

## Reflections on Boxill's *Blacks and Social Justice*

*Tommie Shelby*

I am delighted and honored to contribute to this symposium on Bernard Boxill's *Blacks and Social Justice*.<sup>1</sup> I have known Professor Boxill for twenty years, from the time when I first applied to graduate school. I think it was Howard McGary who first alerted me to Boxill's work, and in particular to his path-breaking book. Since that time, Boxill has become for me a model of intellectual honesty and seriousness, a trusted source of professional advice, and a cherished friend and colleague.

Although at the time of our first meeting I was a philosophy major attending a historically black university (FAMU), it had not crystallized for me how I might combine my new love for political philosophy with my abiding concern about the condition and progress of African-Americans. As Lucius Outlaw might put it: The race man and the philosopher were not yet one. I did of course realize that philosophical writing on politics and justice had some relevance for traditional black concerns—otherwise the dissonance probably would have been too much to bear. And Anthony Appiah's early work demonstrated how critical reflection on the concept of race could have philosophical significance. But my vision of the scope and content of political philosophy was limited—some might say distorted—by the terms set by the canonical works of Hobbes, Locke, Rousseau, Mill, and Marx. It also seemed to me, as it did for the Harvard undergraduate Du Bois, that the lofty, esoteric, and abstract concerns of philosophy were so far removed from the practical realities of black life that any attempt to advance the race using philosophical means would be irresponsible and foolhardy.

My study of *Blacks and Social Justice* changed all that. The book had a profound impact on me, shaping how I take up questions in political philosophy and serving as a model for how I approach African-American philosophy. So in the first half of this essay, I will discuss how Boxill approaches political philosophy in general and African-American philosophy in particular. I firmly believe that both subfields would be greatly advanced if more philosophers modeled their work on Boxill's important book. In the spirit of philosophical engagement, the second half of my remarks will be a set of critical reflections on one of the book's most important chapters.

### I. A Model for African-American Political Philosophy

There are four features of *Blacks and Social Justice* that I would like to highlight. The first is the way Boxill productively brings the history of political

thought to bear on contemporary problems in political philosophy. He views the tradition of Western political thought as a vital source of philosophical wisdom. He treats the important thinkers in this tradition as figures to learn from and, just as important, to argue with. Although he believes that these philosophers are wise, he does not regard them as infallible. They are starting points for philosophical reflection, and their theses and arguments are to be interpreted charitably, mined for insights, and scrutinized for errors of fact and logic. When they are correct or on the right track, we should accept or perhaps extend their ideas. When they are wrong, we should try to figure out exactly where they went wrong, reformulating their arguments when this seems productive and rejecting them when their flaws are fatal. For Boxill, political philosophy is an ongoing dialogue about the nature of justice, liberty, equality, individuality, community, tolerance, solidarity, and other important political values, a conversation that stretches back for centuries. On this view, critical engagement with the history of philosophy and solving current philosophical problems are inseparable activities.

A related feature of *Blacks and Social Justice* is that it shows that the black tradition in political thought can be a rich fund of philosophical ideas and arguments. The heroes of the book are obviously Douglass, Du Bois, and King, all great thinkers from whom contemporary philosophers can learn much. But serious attention is also given to, for example, Martin Delany, Booker T. Washington, and Harold Cruse. Too often, such thinkers are simply ignored by philosophers, even by some who write about issues of race and justice.

Boxill not only takes the history of black political thought seriously, he brings key figures in the black tradition into conversation with canonical figures in the broader tradition of Western political thought. When addressing discrimination in the market, Booker T. Washington and Thomas Sowell are brought into conversation with John Stuart Mill and Robert Nozick. Du Bois and Harold Cruse have much to say to Marx and Allen Wood about the relevance of justice to socialist ideals. Martin Luther King, Jr. is as much an interlocutor about when civil disobedience is permissible as are Ronald Dworkin and John Rawls. This is the true mark of African-American philosophy. African-American philosophy is not simply the application of Western philosophical ideas and methods to traditional black issues. It also involves serious engagement with the tradition of black letters. There are ongoing debates in the broader black intellectual tradition that have philosophical significance and justly esteemed contributors. To do African-American philosophy is, in my view, to philosophize through critical reflection on canonical works in the tradition with the aim of advancing these longstanding debates.

