

INSTITUTIONAL RACISM WITHOUT RACIST IDEOLOGY: A CRITIQUE OF TOMMIE SHELBY'S MARXIST THEORY OF RACISM

ALBERTO G. URQUIDEZ

James Madison University, Harrisonburg

This paper critically assesses Tommie Shelby's Marxist definition of racism as a kind of ideology. I argue that institutional racism does not necessarily presuppose the Marxist idea of racist ideology, although it always presupposes the idea of race. The idea of race that is necessary to account for institutional racism is clarified. This paper has three main sections. I first analyze (in §1) the Marxist conception of ideology and explain its relationship to institutional racism. Marxist ideology is pejorative in that it entails cognitive distortion for those in the grip of ideology. Hence, Shelby's Marxist conception of racism—"racism is racist ideology"—entails that racists are necessarily in the grip of cognitively distorted beliefs. Against this view, I argue (in §2) that it is possible to imagine a form of institutional racism that involves racial cognition but no cognitive distortion, hence no ideology in the pejorative sense. The theoretical portion of my paper (§3) analyzes Shelby's analysis of race and draws attention to a significant theoretical problem (that I call "Shelby's dilemma") plaguing Shelby's conception of racism.

Keywords: doxastic attitudes; cognitive racism; institutional racism; cultural racism; colorblindness; racial ideology; racialism; false consciousness; ideology critique; Marxism

THIS paper argues that although institutional racism may presuppose the idea of race and hence "racial ideology" in some sense of this term, it does not necessarily presuppose "racist ideology," as Tommie Shelby defines this term. My paper has three sections. The first section clarifies Shelby's thesis that racism

Contact: Alberto G. Urquidez <beto.urquidez@gmail.com>

is racist ideology. The second section offers a critique of Shelby's theory of racism and presents four objections to my argument. I offer replies to three of them. The third section develops a reply to the fourth objection and, through this objection, raises a dilemma for Shelby's theory of racism. In the concluding section, I tie up some loose ends and briefly touch on the implications of my argument.

1. Shelby on Racism

1.1. Ideology

Tommie Shelby develops a conception of racism over the course of three journal articles and one book chapter (2002; 2003; 2014; 2016).¹ The latter, entitled "Injustice," is the first chapter of his book, *Dark Ghettos: Injustice, Dissent, and Reform*. In this work, Shelby succinctly articulates his theory of racism:

In its most basic form, racism is an *ideology*: [1] a widely held set of associated beliefs and implicit judgments that misrepresent significant social realities and [2] that function, through this distortion, to bring about or perpetuate unjust social relations. These beliefs and judgments form a kind of system of thought, which influences how adherents understand their social life and identities. Ideologies purport to be forms of knowledge (factual and normative) and so are amenable to critique. They don't just contain false beliefs; more often they also obscure relevant information, organize facts in a misleading way, or rest on fallacious reasoning. Because of such epistemic flaws, ideologies constitute a distorted or biased outlook that conceals social injustices... [3] What is distinctive about racist ideologies is that they invoke or presuppose the problematic idea of race, a concept that attaches social meaning to visible inherited physical characteristics, continental origins, and biological ancestry. (Shelby 2016: 22, 23)

I introduce three terms for purposes of clarity. *Racial cognition* is cognition (including beliefs, implicit judgments, and reasoning) that invokes or presupposes the idea of race. *Racial ideology* is intersubjective racial cognition, or more

1. Shelby has other essays on racism that I would classify as "minor essays." I do not include them on my list of major essays because they do not, for the most part, significantly develop his account of racism. Notable among his minor works is his critique of Linda Martín Alcoff's (2009; 2011) analysis of anti-Latino racism. See Shelby (2009).

precisely, a widely held set of associated beliefs and implicit judgments.² *Racist ideology* is racial ideology that satisfies all three of Shelby's conditions of racism, as stated above. As I read Shelby, these conditions are necessary and jointly sufficient for racist ideology. I call [1] the *distortion condition*, namely, that a widely held set of associated beliefs and implicit judgments—call this network of beliefs, *B*—misrepresent significant social realities. I call [2] the *injustice condition*; it states that the set of cognitive attitudes *B* functions, through this distortion, to bring about or perpetuate unjust social relations. Finally, I call [3] the *race condition*; it states that the set of cognitive attitudes *B* invokes or presupposes the idea of race.³

Before clarifying each of Shelby's conditions, it should be pointed out that people who harbor racist beliefs are often unaware that they do. One reason for this is that some of our attitudes are characteristically unconscious ("implicit"). Another reason is that racist beliefs can be learned passively, such that it is only upon reflection or in the course of experience that a racist belief comes across the awareness. Shelby explains:

the locus of ideology is common sense, that reservoir of background assumptions that agents draw on spontaneously as they navigate the complexities of social life and the demands of human existence. These assumptions are often held without full conscious awareness, creating

2. Shelby does not explicitly distinguish racist ideology from racial ideology. However, this distinction will prove helpful if not indispensable to my argument. My definition of racial ideology is non-pejorative in two ways. First, racial ideology does not necessarily involve cognitive distortion (though it might). Second, racial ideology does not necessarily perpetuate injustice (though it might). I reserve the *inherently* pejorative sense of "ideology" for what I term "racist ideology." I argue, in the conclusion, that racial ideology can be racist (e.g., perpetuate racial injustice) without consisting in racist ideology. I am thankful to one of the blind reviewers for pushing me to explicitly distinguish racist ideology from racial ideology.

3. Shelby's more fleshed out definition of ideology uses the term "false consciousness" which arguably introduces a fourth necessary condition: "A form of social consciousness is an ideology if and only if (i) its discursive content is epistemically defective, that is, distorted by illusions; (ii) through these illusions it functions to establish or reinforce social relations of oppression and (iii) its wide acceptance can be (largely) explained by the class-structured false consciousness of most who embrace it" (2003: 183–84). Shelby explains the idea of false consciousness thus: "To hold a belief with a false consciousness is to hold it while being ignorant of, or self-deceived about, the real motives for why one holds it: the individual who suffers from a false consciousness would like to believe that she accepts a given belief system (solely) because of the epistemic considerations in favor of it, but, as a matter of fact, she accepts it (primarily) because of the influence of noncognitive motives that operate, as Marx was fond of saying, 'behind her back,' that is, without her conscious awareness" (2003: 170). Ideology critique comes in different forms, for Shelby. Ideology critique of the "genetic" variety consists in exposing the underlying motives of ideological beliefs—the actual motives being class-specific and noncognitive as opposed to cognitive and epistemic. I thank one of the blind reviewers for raising this point about Shelby's analysis of racism.

various forms of cognitive and affective unconscious bias. For this reason people can actually be surprised to learn that they harbor racial prejudices or implicitly accept degrading racial stereotypes. (Shelby 2016: 23–24)

I now clarify the three essential conditions of racist ideology.

The *distortion condition* specifies that a belief or implicit association cannot count as racist ideology unless it has the property of cognitive distortion. This obviously includes false belief, but more commonly involves other cognitive and epistemic errors, such as inconsistency, oversimplification, exaggeration, half-truth, equivocation, circularity, neglect of pertinent facts, obfuscation, misuse of authoritative sources, hasty generalization, and so on (Shelby 2003: 166). Insofar as cognitive distortion is ideological, what is distorted is “our perception of social reality” (Shelby 2003: 178), particularly the social reality of oppression (Shelby 2003: 181). The idea is that ideology distorts our ability to understand an oppressive phenomenon *as* oppressive; or else it distorts our apprehension of the cause/s of oppression.

To illustrate, imagine an oppressed racial group that is falsely stereotyped as monstrous, criminal, or subhuman. What makes the belief ideological is not merely that the racial group is unfavorably (or even unjustly) depicted, but that the depiction is false *and* that this false belief is linked to some further distortion about oppression. For example, this particular belief might incline one to scapegoate and falsely blame some member of the stereotyped group for a social ill (say, a criminal act or a looming social threat). In other cases, racial stereotyping is irrelevant to the ideological belief’s oppressive function, as when racial subjugation is rationalized as the inevitable consequence of human nature; or when the burdensome plight is deemed an acceptable (albeit unfortunate) byproduct of a more fundamental societal commitment or priority; or it might be justified as a “necessary evil” which society must endure in order to tackle some greater evil. In yet other cases, ideological belief does not so much justify oppression as conceal it from view, as in narratives that misdirect attention away from the issue of oppression by concealing pertinent facts.⁴ Ideological beliefs can produce distorted normative judgments, including judgments that mistakenly ascribe poor moral character traits to an individual or group. Finally, ideology can distort our practical beliefs about which remedies are most conducive to repairing an oppressive social ill (e.g., if racial inequality is mistakenly perceived to be a consequence of cultural inferiority, the remedy for racial inequality may be inaccurate).

4. These aspects (or “frames”) of racist ideology have been discussed at length by others. See, e.g., Bonilla-Silva (2018).

