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Passing, Traveling and Reality: Social Constructionism and the Metaphysics of Race

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Among race theorists, the view that race is a social construction is widespread. While the term 'social construction' is sometimes intended to mean merely that race does not (as once believed) constitute a robust, biological natural kind, it often labels the stronger position that race is real, but not a biological kind. For example, Charles Mills (1998) writes that, "the task of those working on race is to put race in quotes, 'race', while still insisting that *nevertheless, it exists* (and moves people)"(xiv, italics his). It is to "make a plausible social ontology neither essentialist, innate, nor transhistorical, but real enough for all that" (xiv). Racial constructionism, thus conceived, is a metaphysical position that contrasts both with the view that race is an important biological kind (*racial naturalism*) and with the more recent claim that race does not exist (*racial skepticism*). The desire for a constructionist metaphysics of race emerges against the background of a cluster of *normative* disputes, including:

1. *Labeling Practices*: Is the use of *any* racial terms to pick out various human groups or subgroups by arbitrary bodily features useful or permissible?
2. *Terminology*: Should term x be used in social life, social theory or social science?
3. *Significance of Racial Identity*: What is the value of racial identification of oneself or others? Is racial identification morally significant? Is the social enforcement of racial identification morally permissible? Is it morally required?

To simplify, we can characterize these normative disputes as disputes over the value of 'race' talk.[1] By "'race' talk" I mean talk that uses 'race' and

other race terms including terms such as 'black', 'white', 'Asian', etc. to classify people (including oneself) or differentially treat them. A rough characterization of these normative disputes has it that at one pole of these debates short-term *eliminativists* want to eliminate 'race' talk quickly (e.g. Appiah 1995, D'Souza 1996, Muir 1993, Webster 1992, Zack 1993). At the opposite extreme, long-term *conservationists* hold that racial identities and communities are beneficial and that 'race' talk—suitably reformed from the excesses of racism—is essential to fostering them (e.g. Outlaw 1990, 1995, 1996). In between these two extremes, there are many who believe that race talk is necessary (and perhaps inevitable) in at least some domains in the short term because of the pervasive existence of racial division and the effects of such division in modern life but who differ with regard to its long term value.

Normative disputes give rise to a concern with the metaphysics of race because of the role metaphysical arguments play in supporting normative conclusions. For example, Naomi Zack argues that "the ordinary concept of race in the United States has no scientific basis" (1993, 18), and K. Anthony Appiah writes that, "the truth is that there are no races: there is nothing in the world that can do all we ask 'race' to do for us" (1995, 75). According to Zack and Appiah, 'race' talk makes reference to a set of racial properties that literally do not exist, and, for each, this provides a reason to eliminate such talk as mistaken.[2] According to this line of argument, the correct metaphysical position (racial skepticism) provides a reason to endorse a particular answer to the normative question (eliminativism). Like their eliminativist opponents, short and long-term conservationists about 'race' talk argue from a metaphysical (constructionist) account of race to conclusions about the need for 'race' talk. We can see this appeal in Lucius Outlaw's claim that, "For most of us that there are different races of people is one of the most obvious features of our social worlds" (1990, 58), as well as in Mills's insistence that race "exists" and "moves people." Such theorists argue that theories or policies that do not make reference to race leave something out (e.g. Outlaw 1995, Mills 1998, Omi and Winant 1986, 1994, Root 2000, Sundstrom 2002).

But what is this thing? Constructionist theorists are loath to embrace racial skepticism, but they (like racial skeptics) wish to avoid a commitment to racial naturalism. Instead, constructionists hope to chart a third metaphysical option, one that holds that race exists, but as a product of particular social practices. But what, exactly, does it mean for race to be socially constructed? In recent years, a variety of philosophers including Robert Gooding-Williams (1998), Mills, Adrian Piper (1992), Michael Root (2000), and Iris Marion Young (1989) have turned their attention to this metaphysical question.[3] In what follows, I argue that despite the progress these accounts represent, they nonetheless fail to arrive at an adequate constructionist account of race. The reason, I suggest, is that

constructionists are committed to three mutually unsatisfiable constraints on an acceptable account of race, and no univocal account can satisfy all three. Faced with this failure, one might be tempted to abandon constructionism for racial skepticism. Another alternative is to abandon one or another of the proposed constraints in favor of an attenuated constructionism. I argue, however, that we need not choose between these alternatives. Once we set aside the worry about which account is appropriately considered an account of *race*, we see that skepticism and the various attenuated forms of constructionism are best understood not as metaphysical rivals at all. Rather, these positions share a broad base of metaphysical agreement.

Here's how I proceed. In Section 1, I briefly discuss the widely endorsed view that race is not a biological natural kind. Then, in Section 2, I focus on whether constructionists can account for the phenomena of *passing*. *Passing* occurs whenever a member of some category is perceived (and allows herself to be perceived) as a member of another, mutually exclusive category, for example a white person passing as black, or a black person passing as white. Walter Benn Michaels (1994) charges that constructionist accounts of race cannot account for passing. I show how a constructionist account of race drawing on work by Gooding-Williams (1998), Mills (1998), and Piper (1992)—a version of what I call a *thin* account of race—can answer Michaels's critique. In Section 3, I turn to discuss the claim by Root and others that race 'does not travel' beyond a particular cultural-historical site, and I will show that constructionists can make sense of such claims by endorsing an *interactive kind* account of race. Constructionists thus have ready answers for the challenges raised by passing and not traveling. Unfortunately, the two answers invoke two different accounts of what race is and thus do not provide us with a univocal account of race. For this reason, I consider a third, *institutional* account of race. Such an account, I suggest, *can* accommodate both passing and not traveling. But, in Section 4, I argue that institutional accounts fail to meet a third condition of adequacy on a constructionist account of race: accounting for the *reality* of race. I conclude that no single constructionist account of race can accommodate all the theoretical needs to which constructionists wish to put it. In Section 5, I argue that the failure to find a univocal constructionist account leads us to a variety of alternative accounts of race that abandon one or more of the adequacy constraints I have suggested. But rather than choose between these accounts, I argue the divisions among them are not metaphysically significant. In confronting racial phenomena, skepticism and the varieties of constructionism share a broad base of metaphysical agreement, and an adequate racial theory should exploit this agreement and work to distinguish all the features of racial phenomena that matter.

1. The Social Construction of Race and the Ontological Consensus

K. Anthony Appiah uses "racialism" for the view that,

> we could divide human beings into a small number of groups, called "races," in
> such a way that the members of these groups shared certain fundamental,
> heritable, physical, moral, intellectual, and cultural characteristics with one
> another that they did not share with members of any other race.[4]

Let's draw a distinction between *thin* and *thick* racial endowments. Thin
racial endowments are thin clusters of properties that include one's geno-
type, and more or less genetically determined phenotypic features such as
skin color, eye color, and body morphology that have traditionally been
associated with racial categories. Include also in one's thin racial endow-
ment various relational properties including one's ancestry that are extrinsic
to the individual, but are heritable.[5] It is on the basis of perceptible elements
of my thin racial endowment that people everyday ascribe me to a racial
category. In contrast, a thick racial endowment is what racialism is com-
mitted to: the existence of thick clusters of properties including those
properties in the thin racial endowment and, in addition, a set of "physical,
moral, intellectual, and cultural characteristics" that are held to be
explained by one's biological endowment. Racialists thus hold that race is
an important biological and social category. If racialism were correct,
knowing someone's race would provide you good reason to believe other
things about the person's physical, moral, intellectual, and cultural char-
acteristics. However, there is now widespread agreement among scientists
and social theorists alike that racialism is wrong since there are not the sorts
of thick clusters of biologically determined human traits envisaged by
racialism.[6] Appiah provides a succinct explanation:

