

David Goldberg's Critique of Racial States: Is Heterogeneity the Answer?

Alex-Flavius Deaconu (Università degli Studi di Milano Statale)

Abstract: This paper critically examines David Theo Goldberg's effort to construct a normative framework for confronting racial states through the lens of heterogeneity. He contends that racial inequality is intrinsic to modern states, fundamentally organised along racial lines, rendering them racial states. Racial being within these states significantly influences social positioning, determining privilege or inferiority. Heterogeneity is an intrinsic aspect of the human condition and counters the vision of social homogeneity propagated by racial ideology. This paper also analyses the limitations of the heterogeneity approach and its associated radical plurality in generating a moral grammar to expose the moral vacuity of the racial order. Finally, Christopher Lebron's ethical framework is proposed as a potentially more robust account, surpassing the limitations of the heterogeneity approach.

Keywords: David Goldberg, racial states, heterogeneity, equality, social critique

1. Introduction

In this paper, I problematise David Goldberg's attempt to articulate a normative framework for a critique of racial states based on the idea of heterogeneity. In the first section of this paper, I present Goldberg's conception of racial states as states of racial being and the critical standpoint from which he seeks to expose their moral vacuity. Goldberg argues that racial inequality is constitutive of modern states. Modern states are based on the idea of social homogeneity which, in turn, is configured along racial lines; modern states are, in the end, racial states. Racial being determines finding oneself in a privileged or inferior social position. The critical standpoint of Goldberg's account of racial states is based on the notion of heterogeneity posited as an irreducible dimension of the human condition. Heterogeneity represents the counter-condition to the vision of social homogeneity projected by racial ideology and

constituted through politics of homogenisation.

The first expository section prepares the context for addressing, in the following section, the main question of this paper: if and how the standpoint of heterogeneity can generate a moral grammar capable of enlightening those taking part in the moral vacuity of racial states. I argue that the heterogeneity approach and the notion of radical plurality accompanying it falls short of providing a convincing answer. In the final section, I make the case that Christopher Lebron's account of ethical conditions of equality might fare better than the heterogeneity approach.

2. Goldberg's Conception and Critique of Racial States

Goldberg defines racial states as states in which racial *rule* metamorphoses into racial *being*.¹ One can follow a racial rule without truly assuming it, especially if it is commanded or coerced. One might be forced to follow degrading rules while preserving conscience. One might also assume and enforce an unjust but favourable racial rule while being conscious of its illegitimacy. However, a state of affairs can emerge in which individuals end up internalising racial rules at the point where the very question of justice and legitimacy is delineated by racial identity. In this social order, the very being of individuals is defined by their racial identity. In the sense endorsed by Goldberg, racial 'being' does not have the metaphysical meaning of 'substance' as the unchangeable substrate in rapport to mere attributes, nor does it have the meaning of 'biological being' as a set of basic traits shared by groups determining, in turn, second-order characteristics such as cultural, ethnic, and moral traits. Racial 'being' does not merely mean a social construct, a social screen behind which the true being of an individual exists. Rather, 'being' refers here to the way of being, a mode of existence not as a second-order phenomenon but as one according to which one really is for the others and oneself. Racial being is at the same time a political phenomenon because it depends on political action to be maintained. The 'racial being' needs to be re-asserted because individuals can and do what they presumably cannot do: behave in ways different from 'their way of being'. From interracial relations to struggles for social recognition, the 'naturalism' of racial being is permanently contested, requiring policies, political measures and interventions

¹ Goldberg Theo David, *The Racial State* (Malden: Blackwell Publishers, 2002), 105-107.

to reinstate what should be a 'natural' given. Race, in the sense held in view by Goldberg, is an *onto-political* phenomenon.