The *injustice condition* of racist ideology requires that the distorted understanding of oppression perpetuate the condition of oppression. Consider the practice of racial profiling. Suppose that two police officers interrogate a Black man, believing him to be “pushing drugs.” Questioning him, they caution him to “stop acting” as though he’s out for a casual walk and they insist he “give up his merchandise.” Though they purport to have good reason to suspect criminal behavior, they are in fact on a fishing expedition. The real motivation for the interrogation (whether conscious or not) is the belief that young Black males from poor neighborhoods are thugs, drug dealers, and criminals. Upon repeated and failed attempts to successfully address the officers’ hostile line of questioning to their satisfaction, the young Black man decides to walk away from the situation. He is immediately apprehended and arrested by the officers. In this instance, the racist ideology of the officers perpetuates anti-Black oppression by contributing to the wrongful treatment of young Black men—including harassing and humiliating this young man, as well as undermining his autonomy.⁵ In addition, the wrongful treatment is socially unjust because the officers’ racist ideology perpetuates injustice by reinforcing racial stigmatization.

The *race condition* of Shelby’s definition of racism requires that social meaning be assigned to inherited physical characteristics, continental origins, and biological ancestry. For example, being categorized as a drug dealer has social meaning. Social meaning can be understood in terms of its moral and social dimensions. The moral dimension is the significance of assigning a moral property to a group. A property *P* is morally significant in the sense that it has implications for how we treat (or ought to treat) individuals that are thought to possess this property.⁶ For example, inherited physical characteristics, continental origins, and biological ancestry might be correlated with an undesirable property, such as low intelligence or criminal disposition. People taken to be unintelligent are bound to be treated differently than people taken to be intelligent. The social dimension consists in the fact that the association of *P* with a particular group is widespread in the community. Going back to my example, the stereotype that young Black males are thugs is socially significant because this stereotype is not limited to a couple of racist police officers; after all, the police officers are not the inventors of the stereotype, but learnt it from others. In other words, their possession of this pernicious belief is a consequence of their membership within a society that widely disseminates the stigmatizing trope.

5. Additionally, there is an epistemic injustice in this scenario inasmuch as the Black man’s testimony is unjustly disregarded.

6. The fact that an action is morally significant does not tell us why the action has the significance it has. For example, Anthony Appiah (1990) argues that moral significance can have an intrinsic and/or extrinsic basis.

1.2. Institutional Racism

We have seen that racism, for Shelby, exists when three conditions obtain. Roughly: cognitive error distorts the understanding of racial oppression; second, the distortion functions to perpetuate racial oppression; third, the distortion invokes or presupposes racial belief. Shelby deserves credit for rigorously articulating a novel cognitive theory of racism that re-invigorates the Marxist conception of “ideology.”⁷ However, there are many other entities—besides beliefs, implicit associations, cognitive errors and patterns of reasoning—that are called racist. Examples include racist persons, racist actions, racist institutions, racist societies, racist speech, racist artifacts, racist symbols, and so on. Not surprisingly, a common objection to virtually all theories of racism is their failure to accommodate the “categorical plurality” of racism.⁸ Shelby designs his own account of racism to meet this desideratum.⁹ He argues that his ideological theory can accommodate non-ideological forms of racism at the personal and institutional levels by virtue of the fact that racist ideology is causally linked to racism on both levels. In the remainder of this section I present Shelby’s account of institutional racism; in section two, I offer a critique of his account.

Shelby’s strategy for accommodating the categorical plurality of racism is to adopt what Jorge L. A. Garcia calls an “infection model” of racism (1996: 11). Infection models distinguish between racism’s core and its infections. The *core* is the category of entity that represents racism’s primary mode of manifestation. An *infection* is any category of entity that derives its racist nature from the core. For example, Shelby derives the notion of a “racist person” from his conception of racist ideology. He defines a racist person as an individual who explicitly subscribes to racist ideology; a racist person can also be someone who, unintentionally and unknowingly, is disposed to act on racist assumptions (Shelby 2016: 24). Shelby understands “institutional racism” as a derivative form of racism. Accordingly, he claims a racist institution is infected with racism when it is *extrinsically racist* or *intrinsically racist*. He seems to hold that an institution

7. My analysis captures the core of Shelby’s Marxist conception of racial ideology, but it by no means captures the rigor of his analysis (see Shelby 2003).

8. How to address the categorical plurality of racism has been widely discussed and variously assessed (e.g., Garcia 1997; 1999; Blum 2002: chap. 1; 2004; Glasgow 2009; Faucher 2018; Urquidez 2020b).

9. Shelby shares Garcia’s desire and faith in the possibility of articulating a univocal theory of racism. This desire stems, at least in part, from the metaphysical intuition that racism has a single nature or essence (for a critical discussion of this approach, see Urquidez 2020b: chs. 1–4; 2021: 691). It also stems in part from the empirical intuition that there is a single “normal,” “ordinary,” or “common sense” meaning of “racism”; and from the methodological intuition that the proper goal of the philosopher is to arrive at the ordinary meaning of “racism.” Shelby (2002; 2014) is suspicious of both of the latter claims. I mostly agree with Shelby here (Urquidez 2020a; 2020b; 2022).

can be intrinsically or extrinsically racist, but not both.¹⁰ My critique will target Shelby's account of intrinsic institutional racism; however, for comprehensiveness, I present his analysis of both kinds of institutional racism.

I begin with intrinsic institutional racism. Here racist ideology causes institutional racism by *constituting* it. That is, racist ideology becomes a cause of institutional racism when it seeps into the institution, thereby corrupting it. An institution, he explains, is "a formal system of roles and rules that enable and regulate sustained cooperative action for some specified purpose."¹¹ He identifies three modes of corruption; that is, three modes of intrinsic institutional racism (Shelby 2016: 26):

- First, racism can exist in the *goal/design* of the institution: this occurs when the public rationale or officially stated goal of an institution expresses racist ideology. For example, the American institutions of chattel slavery and Jim Crow segregation were racist in their goals, for the public rationale (as well as the state's justification) of these oppressive institutions was that Blacks are inferior to whites.
- Second, racism can exist in the *content* of an institutional rule or policy: this occurs when the content of an institutional rule includes racial bias or is discriminatory. Consider ostensibly race-neutral laws that are harsher on crack cocaine (associated with Blacks) than on powder cocaine (associated with whites). Even though these laws are not explicitly justified on racial grounds, they are intrinsically racist because they are manifestly biased against Blacks.
- Third, racism can exist in the *application* of an institutional rule or policy: this occurs when a legitimate institutional rule is either misapplied or selectively applied by an administrator harboring racial bias or discriminatory intent. For example, the policy that police officers ought to approach and question suspicious actors seems legitimate. Yet, as we have seen, a police officer who harbors racial bias or hostility might abuse this institutional norm. Such cases illustrate the third form of intrinsic racism.

10. This observation was helpfully pointed out to me by a blind reviewer, who directed me to a remark in *Dark Ghettos* where Shelby describes extrinsically racist institutions as "institution[s] that [are] not intrinsically racist [but] may nevertheless play a role in keeping groups in their disadvantaged condition" (2016: 24).

11. Shelby continues the definition: "Within such a system, there are explicit criteria for assigning persons to specific roles, and each role requires its occupant to follow certain rules to remain in good standing. Institutions are not abstract entities but actual social practices: they are embodied by personnel who make, alter, and administer policy. Given this conception of an institution, we can think of racism as attaching to at least three features of institutions" (2016: 25–26).

Because Shelby takes racist ideology to be the core of racism, he owes us an explanation of how racist ideology can “infect” an institution—i.e., how it injects racism into the institution. His explanation is that racist ideology either informs the institution’s goal by forming the *basis* (rationale) for bringing it into being; alternatively, it informs the *content* or *application* of an institutional norm or policy. In each instance, racist ideology explains the unjust institutional practice.¹²

Next, let us consider extrinsic institutional racism. Shelby writes that “On the extrinsic conception,”

an institution’s policies are regarded as racist, not by virtue of the policy-makers’ racist beliefs, but solely in virtue of the policies’ effects. Extrinsic institutional racism occurs when an institution employs a policy that is race-neutral in its content and public rationale but nevertheless has a significant or disproportionate negative impact on an unfairly disadvantaged racial group. ...What is nonetheless wrong with the institution’s practices is that they perpetuate the negative effects of ongoing or past racist actions and thereby encourage racist attitudes and stereotypes. The underlying idea is that some groups in society are already disadvantaged by racism, and an institution that is not intrinsically racist may nevertheless play a role in keeping these groups in their disadvantaged condition, thus leading some to conclude that they occupy this low station because of the disadvantaged groups’ culpable failings or inherent inferiority. (2016: 24)

Given that racism, at its core, is racist ideology, what is the relationship of racist ideology to institutional racism? In the passage, Shelby says that an institution that is not intrinsically racist can be extrinsically racist, if it *perpetuates or reinforces* racist ideology; in his own words, it “perpetuate[s] the negative effects” of racism and “thereby encourage[s] racist attitudes and stereotypes.” César Cabezas (2022) has critiqued Shelby’s account of extrinsic institutional racism for its unintuitive implication that affirmative action policies are racist. He cites empirical evidence suggesting that affirmative action policies perpetuate anti-Black affect and stigmatizing anti-Black representations among whites. Hence, if we are to avoid the implication that affirmative action policies are racist, we need some other account of extrinsic institutional racism. Cabezas proposes we think of extrinsically racist institutions as, first and foremost, causing durable racial inequality (rather than racist ideology). As he writes, racist ideology rationalizes and normalizes extrinsically racist institutions, which are sources of durable

12. “Intrinsic” is here being used in connection with constitution. Hence, the term “intrinsic institutional racism” is not meant to imply that the racist character of a racist institution has no basis in racist ideology.

racial inequality. As a consequence, “racist ideologies stabilize the racist impact of extrinsically racist institutions by making their impact appear legitimate and unproblematic” (2022: 12).¹³ I welcome this modification of Shelby’s account for reasons I explain elsewhere.¹⁴

I now turn to my critical evaluation of Shelby’s theory of racism. I am not convinced that his account of racist ideology is a successful infection model for every form of institutional racism. In particular, I contend that some instances of institutional racism evade explanation in terms of racist ideology. To defend this claim, I present a thought experiment that offers a counterexample to Shelby’s analysis. I then offer an analysis of this thought experiment that exposes the inability of Shelby’s theory to accommodate the categorial plurality of racism.