> while there are some characteristics that we are very good at recognizing—skin
> color, hair, skull shape—that are very unevenly geographically distributed, the
> groups produced by these assignments do not cluster much for other character-
> istics. (1996, 68)

Because genotypic or other biological racial differences do not determine or
explain thick clusters of phenotypic racial differences, racialism is false. I
will call the denial of racialism the *ontological consensus*.[7] Racialism is a
moral and political concern since the presence of thick clusters of biologic-
ally determined character traits may provide a foundation for racist claims
of racial moral, intellectual or cultural superiority. I will follow the practice
of saying that *racist* doctrines involve both the endorsement of racialism
and additional claims of the superiority of one or another race.[8] The
ontological consensus undermines racism by undermining racialism.[9]

   Any constructionist theory of race should be consistent with the ontological consensus, but notice that the ontological consensus leaves in place other questions such as "does race exist?" and "ought we to use 'race' talk?" We could, for example, reply to the former question by saying that since nothing like the racial kinds posited by racialist biology exists, race does not exist. Or we could conclude that races do exist, but that racialists were and are woefully mistaken about what races are. Perhaps we should say that racial concepts correctly differentiate people on the basis of thin racial endowments, but the explanatory power of such concepts is extremely limited. Alternatively, we could say that races did not exist in the past, but now they do as some sort of social construction. These options will become clearer as we go along.[10]

2. On Passing

Passing is an important phenomenon in the history and experience of race in America, and it is also discussed by a variety of constructionist racial theorists.[11] Passing is problematic for constructionists, since it seems to involve a person objectively belonging to one race while being believed to belong to another. Since constructionist accounts of race aim to offer an account of what race is, these accounts ought also to allow us to understand passing. On the other hand, if a constructionist account cannot make sense of passing, then such accounts must be inadequate to understanding the complexity of race. Thus,

   The Passing Constraint: On a constructionist theory of race, passing should be possible and explicable.

Michaels (1994) charges that constructionist accounts of race fail on precisely these grounds. In this section, I will set out Michaels's charge, and I will draw upon and extend recent constructionist accounts by Gooding-Williams and Mills to answer the charge. I will then consider the conception of race that underlies this response.

2.1 Michaels's Critique of Constructionism
Michaels's critique stems from his general view that "for the idea of cultural identity to do any work beyond describing the beliefs people actually hold and the things they actually do, it must resort to some version of the essentialism it begins by repudiating."[12] Passing provides an important test case, Michaels believes, because "the very idea of passing—whether it takes the form of looking like you belong to a different race or of acting like you belong to a different race—requires an understanding of race as something separate from the way you look and the way you act" (1994, 768). He continues: "If ... to see race as a social construction is inevitably (even if

unwillingly and unknowingly) to essentialize it, then race really is either an essence or an illusion" (1994, 769). Michaels thinks the choice is clear: either hold on to racial ascription and be committed to some sort of pernicious essentialism, or abandon it and abandon the idea that race exists. A racial constructionist middle ground does not exist.

Michaels's argument takes the form of a dilemma, the first horn of which can be stated in a simple and seemingly compelling manner:

I1. Social constructionists hold that "race [is] nothing but culture" (1994, 768).
I2. Culture is "nothing more than what we do and believe" (1992, 682), "a distinctive array of believes and practices" (1994, 768).
I3. So, race is nothing more than what we do and believe.
I4. Therefore, "to believe and practice what the members of any race believed and practiced would, by definition, make you a member of that race" (1994, 768).
I5. This makes one's race a voluntary choice, for people could change their racial identity, siblings could belong to different races, people who were as genetically unlike each other as it's possible for two humans to be could nonetheless belong to the same race. None of these things is possible in the U.S. today. And, were they to become possible, we would think not that we had finally succeeded in developing an antiessentialist account of race but that we had given up the idea of race altogether. (1994, 768)

To accept I1-I4 is to accept an *identification* account of race. On this account, one's race is determined simply by what one believes and how one acts.[13] Michaels's argument shows that an identification account of race makes passing impossible.

Robert Gooding-Williams (1998) challenges Michaels's argument by denying that (I4) follows from (I3). The argument assumes that if race is "nothing but culture" that means that what makes someone a member of a race is the racially differentiated way they act. But race can be "nothing but culture" and not depend on the individual beliefs, actions, or identifications of those racially labeled. Rather, as Gooding-Williams points out, constructionists may hold that race is "nothing but culture" in that practices of racial *classification* are nothing but culture, and that it is these practices that determine the criteria for racial membership (21).

Michaels considers this possibility, but he thinks that it falls upon the other horn of his dilemma, and so it simply displaces the problem. The argument for this other horn is again straightforward:

C1. Alternatively, constructionists hold that one's race is a matter of how one is classified.

C2. This makes it the case that "if you are perceived as black, you are black" (1994, 767–768).

C3. And this makes passing impossible, since to pass as a member of race R would be sufficient to *be* a member of race R.

Gooding-Williams thinks that Michaels's argument here stems from a confusion about the position he attacks—Adrian Piper's (1992) discussion of passing. Michaels's critique is directed at Piper's claim that "what makes blacks black is 'the shared experience of being visually or cognitively identified as black by a white racist society, and the punitive and damaging effects of that identification'."[14] However, as Gooding-Williams points out, Piper's account has more than merely visual modes of identification to rely on:

> Where Piper sees the American practice of racial classification as incorporating both visual *and cognitive* identifications, Michaels pays attention only to visual identifications, that is to the *perception* of individuals as black....Piper's reference to cognitive identification is meant, I assume, to flag the fact that the American practice of racial classification involves criteria entailing that someone perceived to be white can be black and that someone perceived to be black can be white. (21)

Gooding-Williams is correct that a constructionist account may draw on more than perceptual criteria in determining racial ascription. Ordinary racial ascription draws a distinction between *looking* like a member of a race—what we might call *apparent* race—and actually *being* a member of that race.

But despite Gooding-Williams's defense, Piper's account cannot answer Michaels's objection. For Michaels can restate his objection without reference to perceptual identification, which he does:

> The point of [Piper's] definition is that being black means being identified by a white racist society as black. On what grounds, then, can someone who is *not* identified by that society as black be said to be black? (1994, 768)

The problem with Piper's account is not one that can be resolved only by appeal to cognitive criteria. The problem is that Piper's conception of black identity relies not on apparent race (as Michaels initially implied) nor on how a person would be classified under some set of cognitive criteria, but on the set of *actual* experiences shared by people in virtue of their being subject to a common classificatory system. Call this an *experiential* account of race. On an experiential account of race, anyone who escapes *actually being* classified as a member of race R (and thereby escapes the common experiences of R's) is not an R.

Experiential accounts of race are important, but they cannot account for the depth of some ordinary intuitions about race and passing. The pressing problem for meeting the Passing Constraint is that paradigm cases of passing suggest that at least one of the ordinary notions of race has it that someone could racially pass *even to herself*, and *even throughout much of her life*. As a literary example, consider Mark Twain's (1976) *The Tragedy of Pudd'nhead Wilson*, which details the story of two indistinguishable infants, one a black slave and the other a white heir, whose positions are switched.[15] The novel climaxes with the restoration of their racial positions, and the narrative depends in part on the idea that the children were passing as members of another race—not in virtue of their racial experiences, but only in virtue of their parentage and ancestry. Real life cases that suggest a similar nonexperiential notion of race at work include both the infamous case of Susie Phipps, a woman declared black by a Louisiana court despite always having thought she was white, and the case of Gregory Williams who 'discovered' that he was black only as an adolescent when his parents divorced.[16] An experiential account of race would allow for passing only in the cases in which a person has experienced being classified as a member of one category, but chooses for a time to pass as a member of another. Insofar as the ordinary notion of race and passing recognizes a distinction between one's racially marked experiences and one's race, the experiential constructionist account falls short of an illuminating explanation of para-digm cases.

