules, on the one hand, and the empirical necessity for group-oriented compensatory programs if those common rules are to be fulfilled. While desegregation requires the breaking of the racially discriminatory use of color categories, integra-

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exceptionally serious justice problem in our common life; (2) Judging from the relatively low priority which this issue has on the current national agenda, we have seriously underdeveloped but potentially powerful intellectual and practical resources for generating alternatives to this rule of the color line; (3) By all accounts, social justice means changing the rules.

tion requires the use of color categories for measuring rectification. Because of this, the more integration is pursued as a strategy, the more it generates both the need and the imperative for some kinds of black power.

Black power is the strategy which looks first to the redistribution of power and initiative to the black community as the reliable leader in breaking the rule of the color line and to the advancement of blacks as a group as the relevant measure of rectification. The black power strategy is strong in its realistic focus on the actual position of blacks in the society and on both the hardships and creative resources of black people themselves. It is also strong in its morally imperative resistance to leaving the legitimate destiny and self-identity of blacks to the definitional powers of whites; but it is weak in the apparent conflict between its opposition to discrimination, on the one hand, and its emphasis on black cohesion, on the shared history and destiny of the black community, and on the claim to distinctive grounds for self-respect in the black community, on the other.

None of these strategies is sufficient all by itself to deal with the complexities of the color line and thus to point a way beyond it. If we absent the drive for desegregation and integration, then black power can degenerate into another accommodation to the separations imposed by the rule of the color line, yet another version of "separate but equal." Again, if we absent the drive for black power, then the integration strategy can degenerate into just another version of white assimilationist supremacy. Finally, if we absent a drive toward integration and black power, then desegregation dead-ends in negative and abstract imperatives without affirmative duties. In the concluding events of the civil rights movement in Chicago, we saw all of these happen.

The civil rights movement had been a coalition of three normative principles, but when the goals of desegregation and integration seemed to recede beyond reach, the civil rights movement itself, like the society subsequently, had collapsed into a conflict between radical and conservative versions of black power, both of which affirmed what the movement had always opposed—namely, structural separation on the basis of color, affirmed by some on merely tactical grounds, by others on high theological grounds. This is basically the framework within which both national policy and its most "radical" critics have worked ever since.

The retreat to black power was a sign of serious loss of faith. For those within the movement, it was as far as they could go without surrendering their rights claims altogether. For those in the larger society, it was as far as they could go without rejecting the rights claims altogether. But in both cases, it was a relinquishing of any drive toward structural change. This loss of the democratic faith is a serious matter because it is a loss of faith by the people in their society, in each other and, ultimately, in

themselves, in their own transcendent capacity for self-government, a surrender to the rule of the color line.

From within this framework, the problems of blacks and their relation to the larger society were conceived largely as a problem of "ethnic interests," that is, as problems for which blacks themselves would have to take moral and tactical responsibility. They might have a dilemma about whether to conceive their well-being in terms of integration or black power; but henceforth, it was their problem, not the society's. Whatever the weaknesses of the American Dilemma view may have been, at least it was clear that the position of blacks in American society posed an issue of justice which it would require a marshaling of national resources to rectify and resolve. Under the framework which has been in place since the late 1960's, the position of blacks in American society has been conceived in terms of ethnic competition, such that efforts to rectify segregation must face charges of being either "forced" (as in busing) or "preferential" (as in employment) or "reverse discrimination" (as in any attempts to overcome past, imposed inequalities). To the extent that there is any question of national justice from within this framework, it is resolved by an appeal to "balancing ethnic interests."

What was lost in the collapse of the civil rights movement was an effectively articulated understanding of the full range of justice issues entailed in the position of blacks in American society. The justice issues had not been resolved, but the way to address them had become unclear.

The collapse of the civil rights movement ended what had been a concerted drive for democratic social change in the structure of American race relations. As it turned out the system of Jim Crow race relations had been decisively broken. The abolitionist phase of the movement was a partial success. The use of the law to create and enforce racial separation and discrimination was ended; but the civil rights movement, quite as much as the official organs of the society, was stymied by the constructive tasks which remained if we were to create a racially "open society." The result was a massive display of the principle of cognitive dissonance: unable to see how behavior could be altered in the direction of a wider justice, American policy turned to the justification of the behavior in question, thus leaving the color line which is drawn across American life not only intact but actually buttressed by a new level of justification.

For the second time in American history a major institutionalization of the color line had been abolished; but the issue had not been resolved. As late as 1863 it was not at all clear that the Union was prepared to abolish slavery. Nor was there any clear idea as to what form a future without slavery would or could take. Similarly, as late as 1963, Southern resistance to the attack on Jim Crow still prevailed while scholars, newspapers, and politicians argued over whether "segregation" was a Southern or a national problem. Then the Civil Rights Act of 1964 and subse-

quent legislation and court orders decisively abolished the Jim Crow system. The abolitionist impulse had won the day once more.