A third feature of *Blacks and Social Justice* that I admire is that it demonstrates the power of liberal political theory to address central black concerns about racial justice. In saying this I do not mean to suggest that Boxill ignores or dismisses other political traditions. He also insightfully analyzes conservatism,

Marxism, and black nationalism as these relate to questions of racial justice. But his own stance is a liberal one, and he generally takes up these other traditions from a liberal perspective.

Boxill knows of course that not every thinker who could be described as “liberal” is, or has been, “a friend of the Negro.” Some of these philosophers have been outright racists. Moreover, he also knows that a number of so-called liberal societies, including of course the United States, have subjected people of African descent to the most gross forms of injustice—slavery, Jim Crow, colonial domination, and apartheid. Furthermore, he recognizes that even today many of these would-be liberal democratic regimes fail to realize the ideals of racial equality and have not adequately compensated blacks for the harms they have suffered. And, finally, he is fully aware that contemporary academic political philosophy, despite being dominated by liberals like Rawls, Barry, and Dworkin, does not treat pressing questions of racial justice as important, let alone central, to its enterprise.

Nevertheless, Boxill refuses, rightly in my opinion, to regard liberalism as a bankrupt philosophical doctrine that is inherently hostile to the interests of blacks. On the contrary, he has relied on liberal ideas of liberty, equality, and tolerance to explain what blacks are owed as a matter of justice. Drawing on the insights of liberalism, he not only has given us the most powerful and comprehensive defense of affirmative action that we have. He has also defended blacks’ claim to reparations for slavery and Jim Crow. He has explained why school and residential segregation are unjust. He has shown why we need strong antidiscrimination laws with vigorous enforcement mechanisms, and not just a free market and minimal state, if we are to ensure justice for black citizens. And he has exposed the weaknesses of so-called universal (i.e., race-neutral) policies when it comes to addressing the problems of ghetto poverty. Boxill is, then, a quintessential black liberal thinker, the rightful philosophical heir to Douglass, the early Du Bois, and King.

There are, of course, philosophers on the political left—e.g., critical race theorists, radical democrats, left communitarians, and poststructuralists—who are deeply skeptical of liberalism when it comes to race. However, as far as I am aware, not one of them has attempted to rebut the arguments of Boxill’s book. In fact, in their polemics against liberalism, these writers rarely mention *Blacks and Social Justice*, leading me to wonder whether they have bothered to study it at all. I suspect part of the reason for the neglect of Boxill’s book is that when people think of “liberal” philosophers, black liberal philosophers simply do not come to mind—that is, liberal = white. (No doubt when some people think of “philosophers,” blacks don’t come to mind!) But, like conservatism and Marxism, some blacks are a part of the liberal tradition.

I turn now to the fourth and final feature of *Blacks and Social Justice* that I want to highlight. At the risk of appearing self-serving, divisive, or parochial, I would emphasize that the book shows the value of a broadly analytic approach to

African-American political philosophy. In fact, it is the exemplar par excellence of this approach, the standard against which all other attempts must be judged and the singular point of departure for those who would write about racial justice in the analytic idiom.

Let me say right off that I am in no way suggesting that analytic approaches to black political thought are the only worthwhile or insightful approaches. While I identify with the analytic or Anglo-American tradition, I value highly the work of figures like Hegel, Sartre, and Habermas, and I think Africana philosophers have shown how the ideas and methods of such figures can be usefully invoked to help us better understand the insights of thinkers like Douglass, Du Bois, and Fanon. I myself have drawn on Marx and the broader tradition of Western Marxism in attempts to grapple with black radical thought and the race-class problematic. I am, moreover, not saying that those who work in different philosophical traditions cannot usefully engage one another, learn from each other, or work on the same philosophical problems. But while the number of practitioners has happily increased in the field of Africana philosophy, I am troubled by the fact that analytic political philosophy is often undervalued and sometimes derided.