In this account, racial states are distinguishable in light of the process of racial subjectification—the onto-political process through which racial identities are constituted and re-asserted. But this process is not discourseless bypassing the cognitive capacities of its subjects. On the contrary, to institute their social order, racial states also depend on ideologies having the function of legitimising social inequality and naturalising it. Racial ideology consists of explanations, discourses, images and representations, narratives and 'scientific' justifications, all seeking to legitimise the privileged status of the superior race or racial identity, e.g. the Whites, and the inferiority of the other races, e.g. non-Whites. Narratives and epistemes can contribute to racial ideology without employing a language that is explicitly racist. In Goldberg's view, they become elements in racial ideology not in virtue of their racist overtones but in virtue of *their function in legitimising* the reproduction of the racial state. Racial ideology can take the form of a subtle justification of material and symbolic inequality along racial lines.² Goldberg identifies liberal individualism, the view that the individual is responsible for its own social position since everyone has at least some basic social opportunities guaranteeing the possibility of a good life, as a potential racial ideology. As Bonilla-Silva's study shows, liberal rationalisation might contribute to covering up and legitimising structural racial inequality, e.g. that in the USA Blacks overall do worse than Whites.³ Racial states depend on successful racial subjectification which, in turn, correlates with the efficiency of racial ideology. The latter is successful when generating social consensus (ideally inter-racial consensus) and works best precisely when it does not appear as ideological but as the legitimate way in which things 'normally' are.

Against this background, Goldberg proposes a conception of heterogeneity as a primal fact of human existence⁴ negated by racial states insofar as the latter represents a specific way in which social homogeneity is produced. The constellation of heterogeneity, social homogeneity

² Bonilla-Silva Eduardo, *Racism Without Racists* (Lanham: Rowman & Littlefield Publishers, 2006), 28.

³ *Ibid.*, 30-37.

⁴ Goldberg, "Introduction: Multicultural Conditions", in *Multiculturalism* (Cambridge, Mass.: Blackwell), 22

and racial states can be clarified along the following lines. First, in *The Racial State*, he refers to the state of heterogeneity as one in which individuals are “recognized as fully human”. In his reading, to be “fully human” does not mean the realisation of some general quality all humans share, but one’s own particular way of being. Indeed, Goldberg’s conception of heterogeneity can be interpreted as radical plurality of individualities not necessarily in the sense of numeric individuals, but in the sense that each ‘element’ of the plurality is not an instantiation of the universal, e.g. human nature.⁵ Second, if ‘heterogeneity’ is accepted as a defining characteristic of the human condition, the very idea of social homogeneity becomes suspicious. If heterogeneity is the ‘natural’ condition of human beings, social or communal homogeneity “is not natural but politically conflated, fabricated for purposes, however linked, of localizing power and its maintenance, and of guaranteeing control.”⁶ For Goldberg, homogeneity is the outcome of political power and the constitution of social homogeneity is necessary to make government of people possible. The implication is that the constitution of the state depends on a twofold process by which the heterogeneity of human beings is covered up and the politics of homogeneity are carried out in order to produce the image of shared identities. Thirdly, Goldberg identifies the phenomenon of race as one way through which social homogeneity is produced. The function of race is to enable the classification and division of population in different groups in order to identify those who are truly empowered to participate in the political space as equal, whose way of being is institutionally protected and taken as the social norm, as opposed to those who do not really belong, whose way of being is, at best, tolerated as long as it is compatible with the norm.⁷

The perspective of heterogeneity opens up a critical standpoint for analysing and criticising racial states and anticipates the basic contours of a post-racial society. The standpoint of heterogeneity discloses racial states as being grounded in a fundamental form of violence—the constitution and re-assertion of social homogeneity along racial lines at the expense of human heterogeneity. A step further, the critical standpoint and the desirable path becomes clear. “A commitment to expand and extend possible spaces for

⁵ Goldberg, *The Racial State*, Chapter 9.

⁶ Goldberg, “Introduction: Multicultural Conditions”, 25.

⁷ Goldberg Theo David, “The Semantics of Race”, *Ethnic and Racial Studies*, 15:4, (September 2010), 543-569.

articulating heterogeneous multiplication and mixing, and to proliferate multiplicity because of the value of heterogeneity”⁸ is required.