But once more, there was no clear idea as to what form a future without Jim Crow would or could or should take. The major form which it has taken is the racially bifurcated metropolitan areas ruled by the color line and attendant assignment of a disproportionate percentage of blacks to an economic underclass. Today we look out upon these metropolitan areas and their attendant job markets and take it for granted that the color line is an essential ingredient in their institutional arrangements. Indeed, we have serious scholars who look upon this situations and find evidence for "The Declining Significance of Race!"[5]

We draw a rather different conclusion. Looking back on the successful abolition first of slavery and then of Jim Crow while also looking out over the metropolitan areas of the country, we conclude that abolition without redistribution has not worked to produce the wider justice that was hoped. Further, in the metropolitan areas, it will not be possible to abolish the rule of the color line in any sense at all without redistribution. It seems that as Americans we have consistently looked for a cheap way out from under the rule of the color line only to find that we have chosen the much more costly option.

The translation of rights claims into redistributive economic policies is one of the great pieces of unfinished national business both at home and abroad; but surely there is an economics of social justice quite as much as a politics of social justice. President Johnson's War on Poverty and his other Great Society programs were an attempt to make good economically on the civil rights commitments of the 1960's just as Dr. King's Poor People's Campaign was intended to represent an alternative conception of the relationship between economics and rights. Since both of these conceptions of redistributive policy have suffered political repudiation in the meantime, the whole question of redistribution has been under a cloud.

As it relates to the rule of the color line, however, redistribution is a very broad notion; for this color line distributes differential experiences of the social order, invidious statuses, fear, eruptive violence, political power, educational and economic opportunities, community disruption, and color-bound bondings. Therefore, while it is important to understand that redistribution is the requisite imperative to break the rule of the color line, it is equally important to distinguish one kind of distribution from another.

We cannot expect to break the rule of the color line without facing the moral and practical complexities of redistribution. It was on the rock of

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[5] William Julius Wilson, The Declining Significance of Race: Blacks and Changing American Institutions (Chicago and London: University of Chicago Press, 1978).

those complexities that the gathering national commitment to break the rule of the color line in the 1960's crashed, splintered, and fell to the ground in an accommodation to "black power," but only insofar as it was shorn of serious redistributive claims and consequences.

When pursued fully, all these strategies for breaking the rule of the color line generate affirmative duties and redistributive consequences. Desegregation generates affirmative duties on an institutional basis, duties to open access for all people to those goods, services, and opportunities which are basic to the pursuit of personal well-being, material and otherwise, which are generally available. It also generates affirmative duties to protect the fabric of consent in actual relationships. Even though the appeal is often made to prejudice, as if yielding to that were the same thing as protesting consent, we all know that consent cannot be protected where ordinary status, that is equal citizenship, is not granted to all. Equal citizenship and open access to the structure of opportunities require redistribution policies to make these more than empty promises. That is the sharp edge of desegregation.

Black power, too, generates affirmative duties on an institutional basis to break the dynamic of fear, avoidance, antipathy, and abasement. To do this requires policies aimed at the reparation of damage done to blacks as individuals and as a group, that is, true empowerment. It also imposes affirmative duties to provide universally available institutions for the development and expression of the true pluralism of thought. Individuals and groups are entitled to appear only as what others say they are. To have the power of reason is to have the capacity to speak in one's own voice. Black empowerment requires redistributive policies of "affirmative action," not empty phases about blacks "doing their own thing." That is the sharp edge of black power.

Finally, integration generates affirmative duties on an institutional basis to secure equal protection of the laws and equality of institutional treatment—whether it is in the schools, the job markets, the legal system, the housing market, the medical system, the political system, or whatever. It also generates affirmative duties to expand the possibilities of nonviolent coercion in the face of the violence which is endemic to the rule of the color line and to fashion peaceful political alternatives for settling the conflicts which arise from inter-"racial" interactions. Integration requires redistributive policies which actually bring the common institution and the shared events of this society under common rules. That is the sharp edge of integration.

In the collapse of the civil rights movement, we lost the inner thread that leads from desegregation to the affirmative duties and redistributive consequences of integration and black power. As we face the future, our problem is to recover the comprehensiveness of the issue and the relevance of principle to fact. Until we learn to break the rule of the color

line, we are condemned to live under its power at great harm to individuals and to the very structure of community life as well, which is to say, to our aspirations for a creative democratic community.

Breaking the Rule of the Color Line: The Problem of Equality

Opening the future requires a reconsideration of the past. The civil rights movement collapsed, it is true. But it is not true that we gained nothing of substance from the experience. In a study of the federal court decisions on desegregation, Robin Lovin suggested that the courts had, by 1978, evolved four "norms for the practice of desegregation." These norms might well provide an historic base for further attempts to break the rule of the color line.

Lovin identified these four norms as follows:

(1) protection of rights is the first priority:
(2) affirmative rights entail affirmative action;
(3) systematic wrongs require systemic remedies;
(4) public institutions must serve public needs.

It was Lovin's argument that these norms defined "a practice of desegregation procedures across the country.[6]

It appears that this latter contention was true only in regard to de jure or Jim Crow desegregation. These norms for the practice of desegregation do provide an advance in our moral understandings and the legal implications of those moral understandings; but they are very far from providing sufficient guidance, complexity or precision for breaking the rule of the color line. They may provide a starting point for the future; but, both in principle and in fact, they have led the pursuit of desegregation into the complexities of black power and integration where, it seems, these unresolved problems have stymied even the pursuit of desegregation.