So how does *Blacks and Social Justice* exhibit the virtues of analytic approaches to African-American political philosophy? Without ranking these in order of priority, attempting to be exhaustive, or suggesting that these virtues are exclusive to the analytic tradition, there is, first, the virtue of precision in the formulation of key theses, making it easier for readers to determine whether they accept the book's chief claims. Stylistically, Boxill relies on everyday modes of expression and avoids jargon and unnecessary terms of art, making the book more straightforward and accessible. There is an admirable attention to relevant distinctions, an effort to remove ambiguity and to avoid obfuscation, thus further facilitating understanding. There is rigorous argumentation, the meticulous crafting of detailed arguments with a focus on making explicit relevant logical relations and conceptual presuppositions. Throughout the book, Boxill also invokes well-chosen and realistic examples to illustrate difficult points or abstract ideas. There is, finally, thorough consideration of a wide range of potential objections, counter-examples, and rival views, with an honest attempt to respond to the worries of opponents.

These virtues make the book demanding—and not a particularly quick read. The arguments are intricate and not readily summarized. One could spend four or five hours, as I recently did, coming to terms with an argument that stretches over only three paragraphs. It is also easy to lose sight of the big picture as you make your way through the complex (sometimes labyrinth-like) paths of reasoning. Yet, the philosophical payoff is well worth the painstaking effort. The insights I have gained from studying *Blacks and Social Justice* are deep and have helped me to work out my own positions on a range of related questions—from the significance of black identity for black solidarity to the importance of liberal values for black progress.

## II. Self-Respect and Resistance to Injustice

I now want to turn to some critical reflections on *Blacks and Social Justice*. The book is obviously concerned to specify what racial justice requires. But it is equally concerned with how black Americans should respond to past and ongoing racial injustice. And throughout the book, Boxill insists that blacks have a duty to maintain their self-respect in the face of racism. By asserting or suggesting that blacks are an inferior race and by denying them just treatment, racism attacks blacks' self-respect.

Boxill claims that some blacks fully succumb to these assaults, becoming servile "Uncle Toms" or "Sambos." Others, while not fully succumbing, develop a damaged sense of self-respect, making them overly sensitive to or anxious about racial slights. However, some blacks successfully defend their self-respect such that it remains fully intact and secure. So the question naturally arises: What does self-respect demand in response to the injustices of systemic racism?

Boxill considers and assesses several answers to this question. The one I will focus on is the thesis, most prominently associated with Du Bois, that the duty of self-respect requires the victims of injustice to protest their unjust treatment. "Protest" should be understood here as a communicative act of resistance, a way of lodging a moral complaint before the public. Victimized persons must make their grievances known. It is not enough that the victims know that they are being treated unjustly or that they privately condemn it; this knowledge and condemnation must somehow, through words or deeds, be communicated to others.

So, what is self-respect? John Rawls has given an influential answer: self-respect is (1) a secure conviction that one's conception of the good is worthwhile and (2) confidence in one's ability to realize that conception. Boxill rejects Rawls's account, for he believes that it puts self-respect outside the reach of too many people, when, in truth, almost anyone can have self-respect. Moreover, he argues that a person can be confident of his abilities and the worth of his life plan but still lack self-respect. In short, confidence in the value of one's life plan and in one's ability to realize it is neither necessary nor sufficient for self-respect. Following Laurence Thomas, Boxill insists that Rawls's account is really of self-esteem, not self-respect.

As an alternative, Boxill defends and develops a conception of self-respect that emphasizes the centrality of rights. Self-respecting persons understand and properly value their rights. They possess the secure belief that their rights should be respected.<sup>2</sup> Boxill's defense of the link between self-respect and protest is offered on deontological (or nonconsequentialist) grounds. He believes one has a self-respect-based reason to protest injustice even if such protest is unlikely to stop or mitigate the injustice. Indeed, I take it that, on Boxill's view, one has a *prima facie* duty to protest injustice even if such protest would likely provoke a backlash against its victims. Given this understanding, I want to examine an argument that Boxill offers to establish that self-respect requires the protest of injustice.

*The Reverence Argument*

The argument proceeds as follows. There are some things that we can fully respect only if we show respect for them by performing some ritual that symbolically conveys our respect. In such cases, the object of respect is of such importance that it is owed an “outward sign of allegiance” (190–91). The failure to display this sign is not merely evidence of a lack of respect, it is itself a form of disrespect. Morality is such an object of respect, and, accordingly, it demands an outward sign of allegiance. Protest is the proper way to show one’s allegiance to morality when it is violated. Persons with self-respect will protest violations of their rights because morality is the source of their rights and thus a violation of their rights is a violation of morality. Such protest counts as an expression of self-respect (and not merely an impartial or agent-neutral reverence for morality) because in protesting the protester thereby affirms his or her own equal standing in the moral community.