The failure of the experiential account to explain ordinary intuitions about race and passing is something a proponent of such a theory might accept. Perhaps the ordinary conception of race is deeply flawed or inco-herent and should be abandoned. Certainly it is sometimes necessary to discard ordinary beliefs and concepts in light of empirical evidence or theoretical considerations. Alternatively, the ordinary notion may need to be abandoned because the employment of it is immoral or oppressive. The present point is simply that a constructionist account of race that departs significantly from the ordinary conception will also fail to explain cases of passing that stem from this conception. Insofar as constructionists are committed to the Passing Constraint, they are committed to going beyond an experiential account of race.

2.2 Mills's Conceptual Constructionism

Gooding-Williams's defense of Piper falls short because an experiential account of race does not allow for passing in paradigm cases, but the distinction he draws between perceptual and cognitive criteria points us towards a more adequate account. What Gooding-Williams is suggesting is that our initial perception of someone's race may be mistaken, relative to our background theory of racial ascription. Our view of race is, as Appiah writes, "theoretically committed" (1996, 79). No constructionist account

has done more to make the character of this commitment clear than Mills's (1998) recent defense of racial constructionism. In this section, I will set out an answer to Michaels's charge that draws upon the resources of Mills's constructionism. I should note at the outset that the present account extends Mills's discussion in crucial and controversial ways, and I am not at all sure that he would endorse the specifics of the account offered here.[17] I offer this interpretation because I think it provides the best constructionist reply to Michaels's challenge.

According to Mills, actual racial ascriptions are judgments about whether a person meets the relevant criteria to be a member of a particular race. These criteria are themselves the subject of an independent agreement on the part of the community as to what are the appropriate conditions for the application of racial labels or concepts. So Mills's racial constructionism proceeds in two stages. At the first stage, a community agrees upon the criteria for application of the concept or label.[18] And, at the second stage, the community determines the race of individuals by reference to those criteria. Such an account allows us to understand how there could be objective but constructed facts about racial membership, and how particular judgments about racial membership could be genuinely wrong (as in cases of passing). Following Mills, I will call this an *objectivist* account of race.

To see how mere agreement on criteria can create an objective category, consider the rules of baseball. The rules of baseball determine a batter's strike zone, and thereby determine, for a given pitch, whether that pitch is a strike. It's because we recognize the rules as determining an objective fact about strikes that we can say things like 'the umpire made a bad call'.[19] Mills's suggestion is that we can make sense of a community being mistaken about a person's race just as we make sense of a strike in baseball—by reference to the antecedently agreed upon criteria that the community was attempting to apply. Just what these criteria are could form the subject of a social psychological investigation, but Mills suggests that bodily appearance, ancestry, self-awareness of ancestry, public awareness of ancestry, culture, experience, and self-identification are all relevant.[20] Mills's discussion makes it clear that he is interested in discovering criteria relevant to the ordinary, or folk, concept of race. I will therefore call Mills's account a *folk objectivist* account of race.

On a folk objectivist account, we can explain passing as long as we can make sense of mistaken judgments as to whether someone meets the relevant criteria. Here is where something like Gooding-Williams's distinction between perceptual and cognitive criteria is useful. Passing in a social category is possible because there is a distinction between those properties that are *indicative* of category membership (such as easily perceptible racial markers), and those that are *central*. A property is indicative of category membership if having the property increases the likelihood that one is a member of the category. In the United States wearing a dress is indicative of

being a woman. However, it is also the case that some men wear dresses, and many women never do. Wearing a dress is neither necessary nor sufficient for being a woman. Similarly, having a certain color of skin or a certain way of speaking may be indicative of one's being a member of a particular race, even though skin color and manner of speaking are neither necessary nor sufficient for racial membership. Other properties, however, are more *central*:

> A criterion *p* for the application of a term or concept *c* is *central* to the extent that users of *c* consider *p*'s obtaining to be a necessary or sufficient condition for the application of *c*.[21]

For example, Appiah writes that, "There is from the very beginning until the present, at the heart of the system [of racial classification] a simple rule that very few would dispute even today: where both parents are of a single race, the child is of the same race as the parents" (1996, 77). Thus, if Appiah is correct, ancestry is a very central criterion for folk racial ascription. A great deal of discussion surrounds the apparently very central 'one-drop' rule which holds that having a single black ancestor—'a single drop of black blood'—is sufficient to make one black. Mills's various criteria range from those that are more central to those that are less. Mills never offers an authoritative ranking, but it is clear that he, like Appiah, holds ancestry to be very central to racial classification in the United States. He writes, "In the U.S. racial system, at least for whites and blacks, ancestry is usually taken as both necessary and sufficient for racial membership" (1998, 51). Mills's position is that there is a folk taxonomic system of race that determines (more or less) who counts as being of which race. On his account, ordinary racial concepts determine objective criteria for racial ascription, but individual judgments about the application of these concepts (and their associated labels) may be mistaken.[22] Hence:

> *Folk Objectivist Account*: A person is race R if they are the type of person that falls under the folk concept *R* (where this involves satisfying the criteria central to the application of that concept).

The folk objectivist account allows us to understand passing. Passing occurs when someone has the properties that are central to membership in one category but has other properties that are indicative of membership in another mutually exclusive category. Understanding the distinction between central and indicative features of a racial category allows us to see why identifying as, appearing as, and being identified as a member of race R are not sufficient to *be* a member of race R. Identification as a member of a certain race, apparent race, and experiential race are merely indicative of racial membership. For a person's race, on the folk objectivist account, is

determined by whether or not they satisfy (at least some subset of) the central features of the concept, not by whether they are *thought* to satisfy the central features. Just as the umpire can make a mistake about whether a pitch is a strike, so the community can make a mistake about whether a particular person is a member of a race.

2.3 Thin, Not Racialist

Remember that Michaels began by suggesting that a constructionist middle ground cannot be found and that we must think of race either as an essence or as an illusion. By accounting for passing, Mills has shown us how to account for the objectivity of race. But is the objectivist account now committed to some sort of "biological essentialism"? If so, then the explanation of passing has been achieved only by abandoning social constructionism in favor of a biological account of race. It is easy to suspect that this is what has occurred. For in employing the folk notion of race, the objectivist has imported those characteristics that the ordinary notion of race takes to be central. Just what these are, as I said, remains open to empirical inquiry, but it is a good bet that they will include some set of heritable features, and in particular, one's ancestry. Moreover, the assertion that the ordinary conception of race is committed to some sort of biological essentialism is ubiquitous in theoretical discussions of race. All this suggests that race, on the folk objectivist account, is a biological kind after all.

Concerns about essentialism are motivated by the fear that a new account of race might implicitly raise the same troubles as now repudiated racialist accounts did, perhaps by being inconsistent with the ontological consensus. And it is true that a folk objectivist account would allow that people are ascribed to races on the basis of features, at least some of which are biological and heritable. However, this, by itself, stops far short of suggesting that these biological and heritable traits form an interesting kind from the point of view of biology, and *a fortiori*, it stops short of racialism. Instead, a folk objectivist ought to hold that the heritable traits that form a basis of racial ascription are part of what I called a 'thin racial endowment'. Call any account that attributes race on the basis of such a thin racial endowment a *thin* account of race.[23] Because reference to thin racial endowments does not entail racialism, thin theories avoid conflict with the ontological consensus. And because thin theories ascribe on the basis of traits that are independent of the choices or experiences of oneself, or one's community, they can account for passing.