The pursuit of desegregation focuses on the problem of achieving equality of consideration. The pursuit of black power focuses on the problem of achieving competitive equality. The pursuit of integration focuses on the problem of achieving equality of participation. In each case, it is problematic what is meant by "equality," especially as it bears on the consequences of moral principles for economic consideration, economic competition, and economic participation. It may be problematic but the question should not be avoided because the color line is a problem of justice largely because of its political and economic consequences.

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[6] Robin Warren Lovin, "The Constitution as Covenant: The Moral Foundations of Democracy and The Practice of Desegregation". A Thesis presented to the Committee on the Study of Religion, Harvard University, March 1978. See pp. 162-180, especially p. 162. p. 168, p. 171, p. 175, and p. 189 (from which the quotation is taken.)

How often has it been said that "you can't legislate morality?" And what could be further from the truth? What "you can't legislate" is personal virtue. That is true enough. But morality extends to considerations of social, economic, and political justice; and they are literally nothing if not enforced within the framework of law. The U. S. Supreme Court has been subjected to controversy and abuse for affirming that simple truth especially in its desegregation decisions. It is true that social, economic, and political justice require more than legal enforcement; but surely not less, not if one is serious.

To break the rule of the color line we have to face the question, what kind of equality are we prepared to pursue and to enforce? In the body politic? In the body economic? We will also have to face the question, what price are we paying for the inequalities which are promulgated and enforced by the rule of the color line?

This latter question is especially important. It is usually assumed that the costs will be incurred in trying to break the color line, not in continuing it, that social justice is a luxury that we may want to buy with the dividends from a growth economy. That may betray a profound misunderstanding of the relation between equity policies and economic growth policies. The A. Philip Randolph Institute's "Freedom Budget" of 1966 was based on the opposite theory, namely, that the serious inequities imposed by the color line (and other forms of discrimination) actually impeded the performance of the economy as a whole, that they imposed opportunity costs on the productive capacity of the economy, thus leaving everyone less well off.[7]

It is a variation on this perspective which is developed in Lester Thurow's Zero Sum Society. It is his thesis that "if we cannot learn to make, impose, and defend equity decisions, we are not going to solve any of our economic problems."[8] If this is true, then desegregation of the labor market could generate benefits as advantageous for whites as for blacks.

"If you examine the employment position of blacks," Thurow said, "there has been no improvement and perhaps a slight deterioration. Black unemployment has been exactly twice that of whites in each decade since World War II. And the 1970's are no exception to that rule. Whatever their successes and failures, equal opportunity programs have not succeeded in opening the economy to great employment for blacks. Given this thirty-year history, there is nothing that would lead anyone to predict improvements in the near future. To change the pattern, there

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[7] A "Freedom Budget" for All Americans: Budgeting Our Resources, 1966-1975 to Achieve "Freedom From Want." (New York: A. Philip A. Randolph Institute, 1966).

[8] Lester C. Thurow Zero-Sum Society: Distribution and The Possibilities of Economic Change (New York: Basic Books, 1980), p. 194.

would need to be a major restructuring of existing labor markets."[9]

Indeed, as matters stand now, Thurow's analysis indicates that economic performance is likely to decline generally and the position of blacks to deteriorate into a deeper inequality. He showed that between 1947 and 1977, while the distribution of family income, calculated for quintiles, had remained somewhat constant, the distribution of wage and salary earnings showed a tendency to shift in favor of the top two quintiles.[10] He accounted for this relative stability in the distribututional profile of the country by the combination of transfer payments to the poor, tax loopholes for the rich, and government-sponsored jobs and amenities (roads, schools, parks, etc.) for the middle class.[11] However, political pressure to deal with inflation and the increasing demands for economic security threatened that "troika of benefits," because of the counterdemands to cut back on government expenditures. "Any cutback," Thurow predicted, "will increase the economic pressures on the poor (fewer income transfer payments) and the middle class (fewer good jobs).[12] The double result he foresaw was increasing inequity in the distribution of economic benefits and retarded economic performance for the economy as a whole.

The clear implication of this line of reasoning is that the greater economic good depends importantly on the pursuit of equity, which is to say, the desegregation of the employment and other markets. What we have in Thurow is a utilitarian argument for the first of Lovin's norms for the practice of desegregation. In arguing that economic performance depends on effective equity decisions, he has given a utilitarian version of the idea that "protection of rights is the first priority."

The systematic and arbitrary subordination of blacks and the denial of their ordinary status as citizens, neighbors, workers, and human beings generally not only exact a price from its direct victims but also impose harm on the community at large. The affirmative duties therefore meet two criteria: to provide remedy for the direct victims and to rectify the harm to the community at large.