Politicisation of heterogeneity is not reducible to the politics of multiculturalism. According to Goldberg, politics of cultural diversity are in the end reflections of politics of homogeneity because “corporate and managed multiculturalism have proved themselves effective tools for managing and maintaining a constriction of diversity that otherwise might be unmanageable.”⁹ Politics of multiculturalism fails to identify the root cause of the racial problem which is not the lack of policies promoting diversity and multiculturalism, but the problem of “who expresses and represents power, about how power is configured, about what people invested with power are able to effect”.¹⁰ The state of heterogeneity, then, would be one in which all those affected by the exercise of power have a say in and can influence the process by which the exercise of power is configured. Equality should not be measured in terms of rights that are granted, since the way in which rights are distributed is the outcome of specific configurations of power. Instead, equality should be measured in terms of the power to influence the way in which power is configured. As a result, a distinction is made between the de-politicization of heterogeneity, e.g. managed heterogeneity in the form of politics of multiculturalism, and politics of and by heterogeneity.

Goldberg takes a similar stance in the last chapter of *The Racial State* where he again points out the intensification of migration resulting in increasingly heterogeneous societies. This phenomenon requires, in turn, a reconsideration of the way in which political categories, such as rights and citizenship, are understood. One’s place in the polis should not be determined by racial or national belonging, but by ‘being human’. To reiterate, for Goldberg, being human does not mean sharing some form of sameness rooted in homogenization; on the contrary, the fact of heterogeneity is the fundamental fact of being human. The human condition is the condition of a plurality of ways of being, of flux and migration¹¹. As a result, the post-racial state “would be one in which people of color in general, like white people generally, would be recognized as fully human.”¹²

⁸ Goldberg, “Introduction: Multicultural Conditions, 28.

⁹ Ibid, 29.

¹⁰ Ibid.

¹¹ Goldberg, “Introduction: Multicultural Conditions”, 22.

¹² Goldberg, *The Racial State*, 264.

3. Heterogeneity and Critique: A Closer Look

In this and the next section, I argue that Goldberg fails to provide a convincing account of how heterogeneity can become *de facto* political in contemporary racial states. To gain a better grasp of the problem, it is necessary to say a few words about the type of normative theory Goldberg tries to articulate. He aims to develop a ‘non-ideal’ normative or critical theory as opposed to ‘ideal’ normative theories. Classical or ‘ideal’ theories of social justice aim to identify and justify the most general principles of a just social order. These principles, in turn, are to be used as a yardstick to evaluate the justness of real societies. From the standpoint of ‘ideal’ theory, phenomena of (racial) ideology and racial subjectification represent derivative effects that can be explained as epistemic errors, as deviances from the norms of a just society. Whatever merits the ‘ideal’ theories might have, the objection goes, they fail to clarify the peculiarity of the injustice of racial subjectification.

The argument against the ‘ideal’ theory of justice usually runs along the following lines. First, the formal sense of justice underpinning classical theories is like paying a debt, to make justice give someone her own given share of rights. This sense of justice is clear in the tradition of the social contract. A just society in this tradition is that in which everyone’s rights are protected and respected; where the measure of rights is firstly obtained by assuming an ideal situation in which equal individuals sharing some minimal traits decide on a number of rights and obligations everyone is entitled to and must honor. Second, the phenomenon of racial subjectification raises serious challenges to the classical account because the function of race in racial states is to distinguish between those who are entitled to participate in the society of equals in which social justice applies, and those who are placed outside it. Goldberg’s conception of racial states as states of racial being emphasises the way in which subjectivities are shaped within social orders. Racial states are not characterised merely by the enforcement of racial rules, but racial politics touch upon the very subjectivity of individuals. Race becomes a modality of being an individual: either White, Black or others. This is precisely what, in Goldberg’s parlance, the politics of homogeneity seeks to do: to constitute and protect the society of racial equals in which the principles of social justice applies, and to keep outside both symbolically and materially those of a different race. At the point at which the question of justice in terms of rights is raised, the violence of

racial subjectification has already taken place.