This is an ingenious and compelling argument, and because I am attracted to the idea that injustice requires protest on grounds of self-respect, I would like to be able to endorse the argument. But I have serious doubts about its soundness. My concerns fall into two broad categories. One is about what appears to be an unmotivated and unexplained moral asymmetry in the account of respect. The other is about the view of ritual that underlies the argument. I will take these in order.

I certainly agree that morality is an important object of respect, perhaps even an object of reverence demanding outward signs of allegiance. What is odd about Boxill’s account is that morality demands an outward sign of allegiance only when it has been violated. But if morality is the kind of thing that we can respect only if we perform symbolic acts of respect toward it, then there must be a way to outwardly demonstrate such respect without first waiting for someone to violate morality’s rules. So, how do we show reverence for morality when it has not been violated? A natural thought is this: We show such reverence for morality by taking its requirements into account before choosing any course of action. Or if this formulation seems too abstract or austere, we might put the point this way: We show reverence for morality by strenuously avoiding violating the rights of others. But if that is correct, why isn’t this way of showing respect for morality sufficient when someone violates our rights? Indeed, continuing to observe the rights of others even though our rights have been violated would seem to show the depth of our moral commitment.

Boxill could respond that although respecting others’ rights is generally sufficient to show respect for morality, morality demands protest as a sign of allegiance whenever it is violated because the failure to protest suggests that one condones the unjust act. I would agree that in those cases where my association with someone who has violated another’s rights might reasonably be thought to suggest that I condone the perpetrator’s unjust actions, it may be incumbent upon me to disassociate myself from these actions by protesting them—by, as it were, “denouncing and rejecting” them publicly.<sup>3</sup>

However, suppose that I am not myself in violation of any moral requirements and, in fact, have been steadfast in my observance of others' rights. Further suppose that no one has reason to think that I have, or have had, favorable relations with the person who has violated my rights. (Perhaps she is a stranger to me, or even a known enemy.) Now, just because someone has shown disrespect for morality by violating my rights, why should my lack of protest in response be construed as a lack of respect for morality? So far as I can tell, Boxill has not provided a convincing answer to this question.

I now turn to my second worry about the reverence argument, namely, that the conception of ritual that underlies the argument cannot do the work it has been assigned. Boxill provides two examples of ritual acts of reverence—saluting a flag and protesting the taking of God's name in vain. The God example, frankly, strikes me as one of those rare instances in the book where Boxill attempts to explain the obscure with the more obscure. I am skeptical of attempts to clarify a philosophical point by invoking an example from religion. God's ways are supposed to be mysterious. But philosophy is supposed to make the mysterious less mysterious. I will therefore focus on the flag example.

Note that in the flag case the ritual act that conveys reverence is directed toward a symbol of the object of respect, not toward the object of respect itself. The flag is a sacred symbol of a nation, a political community of which a person may purport to be a loyal member. As a full member of the nation, one owes allegiance to the nation, for which the flag stands. One expresses one's loyalty to the nation by, among other things, saluting its flag; and a failure to salute the flag when the occasion calls for it is, correspondingly, an expression of disrespect toward the nation. So, if this is the way we are to understand the flag example, my question is this: What is the sacred symbol of morality (or of the moral community) such that it is possible to disrespect morality by not publicly revering that symbol? If no such symbol exists or is required, as I am inclined to believe, then the flag/morality analogy does not hold up and we are left without a convincing reason for thinking that morality requires an outward sign of allegiance—that is, apart from not violating its first-order requirements.

Boxill recognizes that some might doubt his claim that part of revering something is demonstrating publicly that one reveres it. So he mounts a second argument in favor of the conclusion that self-respect requires protest against injustice. This argument, which I will call the "Proof Argument," does not rely on this controversial premise. It proceeds as follows.