To meet these criteria means that the protection of rights is a policy problem as well as a police problem. The courts have a continuing role to play in the desegregation of this society because there are groups and individuals who can show by all the rules of evidence and procedure that they have been victimized by institutional policies which discriminate against them on arbitrary grounds of color and which deny them the ordinary status to which they are entitled under the constitution. That is

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[9] *Ibid.*, p. 185.
[10] *Ibid.*, Tables 7-1 and 7-2.
[11] *Ibid.*, pp. 157-158.
[12] *Ibid.*, p. 158.

the police problem. But the courts cannot find constructive remedies to these problems unless their findings are supported by remedial policies aimed at desegregating the institutional structure of opportunities. That is the policy problem.

These are not criteria which can be met with one or two simple strokes or without considerable debate and conflict; but it seems clear from our experience that what is at stake in both the police and the policy problems is our ability to mount and sustain a full employment policy. Desegregation, especially in the labor market, is a difficult proposition at best; and it is at maximum disadvantage if it has to be pursued as a program of redistributing unemployment. That brings out the worst in everyone. If Thurow is correct, however, the vigorous pursuit of desegregation may provide the stimulus to realistic and achievable full employment policies which benefit the community at large.

There is no law in nature or history that says protecting rights for groups and individuals must bring disadvantage to the community at large. And as we face the problems of the contemporary economy, it may well be that protecting rights of groups and individuals, especially by breaking the rules of the color line, may be the key to achieving advantages for the community at large.

We are a long way from protecting rights as a first priority. Desegregating the opportunity structure, as complex as that would be, is but a first step in breaking the rule of the color line; but it is the key to freeing the now suppressed capacities for initiative in the black communities and for releasing the now muted capacities for consent to the building of an equitably rewarding common life. We will know that the protection of rights is the operative priority when the prevailing principle of private cohesion is friendship, that unique combination of chance, personal desire, and mutual consent, and when the prevailing principle of public cohesion is integrated participation in all phases of institutional life, that is, when no opportunities in the society at large are closed to anybody on account of "race" or any of its associated euphemisms. Only under these conditions, will persons be truly free to choose their associations, to nurture and extend their cultural heritages, to shape their own lives and contribute as they will and can to the richness and diversity of society as a common enterprise on a non-invidious basis.

Therefore, desegregated opportunities is the first answer to the question, what kind of equality are we prepared to pursue and enforce. That is not a complete answer to the question. The real test of the distribution of opportunities is the ability to deliver, actually to overcome the hardships imposed by the rule of the color line, to achieve equitable results.

This brings us to Lovin's second and third norms, that affirmative rights entail affirmative actions and that systemic wrongs require systemic remedies. Merely opening up the future does not wipe the slate

clean. In fact, unless the slate is cleaned in the direction of more equitable results, it is not possible to open the future. A full employment policy which still left blacks disproportionately massed at the bottom of the system would still reinforce the rule of the color line.

Affirmative action programs, pursued on a hit or miss basis and not as an integral part of economic policy over the past decade, have led to cries of "preferential treatment" and complaints of unfairness. That is to say, affirmative action programs have not met the "systemic" test.

There may be all kinds of reasons why "absolute equity" or strict statistical egalitarianism cannot be achieved overnight and may not even be desirable or justifiable in heaven; but that does not alter the fact that systemic inequities based on color (or sex or any other arbitrary category which delivers privilege to some by denying opportunity and access to others) are both unjust and unjustifiable. Any pattern of social distribution which displays such categorical inequities and which enforces such categorical inequities—and that is the issue here, enforced, categorical inequities—is prima facie unjust and unjustifiable, however well entrenched it may be. The systemic wrongs are these enforced categorical inequities and the affirmative duties can be fulfilled only as we move toward nondiscriminatory patterns of distribution.

If we are even to accomplish this, we must be clear about the standard for measuring and judging equity. Surely Thurow is right when he says that the fully employed white male represents the standard of material advantage against which others measure their success and treatment in the economy. The question is whether the material advantages of the fully employed white male represent a privileged status which is necessarily purchased at a cost to all the others or whether this standard of achievement and reward represents a generalizable possibility. Thurow thinks that an economy which performs as well for everyone as it does for the fully employed white males is an achievable goal.[13] It is not a radically egalitarian goal, with its five to one spread in earned income averages by quintile, but it would be a considerable advance over the current twenty-seven to one spread.

This is an ideal standard for breaking the rule of the color line. In the first place, it faces the fact that the discriminatory impact of the color line has been collective and will not be broken by merely individualistic resolutions. Discriminatory impact has to be measured by comparing groups, and progress in rectifying that impact has to be measured by group standards. In the second place, as long as the profile of the black community significantly departs from the profile of the fully employed white male, it puts to rest debilitating claims about "preferential treat-

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[13] Ibid., pp. 200-201.

ment," at least at the macro-level of the argument. In the third place, it serves as a challenge and stimulus to the economic system to perforom for everyone—a possibility which its defenders claim is its virtue, but a test which it has yet to meet.

Therefore, black empowerment at least on a par with what has been white privilege is the second answer to the question, what kind of equality are we prepared to pursue and enforce. This kind of equality will test whether the white community has vested its self-respect in occupying a privileged position or not. No doubt some whites have; but it is a dubious proposition that most whites have. It seems that relative equality of the sort proposed is the necessary condition for combating the dynamic of fear, avoidance, and antipathy. Whites, like blacks, fear poverty and its effects at least as much as they fear color; and the black community needs the resources of relative equality to be able to deal in its own way with the sources of fear, avoidance, and antipathy, to deal with the situation from a position of relative equality, to speak with its own voices of reason. It takes relative equality to make the voices of conscience and reason effective in practical affairs and not simply the last refuges of the human spirit in the face of impotence and injustice.