The primacy of racial subjectification in regard to problems of rights puts us on guard when it comes to classical accounts of justice. For example, within the liberal paradigm, there is the primary distinction between, on the one hand, individuals, with their interests, ways of being, and, on the other hand, the state and law. From this perspective, social injustice occurs when the state violates individual rights, when coercive rules are imposed on individuals. Goldberg goes further than the liberal standpoint in arguing that in racial states *individuality* is not the counterweight to the state's exercise of power but one of its outcomes. Critique of racial injustice would require problematizing not only the distribution of rights, but more primarily the very constitution of (racial) subjectivities. This is what the standpoint of heterogeneity is meant to achieve—the revelation of the unfounded character of the racial social order and the individualities it engenders. Assuming with Goldberg that heterogeneity is a primal fact of the human condition, the very constitution of racial identity through politics of homogenisation becomes problematic.

There is a second aspect of the classical theories of justice that its critics such as Goldberg find problematic. While classical theories focus on articulating the principles of just societies, its critics argue that the problem of justice cannot be limited to this task. As Charles Mills points out, there still remains the central question of the ground on which it is possible to move from the present unjust social order, e.g. racial societies in which race still plays an important role in determining the life chances and social opportunities of individuals, towards a more just society. According to Mills, changes can take place only through political and social reforms repairing both the structural causes of social inequality and closing the gap (both material and symbolic) between racial groups. The arguments and justification for such reforms cannot be directly derived from the general principles of social justice; they are at odds with the idea of formal equality on which dominant ideal theories of justice are based, e.g. Rawls' theory¹³. More generally, critics of 'ideal' theories of justice have argued that it is not sufficient to seek to delineate the principles of just societies; it must also be shown that they have acquired efficiency at the level of social life in order to show how the current unjust social order can be surpassed. 'Real efficiency' might

¹³ Mills Charles, "Retrieving Rawls for Racial Justice?" A Critique of Tommie Shelby", *Critical Philosophy of Race*, Vol.1 No.1 (2013), 1-27.

entail here that participants in the current social order can nevertheless recognise the principles as valid and develop the will to enforce them.

At this point, it is possible to clarify the critique of Goldberg's account I would like to articulate. For Goldberg, the standpoint of heterogeneity can fulfil both tasks delineated so far. The first task entails showing that the standpoint of heterogeneity can ground rights in light of which the injustice of the racial order becomes clear. The second task entails showing that the validity of these rights is graspable even from within the racial order such that those taking part in it can recognise them as valid and assume the duties toward others that the rights encompass. I contend that Goldberg's account fails to fulfil in a satisfactory way either of these two tasks.

Regarding the first task, Goldberg claims that the standpoint of heterogeneity and the conception of particularity of human beings to which it is correlated justifies the reconsideration of the very idea of right. Rights are customarily seen as embedding universal values, but Goldberg contests this thesis throughout *The Racial State*. Given the radical plurality underpinning the notion of heterogeneity, it follows that it is not possible to delineate a set of values everyone ought to endorse, since different ways of being imply different values; the very idea of universal values is suspicious from the beginning. If this is so, the idea of universal rights is also suspicious since it might lead to situations in which they fail to protect the particularity of various ways of being. As can be anticipated, the standpoint of heterogeneity leads to axiological relativism since radical plurality is at odds with the assumption of universal values. The implication is that the pretence of universal values and rights based on them serves in fact the legitimization of particular interests. This point is endorsed by Goldberg's claim that, in racial states, so-called universal rights assume the role of rights protecting the privilege of Whites.

In turn, the heterogeneity account takes up the particularity of human beings and their interests as the ground for rights. Instead of grounding rights on presumed general interests of human beings, we should regard rights as generalisations of particular interests. Rights should be seen as "generalizations from local practice and local embodiments of generalized extension". Because rights are generalisations of particular interests, they cannot be delineated *a priori*. Instead, the challenge "is to open up those self-interestedly invested in their (restrict-

ing) rights to the claims, interests, liberties and power of others”.¹⁴ Here Goldberg does not describe what kind of interests count as rights, but does suggest a criterion of validation. Interests and claims cannot give rise to rights if their reinforcement leads to repression, marginalisation of others and the negation of human heterogeneity. For Goldberg, the main issue is “who expresses and represents power,” i.e., whose interests are included or excluded from the exercise of political power.