2. Critique of Shelby’s Theory

2.1. *Transparent Institutional Racism (TIR): A Counterexample*

In this section, I present a counterexample to Shelby’s theory of racism and, by extension, his theory of institutional racism. My case involves intrinsic institutional racism that cannot be explained by racist ideology because racist ideology is not constitutive of the institution. I call my example “transparent institutional racism.” It is transparent in that the oppressor’s use of racial categories to sustain racial oppression is widely acknowledged and its rationale is both accurate and explicit in its depiction of social reality.

Transparent Institutional Racism (TIR). Imagine a racially oppressive society that does not have a history of racism. In this society, there are two groups, the oppressor group (designated as “whites”) and the oppressed group (designated as “nonwhites”). The term “white” picks out individuals that belong to the oppressor group and are characteristi-

13. Cabezas does not seem committed to the proposition that extrinsic institutional racism does not reinforce racist ideology. Rather, his position commits him to the proposition that, to the degree that extrinsic institutional racism does reinforce racist ideology, this fact does not explain why the institution is racist. For what makes the institution racist is that racist ideology normalizes durable racial inequality, which in turn stabilizes racist ideology. It is noteworthy that Cabezas’ analysis of extrinsic institutional racism retains a necessary link to racist ideology in the pejorative sense of “ideology.”

14. See my “Racism without racists: A clarification and refutation of the hypothesis,” *Philosophical Quarterly*, 2024.

cally light-skinned.¹⁵ The term “nonwhite” picks out individuals that belong to the oppressed group and are characteristically dark-skinned (non-light skinned). Within each group, there is a norm of endogamy (reproduction is restricted to other members of the group) and a norm of ancestry (racial identity is transmitted by descent). Whites, being the dominant group, invoke their will to define nonwhites and their kin as their social subordinates for the benefit of whites and their kin. They introduce the norms of endogamy and ancestry to ensure that racial subjugation persists indefinitely via the intergenerational transfer of social statuses. Whites, who obviously benefit from these arrangements, nonetheless acknowledge (1) that their reason for oppressing nonwhites and their kin is to benefit whites; and (2) that the norms of endogamy and ancestry are designed to facilitate the persistence of racial oppression in perpetuity. They do not ground these social arrangements in claims of genetic, spiritual, or metaphysical inferiority; nor in claims of cultural inferiority. No one thinks (or argues), for example, that it is the fate of nonwhites to be oppressed or that they have a defective culture which makes them deserving of their status. On the contrary, the social position of each group is widely acknowledged to be an accident of history and birth which arbitrarily benefits whites at the expense of nonwhites. Even the norms of endogamy and the markers of skin color are widely recognized as arbitrary and socially constructed properties; skin color, for example, is a convenient way of distinguishing members of each group and nothing more. Therefore, neither the prevailing racial categories nor whites’ explanations of social inequality involve false, misleading, or stigmatizing representations. Moreover, the central reason why this racial system works is that the dominant racial group has the power and willingness to make it work. That is, the oppressor group acknowledges that it oppresses because of its desire to maintain a superior ma-

15. The norm of endogamy stipulates that whites ought always to sexually reproduce with other whites, which they do; it also stipulates that this norm produces “white children” (irrespective of the resulting melanin distribution). An analogous norm of endogamy applies to nonwhites and the production of “nonwhite children.” Thus we can speak of “heritability” within the context of *TIR*, but the language must be understood in terms of the transferability of a social property, not a natural property. This is helpfully illuminated by Root (2002: S633–S677). He argues that the property white parents transfer to their white children is not biological (a racial essence), but social (a social status). Cheryl Harris’ (1993) notion of “whiteness as property” illustrates this point.

It might be objected that light skin is a heritable biological property. This is true. But race is herein conceived as a social construction (see §3.1). What makes skin color “white” (i.e., morally and socially significant) is the meaning assigned to it. Skin color is selected as the biological trait of choice because it is expedient for the purpose of subjugation (it makes it easy for one to swiftly distinguish the members of each social group).

terial advantage. Whites readily acknowledge two motives; first, they do not want to partake in the menial jobs and laborious, back-breaking tasks reserved for nonwhites; second, they do not want to share in the burdens that an egalitarian society would provide were racial equality to be the law of the land. The motivating variables that sustain inequality—power/control¹⁶ and material advantage—constitute the expressed rationale offered to explain the oppression. These reasons are not cited as moral justification of white-on-nonwhite oppression, but as prudential justification. As an explanation of white-on-nonwhite oppression the account is accurate.

That completes my description of *TIR*. Here is my question: Is my racially oppressive society racist? Intuitively, it seems so. Indeed, I claim that it is overwhelmingly obvious that it is racist. Yet, given Shelby's definition, he must deny the obvious. For there are no falsehoods or other epistemic errors in whites' explanatory account of society. That is, there is no "cognitive distortion" here. For example, whites who appeal to the categories of "white" and "nonwhite" in explaining society do not understand these terms to denote natural race-based essences. Rather, they understand these terms to denote arbitrarily constructed social groupings, which of course accurately represents the social ontology. For example, consider whites' narrative about why racial oppression exists. Their narrative underscores the dynamics of power and privilege, domination and oppression—that is, what obtains. Whites' understanding of the role of biology is also correct; their use of skin color in marking off whites and nonwhites is an arbitrary but efficient means of categorization, for the sake of implementing differential treatment.¹⁷ To be sure, whites are admittedly vicious in my scenario, but they are aware of this fact, do not deny their moral depravity, and do not hide behind rhetoric that obscures their representation of themselves as morally wicked. Their explanations of the racial order involve no moral (only prudential) justifications of

16. A blind reviewer distinguishes two motivations—the desire for power and the desire for material advantage. The suggestion is that whites might desire power for its own sake. It seems correct that desiring power for its own sake is not an "implausible motive." However, for purposes of *TIR*, I will stipulate that the desire for power and control is to be understood as having instrumental value; that is, whites desire power and control because these are instrumental to white material advantage.

17. Hence, "color tones" and "skin color" are imbued with social meaning. For as one of the reviewers points out, the principle of endogamy cannot guarantee that some "whites" will not have darker shades of skin tone. This, however, is no more a problem for my hypothetical society than it is for actual societies with racial histories. Deviations from the norm are seen as exceptions or otherwise explained away in the actual society. In *TIR*, there is no need to explain away anomalies because skin colors are understood to have social meaning.

white domination (and their prudential explanations capture their real motivations and interests).¹⁸

In virtue of *what*, exactly, is *TIR* racist? More than one plausible explanation is available given the literature on racism, and I think this further confirms *TIR* as a viable counterexample. For example, whites in *TIR* are arguably racist because they harbor race-based ill-will (and disregard) toward nonwhites.¹⁹ Alternatively, one might argue that *TIR* is racist independently of any connection to race-based ill-will. Consider the impact-based approach to racism. According to it, any set of practices that creates or perpetuates race-based harm is racist.²⁰ This, too, plausibly explains the racism in *TIR*. My aim in this paper is not to defend any particular definition of racism (indeed, the best thing to say might be that *TIR* is racist for more than one reason or in more than one way, as the pluralist could argue). Rather, my aim is to critically examine Shelby's proposal for his own definition.²¹ Hence, for purposes of this paper, I do not endorse either of these accounts of racism, as I do not see that I need to establish a theory of racism to defend the following claims: (1) intuitively, *TIR* is an instance of racism; (2) Shelby's theory of racism fails to accommodate this intuition.

18. Moreover, it follows that because there are no illusory beliefs in *TIR* (no cognitive distortion) there can be no "false consciousness" in *TIR*, either. Hence, Shelby's fourth necessary condition of racist ideology (explained in fn 3 of this paper) does not obtain in my thought experiment, yet that is because the racism in this instance is transparent. The motives of whites in *TIR* are known to whites; whites are not "ignorant of, or self-deceived about, the real motives for why [they hold their beliefs]" (2003: 170). There is no conceptual space here for the Marxist form of genetic critique of white racial cognition (i.e., no "exposing" of whites' real motives, since the real motives are the expressed ones).