This brings us to the last of Lovin's norms, that "public institutions must serve public needs." Public is a loaded word in democratic theory and in democratic societies, just as the word "needs" is subject to the deepest possible conflict as to its concrete meaning. Over and over, it has been said that "the public needs" racial separation as an inducement to civic peace; but it is the constant violence as an essential dimension of the color line which seems to create this "need" and to enforce the separation. What "the public needs" is an effective antidote to this constant violence.

It seems that even during the civil rights movement and certainly in the meantime, nonviolence has consistently been underestimated as to its importance for any strategy of combating the color line. For Dr. King, of course, nonviolence was both a moral and religious principle to which he was ultimately committed and from which he would not be moved. A study of his followers in Chicago showed, however, that for them nonviolence was more a strategic option than a moral commitment.[14] For the afficionadoes of the Civic Credo (in Chicago and elsewhere), "nonviolence" was just another way to disturb the civic peace and "provoke" violence in others.

There are several reasons why nonviolence has not been taken as seriously as perhaps it should. On the negative side, we have not taken the

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[14] This study will be reported fully in Civil Rights and Civil Religion: A View from Chicago. It is based on a survey of opinions and attitudes of delegates to the Coordinating Council of Community Organization, Chicago rights coalition.

measure of the intimate connection between the violence and the separa-
tion in the making and the keeping of the color line. Violence is repug-
nant. Everyone in his/her right mind wants to avoid it. To the extent
that violence is identified with whites, blacks want to avoid them. To the
extent that violence is identified with blacks, whites want to avoid them.
Hence, racial separation, but always incomplete. There is always a re-
gion where they meet. The more the separation, the higher the self-fulfil-
ling expectation of violence. The separation and the violence feed on
each other. Cannibalism in the body politics.

Also, on the negative side we have not taken the measure of deliberate
strategies of nonviolence, designed not only to expose but to counter, to
isolate, and to neutralize the effort of the structural violence which is so
essential to the rule of the color line. Even after the experience of the
civil rights movement which utilized aggressive tactics of nonviolent di-
rect action, too many people still think of nonviolence as merely passive
nonresistance.

On the positive side, there has begun, largely thanks to the monumen-
tal work of Gene Sharp, an exploration of nonviolence as a strategy for
wielding power, for building democratic support, and for forcing change.
While it is true that this work has only begun to explore the strategic
possibilities of nonviolence, it is nonetheless an encouraging beginning.[15]
Sharp's work is an argument and documentation for the versatility of
nonviolent strategies in the face of the whole gamut of political regimes
and problems; but in this context we are mainly interested in it as a
important and needed supplement to the everyday politics of liberal de-
mocracies like ours.

The combination of underestimating the continuing importance of the
violence in the making and the keeping of the color line and of underesti-
mating the potential of nonviolent strategies for countering that violence
and its dreadful political consequences has, time and again, brought de-
feat to hopes for change. The violence of the color line is more than a
police problem. Our own history proves that. The police have never been
able to prevent it, nor to prevent its political consequences. This is not
because the police are racist, though in many cases they have been. This
is because there is only so much control that the police can be expected
to achieve and maintain and that control does not generally extend to the
causes of political violence.

At some point, citizens themselves have to take some responsibility for
opposing political violence. By political violence we mean physical harm,
threatened or executed to persons and property, carried out in such a
manner as to force the community to alter its life in ways that would not

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[15] Gene Sharp The Politics of Nonviolent Action (Boston: Porter Sargent Publishers,
1973) and Social Power and Political Freedom (Boston: Porter Sargent Publishers, 1980).

freely be chosen. At best, the police can only deal with the direct perpe-
trators of such acts; but the police cannot be expected to deal with the
alterations of community life that are thus forced. What happens, in the
absence of politically structured alternatives, is that people try to move
away from the violence or they restrict their activities to avoid the vio-
lence or they arm themselves for defense. Every one of these alternatives
forces a way of living on the community which would not otherwise be
chosen. It is a serious blow to democratic politics which aspires to be the
politics of self-governing communities.

Political violence is the most serious challenge to democratic politics
because it is an attack on the freedom of association and on the self-
governing potential of the body politic. The question is: how can citizens
take responsibility for opposing political violence? Without an answer to
that question, the democratic prospect is measurably and dramatically
dimmed. If the violence is allowed, legitimated, and accommodated, then
there is no way finally to break the rule of the color line. The hidden
premise of racist realism is the affirmation of political impotence in the
face of political violence.

It is, therefore, impossible to believe that we can break the rule of the
color line unless we can develop effective ways of countering and neutral-
izing the violence which is an essential dimension of it. We cannot expect
Americans of any color to give up their historic orientation that violence
is the legitimate "last resort" in the face of threat unless it can be shown
that there is a more effective "last report." It is not enough to point out
that violence cannot effectively be countered by violence so long as peo-
ple continue to believe it is the only real "bottom line" of commitment.
Nor will we be able to counter political violence as long as it is believed
to be the legitimate result of frustration, anger, and rage.