In considering the centrality of ancestry in racial ascription, Mills writes that ancestry is "crucial not because it necessarily manifests itself in biological racial traits but simply, tautologously, because it is *taken* to be crucial, because there is an intersubjective agreement . . . to classify individuals in a certain way on the basis of known ancestry" (1998, 58). The idea is, then, that epistemically unimportant features of persons such as ancestry or other aspects of a thin

racial endowment have been imbued with social significance by social practices. But the employment of such traits for racial ascription does not commit the user of racial concepts to the independent explanatory relevance of the traits. Consider another illustration. Suppose someone makes a perfect counterfeit U.S. $10 bill (a molecule for molecule duplicate). This counterfeit bill might be indistinguishable from a genuine bill, but it would nonetheless be counterfeit because it lacks a certain kind of historical relation that a genuine bill has (it was not printed by the U.S. Mint). Whether or not a bill has such a historical relation is an objective fact about the bill, but the fact that we care about such historical relations is merely a product of our monetary practice. In fact, for other kinds of money (for example gold bricks), we may care less about its origin and more about its composition. Neither bills of a certain sort, nor gold, count as money except against a background practice that determines what money is. Similarly, while objective features of persons such as ancestry may figure in practices of racial ascription, the employment of those objective features does not entail that the features have explanatory import independently of the ascriptive practice. So, allowing that there are objective facts about membership in racial categories that depend in part on a person's ancestry or heritable, biological features need not imply that such features are explanatorily significant.

To the extent that the common sense conception of race is racialist and takes the thin basis of racial ascription to be an indication of the truth of racialism, to that extent a constructionist account like Mills's must abandon it. However, there seems to be nothing to prevent the constructionist from claiming that common sense practices of racial ascription determine racial membership without endorsing the additional, racialist claims that may also be part of common sense. That is, there is nothing to prevent a constructionist from defending a folk objectivist theory of *ascription*, without defending *all* the folk beliefs associated with the concept.

2.4 What is Conceptual Constructionism?
The account I have drawn from Mills is what has been called a *conceptual constructionist* account.[24] Just what it means to say concepts are socially constructed can be difficult given ongoing disputes about the relationship between concepts, their meanings, and their referents, but to explore these issues here would take us very far a field.[25] Let us say that beliefs are relations of persons to propositions and that concepts are the constituents of these propositions. The fact that a particular concept is used by a group of people to understand the world is—for many and perhaps all concepts—a culturally and locally historical fact. There is nothing inevitable about the use of concepts like *race*, *bamboo*, *river* or *spinal meningitis*. Use of these concepts by people is a historically and geographical local phenomenon. Among these local concepts, however, we can further distinguish those that correspond to kinds of things in the world from those that do not. The use of some concepts, while not

inevitable, allows greater success in the explanation and prediction of the pre-social, objective world. So, for example, if you are familiar with felines, and you know that an unfamiliar creature is a feline, you are likely in a position to successfully infer many things about the creature by using the concept *feline*. And, it seems, the best explanation of this success is that these concepts and the theories in which they figure are true, or at least approximately true.[26]

This is not the case with many other concepts—concepts like *having a name in French that begins with the letter 'p'* provide a poor basis for inferring things about one instance from others. We should expect there to be a range of kinds between those like feline and those like having a name in French that begins with the letter 'p'. The ontological consensus holds that race is very far along this continuum away from the former and towards the latter. Hence, concepts of biological race are a poor basis for inferring properties of members of racial groups.

Conceptual constructionists hold that

(CC1) The use of concepts of race (like that of many other concepts) is a historically and culturally local phenomenon.

(CC2) Biological race concepts do not pick out natural, biological kinds (i.e. the ontological consensus is true).

(CC3) Such concepts may nonetheless apply to persons who satisfy the criteria of ascription—criteria that are independent of judgments about particular cases.[27]

Notice that while the use of particular concepts may be culturally and historically local, the extensions picked out by those concepts need not be. So, for example, my concept of *feline* refers to local felines that I may have interacted with, but it also refers to felines in distant times and places that I will never interact with. Such distant felines are in the extension of *feline* all the same. Folk race concepts, it would seem, conceive of race in the same way. American folk concepts like *black*, *white*, and *Asian* apply—or at least are conceived of as applying—to people in distant times and places.[28] But it is precisely because folk concepts seem to apply even to people who do not believe they do, even among people who do not believe they do, that a constructionist can appeal to the folk objectivist account of racial ascription to satisfy the Passing Constraint.

3. On Not Traveling

3.1 The No Travel Constraint

Among the most characteristic and ubiquitous constructionist claims about race is the claim that 'race does not travel'. Root recently made this claim in a rather dramatic form, writing:

Race does not travel. Some men who are black in New Orleans now would have been octoroons there some years ago or would be white in Brazil today. Socrates had no race in ancient Athens, though he would be a white man in Minnesota. (2000, S631–632)

Root's claim is dramatic for two reasons. First, as we just noted, common sense takes it that a person can fall under concepts like *black*, *white*, or *Asian* even if they exist in a distant time or place. Second, common sense takes it that a person's race does not change as the person travels through space and time. If the above discussion of the folk objectivist account is correct, this is because folk concepts of race are ascribed to one on the basis of elements of one's thin racial endowment that do not change from place to place or time to time.[29] Root's claims are surprising, but such claims are quite common among constructionist writers though sometimes they take other forms. For example, Mills claims that "Westerners *created* race in the first place, by demarcating themselves from other 'races'" (1998, xv). Such talk implies that race was brought into being by human decisions, and perhaps it can be altered or destroyed by such decisions as well.

 Providing an account of race that underlies such claims is important to the constructionist because these assertions draw attention to the contingency of the use of 'race' talk in American life and to the contingency of American racial divisions. American society was not and is not divided along race lines because nature made it that way, but because people acted, and continue to act, in particular ways to maintain such a division. Constructionists employ such provocative claims in an attempt to show that certain facets of social life that might be taken for granted are, in fact, open to transformation by collective action. But how are we to interpret such claims?

 Since I have already argued that the folk objectivist account is committed to a kind of conceptual constructionism, one possible interpretation of these dramatic assertions by Root, Mills and others is that they mean to claim:

 Concept Localism: The use of racial *concepts* (or some particular racial concepts) is a culturally local phenomenon.

Thus reinterpreted, Mills's claim would be that "Westerners" created the practice of using the race *concept*. And Root would be asserting that men who are classified as *black* in New Orleans now would once have been classified as *octoroons*. The concept localism reinterpretation of these claims has at least two enormous advantages. To begin with, constructionism explains passing precisely by appeal to the objectivity of race as determined by the agreed upon criteria for the use of race concepts. So, the concept localism reinterpretation allows us to make sense of these additional constructionist claims by Mills, Root, and others by reference to the same conceptual constructionist account I've already attributed to Mills. Second,

concept localism *is* true. It is the case that the use of racial terms and concepts varies widely from place to place and time to time. Both of these features make the concept localism interpretation of Root, Mills and others attractive indeed.

Despite these advantages, I think the concept localism *re*interpretation fails. It amounts to a *re*interpretation in that it attributes to constructionists a widespread use-mention error. To interpret them as merely asserting concept localism when they say things like 'race was created' or 'race does not travel' is to suggest that they are not talking about race at all but the *concept* of race. And this latter claim is far less interesting and far less counterintuitive than the former. Moreover, some claims constructionist thinkers make block this reinterpretation. For example, Mills writes, "Race may not be real in the sense that racial realists think or even like, but it is real enough in other senses" (1998, 66). This passage makes little sense unless it is interpreted as being about race and not the race concept. So even if many constructionist claims are confusions of use and mention, a variety of core examples are not. I find these reasons compelling, and so I think that in making claims about race not traveling, being created, transformed or destroyed, constructionists are committed to something more than just concept localism. They are committed to:

> *The No Travel Constraint*: On a constructionist account of race, a person's race is dependent upon the culture in which they live.

For the remainder of the paper, I will assume that claims about race traveling or race being created, transformed, or destroyed reflect an allegiance to this stronger constraint.