19. This can be analyzed using Garcia's volitional theory of racism (1996; 1997). Garcia defines racism as racial hatred (ill-will) or racial disregard. In respect to *TIR*, it is not clear that whites hate nonwhites. Perhaps the better thing to say is that whites are racially indifferent toward nonwhites; hence, this falls into Garcia's category of racial disregard. For a helpful discussion of racial indifference, see Hardimon (2019: 227–228).

20. Stickers (2014) and Cabezas (2024) defend the impact-based approach. A blind reviewer objects that the impact-based approach cannot apply to *TIR* because whites do not only cause harm but intend to do so. However, it is not clear that the impact-based approach is committed to denying that intentional racism might obtain, too. Rather, the claim would simply be that negative racial impact is sufficient for racism; that is, racism would have obtained in *TIR* had there been no intentional racism.

21. I have proposed that racism is a system of racial oppression elsewhere but without providing a proper defense of the proposal (Urquidez 2020b). My aim in *(Re-)Defining Racism* was to assess the major approaches to defining racism, not to fully articulate and defend a theory of racism. That said, see Hardimon (2023) and Cabezas (2024) for two compelling recent defenses of the oppression-based approach to racism.

2.2. Some Objections to TIR

I now consider four objections to my critique.

Objection 1: Is TIR psychologically plausible?

One objection to my argument is that it is cognitively implausible for people to dominate a group of human beings without their cognition involving or eventually becoming ideological in the pejorative sense which entails distortion. It seems plausible that, over time, *TIR*'s social stratification system would foster distortive attitudes among whites regarding their social position—for instance, how could whites avoid organically developing a feeling of entitlement to their unearned privilege? How could they not come to view these entrenched social arrangements as “natural” and “good”? Similarly, the hierarchical structure of *TIR* would likely produce affective responses in whites—say, contempt and hostility—that would eventually distort their understanding of their subordinates vis-à-vis stigmatization.

To this objection I offer two replies (I add an additional reply in the concluding section). First, I do not agree with the premise that *TIR* is cognitively implausible. It seems to me that it is not far-fetched that a group *G*₁ might systematically disrespect another group *G*₂—even as *G*₁s acknowledge that they are not inherently entitled to disrespect *G*₂s and have no moral warrant for doing so—all the while being transparent about this fact. To be sure, it seems plausible that human beings have a psychological tendency to naturalize entrenched social arrangements (i.e., regard them as appropriate). However, this tendency seems compatible with taking preventive measures to effectively preclude its manifestation. For example, weekly trainings might be implemented to remind whites that if they start to feel inclined to justify their superior social position, they should remember that these feelings are demonstrably unwarranted, since whites' superior position is completely arbitrary and, in any case, nonwhites are fully human. Moreover, we can imagine the tendency to rationalize injustice being curbed through education. If whatever can be mystified can also be demystified, then the tendency to mystify can be curbed through active modes of managing this tendency.

Bearing the above in mind, I offer the following emendation to *TIR* in order to account for the natural tendency to rationalize oppression. Let us suppose that whites, being acutely aware of the human tendency to internalize stable social arrangements, implement a rigorous educational initiative to teach whites, especially the youth and the most privileged members of society (elite whites), about the actual social nature of racial divisions, with an eye toward curtailing all of the following: their natural affective responses to their social subordinates; the human tendency to naturalize oppression; the natural desire to justify the domi-

nant group's superior position as morally just; and, by consequence of the previous measures, their potential to stigmatize nonwhites. In short, we can build into *TIR* that whites take sufficient, calculated measures to prevent the germination of distortive cognitive attitudes. In this way, the psychological mechanisms that lend plausibility to the notion that *TIR* is incompatible with human psychology are curbed.

Second, I reply that even if *TIR* is cognitively implausible, contrary to what I've argued, it nonetheless appears to be a conceptual possibility, which arguably suffices for my argument. Suppose that a person *S* possesses the power to generate bombs from the palm of her hand, at will. Imagine that *S* uses this power to oppress a racialized group in virtue of their race. Would we not be right to deem such a person racist? It seems obvious we would and should. Now, of course, no such person exists, as generating bombs at will is physically impossible. But the fact that this scenario is contrary to fact does not undermine the conceptual point, which is about the application of the term "racism." That *TIR* appears to be racist and that Shelby's theory of racism fails to accommodate this case suggests that his theory is conceptually inadequate.

Objection 2: Does TIR involve cognitive distortion at the level of normative judgment?

One possible objection to my argument asserts that social classifications have normative force.²² For example, it might be thought that, given that "white" means a superior and "nonwhite" means an inferior, "*S* is a nonwhite" implies "*S* should be subordinated." It might then be thought that the normative judgment that nonwhites should be subordinated is plainly false; hence, that *TIR* involves cognitive distortion.

I reply that the objector confuses the grammatical *ought* with the moral *ought*. Consider the proposition "The king moves (must move) one square at a time." The proposition tells us how the king is to move. The "must" in this case is not a moral must. Rather, it tells us how the piece is to be moved *in a game of chess*; that is, this is how the king must move in order to count as playing chess. The rule does not state how the piece ought to be moved if there is no interest in playing chess; nor does it state how the piece ought to be moved if one is to count as being moral. Similarly, the inference from "*S* is a nonwhite" to "*S* should be subordinated" states how whites ought to treat nonwhites given that whites want to participate in the "game" of oppression. That is, the rule reveals something about the logic of social oppression in *TIR*. The point is that the "ought"/"must" is not linked to a moral judgment, but to a grammatical one. To know this inference pattern is to understand who the whites are: they are those whose role it

22. This objection is inspired by the discussion that ensued following my presentation of a draft of this paper at UCLA. My recollection could now be mistaken, but something along the lines of this objection was raised during the Q&A.

is to subordinate and exploit nonwhites. This includes understanding that the whites' dominant social position enables them to assume ownership of the spoils of nonwhite labor, and to be the primary beneficiaries of their labor. From a moral perspective, this racial institution is morally abhorrent. As stipulated in my account of *TIR*, whites recognize this moral deficiency, which is likewise constitutive of a proper understanding of what it is to be "white."

Objection 3: Is TIR race-based?

A third objection to my argument is that it is not at all clear that *TIR* is an example of *racial* domination. Against Garcia's theory of racism, Shelby argues that it is misguided to say that an attitude is race-based just in case it is based *simply* on the fact that the targeted person is of one "race" rather than another "and for no better reason." For Shelby, the problem with this approach is that it

would leave the motives of the racist largely opaque, mysterious, even unintelligible. What would it mean for a racist to hate someone *simply* because he or she is Black? Does the racist hate Blacks because they have dark skin and kinky hair? Surely "Blackness" has deeper meaning for the racist than that—unless he or she is psychotic. (2002: 414–415)

Applying this line of objection to my own thought experiment, whites in *TIR* might seem to target nonwhites for *no other reason* than that they are nonwhite. This, however, is psychologically untenable. We would have to believe, implausibly, that every last member of the white race is psychotic.

To this, I reply that I deliberately built into my thought experiment reasons that should dissuade us from thinking that whites in *TIR* suffer from psychosis. The motivating variables that perpetuate inequality in this scenario—such as power, control, and material benefit—are offered as whites' basis for targeting nonwhites. Nonwhites are not targeted for the reason that they are nonwhite, *and for no other reason*.²³ Rather, they are targeted because, as a group, nonwhites make for easy targets, because whites are well-positioned to dominate and exploit the group, and, ultimately, because whites have a desire and material interest in dominating them.

Against this, it might be objected that my analysis is not "racial enough." The objection would be that nonwhites seem to be targeted for reasons other than their race. That is, they are targeted because they are particularly vulnerable to oppression, because of how they are situated in the society. If this is correct, then it isn't because of their race that nonwhites are targeted.²⁴ I reply that racial

23. As one of the reviewers points out, the "for no other reason" rationale implausibly implies that whites would be oppressing nonwhites but not because they seek to benefit from oppressing them.

24. This objection was raised by a blind reviewer. I have modified the reviewer's phrasing of the objection in this paragraph.

identity seems to be a constitutive feature of the targeting of the group. After all, whites would have to be perceived as a unified group to be considered an object of targeting. The unity of the group is entirely arbitrary and socially constructed, of course, but this is part and parcel of whites' understanding of the group.

Objection 4: Is the conception of race in TIR plausible?

In light of my reply to objection 3, one might push back that it doesn't answer the underlying concern of the objector. I have suggested that the social structure in *TIR*, which facilitates "white domination," is racist. Hence, this is a form of racial domination. Therefore, since the domination is race-based, we need a convincing account of what "race" means in the context of *TIR* (e.g., an account that can help explain why "white" and "nonwhite" are racial terms). Up to now, I have not provided an analysis of the idea of race that is operative in *TIR*, and one might worry that such an account does not exist. How, then, is my hypothetical society divided by race? What does race-based cognition consist in on *TIR*? The objection can be formulated as a question: If my thought experiment is an example of *racial* oppression, in what sense is it racial? What plausible conception of race underwrites *TIR*?