Even if we follow Goldberg in seeking to make the notion of right truthful to the radical plurality of individualities by assigning to them the role of protecting genuine particularity rather than presumed universal interests, the appeal to heterogeneity is convincing only insofar it allows for a convincing distinction between mere interests and rightful demands. The only generalisable standard implicit in the discussion of Goldberg’s notion of right above is that heterogeneity is valuable *per se*, while homogeneity is to be criticised because it is the effect of repression of heterogeneity. Beyond this, the standpoint of heterogeneity entails value relativism according to which there is no criteria independent of one standpoint or another for preferring a set of values over another.

I would like to raise some doubts that the opposition heterogeneity/homogeneity is sufficient to distinguish mere claims from rightful ones, even in regard to race-based conflicts. Consider the following example. Shared history leads too often to divisive perspectives and confrontational standpoints. A bearer of a Confederate flag and an African-American, two people having opposite readings of the same shared history, dispute the future of a sculpture representing a general of the Confederate army. For the bearer of the confederate flag, such a statue is a symbol of his southern (White) heritage. For the African-American, the statue is a symbol of oppression and slavery; its very existence in the public space is an act of disrespect for him as an American and a message that, although he is an American citizen, he does not really belong to the bright side of American history. For one, the rightful thing to do is to leave the statue where it stands, since it is a symbol of his and others’ heritage; for the other, the rightful thing is to remove the statue, since it is a symbol of oppression.

The fact that the bearer of the confederate flag comes to identify himself with the statue of a general who fought for, among other things,

¹⁴ Goldberg, *The Racial State*, 273.

the preservation of slavery reveals that racial ideology still holds a strong grip on at least certain parts of American society. In defending the symbol of the Confederacy he *volens nollens* perpetuates the ideology of racial homogeneity. On the same ground, however, it can be said that the other individual finds the statue disrespectful only because he identifies himself as racially Black, thus assuming the standpoint of the inheritor of Black oppression. This complicates the situation. According to Goldberg, racial ideology does not only ‘affect’ the Whites who come to take the privileges resulting from White dominance as a natural given, but it also affects the marginalised groups who are forced to assume the racial identity in the first place. In this regard, the interest of the bearer of the confederate flag but *also* the interest of the Afro-American are *racial* interests made possible by the racial arrangement and the racial imprinted history they both share. Indeed, there are passages in *The Racial State* where Goldberg seems to endorse such a view. For example, he points out that even social movements of contestation, such as the civil rights movement, occur within the racial framework in the sense that the lexicon assumed to articulate grievances has the imprint of race such that “the language of racial struggle becomes black *nationalism* or *civil rights*” thus “making the racially ordered subjects in the language of rebellion assume the lexicon of their nemeses, of those subjecting them.”¹⁵ This is not surprising since the idea that racial ideology infiltrates every aspect of life including the lexicon and logic of contestation follows from Goldberg’s thesis that racial states are states of racial *being*. The inconspicuous functioning of racial ideology shapes not only the standpoint of Whites, but also the possibilities of contestation of, in this case, Blacks. If both types of demands are traceable to identities constituted through the *politics of homogeneity*, it is not evident which of the two serves the standpoint of heterogeneity. If anything, the heterogeneity approach might lead to the conclusion that the very racial frame needs to be overcome because it serves the logic of homogenisation, but such an answer would fail to provide moral guidance within the situation.