Frustration, anger, and rage are some of the raw materials of the color
line; and it is not to be expected that they will disappear under any cir-
cumstances. The fact, however, that they are perennially possible states
of personal feeling does not sanction any particular political expression
of them. We do not sanction murder just because the agent was in the
grip of frustration, anger, or rage. Nor should be sanction more collec-
tive actions that appeal to these motives and distort the very shape of the
political order and social geography. The problem is to develop politi-
cally constructive channels for these passions which will not go away. In
the absence of real, socially structured alternatives for their expression,
the frustration, anger, and rage only deepen the rule of the color line.

Building politically constructive and aggressive nonviolent channels for
the expression of frustration, anger, and fear is the only alternative we
have to being governed, indeed coerced by the political violence of the
color line. What other means do we have to reassert the dignity of indi-
viduals and the decency of democratic political order, to reassert our

right to organize institutions which transcend interpersonal relationships, to fashion common purposes to control the effects of those interactions, and to provide means for the peaceful settlement of conflicts arising from those interactions?

Of course, the counter question is: do we really have any such means? Do we even have such a possiblity? Didn't the collapse of the civil rights movement "prove" that nonviolence does not work? That is probably the deepest challenge of the color line to any democratic hopes for a wider justice.

At this point, no one should venture too certain an answer to these questions. Those who say, "no, we do not even have the possibility of aggressive nonviolent alternatives to the present situation," shut off the exploration of what may be our most important option. Those who say, "yes, of course we can develop effective nonviolent means of combating the political violence of the color line," speak way beyond the presently structured possibilities. The question of developing our nonviolent capacities is the question on which the future of the color line hangs as well as the future propects for democratic social change. It is at the moment the missing piece.

We do have resources that could be developed; and fortunately we do not have to suppose that everyone or even a majority needs to be converted to nonviolence before anything will be possible. We do not have a thriving sector of voluntary associations, and historically they are the birthplace of social and political novelty. And among those voluntary associations there is a variety of both national and local groups concerned with the problems generated by the color line—"race" groups, "civil rights" groups, "social change" groups. None of these is, at the moment, looking hopefully to the immediate future. The problems which concern these groups all seem so much larger than the resources available to deal with them; but they all have one thing in common (even when they are so ideologically divided that they will not even speak to each other); they want to find some way to break the debilitating rule of the color line.

If nonviolence is ever going to make a comeback, it will have to be on a basis different from the moral and religious basis on which it was defended during the civil rights movement. The only basis on which nonviolence will get a new hearing and, we believe, the only basis on which it deserves a new hearing will be on a practical basis, on the belief and demonstration that it actually works as a method of gaining support, forcing change, and defeating the political violence of the color line. It will have to be developed as a way of meeting head-on those forces that actually scare people and distort the community: drug pushers, youth gangs, pimps, bigots, house-burners, slumlords, corrupt officials, and the like. Nonviolence cannot be restricted to complaints about government or demands that government do something as it largely was during the civil

rights movement. That was an appropriate and successful strategy against de jure segregation: but it is not likely to be a productive strategy against the metropolitan color line. That is what the open housing marches in Chicago "proved."

What is called for now are nonviolent vigilantes, organized groups of people determined to reclaim the freedom of the streets, the freedom of association, the freedom of citizens in their own country. Black and white alike, we are living like prisoners in our own country, afraid to walk our own streets, threatened by the structure of our own society. Some whites may believe that blacks are threat; but black are the most threatened of all by this violence. And it may be, although it hurts to say it, that they will have to lead the way for the country to follow. It hurts to say it because they are already bearing the greatest burden.

This does not mean, of course, that they will have to do it alone. There are whites in this society who will join the effort to counter the violence of the color line and who understand that, to some extent, there is a public need for integrated strategies if desegregation and black power are ever going to amount to real and substantial structural changes in the rule of the color line. "Black and white together, we shall overcome" is the truth of the matter even when the possibilities of it seem remote.

Only by directly confronting the dimension of violence can we hope to break the rule of the color line. As long as that goes unchallenged, our fate is sealed. If, on the other hand, we can begin to isolate the violence and its perpetrators instead of being atomizeed and made impotent by it and by them, then we have a chance of achieving the levels of desegrega-tion and black power necessary to break the rule of the color line.

By facing the simple fact that there are some kinds of protection that citizens cannot buy, the creative use of nonviolence can strengthen the rule of law without turning the society into a police state. There is no substitute for the organized vigilance of the citizens themselves. Civil rights groups, churches, community organizations, urban business groups, and even insurance companies and banks already have a commu-nity of interest, albeit a disorganized one, in developing the potential of effective nonviolent vigilance and intervention in the political violence of the color line. It would be foolish to suggest that isolating, countering, and neutralizing the violence of the color line is anything but a chancy enterprise; but there is so much at stake in it for everyone in the society that sooner or later, it is a chance that some of us will have to risk.