My answer is that the operative conception of race is Shelby's own conception. Race in *TIR* consists in the assigning of social meaning to the heritable characteristics of skin color and ancestry. In my thought experiment, whites assign the meaning *social subordinate* to those classified as nonwhite and the meaning *social dominant* to those classified as white. These classifications are analogous to social class/status designations. The existence of race thus entails a certain kind of cognition—namely, the thought that people of one particular skin color and ancestry belong to the "subordinate group," and the thought that people of a different skin color and ancestry belong to the "dominant group." These meanings, which are written onto the skin color and ancestry of folks, go hand in hand with coordinated acts that function to materially partition the society. The result of such coordinated activity is social injustice—whites benefit materially as a group whilst nonwhites suffer materially.

Still, one might push back by suggesting that Shelby's social significance view of "race" is controversial and arguably misguided. Supposing the objector is right that it must ultimately be abandoned, this calls my thought experiment into question. The worry is linked to the intuition that the social significance view of race must be misguided because racial/racist cognition is essentially distortive. In the next section, I argue that, given his commitment to accommodating the categorial plurality of racism, Shelby cannot swap his social significance view of race for the more common racialist view (which entails cognitive distortion). I also defend the plausibility of Shelby's social significance view of race.

3. Racial Realism without Racialism

I have suggested that *TIR* invokes the same conception of race Shelby's theory of racism invokes. If this is so, it is inconsistent to affirm the following set of propositions: first, that Shelby's definition of racism invokes a plausible conception of race; second, that my thought experiment invokes an implausible conception of race. This has an interesting upshot that I call *Shelby's dilemma*. The first horn of the dilemma: If Shelby's conception of race is acceptable, this generates a problem for Shelby's theory of racism by rendering his account vulnerable to my counterexample, *TIR*. The second horn: If Shelby's conception of race is unacceptable, this generates a problem for Shelby's theory of racism, albeit from a different direction. As I detail below, Shelby's conception of race is designed to accommodate certain, post-civil rights cases of racism—the so-called “new racism” cases. If we abandon his conception of race, Shelby loses the ability to accommodate these cases. They would then function as counterexamples to Shelby's theory of racism. So either way, Shelby's theory of racism is vulnerable to counterexamples.

I develop Shelby's dilemma below by considering his best response to an objection leveled against his theory of racism. This discussion will enable us to better see the role of his conception of race within his theory of racism. I will then draw on the aforementioned resources to address the fourth objection to *TIR*. Recall that, according to the objector, *TIR* is not a persuasive counterexample to Shelby's theory of racism because the white-on-nonwhite oppression *TIR* exhibits is not a form of *racial* oppression. My reply to this criticism will force us to come face to face with Shelby's dilemma.

3.1. Racialist Ideology: The Challenge of Colorblind Racism

Belief in the natural superiority of one race and the natural inferiority of another is the paradigm case of racist ideology. However, Shelby rightly points out that racist ideology isn't always packaged in the idea of natural superiority/inferiority. Indeed, he explicitly contrasts racism “during the period of American slavery,” where “black slaves were commonly thought to be docile, superstitious, easily satisfied, and obsequious” by nature with racism directed at the culture of Blacks “in the present postindustrial phase of capitalist development, [where] blacks are more often viewed as socially parasitic, full of (unjustified) anger, irresponsible, and dangerous” (2002: 417). Shelby offers similar examples elsewhere. For instance, “racist ideology underwrites the widely held view that (most) black women who receive welfare support are poor because they are lazy, irresponsible, and promiscuous” (2003: 165). Or again:

it is believed that members of some racial groups *tend* to be less hard-working, less law abiding, less intelligent, and so on, without insisting that all members of such groups possess these negative characteristics and without necessarily concluding that these traits are (completely) congenital. (2003: 67).

For Shelby, the salient difference between the racist ideology that was prominent in the classic period and the racist ideology that is most prominent today is that today's racists tend to "emphasiz[e] the ineradicable cultural pathology of blacks rather than their biogenetic inferiority" (2003: 169).

Despite this shift in ideology, the new racist ideology retains a similar social function as in the past; namely, it continues to sustain racial injustice. As Luc Faucher explains, many whites today invoke culture-based stereotypes about racial groups with the aim of

exculpating whites of their responsibility for racial disparities and/or faulting cultural features of racial minorities for the existence of these disparities (for instance, blaming disparities on a lack of effort from their members, or loose family organization). ... Moreover, their negative affects are not necessarily grounded in hate or hostility... (2018: 410)

I will variously refer to post-civil rights cases of racism, which mark a fundamental shift in racist ideology, as the *new racism* and as *colorblind racism*. I will refer to the racist individuals in the new racism cases as *colorblind racists*.²⁵ In most of his writings on racism, Shelby explicitly argues that the "new" racist ideology is problematic because it satisfies his definition of "ideology." Not only is its content misleading or false, but it also serves the same racist function as classic racist ideology and retains the same problematic idea of race. Since Shelby is interested in articulating a unified theory of racism and since he takes the new racism cases to be genuine instances of racism, he aims to accommodate these cases in his theory. Therefore, he's committed to the following desideratum: an adequate theory of racism must accommodate colorblind racism.

When does cultural criticism become racial criticism? Anthony Appiah (1990: 5) thinks the phenomenon of criticizing a racial group's cultural prac-

25. Although I have just explained my rationale for using the terms "colorblind racism" and "colorblind racist," I want to make clear that I use these terms primarily because Faucher uses them. The notion of colorblindness is also convenient for my purpose, because the notion of blindness brings to mind the negation of race. Still, it might be argued that the term "colorblind racism/t" does not best capture the phenomenon I have in mind. One might think a better concept-term is available, say, "cultural racism/t." To this critique, I reply that my definition is stipulative rather than substantive; nothing of importance is meant to hinge on it. The reader is free to drop it in favor of a more appropriate term.

tices and psychological dispositions rather than its natural essence can be a form of “extrinsic racism,” the idea being that it is sometimes racist to think that a racial group is defective solely in virtue of its extrinsic properties.²⁶ For instance, one might disapprove of “street culture,” not because one dislikes or hates practitioners of street culture, but because one thinks street culture is characteristically rude, obnoxious, or cruel. This becomes racial for Appiah when one thinks that the practitioners’ racial essence disposes them to street culture. He calls his proposed theory *racialism*, which, as he explains, is the doctrine

that there are heritable characteristics, possessed by members of our species, that allow us to divide them into a small set of races, in such a way that all members of these races share certain traits and tendencies with each other that they do not share with members of any other race. These traits and tendencies characteristic of a race constitute, on the racialist view, a sort of racial essence; and it is part of the content of racialism that the essential heritable characteristics of what the nineteenth century called the “Races of Man” account for more than the visible morphological characteristics—skin color, hair type, facial features—on the basis of which we make our informal classifications. (1990: 5)

Undergirding racialism is the idea of “heritable characteristics,” which implies that certain traits are inherited from one’s progenitors, as a matter of nature.²⁷ Lawrence Blum helpfully designates this “the claim of ‘inherency.’” Inherency is the proposition that “certain traits of mind, character, and temperament are inescapably part of a racial group’s ‘nature’ and hence define its racial fate” (Blum

26. Intrinsic racism, for Appiah, is racism based on the putative inherent inferiority of the racial group. Members of the group are thus inferior by virtue of this fact. Extrinsic racism is based on the normative assessment of certain dispositions—such as a disposition to thievery, lying, or criminality—as morally objectionable and therefore unbefitting of moral agents. The extrinsic racist criticizes a racial group (or its members) for its morally objectionable qualities (which are thought to be determined by a racial essence), not for being a member of the racial group per se.

27. Racialism is committed to the idea of natural kinds. Biological kinds are the paradigm case. However, other natural kind conceptions which serve the same function are possible. Leonard Harris explains that “Race can refer to a belief in the existence of biological kinds, represented by inherited, ancestral, or folk traits; inherited through blood, genes, or a mystical spirit. ... Classical Hinduism, for example, requires clear lines of familial demarcation: Brahman on one side and untouchable on the other. Each caste is meaningful as a function of its spiritual import, i.e., caste identity is determined by spiritual essences” (1998: 222). Blum (2002: 133–137) likewise distinguishes different notions of inherency, including the notion of “metaphysical inherency,” which encompasses Harris’ example.

2002: 133).²⁸ Roughly, racialism implies that if a person *S* has racial property *P* then *S* has this property necessarily (i.e., *P* is inherent to *S*).

Consider how Appiah's account of extrinsic racism would account for colorblind racism. Since extrinsic racism presupposes racialism, both the classic and the new racial ideologies must be firmly rooted in racialism. Hence, the ideas of natural essences and inherentism must figure into the explanation of colorblind racism. It follows that the shift from natural racial essences to hardened cultural dispositions does not mark a fundamental shift in cognitive content. Instead, the shift from classic to colorblind racism mostly amounts to a change in the rhetorical expression of racialism. It seems the most plausible way to think about the shift is in terms of the move to *conceal* the underlying idea of racialism by dressing it up in cultural garb. Concealing something by dressing it up, of course, means that the "something" in question remains the same old thing it's always been (like the wolf in sheep's clothing). This makes it a case of "unacknowledged racism," to borrow Naomi Zack's felicitous term (2003: 255; see also Lichtenberg 1992: 92).²⁹

Does Shelby agree with Appiah that racialism is the root of all racial cognition, such that "new" cultural critiques of racial groups only count as racist if they retain a link to racialism? The first thing to recognize is that *Shelby's theory of racism presupposes racial realism*. Shelby acknowledges this when he writes: "with the possible exception of the belief in the reality of 'races,' no one belief is essential to the legitimating function of the [ideological] belief system" (2002: 415). We next ask: what exactly is real when it is said that "races" are real? Shelby is a social constructionist. "Social construction" means that race, qua system of social meaning and practice, is a product of collective human ingenuity (a social creation).³⁰

28. Blum (2023) has recently developed a typology of cultural racism that augments his account of inherentism. He defines "essentialist culturalism" as the view that certain group properties are inherent to the group or are so difficult to change that they might as well be treated as inherent. This account encompasses the new racism cases, including forms other than colorblind racism. See Lawrence Blum (2023: 3–4).