3.2 Root's Principle

But how is such a constraint to be satisfied? Fortunately, Root is quite clear both about his commitment to the No Travel Constraint and about how he thinks it can be satisfied. Continuing his previous passage, Root writes:

> Where R is a race, a person is R at a site only if R is used there to divide people. Because the ancient Greeks did not divide people by race, there were no races in Athens then and, of course, no differences between people in morbidity or mortality based on race there.

> Biological categories are different. Whether we are Homo sapiens, male, or Rh positive does not depend on how we categorize ourselves or what we understand of biology. With sex and blood type, how people are classified, the category they belong to, does not depend on their self conceptions or on whether they recognize the category, while with social classification self conceptions are central. A group of people must divide themselves by race but not blood type in order to have one.[30]

The asymmetry between genuine biological categories and race stems from the role that the classification of race plays in constituting or creating race. Root's claim that "where R is a race, a person is R at a site only if R is used there to divide people" needs to be clarified. Note that the same term 'R' appears on both sides of the conditional, but it is not clear what it would mean to use a race at a site to divide people. What Root intends is that,

> *Root's Principle*: Where R is a race, it is a necessary condition on a person being R at a site that *the concept of* R is used at that site to divide people.

When combined with concept localism, Root's Principle entails that race is culturally local, and thus it offers an explanation of how constructionists can hope to satisfy the No Travel Constraint.

3.3 Interactive Kinds

Questions remain about how we should understand Root's principle. One way to understand it is provided by recent work by Ian Hacking (1995a, 1995b, 1999) on what he calls *interactive kinds*. Interactive kinds are kinds of persons that come to be instantiated when people causally interact with the *regimes of labeling*—practices of labeling and differentiating people—to which they are subjected. The principle idea of the interactive kind account is that practices of systematically labeling persons in a culture have causal effects upon those so labeled.[31] Thus, we get:

> *The Interactive Kind Principle*: In order for a person to be race R, they must be at a site where the concept of R is used to divide people since being labeled by a term expressing the concept R is causally necessary to becoming an R.

To be 'labeled' by a term expressing a concept R involves more than falling in the extension of R. One must see oneself, or be seen by others, as falling under the concept in order for a site's practice of using concept R to have its causal effects on an individual. We have already seen that Piper defends an experiential account of race that endorses the Interactive Kind Principle. Recall that an experiential account of race holds that a person is a member of race R if they have R-typical experiences as the result of having been labeled and differentiated by a community.[32] Since one cannot have the appropriate experiences except in a community that divides itself in such a way as to create them, the experiential account shows a way that the Interactive Kind Principle could be true.

Similarly, a defender of an identification account might endorse this principle. Remember such an account holds that a person is race R if they

identify as a member of race R where that involves 'believing, looking and acting' in R appropriate ways. Having R-typical beliefs and performing R-typical actions would, on such an identification account, come from internalizing locally held beliefs about what sorts of persons R's are. Hence one could not be an R except at a site where the concept of R was used to divide people.

This interpretation of Root's Principle allows us to see the way in which a racial theorist could satisfy the No Travel Constraint. The strategy is quite simple: consider certain causal effects of practices of racial labeling essential features of race. Then, since concept use is culturally local, race will be as well. Accounts respecting the Interactive Kind Principle (*interactive kind accounts*) also allow us to make sense of claims such as that race was created, or that it could be destroyed or transformed. What such claims require is that the community creates, destroys, or transforms a labeling practice or its causal effects.

Unfortunately, while interactive accounts can satisfy the No Travel Constraint, we have already seen (section 2.1) that they do not satisfy the Passing Constraint. They fail to satisfy the Passing Constraint because paradigm cases of passing seem to indicate a person could be a member of race R even if they do not conceive of themselves as being a member of race R and even if they are not treated by others as being a member of race R. In short, passing may involve someone's being an R but escaping the causal effects of being labeled as an R. If interactive kind accounts are the only way to make sense of the No Travel Constraint, then no account can satisfy both the Passing Constraint and the No Travel constraint.

3.4 Institutional Kinds

While interactive kind accounts cannot satisfy the Passing Constraint, thin accounts of race like the folk objectivist account do not satisfy the No Travel Constraint. This is not surprising, as the two accounts of race are responses to two different constraints, one suggested by the folk experience of passing and the other by the needs of racial theorists to draw attention to the contingency of racialized living. The question is, can any account of race satisfy both constraints?

The answer seems to be yes. Interactive kind accounts read the word 'necessary' in Root's Principle as implying the *causal* necessity of the use of a certain label. But the principle can also be read as expressing *logical* necessity. Thus, we get:

> *The Institutional Principle*: Where R is a race, it is a logically necessary condition on a person being R at a site that the concept of R is used at that site to divide people.

Any account of race that respects the Institutional Principle satisfies the No Travel Constraint since race exists only at sites where the concept R is used

to divide people, and concept localism is true. We can simply add the Institutional Principle to the folk objectivist account of race to get:

Folk Objectivist Institutional Account: A person is race R iff

(1) He or she is the type of person that satisfies the criteria central to the application of a folk racial concept.
And (2) the person is at a site where the concept *R* is used to divide people.

This account satisfies the Passing Constraint in the same way the folk objectivist account does: by giving up the requirement that a person actually be labeled as an R, and embracing only the requirement that they be the *type* of person that falls under the concept R. And the account satisfies the No Travel Constraint by limiting the application of a race concept R to sites where the concept is used to divide people.

At first look, adding the Institutional Principle to the folk objectivist account may seem quite arbitrary. After all, if the folk concept of race has persons in its extension across time and space, it seems *ad hoc* to simply impose a restriction that limits the extension of racial terms to sites where the concept of *R* is used. However, such restrictions seem less out of place if we think of race as a social institution. On many accounts, social institutions—things like being a licensed bass fisherman, a wedding ceremony, or money—essentially involve people who think about things under the concepts *licensed bass fisherman*, *cocktail party*, and *money*. Here's John Searle's way of putting it:

> ... For social facts, the attitude that we take toward the phenomenon is partly constitutive of the phenomenon .... Part of being a cocktail party is being thought to be a cocktail party; part of being a war is being thought to be a war. This is a remarkable feature of social facts; it has no analogue among physical facts. (1995, 33–34)

According to Searle, institutional facts of this sort are created only when a new status is imposed on an object as the result of collective concept use. Applying this kind of analysis to the case of race, the Institutional Principle seems less arbitrary. The proposal is that we understand race as a kind of institutional fact created by collective understandings of who counts as what race here. By doing this, we arrive at a constructionist account that can apparently satisfy both the Passing Constraint and the No Travel Constraint.