Public institutions cannot serve public needs when the citizens them-selves, through their own voluntary associations, do not give emotional force and political focus to what those needs are. It is hard to say which needs come first; but it seems unlikely that we will make much headway on either desegregated opportunities or real black empowerment unless at the same time we are committed to creating integrated resolutions of

the conflict which the vigorus pursuit of either desegregation or black empowerment will generate.

In addition, black and white alike suffer directly from the violence of the color line and from its effects on the political community; and it will require efforts from both sides of the line as well as integrated efforts to defeat the violence and rebuild the political community which has been fractured by it. Surely such initiations will have to originate in the voluntary sector, but the resolutions will have to be institutional to be effective.

In the first instance, equality of opportunity is most relevant to those who are discriminated against by the operations of the color line; but as group-oriented remedies are required, it is not only possible but likely that others who have (shall we say?) innocently benefited from the color line may either feel or be treated unfairly by the proposed remedies. Until or unless there are effective and regular due processes for adjudicating such claims and for providing compensation to successful claimants (instead of retreating from group-oriented remedies), we will have no end of resentment, frustration, anger, and rage. We cannot break the rule of the color line if claims of "reverse discrimination" become a political impediment to constructive effects at eliminating root discrimination.

It would be better to call the one "primary discrimination," the other "secondary discrimination." That would at least make clear the nature and depth of the problem we are dealing with instead of playing the one off against the other to the point of acrimonious impasse. No policy of black empowerment either can or should succeed unless it includes provisions for generous compensation to individuals who stand to be demonstrably harmed by this pursuit of a broader equity. This would go a long way toward overcoming resentments which such a policy would otherwise provoke. There is no reason in principle why "serving public needs" should create further forced disabilities. Given sufficient institutional creativity, we should be able to work out integrated resolutions.

Integrated and equitable resolutions, that is the third and final answer to the question, what kind of equality are we prepared to pursue and enforce. It is true that such resolutions may be expensive and may become most politically feasible when the economy is in a growth mode; but the case has been made that the ability of our economy to sustain a growth mode may well depend on the kind of equity decisions needed to break the rule of the color line. Growth depends on bringing groups into the productive economy, not on keeping them down and out. The harmony between individual and community well-being may not be preestablished, but it can be worked out if each citizen has an equal view. That is the perennial of justice, however partial and ambigious the day-to-day achievements may be.

Some Concluding Comments

The color line is a problem of faith and justice. It is a socially structured rule. We have explored some of the ground which may be available and some of the policies which will be required to break the rule of the color line. We have emphasized the redistributive imperatives which follow from any serious commitment to democratic equality: desegregated opportunities, black empowerment, integrated and equitable relations. We have given a hopeful reading of the prospects for democratic social change at least to this extent: we have discussed it as a real possibility. The 'facts' of antagonism and inequality have always seemed so massive, the justifications apparently so thin, that the reasonable prospects for change have always been, to some large extent, a matter of faith. At this point, perhaps, the best we can do is give a brief account of the faith which has informed and sustained this inquiry.

The collapse of the civil rights movement was a serious loss. It marked the loss of any vision of what might lie "beyond this life" dominated by the rule of the color line, the loss of that slender thread of hope for change in the very structure of American race relations. It opened an abyss of doubt about both the power and the substance of democratic values in American life. By the late 1960's, Myrdal's optimism about the power and substance of the American Creed had come to seem hopelessly misplaced, and in typical American fashion we went from optimism to cynicism about our prospects for democratic social change. Amid the triumph of the Civic Creed and the counsels of "benign neglect," racist realism reasserted itself as the national framework for disposing of issues of "racial justice." Only occasional cries of "black power" remained as echoes of the moral urgency which had so recently been the driving force of the whole movement; but even those voices were swept along in the tide of civic cynicism.

It may be that the recovery of reasonable hope is our most difficult problem. At least that has been the underlying purpose in our exploration of the problems of faith and justice. We know that the optimism of a Myrdal cannot be recovered; but what is more, we do not believe it would be desirable even if it were possible. American life, it turns out, is much more religiously complex than Myrdal supposed in his reading of the American Creed; and the color line is much more structurally pervasive and articulated than he supposed in his reading of the American dilemma.

Like Myrdal, we have tried to open a rational way to press moral claims against the structure of the color line, to provide a disciplined approach to the value conflicts which eventuate in and emanate from the color line, and to uncover a realistic moral basis for a politics of change. Myrdal solved these problems by attributing social force and centrality

to the American Creed and then placing the facts of the "Negro problem" in that context. He was thus able to avoid direct confrontation with the normative problems raised by the color line. Values remained facts for him. It was their power which allowed him to rely on them. But what if high values are out of power? Then what? That is our problem; but it is also a problem for the very disciplines of social inquiry on which we rely for understanding ourselves as a society.

We cannot afford to purchase hope at the price of neglecting or suppressing the seriousness of our problem. False hopes can be as detrimental to the community as bad faith. Reasonable hope proceeds from unflinching recognition of the facts, whatever they may be, and a commitment to pursue the alternative possibilities, however slim they may seem. Perhaps we can make clearer our grounds for hope by contrasting them with Myrdal's grounds for optimism.