29. Unacknowledged racism encompasses implicit racial bias and the unwillingness to acknowledge that an attitude one is aware one has (or an action one is aware one has committed) is racist. In the latter case, the racist might believe, say, that R1s are stubborn and arrogant, and is aware that she believes this. She might then acknowledge her derogatory belief about R1s, without acknowledging that it is racist.

30. As Shelby explains: "The groups that we call 'races' in America are not biological natural kinds but rather social groupings constituted by the social meanings that have come to be associated with certain phenotypic traits (e.g., hair texture, nose shape, and skin color) and continental origins (Europe, Africa, Asia, and the Americas); not only is this system of social classification deeply embedded in common sense but it also has official state backing" (2003: 176). Shelby's account of race is vague, as is his account of social meaning. It seems to me that one of his reasons for adopting a vague conception of race is that he recognizes he needs a dynamic, changing and modifiable conception of race to accommodate classic racism cases *and* colorblind racism cases. Specifying rigid boundaries for "race" would preclude him from accommodating both, as I argue

Races are human inventions, but they are not invented as one invents a password (i.e., individual fiat) but as a group invents a social institution—via social coordination that spans a series of personal and collective decisions and interactions, mediated by social roles, norms of various types, power relations, and so on.³¹ So, his answer to our second question is that when a particular race exists, it is a particular social group that exists. *A race is a social group created by human beings and dependent upon particular ideations and practices for its continued existence.*

So far, we have seen that Shelby thinks races are real and that races are a particular kind of social group. Next, we need to consider what is distinctive about race; what makes a racial group different from other kinds of social groups? Racial groups differ from other groups by how they are conceived, by their cognitive or ideological content (Shelby 2009: 132). There is some textual warrant for thinking that Shelby analyzes the content of racial cognition in racist terms. For example, in discussing contemporary cultural critiques of Black culture, Shelby writes: “Despite references to ‘culture,’ ‘race’ is still the operative (if not the ostensible) category used to identify the relevant groups” (2014: 67). Race is the operative category because, “Though the defects are now more often attributed to cultural characteristics, these are treated as thoroughly entrenched and (practically) unchangeable, which effectively *racializes* these purported differences” (67). On the same page he writes, “contemporary forms of racism are often nothing more than remnants of the classic doctrine [of racism], either operating implicitly in the background culture or repackaged to buttress the racial status quo” (67).

These and similar passages lend support to the interpretation of Shelby as one who thinks racialism underwrites racist ideology. First, Shelby uses terms like “ineradicable,” “entrenched,” and “unchangeable” which, at least on one reading, are plausibly interpreted as conveying that racial properties are permanent and inherent. This includes Shelby’s remark that treating properties as entrenched and unchangeable effectively “racializes” them, which seems to imply that “racialization” obtains precisely at the moment that differences are conceived as inherent. Second, Shelby alludes to racialism (an element of “the classic doctrine” of racism) being “fundamental” or still “operating” in the context of the new racism. The aforementioned considerations support the interpretation that the conception of race at work in Shelby’s understanding of racist ideology is racialism; that a social group counts as a racial one if its characteristics are treated as thoroughly entrenched and unchangeable properties.

Apparently working from the premise that Shelby is a racialist about the content of racist ideology, Faucher questions whether Shelby’s theory of racism is capable of accommodating the new racism cases. Shelby’s definition of racist

below. In short, he favors a vague conception of race because he recognizes that an adequate conception of race must be a wide conception.

31. This analogy is from Root (2000).

ideology includes proposition [3]. This proposition asserts that racist ideology necessarily invokes the problematic idea of race. One way of interpreting this proposition is that Shelby thinks the content of the racist's attitudes toward the constructed group is rooted in racialism. If so, the racist does not think of racial groups as socially constructed but as having inherent properties. Taking this interpretation for granted, Faucher argues that Shelby has no way of explaining why colorblind ideology is racist because colorblind racists characteristically eschew the reality of race. He writes:

it does not appear to be necessary to believe in the existence of races to be racist. Someone can sincerely profess that races do not exist, and yet still be racist if they have a malevolent attitude toward a particular racial group. Indeed, this is the reason why doxastic accounts [including Shelby's ideological account] do not fare very well with the new forms of racism...like color-blind racism or symbolic racism. These new forms of racism are predicated on the idea that nowadays agents believe that biological races do not exist, but still entertain negative attitudes towards racialized groups. (2018: 416)

Faucher is suggesting that Shelby's theory of racism-as-racist-ideology implies that if colorblind racists really are racist, then they necessarily believe in racial essences (despite their professed denials). The problem, Faucher argues, is that this implication is false. The colorblind racist isn't just someone who thinks that race doesn't matter; she is someone who thinks races aren't real. Said differently, colorblind racism is supposed to be a new form of racist ideology, not the same old racist ideology albeit cleverly disguised. The racialist analysis of the new racism cases turns the colorblind racist into a covert and insincere *classic racist*. By contrast, the colorblind racist, for Faucher, may be transparent and sincere; a fundamentally distinct kind of racist. According to the sincere colorblind racist, attributed negative traits like being less hardworking, less law abiding, less intelligent, and so on, are not explained by a deeper racial essence (i.e., inherent racial properties), but by cultural deficiencies that are contingent and in principle revisable. In short, Faucher argues that the colorblind racist really does think that racialism is false.

To sum up the discussion so far. Shelby's desideratum for a theory of racism is that it must accommodate the new racism cases. If Faucher is right that Shelby endorses a racialist conception of racist ideology, then it seems Shelby's theory can't meet this desideratum.³² Three considerations support Faucher's reading.

32. The irony is that accommodating the new racism cases is one of Shelby's reasons for adopting the Marxist view of ideology. The Marxist conception is desirable in part because it recognizes the dynamic and changing nature of racist ideology. In particular, the change from classic racism to new racism.

First, Shelby's theory of racism clearly presupposes racial realism, the view that races exist. Second, his preferred brand of racial realism is social constructionism. Third, Faucher's interpretation of Shelby's constructionism attributes to him a racialist conception of how race is conceived by the racist. A helpful way of summing up Faucher's reading of Shelby is as follows: whereas Shelby himself conceives of races as social kinds, he thinks racists conceive of races as natural kinds. This makes Shelby a social constructionist about *race* and a racialist about the form that *racial ideology* takes. To capture this thought, I define *racialist racial ideology* as the view that racist ideology necessarily involves the false belief of a social kind (a racial group) as a natural kind; this view implies that racist ideology always takes a racialist form.³³

3.2. *Colorblind Racism without Racialism: Introducing the Instability Thesis*

In the previous section, we considered two reasons for thinking that Shelby's theory of racism is based on a racialist conception of racial cognition. First, Shelby's constructionist account of race is compatible with a racialist rendering of racial/racist ideology. Second, there's some textual warrant for attributing a racialist conception of race to him. We also saw that a racialist understanding of racial cognition renders his theory of racism vulnerable to Faucher's objection. A racialist conception of racial ideology opens him up to the new racism counterexamples he sought to accommodate. In this section, I critically assess these considerations. My claim is that the aforementioned considerations fail, because Shelby actually adopts a wide conception of racial ideology, which accommodates the new racism cases of both the racialist and non-racialist varieties, as well as classic racialist cases of racism. After establishing this claim, I return to the implications of his wide conception of race for my thought experiment, *TIR*.

Regarding Faucher's critique, I think he moves too quickly. He supposes, without argument, that the only idea of race that is or can be socially constructed is a racialist conception. But that seems false, as Michael Hardimon (2013) ably demonstrates in his discussion of various concepts and conceptions of race. Fau-

33. Attributing this view to Shelby is somewhat misleading. As I define "racialist racial ideology," it is not necessarily racist. However, Shelby does not carefully distinguish racial ideology from racist ideology, and he takes the latter to be necessarily racist. To be racist, per Shelby's position, it must satisfy all three of his necessary and sufficient conditions of racist ideology.