4. The Reality of Race

The folk objectivist institutional account seems to be just what is required to satisfy both the Passing Constraint and the No Travel Constraint. But

accounts of race that respect the Institutional Principle (institutional accounts) fail to satisfy a third constructionist commitment. This third constraint is suggested in claims like Mills's assertions that race is "real," "exists (and moves people)." How are we to interpret such claims? The nature of reality is a much discussed philosophical topic about which I have little to add here. But if we look at constructionist claims about the character of reality, we see that in discussing the reality of race, they have something very particular in mind. Mills argues that one's race in contemporary America has a real and important impact on a variety of aspects of one's life. And Root writes,

> Race affects income, housing, and healthcare, and these, in turn, affect health . . . . As a result race can enter into many statistically robust biomedical generalizations even though there are no biological races. (S629)

Though they express it in different ways, both Mills and Root believe race enters into a variety of nonaccidental generalizations, and that one's race in contemporary America differentially affects one's life chances in ways that are not explained by one's biological make up.[33] Root, in particular, is concerned to show that a constructionist account of race can figure in generalizations in social scientific enterprises, and he employs the term 'real' of a social category just in case such a category has a causal influence on members' lives.[34] Recall also that, at the outset, we noted the conservationist constructionists' insistence that it is the reality of race that makes metaphysical doctrines that eschew reference to racial properties inadequate. This all suggests that Mills, Root, and other constructionists endorse the following:

The Reality Constraint: On a constructionist theory of race, race should

(a) Figure in explanations of the differential impacts on individuals in racially divided settings.
And (b) Figure in the formulation and explanation of true, nonaccidental generalizations.[35]

In the remainder of this section, I argue that accounts of race that respect the Institutional Principle (*institutional accounts*) fall afoul of the Reality Constraint in two ways. First, institutional accounts of race are empty in that they apply to no one. As such, institutional race does not explain any facets of racialized living in contemporary America. Second, racial generalizations require the use of thin concepts that travel. I argue first that while institutional race may figure in some racial generalizations, the needs of confirming such generalizations compromise the satisfaction of the No Travel Constraint by the use of concepts that pick out (apparently racial) groups across times and places. Moreover, some ordinary racial

generalizations seem to require that *race* travels. Because institutional race does not travel, reference to it cannot figure in such generalizations. Institutional accounts of race thus fail to satisfy the Reality Constraint.

4.1 The Emptiness of Institutional Race

Institutional accounts of race differ in a key way from the ordinary concepts of the folk objectivist account, for an institutional account of race incorporates an additional necessary condition: the institutional principle. Thus, a folk objectivist institutional account of race is not intended as an elucidation of ordinary racial concepts. Rather, the account stipulates a new race concept in order to satisfy a theoretical need (the No Travel Constraint). For this very reason, however, institutional racial concepts do not apply to actual people (save perhaps among those who know some academic philosophers). The argument for this is simple:

E1. The institutional principle requires that for a person to be a member of race R, they must be at a site where the concept of R is employed.

E2. But, where the concept of R is a racial concept constituted, in part, by the institutional principle, there are no sites (except possibly near philosophers) where such concepts are used.

E3. Thus, no one (or almost no one) is R.

Because they are empty, institutional accounts of race have little use in discussions of actual processes of racial differentiation. They cannot play a role in explaining the apparent reality of race in everyday life, because no one in everyday life uses such concepts. And while perhaps there are true, nonaccidental generalizations involving uninstantiated properties, it is hard to see the importance of formulating such generalizations or making reference to such properties.

4.2 Racial Generalizations: The Need for Race that Travels

Important claims regarding race in social science and social, political, and moral theory require a concept that travels. These causal and normative claims appear to require reference to other persons that fall under racial concepts but who live in a culture in which those classifications are not used (and thus do not fall under non-traveling race concepts). If this is correct, it weighs not only against institutional accounts of race, but against *any account of race that satisfies the No Travel Constraint* (e.g. interactive kind accounts). While we can frame some racial generalizations with institutional race concepts, the defender of institutional race continues to need other concepts—apparently thin racial concepts—that do travel.

Consider Root's claim that, "Blacks are seven times more likely to die of tuberculosis in the U.S. but not in Great Britain."[36] Root argues that higher

tuberculosis rates among American blacks are not the result of different thin biological endowments but rather are the product of racism in the United States. Thus he endorses the causal claim:

C1. American racism causes American black persons to die of tuber-
culosis at much higher rates than American white persons.

This is an important claim that substantiates the view that American society is in certain respects white supremacist. But to legitimize this causal claim, the social scientist needs to be able to identify control groups of blacks that live in other cultural contexts where racism is not as severe and see if their tuberculosis levels are lower. Why would this be? Suppose, for example, a survey of life expectancy data showed that U.S. Presidents have shorter average life spans than other U.S. citizens. We might then endorse the claim,

C2. The stress of the U.S. Presidency has a destructive effect on the
health of those who hold that office.

In this case, our control group would be made up of ordinary persons who had not occupied the social role of U.S. President. We do not need to assume that the property of *being a U.S. President* obtains of persons among whom the concepts are not used, so why would we have to make such an assumption in the case of a racial concept?

The reason is that the legitimation of causal hypotheses requires the exclusion of alternate possible causes. This is the point of Root's comparison to blacks in Great Britain (as opposed to, for example, whites in Great Britain or just any group of people anywhere). His argument shows the higher tuberculosis rates among blacks in the United States are social *rather than* biological in origin which substantiates his hypothesis that racism is the cause. The comparison provides important evidence to show that the reflex racialism of everyday thinking is mistaken, and that the results of such racialism can be tragic. But the comparison only works if we pick out the same group picked out by the American racial concept. *Otherwise, the comparison would not have eliminated the biological explanation.*[37,38] Because one aim of social scientific research is undermining racialism and revealing the socially contingent character of racial difference, institutional accounts of race will not do all the work required here. When we state generalizations in terms of institutional race, we continue to need a way to identify members of racial categories in other contexts free of the consequences of racial categorization. This need, by itself, does not violate the Reality Constraint, as the defender of institutional race can simply insist that the groups picked out cross-culturally are not properly considered *racial* groups. However, the need for cross-cultural identification of groups does reveal a tension in

attempting to satisfy the Reality Constraint and the No Travel Constraint simultaneously. It reveals that even on an institutional account, satisfying the Reality Constraint requires recognizing at least that *some* sort of race-*like* group travels.

But some ordinary generalizations seem to require race itself to travel. For example, a variety of ordinary normative claims imply generalizations requiring racial properties that travel. Consider the claim that, "Asians, blacks, Hispanics, and whites would all be better off in a society free of racial categorization." If the presence of American practices of racial division is a logically necessary condition for the application of American racial concepts, then these alternatives are impossible. For example, on an institutional account of race, Asians would not be better off in a society free of racial categorization since Asians would not even exist in such a society.

One might object that such normative claims can eschew use of concepts making reference to racial properties that apply across cultures in favor of concepts that apply only to *actual* people in, for example, the contemporary United States.[39] The idea is that when we say "Blacks, whites and Asians would all be better off in a society free of racial categorization," we construe it to mean something like, "*the actual people* who are labeled by terms (or the concepts associated with) 'black', 'white' and 'Asian' would be better off in a society free of racial categorization." We simply imagine a case in which the actual people who live in the contemporary, racialized United States exist in a new setting—one free of racial labeling. Again, the hope is to avoid implying there is some extra-cultural property of being *black*, *white*, or *Asian* that members of racial groups share.

The problem with this strategy is that the sort of normative claims in question may extend beyond the scope of actual people. For example, consider the claim that, "future generations of blacks, whites and Asians would be better off in a society free from racial classification." This latter claim extends to nonexistent members of American racial categories. The claim makes sense because folk racial concepts carry with them certain criteria that determine what (actual and possible) people fall under them.

These cases seem to require that we employ, at least for the purposes of making such statements, a concept picking out a group that *does* travel. What is this account? The most obvious option is to choose a thin account of race, for example, the folk objectivist account. Thus, we could imagine that claims about the effects of racism or racial labeling on American racial groups could be corroborated by looking at members of those same racial groups in times and places free of racialized treatment. But other social scientific studies might choose a different thin concept, something like what we called *apparent* race. This latter notion remains a viable candidate for social science because it may be, as Root suggests, that "difference in health or socioeconomic standing correlate with perceived race" rather than race as construed by the folk objectivist account (2000, S635).

Whatever thin account is chosen, consideration of the above examples suggests that reference to persons in other times and places who *would be labeled* by ordinary American racial terms is a key element of generalizing about race in America for social scientists and social theorists.[40] When we state generalizations in terms of institutional race, we still retain the need for (and conceal the use of) a thin, traveling concept. And institutional race concepts make generalizations about non-actual members of racial groups impossible, thus running afoul of the Reality Constraint.