### *The Proof Argument*

Morality is objectively valuable and warrants our respect. We should value our rights because they are conferred by morality. We have an objective need to be secure in the knowledge that we properly value our rights and thus retain our self-respect. Both those whose rights have been repeatedly violated or threatened

and those who have been forced to play subservient roles to survive injustice have reason to be uncertain that they (fully) value their rights. Protest against violations of one's rights (especially when such protest is personally risky) provides one with adequate proof that one values one's rights and thus retains one's self-respect. Blacks have suffered racial injustice, racism continues to threaten the rights of blacks, and blacks have sometimes been forced to submit to the humiliation of racial subordination out of self-preservation. Under these conditions, to remain confident that they retain their self-respect, blacks should protest racial injustice.

This argument has much going for it, and it points us, I believe, in the right direction. Still, I doubt that it can establish that self-respect requires protest against injustice. At most, it shows that self-respect requires resistance to injustice—a refusal to submit to injustice. It does not show that this resistance needs to take the form of protest. The general thrust of my criticisms, then, will be to question the “publicity requirement” on self-respect-based resistance. But before getting to those criticisms, I want to clarify what is at stake by distinguishing the duty of self-respect from the duty of justice.

Persons fully justified in believing that they retain their self-respect may still have a compelling reason to protest violations of their rights. The duty of justice can provide such a reason. The duty of justice, following Rawls's formulation, requires that we do our part to uphold just institutions and, more relevant to our discussion, that we help to bring about just institutions where they fail to exist. Extrapolating from this Rawlsian insight, we might say that the duty of justice enjoins us to protest social injustice whenever such public acts would, for example: (1) embolden the oppressed to resist injustice; (2) encourage potential allies to join in the fight for justice; (3) put pressure on political elites or officials to institute reforms; or (4) make those with the power to halt the injustice aware that an injustice has occurred. Acts of protest motivated by the duty of justice are intended as contributions to effecting a more just society or world. The important thing to note here is that the duty of justice does not require protest if such protest would be ineffective or counterproductive in achieving justice. By contrast, the duty of self-respect, on Boxill's interpretation, would require protest even if such protest would not contribute to bringing about more just conditions. Protest is needed, according to the Proof Argument, to confirm to the mistreated party that he or she has retained his or her self-respect in the face of (perhaps intractable) injustice.

However, is protest the only type of evidence sufficient to prove to oneself that one is not servile? I do not see why we should think so. What if you secretly strike back against your assailant, such that not even he knows what hit him? What if you surreptitiously plot an insurrection? What if you risk life and limb to escape the grasp of your oppressor? Retaliation, rebellion, and dangerous escape are not, or at least need not be, forms of protest, as their aim is not to communicate dissent or condemnation but to avenge, end, or avoid oppression. However, they seem like adequate proof that one values one's rights.

It is worth noting that no defiant act under oppressive conditions would provide the actor with incontrovertible evidence of fully secure self-respect. Our motives are often mixed, and, given our considerable capacity for rationalization and self-deception, the “real” reason that a person undertakes an action can be opaque to the agent. So, the defiant action may not, when all the evidence is in, show that we have so acted (solely) to preserve our self-respect. The act of resistance, whether public or not, could have been motivated by revenge, self-preservation, the esteem of one’s peers, machismo, or fear. But if the aim is to prove to oneself that one has not adjusted to unjust treatment, no longer putting up a fight, then a risky or costly act of resistance should be enough.

I suspect that it is the personal risks we undertake, or the sacrifices we endure in defense of our rights, rather than that the defense is public, that yield the requisite confidence in the value we place on our rights. These risks and sacrifices show that the oppressed are willing to add to their burdens rather than passively submit to injustice. Of course, a defiant act can be risky or costly precisely because it is an act of protest. (Consider the Montgomery bus boycott, the Birmingham sit-ins, or James Meredith’s March Against Fear). But an act need not be a form of protest to be risky or costly. And if a risky or costly act in defense of one’s rights is sufficient evidence of self-respect, it is not clear why this evidence must be apparent to anyone other than the person who undertakes the defiant act.

Consider Frederick Douglass’s fight with the slave-breaker Covey, a familiar story that Boxill uses to illustrate the idea that self-respect requires protest. My suggestion is that perhaps Douglass’s “moral resurrection” had more to do with the risks or costs involved in fighting back against Covey than with the fact that Covey was a witness to the defiance. After all, resisting one’s master was punishable by death. If instead Douglass had killed Covey by secretly poisoning him, plotted a surprise attack against those holding him in bondage, or quietly escaped from slavery without fighting Covey, these would have been risky or costly defiant acts, sufficient to confirm to Douglass that he was not servile. They would not, however, have been acts of protest. The publicity requirement, so it would seem, is inessential.