What I call a "racialist racial group" satisfies Michael Hardimon's definition of "socialrace." As he writes: "Socialraces are by definition social groups that are *falsely or wrongly* taken to be racialist races" (2013: 70). (I would define "social race" more broadly to encompass social groups that are falsely taken to be racialist races, but also social groups that are taken (whether truly or falsely) to be non-racialist races.)

cher needn't assert that a racialist conception of racial cognition is the only game in town. It's sufficient for him to assert that Shelby endorses a racialist conception of racial cognition. The problem with this argument is that a contextualized and even-handed analysis of the textual evidence suggests that Shelby is not convinced that racialism is the only game in town when it comes to racial cognition.³⁴ In particular, racial cognition *without inherentism* is possible. Below, I argue that throughout his writings, Shelby has remained consistent in his insistence that *racist ideology is not a stable doctrine*. That is, he has consistently rejected the *stability thesis*, as I will call it, the view that racist ideology is stable over time. For example, in his first essay on racism, Shelby writes that "racist views are part of a complex and dynamic system of ideological belief. These beliefs have greater specificity and variety than the belief in a hierarchy of 'races'; they often shift and are reformulated given specific political contingencies, economic circumstances, and sociohistorical context" (2002: 415). Similarly, in a different essay on racial ideology, he remains consistent on this point, writing: "An ideology's content can shift over time in response to changes in the sociopolitical context" (2016: 23).

More telling is how Shelby elects to wield his rejection of the stability thesis to criticize Blum's conception of racism-as-racial-inferiorization. He criticizes Blum's definition for invoking an overly rigid conception of ideology. As he explains:

[Blum] treats ideologies as explicit and fully developed doctrines whose propositional content is stable over time. However, I mean "ideology," not as it is currently understood in everyday discourse (where it often denotes partisan political doctrines), but as it has come to us from the Western Marxist tradition. (Shelby 2014: 66)

Racialism, as Appiah conceives it, is an example of an explicit, fully developed, and stable doctrine. To be clear, what Shelby rejects is not the possibility that race can be conceived in racialist terms. Rather, his objection is against *defining* racism as a fully developed, stable doctrine. His position is that a stable definition of racist ideology is needlessly restrictive. Again, that is because "the content of an ideological belief system can change over time" for many reasons. One reason

34. To be clear, I am not arguing that it is *not plausible at times* to read Shelby as holding a racialist conception of racial cognition. He pulls in this direction most clearly in arguing against the idea of anti-Latino racism on the grounds that Latinos are not typically conceived as a race but as an ethnicity (even if they are capable of racialization and have at times been racialized) (2009: 133–134). My claim is, rather, that the best overall reading of Shelby is that he doesn't hold a racialist conception of racial cognition, and that a racialist conception would be incompatible with his rejection of the stability thesis.

is that ideologies are political tools that change “in response to shifts in the cultural, political, and economic context and also, importantly, in response to social criticism” (Shelby 2014: 66). The racialist conception of race has been subjected to brutal social criticism from the scientific and anti-racist communities. This has led to respectable members of both communities eschewing the idea of racialism. Yet, racial groups continue to exist, argues Shelby, because people continue to believe in the reality of races (conceived at times as racialist groups and conceived at times as non-racialist groups); in particular, the content of these beliefs has evolved, becoming more social and cultural and less biological.

Faucher might offer the following rejoinder. If racist ideology presupposes belief in race, but the relevant conception of race is sufficiently wide to accommodate racist doctrines that are racialist and inherentist in form, on the one hand, as well as racist ideologies that are non-racialist and social in form, on the other hand, then Shelby owes us an alternative definition of “race.” Shelby owes us an explicit articulation of *his* wide conception of race, because it has seemed to many that racial realism entails racialism. What, then, does race consist in, for him? We’ll get to that in a moment. I want to first emphasize that his conception of race is compatible with the *instability thesis*, the view that racist ideology tends to be unstable over time.³⁵

The proposition that racist ideology is essentially unstable is plausible. We can better see this if we first reframe the colorblind racist’s sincerely held disbelief in the existence of races. The terms “realism” and “anti-realism” are relative terms. The substance of an individual’s anti-realism depends directly upon the substance of the realism one rejects, and the idea of race is open to more than one way of being real. The most common way race is thought to be real is cashed in racialist (naturalist) terms. What the colorblind racist sincerely rejects when she rejects racial realism is not the idea of race as such, but the idea of racialism (hence also, inherentism). The sense in which the colorblind racist is an “anti-realist” is that she thinks there are no natural or biological races. This means that it is possible for the colorblind racist to be an “anti-realist” of sorts while being a “racial realist” in Shelby’s constructionist sense. Shelby, for one, is an anti-realist about the racialist conception of race (for he thinks races are social groups rather than natural groups). He also seems to think that being in the grip of racist ideology does not necessarily entail being in the grip of racialist and inher-

35. The stability thesis implies that a conception of race remains the same (stable) over time. The instability thesis implies that a conception of race is subject to change over time. The instability thesis is compatible with with a racial ideology’s representation of race as a stable natural phenomenon at a particular sociohistorical site.

Note that when racial ideology changes, the representation of the ideology as stable may change. For example, the representation may change from stable doctrine D1 to stable doctrine D2; alternatively, the representation may change from stable doctrine D1 to unstable ideology D3. Regardless of the shift in representational status, the mere fact that a shift occurs confirms the instability thesis.

entist cognition. The racist form of racial cognition is not the only game in town. What racist ideology entails is belief in the reality of race, a position that is consistent with the racist conceiving of races as either social kinds or natural kinds, as the case may be. Hence, the counterexample in Faucher's objection turns out to be no counterexample at all. It only appears to be a counterexample because Faucher mistakenly conflates racial realism with racialism; that is, he overlooks the possibility of forms of racial cognition that are non-racist and non-inherentist.

So what is Shelby's conception of race? Shelby proposes, you will recall, that we conceive of race as the attachment of social significance to observable heritable characteristics, ancestry and continental origins. This, I submit, is his positive and wide view of race, his alternative to the stable racist conception. Races, for Shelby, are groups of human beings that, roughly speaking, have historically been coextensive with the classic (racist) race categories and are designated by the same labels (e.g., "Black"). Ontologically, races are defined in terms of social relations and the nature of these relations is determined by the particulars that determine the idea of race in some actual context—that is, the actual social meaning that the relevant actors assign to observable heritable characteristics, ancestry, and continental origins at a site. The content of the idea of race—or the social meaning assigned to racial groups—varies across time and place, in accordance with the social constructionist view of race but also with the instability thesis. In some instances, the social meaning of race may depict races as natural and/or stable categories; in other instances, it may depict races as social and/or unstable categories. Therefore, because of the instability thesis, Shelby's account of racial cognition is wide enough to accommodate the classic cases of racism as well as the new cases of racism. Pace Appiah, one can be a racist without being a racist.

3.3. Colorblind Racism is Analogous to Classic Racism

This brings us to the second consideration, the textual basis for attributing a racist conception of race to Shelby. Is the best overall interpretation of his writings on racism that he thinks colorblind racists are racists who are merely pretending to be cultural critics? Or does he think that at least some colorblind racists (whom he concedes are genuinely racist) are sincere in eschewing racism and in grounding their criticisms solely in sociocultural considerations? To answer these questions, consider this passage. The colorblind racist, he says, insists

that members of some racial groups *tend* to be less hardworking, less law abiding, less intelligent, and so on, without insisting that all members of

such groups possess these negative characteristics and without necessarily concluding that these traits are (completely) congenital. ...Rather than think of these more contemporary beliefs and assumptions about racial groups as forming a different [non-racial] ideology, I agree with those who argue that it is more accurate to view them as expressions of a newly constituted racist ideology (Shelby 2014: 67).³⁶

I submit that this passage enables us to reconsider the meaning of Shelby's claim that talk of racial properties is "unchangeable" and "ineradicable"—that is, to reframe talk which, on the surface, sounds inherentist. While his mentioning of such properties appears to be expressing the view that racist ideology presupposes racialism, the latter part of this passage suggests an alternative possibility. For example, Shelby does not say that colorblind racism is the old ideology of classic racism in disguise. Instead, he says it is a "newly constituted" ideology. This strongly suggests that Shelby thinks sincere colorblind racism is possible.

Second, in this passage, Shelby arguably makes an analogical argument based on a resemblance between classic racism and colorblind racism. The resemblance is that new racism involves treating people *as though* their racial properties were inherent. In other words, his suggestion is not that the newly constituted racist ideology pretends to be new but is not really new because it is but a cleverly disguised formulation of the classic doctrine. Rather, his suggestion is that the newly constituted ideology really is new and is, notwithstanding this fact, *relevantly similar* to racialism inasmuch as it shares a common history, having evolved out of the classic doctrine of racialism and having evolved in direct response to antiracist resistance to the classic doctrine. Because of this shared historical connection, it is not surprising that colorblind racism has the same social function as classic racism. Namely, racist ideology rationalizes racial oppression and does so in a way that, *in effect*, makes it permanent; for all intents and purposes, it sustains the oppression of the group even as some members might escape the group's racial fate.³⁷ After all, if traits such as laziness and lack

36. The scholars Shelby says he agrees with here are Bobo, Kluegel, & Smith (1996) and McCarthy (2009).

37. How should we think about these exceptions—those who escape the fate of the group? The way I am inclined to think about this is as follows. An individual S might believe that R1s have a property Y contingently and non-inherently, but the property is believed (by S) to be so culturally ingrained that it is hardened for (all/most) practical purposes, such that it can be treated as though it were permanent. A blind reviewer seems to indicate a different way of thinking about the matter. The reviewer explains that "cultural inferiority can be inherentist ... yet not attribute characteristics to the whole group." I am not exactly sure what the reviewer has in mind. Perhaps, a case such as this: S might believe that *this* particular R1 has property Y inherently without believing that R1s (as a group) have Y inherently. Or perhaps S believes that the R1 is inherently flawed but that the group itself is not so, such that R1s are thought to be inferior only to the extent that they participate in the flawed culture.

of drive are seen as cultural and non-inherent, and are also seen as sufficiently hardened, then these traits might as well be inherent. Oppression can be rationalized just as effectively by the sincere colorblind racist in the post-racial era as by the classic racist in the classic era. My analogical reading of Shelby is made all the more plausible by the fact that it is consistent with his expressed commitment to the instability thesis. In fact, the proposition that racist ideology is unstable and changes over time helps to explain the genesis of colorblind racism, hence also its differentiation from classic racism.