5. Beyond a Univocal, Constructionist Account of Race

If the preceding arguments are correct, there is no univocal account of race that can do everything constructionists want it to do. This conclusion is so reminiscent of Appiah's claim that "there is nothing in the world that can do all we ask 'race' to do for us" (1995, 75) that we might wonder if we should, like Michaels and Appiah, be led away from constructionism and towards skepticism. However, this is not the only option. Faced with the difficulty of simultaneously satisfying the adequacy constraints on an account of race, we can also choose to give up one or another of those constraints. In fact, each of the metaphysical accounts considered can be viewed as having abandoned a constraint:

1. Thin Race (e.g. a folk objectivist account).[41]
   (a) Abandon the No Travel Constraint.
   (b) Employ a thin account of race both to account for Passing and for the Reality of Race.

2. Interactive Race (e.g. an experiential account).
   (a) Abandon the Passing Constraint.[42]
   (b) Employ a causal effect or combination of causal effects of racial concept use to satisfy the No Travel Constraint.

3. Institutional Race (e.g. a folk objectivist institutional account).
   (a) Abandon the Reality Constraint.
   (b) Employ a folk objectivist institutional account of race to satisfy the Passing and No Travel Constraints.

4. Skepticism: Abandon all the constraints because race does not exist.

This list suggests four ways a race theorist might proceed in the face of the three mutually inconsistent constraints, and no doubt there are others. How can we choose among these accounts? Which constraint shall we give up?

In proposing to abandon one or another constraint, a race theorist may insist that the motivations behind a constraint can be satisfied by some other account that is nonetheless not an account of *race*. For example,

Appiah's (1996) racial skepticism is accompanied by a theory of racial identity intended to account for identification with racial concepts and the causal effects of such identification. He thus tries to satisfy someone concerned with the real impacts of racial classification, but without agreeing that *race* exists. Similarly, defenders of a thin account of race may insist that although race concepts can be cross culturally applied (i.e. race travels), the causal effects of the practice of employing such concepts and their associated labels are culturally local. Such a theorist would thus try to satisfy the theoretical need driving the No Travel constraint, but without allowing that it is *race* that fails to travel. And defenders of interactive or institutional accounts may suggest that the motivations behind the Passing Constraint and the Reality Constraint can be answered by employing concepts ascribed according to thin racial endowments, but that such concepts ought not to be considered *race* concepts.

But for present purposes, we need not decide at all. While the four positions appear to represent different approaches to the metaphysics of race, it is hard to find a substantial point of *metaphysical* disagreement among them. In particular, all endorse the following general theses:

1. The employment of particular racial labels and their associated concepts (e.g. 'white', 'black', 'Hispanic', 'Asian', etc.) is a culturally local practice.
2. These concepts impose particular, objective standards for racial classification.
3. The causal effects of the employment of these concepts—including effects on experiences, identifications, and a variety of relational properties—are also culturally and historically local.
4. These causal effects can profoundly affect the life chances of those who fall under the concepts.

While some disagreements remain about the details of these four theses (for example, on the exact nature and extent of the causal effects of racial classification), it is safe to say that these four features, combined with the denial of racialism form an *expanded* ontological consensus. Indeed, if our discussion above is correct, then to deny that any of these four features obtains is to make some sort of factual mistake. The four metaphysical accounts above are each grounded in a set of intuitions (perhaps semantic and normative intuitions) about which features recognized in the expanded consensus should figure in fixing the meaning or referent of genuine racial terms and concepts. Fortunately, it is difficult to see anything *metaphysically* important that hinges upon the disagreement. Even if one of the four accounts above correctly captures the best or the authentic concept of race, there is no reason why theorists should not introduce new, technical notions to suit various theoretical needs. Even if these technical notions do not

capture the meaning of folk race concepts or 'race' talk, they may usefully focus our attention on dimensions of the folk practice of 'race' talk or its causal effects.[43]

In light of the failure to find a univocal constructionist account of race, we must abandon the attempt to provide an account of race on which race satisfies all the constraints suggested above. Since all parties agree on the expanded ontological consensus, and all parties should agree that the motivations behind the various constraints are important, the decision about which motivations should be satisfied with a genuinely *racial* account and which should be satisfied by some or another nonracial account is a theoretical decision about the correct meaning of racial terms, but one with little significance for the metaphysics of race. Instead of focusing on defending an account of *what race is* or *what racial concepts mean*, we should ask: what kinds of conceptual apparatus do we need to discuss racial classification and racially associated phenomena in historical and contemporary life? We thus exchange the question of whether and how race exists for the project of developing an adequate metaphysical theory distinguishing as many accounts of race or racial phenomena as are needed to serve all our functional needs—including the various dimensions of racial identification, experience, appearance, and folk classification—so that their practical, social, and ethical significance can be discussed. Only in such a project of theoretical refinement are we likely to shed the persistent mistakes of ordinary racial thinking while continuing to refer to the world in ways that satisfy a multiplicity of theoretical needs.[44]

Notes

[1] On some of the accounts of race discussed below, they are also disputes over the value of race itself.

[2] Other, moral, arguments for eliminativism may be premised on the truth of racial skepticism. For example, because racial properties do not exist, according to some skeptical eliminativists, it is morally arbitrary to use racial labels to differentiate people.

[3] Important discussions by social theorists preceded these accounts, including, e.g. Stuart Hall 1987a, 1987b; Omi and Winant 1986, 1994.

[4] 1996, 54. To make Appiah's characterization more precise we need to distinguish between heritable differences that are mediated by the environment, and those that result more directly from a genotype. Heritability measures the ratio of variance in a characteristic in an environment that is due to genes to the total variance in the environment. If a community systematically tattoos the hand of every person with a cleft in their chin, then the heritability of the tattoo would be high. Nonetheless, the presence of the tattoo on the hands is the result of a social policy. Racialism assumes that genetic or biological makeup is the mechanism of heritability.

[5] Robin Andreasen (1998, 2000) and Philip Kitcher (1999) have recently offered relational or historical accounts of racial categories as biological kinds, with Andreasen maintaining that races are clades of a phylogenetic tree and Kitcher arguing that races are reproductively isolated populations. While I will not discuss these accounts here, it is important to note that while on the racialist account, races are differentiated by intrinsic, heritable and explanatory features

(e.g. 'blood' or genetic material), Andreasen and Kitcher identify them historically or relationally. And while Andreasen and Kitcher argue that race can be understood as a legitimate biological category, they nonetheless deny racialism. For present purposes, I will count the relational and historical features discussed by Andreasen and Kitcher as part of one's thin racial endowment. Note that because these accounts are naturalist but not racialist, they call into question the need for a constructionist 'third way' between naturalism and skepticism. I will remain focused on constructionism, but I think the distinction between naturalistic and thin constructionist approaches to race is not as significant as it has been made out to be. (See also fn. 23 below and Section 5.)

[6] Cf. Lewontin 1972, 1982; Cavalli-Sforza, Menozzi, and Piazza 1994 for discussions of human diversity.

[7] While there is a consensus, there are still dissenters. E.g. Albert Mosley (1999) is skeptical of Appiah's claim that race does not exist. But, it is unclear whether Mosley's arguments would lead him to endorse racialism as I have characterized it here, or some version of what I call a thin account of race below.

[8] Issues get quite complex here because 'racial superiority' may be relativized to a domain. For example, it might be part of a traditional racist doctrine that blacks are intellectually or morally inferior but in some other way (e.g. physically, musically, etc.) superior to whites. Because some putatively anti-racist but racialist accounts of racial difference (e.g. some of those of the Negritude movement) also endorse the notion of differential racial gifts, it may be difficult to decide whether or not such doctrines are racist.