Now if the proof argument is meant to establish that the unjustly treated need evidence of their maintenance of self-respect sufficient to convince others that the victims value their rights, then the publicity requirement may have merit after all. Perhaps the only way for the victims to have unmistakable proof that they have retained their self-respect in the face of injustice is for some third party—or maybe even their oppressor—to acknowledge that they value their rights. One might be able to mount a successful Hegelian “mutual recognition” argument that self-respect requires protest against injustice. However, I will not consider such an argument, as Boxill does not offer one and his approach to self-respect is my subject here.

Instead, I want to close by suggesting that there is at least one circumstance under which self-respect might demand protest against injustice. At the turn of the twentieth century, Du Bois and Booker T. Washington could have agreed that

blacks in the South had virtually no chance of having their civil rights respected and that protest against this injustice would have only engendered violent backlash against poor blacks, making their material life prospects even worse and further curtailing their freedom. Yet Du Bois thought that, on grounds of self-respect, blacks should protest nonetheless. He was concerned that if they did not protest, their silence would be an admission that their treatment was not in fact unjust, effectively condoning it. Boxill is correct in claiming that keeping silent is not necessarily an admission that a putative wrong is not wrong. But I think Du Bois may have been onto something when he worried about what such silence might communicate.

The worry is not so much about how others might interpret one's silence. The worry is about what such silence may reveal about one's character; it is about the threat of moral degradation. When the prospects for ending, reducing, or escaping one's oppression are dim, one can easily come to accommodate oneself to unjust conditions, effectively surrendering. The moral dissonance can even tempt one to rationalize one's condition, perhaps regarding it as not all that bad. The person who lacks self-respect silently submits to intractable injustice, not because he thinks resistance would be futile, but because either he doesn't think his rights are worth fighting for or he doesn't think his rights have been violated. He may even submit to gain some minor advantage or favor. But of course a person whose self-respect is fully intact might also silently submit to injustice, not out of cowardly resignation, ignorance of his rights, or anticipation of trivial gains, but because he believes that resistance would make no difference, and might even make things worse. But even if one knows that one's rights have been violated, how could one be confident that one's silence in the face of this injustice is not rooted in rationalization or unworthy motives such as cowardice? When one is convinced that all other modes of resistance are closed off, one can at least voice one's resentment about one's maltreatment. To be secure in one's belief that one values one's rights, one must break one's silence, and suffer the consequences.

### III. Conclusion

Rather than end with summary, I will conclude my reflections on Boxill's wonderful book with a favorite passage of mine from Du Bois. It is taken from the essay, "The Parting of the Ways" (1904):

The Negro knows perfectly what freedom and equality mean—opportunity to make the best of oneself, unhandicapped by wanton restraint and unreasoning prejudice. For this the most of us propose to strive. We will not, by word or deed, for a moment admit the right of any man to discriminate against us simply on account of race or color. Whenever we submit to humiliation and oppression it is because of superior brute force; and even when bending to the inevitable we bend with unabated protest and declare flatly and unswervingly that any man or section or nation who wantonly shuts the doors of opportunity and self-defense in the faces of the weak is a coward and knave. We refuse to kiss the hands that smite us, but

rather insist on striving by all civilized methods to keep wide educational opportunity, to keep the right to vote, to insist on equal civil rights and to gain every right and privilege open to a free American citizen.

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### Notes

- <sup>1</sup>Bernard R. Boxill, *Blacks and Social Justice*, rev. ed. (Lanham, MD: Rowman & Littlefield, 1992). Subsequent parenthetical page references are all to this edition.
- <sup>2</sup>To avoid misunderstanding, I should note that if, following Boxill, self-respect is the secure conviction that one deserves to be regarded as an equal in the moral community, with all the rights that such membership entails, self-respect would still be about confidence, just not confidence in the worth of one's life plan or abilities. The confidence would be in one's status as a moral equal.
- <sup>3</sup>Cf. Thomas Hill, "Symbolic Protest and Calculated Silence," *Philosophy & Public Affairs* 9 (1979): 83–102.