Notice that this reading has the additional virtue of explaining why Shelby thinks racialism is in some sense “fundamental” or the “linchpin” of racist ideology, namely, that, historically speaking, racialism is the doctrine that brings the modern idea of race into existence. In doing so, racialism introduces the idea of *inherent* properties and with it, the idea of a *fated* social hierarchy. In our “post-racial” moment, the notions of inherency and fate have been softened. They are no longer literally invoked by sincere colorblind racists; however, the shadows of these ideas remain for all relevant intents and purposes. By this I mean that the social function of oppression is sustained through contingent explanations of “ineradicable cultural inferiority” and “deeply entrenched” defective values. Shelby seems to think that in order for a belief to count as ideologically racist, it must bear a family resemblance to the social function of racial oppression and a traceable historical connection to the classic idea of race. This implication is interesting in its own right and deserves further attention. However, it falls outside the scope of my argument, so I will not take it up further.

Instead, I return to my main argument. We have seen that Shelby conceives of race in terms of the attachment of social significance to certain properties of human groups. We have seen that he thinks these attachments are contingent, revisable, and change over time. Consequently, the social meaning of race tends to be unstable over time. In particular, it may take a racist form at time T_1 and a cultural/non-racist form at time T_2 . Racial identity appears to be forged through the resemblances and historical connection of the two ideologies. What makes both ideologies racist is that they meet Shelby’s three necessary and sufficient conditions for racism: these widely held doxastic attitudes misrepresent significant social realities and function, through such misrepresentation, to bring about or perpetuate unjust social relations.

I thus conclude that if Shelby’s conception of race—which is crucial to what appears to be his best reply to Faucher—proves adequate for accommodating the new racism cases, then his conception of race is adequate for accommodating *TIR*. As argued in section two, *TIR* is an example of race-based oppression because it invokes the idea of race; that is, whites in *TIR* attach social meaning to the observable physical characteristics of skin color and the ancestry of those they classify as “white” and “nonwhite.” Put slightly differently, if the

new racism cases are genuine instances of racism, then *TIR* is a genuine instance of racism, too. Conversely, if *TIR* is not a genuine instance of racism because it invokes a problematic conception of race, then Shelby's conception of racism is likewise misguided. Of course, one might agree that Shelby's conception of race is problematic and move to replace it with a better conception—say, one that is closer to the racialist conception. The problem with retaining his conception of racist ideology whilst rejecting his conception of race, *from Shelby's perspective*, is that his theory of racism loses the ability to accommodate the new racism cases. As we have seen, Shelby argues that accommodating the new racism cases requires rejecting a stable understanding of the idea of race in favor of an unstable view. And an unstable view of race is consistent with racist ideology taking both racialist and non-racialist forms. So, either way, his account fails to meet the desideratum of accommodating the full categorial plurality of racism.

4. Conclusion

In this paper, I have argued that Shelby endorses the instability thesis of race and that he does so for good reason, namely, that it is the more plausible view of racial cognition and racist ideology. Positing that race is unstable enables him to accommodate colorblind racism as a kind of racist ideology. Without the instability thesis, cases of colorblind racism would pose counterexamples to his theory. At the same time, we have seen that his accommodation of the new racism cases comes at the price of paving the way for my counterexample. I have argued that it is possible to imagine a case of transparent institutional racism—a kind of intrinsic institutional racism—which is transparent in the sense that it does not invoke or presuppose racist ideology.

To my mind, the most plausible objection to my thought experiment is that it invokes an implausible conception of race. But we have seen that the conception of race invoked by *TIR* is Shelby's own version of the social constructionist conception. The social categories "white" and "nonwhite" in *TIR* do not just pick out social groups; they pick out races in Shelby's sense, since they attach social meaning to skin color and ancestry (and we could also modify the thought experiment to include continental origins). Therefore, *TIR* presupposes the idea of race, conceived as a particular kind of social group. We have seen, moreover, that Shelby has good reason to endorse this conception. Attempts to move away from it undermine the ability for his theory to fully accommodate the categorial plurality of racism; in particular, the closer we move toward a racialist conception, the more difficult it becomes to accommodate the sincere colorblind racist. Hence, we have good reason to retain a conception of race that, in the upshot, generates a significant counterexample to his theory of racism.

Although my thought experiment is a case of institutional racism, it is instructive for thinking about racial ideology more generally. *Racial ideology*, I now posit, is intersubjective racial cognition, or more precisely, a widely held set of associated beliefs and implicit judgments that attach social meaning to observable physical characteristics, continental origins, and ancestry.³⁸ One reason for introducing this notion is simply to recognize that racial ideology can be problematic in its social function without being problematic in its content (i.e., pejorative vis-à-vis cognitive distortion). This insight is helpful in underlining the explanatory limits of Shelby's account of racist ideology for antiracist praxis. In *TIR*, we do not find racist ideology in Shelby's sense, but we do find morally objectionable racial ideology in my sense. Racial ideology in *TIR* is created for the purpose of pragmatically justifying institutional racism. So, it is an obstacle to antiracist praxis although the obstacle does not involve epistemic deficiency. For this reason, it should arguably be considered racist even if it's not racist ideology in Shelby's pejorative sense.

My conclusion has theoretical significance: *racial ideology (in my sense) can be racist without consisting in racist ideology (in the cognitive distortion sense)*. My account of racial-ideology-that-is-racist (and yet is not identical to racist ideology) invites us to consider whether the social function of racial ideology—the perpetuation of racial injustice and oppression—is sufficient for racism. This analysis is tentative, since I suggested above that there is more than one way to explain why *TIR* is racist. I will not further pursue the question of what makes racial-ideology-that-is-racist *racist* in cases like *TIR*. Instead, I emphasize that racial-ideology-that-is-racist and yet is not identical to Shelby's racist ideology retains a conceptual link to the idea of race. Without the existence of races (qua social groups) and the belief that races exist, racism and racial oppression would not be possible. Shelby's wide conception of racist ideology already indicates that the minimal belief in race required for racism need not be as sophisticated and stable as the doctrine of racialism suggests. What my argument adds is that the minimal race belief required for racism—the social meaning conception of race—is all we need to develop a system of racial oppression (and we need not tack on the element of distortion to get the oppression). *TIR* simply exploits this fact.

I close by considering one final objection to *TIR*. The instability thesis asserts that racial categories are unstable. Applied to *TIR*, the upshot seems to be that, since whites' racial categories are unstable and subject to change, the social meaning whites assign to the categories "whites" and "nonwhites" is subject to change. This introduces the possibility that these categories will become racist

38. Near the opening of the paper I defined "racial ideology" without reference to the notion of social meaning. I did so to offer the widest conception of racial cognition/ideology possible. Here I am proposing a narrower definition in light of the argument I have defended in §3.

over time; that is, they might eventually become associated with racist ideology in Shelby's sense. The instability thesis supports this claim, for it asserts that racial categories tend to change. Still, recall one of my replies to this objection in §2. I there argued that it is possible to imagine whites in *TIR* undertaking a rigorous educational initiative to prevent cognitive distortion, that is, to preserve the stability of the society's racial categories. My premises are that ideological instability is not inevitable and can be mitigated or controlled. This reply is plausible up to a point, but the objection can be pressed.

The objector might argue that, given the instability thesis, no society is immune to the possibility of social change. Any number of factors might, in time, create fissures and radical breaks with the status quo and the socio-material conditions that stabilize the racial ideology of *TIR*. Said differently, given the instability thesis, social change cannot in principle be ruled out by tinkering with the thought experiment. Plausibly, radical shifts in the content of racial ideology are likely to occur in the society of *TIR* given a sufficient amount of time and relevant societal shifts. Hence, we cannot rule out that these shifts might move whites in the direction of cognitive distortion. Against the objector who would press the instability thesis, I offer final reply to the objection and close with this thought. My reply is that racial ideology that is racist but is not racist ideology prevails *in the interim*. It would be wrong to assert that *TIR* is not a racist society in the interim simply because it is not (yet) ensnared in racist ideology during that stretch of time (for the reasons I've already provided).³⁹ I thus conclude that although *TIR* involves institutional racism with racial ideology (in my sense), it is just as true that *TIR* involves institutional racism without Shelby's notion of racist ideology.

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39. As one of my paper's blind reviewers observes, we must distinguish between the establishment of the racist order in the first place, and its subsequent sustaining. The establishment of the social order (on the basis of racial ideology) in *TIR* seems to be racist even if the racist order is not sustained by racist ideology.

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