Neither is it clear that Goldberg’s account of the racial states helps him fulfil the second task delineated above—the task of showing how the standpoint of heterogeneity takes root even within the reality of racial

¹⁵ Ibid., 153.

social orders, a precondition for becoming an effective normative force. While the very idea of politics of heterogeneity entails the promise that the standpoint of heterogeneity can take root even in the racial state and become effective, it is not self-evident that this is the case. Moreover, this is the case even though Goldberg offers an account of racial states and articulates the standpoint of heterogeneity. Goldberg's account of the racial states dynamics is meant to analyse and describe how things *are*, including the limitation of autonomy characterising racialised subjects, i.e. the fact that their interactions and self-relations are shaped by their racial subjectification. In turn, the standpoint of heterogeneity is at first merely normative—it tells us how things *might* be different, presuming that heterogeneity, objectively speaking, characterises the human condition. In his attempt to show that racial dynamics are not exterior but cut deep into the self-identity of participants in the racial order, Goldberg suggests that individuals are deeply constrained by their racial identities. If this is the case, it is not clear how individuals can gain access to a transcending standpoint, i.e. heterogeneity, or why they would be motivated to do so. As shown by our example, the antagonistic demands of the two parties are not easily reconcilable and can be traced back to racial subjectification. It is unclear what the value of heterogeneity can mean to the two parties such that they are driven to transcend their antagonistic situation. If anything, they might seek instrumentalising the claim of heterogeneity in arguing that their (racial) identity stands witness to the plurality characterising the human condition and needs to be preserved and recognised.

The discussion of our example shows that Goldberg's account fails to provide decisive solutions. First, the antagonistic demands illustrated by our example are grounded in the racial frame and are structured by the racial politics of homogenisation of which racial differentiation is a product. Thus it is unclear what perspective would serve the standpoint of heterogeneity. Since the conflict itself is the outcome of the homogeneity frame, the heterogeneity standpoint would require overcoming the frame itself. In doing so, the question of which of the two disjunctive demands is rightful remains unaddressed. Secondly, the heterogeneity account fails to explain the dynamics by which the situation in which each party seeks to defend its own interests, its own way of being, is transcended and transformed into the situation in which the defence of other's rights becomes one's duty, that is, the situation in which (cer-

tain) interests come to be *recognized* by the other as rights. What is needed here is a third perspective, one that goes beyond the two standpoints grounded in the racial identities, themselves the effect of politics of homogenisation. A perspective to which both parties could have access even within the racial frame.

4. Heterogeneity or Equality?

In this section I contrast Goldberg's heterogeneity frame with an account proposed by Christopher Lebron¹⁶. I contend that Lebron's account is more promising, illuminating by contrast the limitations of Goldberg's frame. According to Lebron, the specificity of racial inequality does not consist in the material inequality it engenders but in the asymmetrical status order in the polis that engenders it. In this regard, he endorses Baldwin's claim that recognition is more fundamental than goods.¹⁷ He takes aim at the liberal conception of equality and argues that the mere extension of formal rights to Blacks is not sufficient for overcoming racial inequality. Thus, as Goldberg, he holds that more is needed for racial divisions to be overcome than acknowledged within the liberal paradigm. But while Goldberg endorses the idea that the very notion of rights should be reconsidered in order to make justice for the plurality of human ways of being, Lebron moves in the opposite direction and presses on what is common to all human beings and the duties, rather than rights, that follow from their commonness. Instead of the minimalist liberal account of individuality reducible to the formal capacity to choose, Lebron proposes a thicker notion of subjectivity by delineating a set of needs and capacities common to humans. The commonality of humans relevant in this regard is represented by the need for self-respect, the capacity to feel pain and the need for affection. These shared needs and capacities represent the ground on which Lebron conceives the idea of equality among humans. Based on the idea of shared needs and capacities, it is possible to articulate common duties, such as the obligation to not disrespect another. Not heterogeneity but respect one owes to one's fellow human in virtue of shared needs and capacities represents the normative standpoint from which the divisive identities

¹⁶ Lebron Christopher, "Equality From A Human Point of View", *Critical Philosophy of Race*, Vol.2 No.2 (2014), 125-159.

¹⁷ *Ibid.*, 131.

and social orders can be criticised. All in all, Leborn seeks to articulate the ethical conditions of equality and articulate them as the critical standpoint from which to challenge racial social orders, while Goldberg seeks to articulate the political conditions of heterogeneity.