[9] Many philosophers and others inspired by a Kantian moral conception may wish to remain neutral on the biological issue, and instead insist that even thick, biological racial endowments would be morally and politically irrelevant. I am sympathetic to this claim, but I don't intend to take up this question here. I do believe that if thick, biological racial endowments did exist they would pose serious practical challenges for achieving political justice even if the best moral theory says they ought not to be relevant. I am grateful to Jesse Taylor for discussion on this point.

[10] Notice also that depending on how we answer these questions, some of the accounts that follow will—or will not—qualify as accounts of *race*. In what follows, I will ignore this issue, and use the term 'race' somewhat promiscuously for a variety of accounts that have been proposed in connection with race.

[11] E.g. Piper 1992, Mills 1998, Root 2000.

[12] 1994, 758

[13] One might think this is the position that Appiah (1996) defends. While Appiah defends an identification account of racial identity, he distinguishes racial identity from race. Moreover, Appiah agrees with Michaels that identification is not sufficient for falling under racial labels, writing that "It is because ascription of racial identities...is based on more than intentional identification that there can be a gap between what a person ascriptively is and the racial identity he performs" (1996, 79). Appiah's account of racial identity thus holds that identification has certain preconditions that are outside the scope of one's choices. Applied to race, Appiah's account of racial identity presupposes a practice of ascription whereby persons are assigned to races—perhaps an account like the one I will attribute to Mills below. And it is this prior practice of racial ascription that Appiah employs to make sense of passing. Similar things can be said of Iris Marion Young's identification account of racial social groups (1989). Gooding-Williams's account of 'black persons' is quite explicit about this presupposition (1998, 22ff), as is Outlaw's (1995, 1996) account of race.

[14] Michaels 767; Piper 30–31. Piper does not say that this experiential criterion is 'what makes blacks black' as Michaels writes. Rather, Piper writes that the shared experience of being visually or cognitively identified as black "joins me to other blacks,...and other blacks to another [sic]" (30). Thus, it could be that Piper does not intend this as a criterion of blackness. Nonetheless, I join Michaels and Gooding-Williams in assuming she does.

[15] Twain 1976.

[16] The Phipps case is discussed in Michaels (1994, 764). Williams 1995. Mills (1998, 58) cites Twain and Williams for similar reasons.

[17] Below I argue that Mills is committed to incompatible constraints on a constructionist theory. Thus the account I develop in this section is, at best, only one consistent strand of Mills's theory.

[18] The first stage may range over a historical period, such that the agreement is reached via a distributed process in which people learn to use racial concepts and labels in particular ways.

[19] Sometimes the 'objectivist' label is used to indicate naturalist or realist accounts of race (e.g. Harris 1999b). The present use of 'objectivist' holds racial ascriptions to be objective in J.L. Mackie's (1977) sense: "Given any sufficiently determinate standards, it will be an objective issue, a matter of truth and falsehood, how well any particular specimen matches up to those standards" (26). Such truths are, in John Searle's terminology, ontologically subjective but epistemically objective (1995, 8).

[20] 1998, 50ff.

[21] Note that it is possible for p to be a compound or disjunctive property. Thus, to say that some properties of race are more central than others is not to say that races have simple necessary and sufficient conditions.

[22] A number of theorists have suggested that folk notions of race cannot play the role that Mills assigns them. Such theorists assert that racial ascriptions are actually incoherent (e.g. Piper 1992, p. 31), or alternatively, are not rule governed practices but rather arbitrary exercises of power (e.g. Frye 1983). While there is no space to discuss these objections here, if they turn out to be correct, they problematize an account like Mills' that relies on the coherence and objectivity of folk practices of racial ascription.

[23] Above (fn 5), I mentioned proposals by Robin Andreasen (1998, 2000) and Philip Kitcher (2000) suggesting that race is a biological kind. Like Mills, Andreasen and Kitcher avoid a commitment to racialism by employing only thin features in the assignment of racial membership. So all three are thin theories. This similarity suggests more common ground between a constructionist theory like Mills's and thin naturalist accounts than initially meets the eye.

[24] This sort of position has been distinguished previously by Griffiths 1997, Andreasen 1998, and Hacking 1999.

[25] Throughout the discussion, I assume with others that concepts are individuated by some subset of the beliefs in which they figure, particularly beliefs governing the conditions of application for the concept. Some dispute that concepts can be so individuated (e.g. Fodor 1998). I take it that nothing important hangs on the outcome of this dispute for the relevant claims could be restated as being about subsets of beliefs rather than concepts.

[26] This line of argumentation has been prominent among scientific realists. E.g. "it is impossible to explain scientifically the instrumental success of scientific methods except on the hypothesis that in mature sciences the background theories that determine methods are approximately true of unobservable (as well as of observable) entities...." (Boyd 1991, 14). Cf. Mallon (2003) for an application of this sort of reasoning to social kinds.

[27] To these, Mills's conceptual constructionism adds a fourth feature, namely that the criteria for the application of race concepts (e.g. the 'one drop' rule) are selected, at least in part, according to their ability to serve the interests of those in power. For present purposes I will focus on the weaker construal of constructionism.

[28] This is not to say that they apply to all people in all times or places.

[29] In describing thin racial endowments, I included "various relational properties including one's ancestry which are extrinsic to the individual, but are heritable." I am presuming that these relations remain constant for individuals across times and places as I assess Root's account. If we vary these relations when 'traveling' from one cultural-historical setting to another, then race will not travel. I ignore this possibility here because it seems clear that it is not this way of failing to travel that Root and other constructionists have in mind.

[30] Root 2000, S632.

[31] For a fuller discussion of the causal mechanisms involved, see Mallon (2003) Section 3.

[32] Piper's experiential account is explicitly an account of what is shared by blacks. Note that I have generalized it to an account of any race R.

[33] By 'nonaccidental generalizations', I mean generalizations that are not mere descriptions or coincidences, but reflect some sort of underlying causal regularity.

[34] Thus, the 'reality' of a category, in Root's usage, is distinct from its existence. He writes, "Should we divide but not regulate by race, we would retain the races but not conserve their reality" (S635).

[35] To say that some racial generalizations are true is not to say that they obtain of each person categorized under a racial concept.

[36] Root 2000, S633.

[37] It might be thought that the biological alternative does not need to be eliminated because, as we know from the ontological consensus, the biological alternative is false. But biological thinking is much more resourceful than this. Because what I have called 'thin' racial endowments are widely recognized, the temptation to expand the content of such endowments to include additional factors needs to be constantly checked lest it give rise to 'biological' explanations for the effects of social oppression. The only way to discredit such explanations is to subject them to persistent empirical scrutiny.

[38] Notice that a parallel argument suggests that in the case of U.S. Presidents our control group should be made up of men. Because sex is known to effect life expectancy, a defender of C2 would want to exclude the possibility that the shorter average life expectancy of U.S. Presidents results from the sex of the actual role occupants instead of the stress attached to the office.

[39] Michael Root and Paul Taylor have independently suggested this approach to me.

[40] Note that it is compatible with this claim that we avoid use of racial *terms*. The key point is that we need to employ *some or another terminology* to make reference to actual and possible persons in other times and places that fall under racial concepts.

[41] This group also includes thin naturalist accounts that assign persons to racial groups according to their thin racial endowments. Whether such an account is a kind of constructionist, or an alternative to it, is a question I do not address here.

[42] Alternatively, an interactive account may allow a limited form of passing while abandoning the attempt to handle the cases I discuss in Section 2.1. Such a theorist might insist that they do not abandon the Passing Constraint, only the project of accounting for all the putative actual cases of passing by using a racial concept.

[43] For example, Sally Haslanger (2000) has recently offered a relational account of gender and race in an attempt to focus theoretical and practical attention on certain morally relevant features of gender and racial classification. And while Haslanger intends that her account of race be accepted as an important (and perhaps even the most important) account of what we should care about when we talk about race, it is not her claim that her account captures what we ordinarily mean by 'race' talk.

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