Normatively we have relied on what we called the democratic anthropology, the generic human capacities for consent, conscience, political interaction, initiation, association, and reason. Here we shall compare and contrast our own reading of these capacities with Myrdal's; in this way perhaps we can explain why we are not optimistic about the prospect for democratic social change even though we do see some grounds for reasonable hope.

As Myrdal understood it, the American Creed represented the deep value consensus that held America together in spite of all manner of contradictory impulses. He believed that the American Creed, with its commitment to the dignity and equality of all persons before the law and under the Divine, would ultimately demarcate the level to which the American people were going to rise in their relations with each other. That was the promise of American life. It was the American faith. We see now, however, it is but one of the American faiths and it is not as decisively contrary to the continued rule of the color line as Myrdal supposed. The democratic faith is more ambivalently articulated in American life than Myrdal's American Creed, and it stands in a competitive relationship with other structures of faith, most notably the color line and the invisible religion. We cannot say with Myrdal that "in principle the Negro problem was settled long ago." It is exactly at the point of principle that the matter remains unsettled in American life. As long as the color line rules, the denial of ordinary status to blacks seems to be a natural state of affairs. Equal rights and equal citizenship may be recognized as the valid basis for claims; but we cannot say that the American public is on the verge of breaking the rule of the color line simply because the equal rights and equal citizenship of blacks are violated by it. Rights claims will continue to provide the transcendant basis for movements and policies aimed at democratic social change; but it is no longer possible to believe, if it ever was, that such claims will carry the day by

virtue of their transcendant dominance in the culture. They may be worth fighting for; but their success is not assured.

By the same token, the issues of conscience seem much more complex than Myrdal's portrayal of them as an American dilemma. Because of the dynamics of fear and abasement, many Americans, far from experiencing any dilemma between their higher values and lower impulses, feel quite justified in behavior that not only reinforces but extends the color line. While we propose group-oriented remedies of affirmative action as the antidote to this dynamic of fear and abasement, we have to realize that such proposals are far from self-evident as solutions to the problems of conscience generated on both sides of the color line. And we can be quite certain that, however beneficial such remedies might prove to be, they will never be adopted on a relevant, societal scale without a renewal of comprehensive vision.

Therefore, like Myrdal, we too have a rank order of discriminations; but where Myrdal was geared to the protocols of Jim Crow, ours is attunded to the realities of the metropolitan color line. It is our judgement that limiting, isolating, and countering the violence of the color line is the number one priority for blacks and whites alike. Because of his rank order of discrimination, Myrdal believed that the prospect for a politics of democratic social change depended on the fact that blacks and whites had an inverse order; in other words, that blacks cared most about things which concerned whites the least. In our view, the prospects for change will ultimately depend on finding and developing those concerns which blacks and whites share, beginning with the issue of violence.

A second priority which blacks and whites potentially share is a concern for full employment. Affirmative action programs which raise the average of black participation in the economy up to the level of white participation do not stand a chance except in the context of resolutely pursued politices of full employment. By the same token, neither do white concerns for economic security stand any hope for realization except in the same policy context. As long as black demands can continue to be played off against white hopes, neither one will get what they want. Yet there appear to be no reasons in the nature of the economic system why they could not both get what they want. Thus, while Myrdal looked to a principle of cumulation to raise blacks gradually from their condition of subordination through the pursuit of issues that whites did not care too much about, we look to a convergence of black and white interests in full employment to provide the conditions necessary to challenge black subordination, especially in this economy.

Thus, while Myrdal looked to race improvement groups and their white allies to pursue the politics of democratic social change, we look to the mobilization of a broad range of voluntary associations and even some business groups to articulate and pursue broad equity goals for the

society at large. Of course, we do not expect traditional civil rights groups like the NAACP and the Urban League to put aside their special concerns for blacks. The status of blacks in the economy is and will remain the real test of progress toward equity goals; but effective pressure for common rules for measuring especially economic justice will have to come from the voluntary sector on a broad scale if it is going to come from anywhere.

Therefore, while Myrdal looked to the educational process and social planning on a rational basis to lead the way to racial equality, we frankly look to coalition politics as the most viable basis and force for change. Only thus will the pluralism of black voices be released into the public realm. It is one of the damaging fictions of the color line that the black community should speak in only one voice. As long the color line rules, the black community, as a matter of self-defense, must raise voices of protest, self-affirmation, and redistribution, that is, demands for desegregation, black power, and integration; but these are voices which can find resonance in the white communities as well because it is not just black history which is at stake in the rule of the color line. It is the character, the value, and the ultimate meaning of American history which is on the line.

We are hopeful that Americans will ultimately choose their own vision of self-respecting citizens in a self-governing community over the separations, the subordinations, the denials of ordinary status, the dynamics of fear and abasement, the political violence, and the rationalizations of the color line. It seems a reasonable hope; but a hope is all it is, or, as Dr. King said at the Lincoln Memorial, a dream. We hardly seem to have come to the point where we can say, beyond this is beyond us; but if we have, then God have mercy on our souls.