The ethical conditions of equality are not reducible to the political conditions of heterogeneity. First, the third perspective characterising the ethical equality approach, pointing beyond the dyadic differentiation of racial identities, is *prima facie* incompatible with Goldberg's idea of racial being. According to Goldberg, human agency is severely limited by racial conditions such that even the possibilities of contestation are predetermined. In turn, the ethical viewpoint challenges this radical conception of racial subjectification by pointing out the commonality transcending racial divisions. Second, mutual respect is not equivalent to the "value of heterogeneity" to which Goldberg's politics of heterogeneity refer. While Goldberg assumes that difference is in itself valuable and rights should be understood as generalisations of interests, mutual respect restricts rights to only those interests that must be fulfilled to ensure the social conditions of (self-) and mutual respect. Finally, the equality approach gives primacy to commonness over heterogeneity, although what is common here is not some kind of shared identity but conditions of self-realisation based on shared needs and capacities. Although Goldberg does not "deny the need and importance for some communality or mutuality," the commonality to which he refers "requires only that people interact, which may range from the flash of a smile or scowl to a legal brief".¹⁸ That interaction is all that is needed to break the deadlock of divisive identities is a highly debatable claim. The ethical point of view seems more convincing because it provides a more robust account of human agency worthy of respect.

More importantly, Lebron's conception of the ethical conditions of equality fares better than Golberg's account of heterogeneity in regard to the question of what interests count as rights and how the deadlock of the racial order can be surpassed from *within*. Returning to the example discussed above, what gives the African-American man the right to ask that the statue be removed is that mutual respect is a necessary condition in a society of equals. Slavery is a condition incompatible with the principles of a society of equals. As a result, the statue representing someone

¹⁸ Goldberg, "Introduction: Multicultural Conditions", 25.

who fought for preserving slavery is inherently disrespectful to *anyone* participating in a society of equals. The ethical equality approach also fares better in regard to demonstrating the in-worldly character of its norms. Taking seriously the divisive nature of racial societies, Lebron holds that equality is possible only if certain ways of being wither away and this can happen, in the end, only by acknowledging the wrongfulness of one's way of being, or even heritage. This would be possible to the extent that humans have the capacity to resist racial subjectification and gain access to 'the human point of view'. More precisely, the divisive effects of subjectification can be mitigated so far as humans have the capacity to recognize in others those needs and capacities common to humans. By doing so, they can transcend their racial standpoint and assume the human point of view. Imagination would enable the extension of "one's perceptual capacities on behalf of someone else while being one's own person."¹⁹ Doing this would undergird the idea of equality as recognition of the other as a being worthy of respect not in virtue of her being different, but in virtue of her being similar to oneself. Applied to our example, the bearer of the Confederate flag could in principle grasp the validity of this point by transcending his racial standpoint to gain access to the "human point of view". He could do so by imaginatively acknowledging in the other the need for respect that he himself strives for and the disrespectful character of a public statue valuing the negation of equality.

5. Conclusion

In this paper, I have critically examined Theo Goldberg's endeavour to construct a normative framework addressing racial inequality through the lens of heterogeneity. The initial section presented Goldberg's concept of racial states as embodiments of racial being and the critical stance he adopts to unveil their moral shortcomings. Goldberg asserts that racial inequality is intrinsic to modern states, contending that modern states are underpinned by the notion of social homogeneity, organised along racial delineations, effectively rendering them racial states. Within such states, one's racial being significantly influences their placement within the societal structure, determining whether they occupy a privileged or inferior social position. Goldberg's critical perspec-

¹⁹ Lebron, "Equality", 152.

tive on racial states is rooted in the principle of heterogeneity, posited as an essential aspect of the human condition and a counterforce to the projected vision of social homogeneity perpetuated by racial ideology and enacted through homogenisation policies. The heterogeneity approach, along with its associated concept of radical plurality, falls short of its aim—to provide a ‘non-ideal’ theory of justice. Its limitations become visible when measured against the twofold task of justifying heterogeneity as the ground of rights and trace the standpoint of heterogeneity back to dynamics within the social world. In the final section, I argued that Christopher Lebron's conception of equality may offer a more robust foundation for rights capable of exposing the moral deficiencies inherent in racial inequality.

