Real Love

in pursuit of cultural justice

Andrew Ross

NEW YORK UNIVERSITY PRESS
New York and London
Acknowledgments  vii
Introduction  1

1. Jobs in Cyberspace  7
2. Mr. Reggae DJ, Meet the International Monetary Fund  35
3. The Gangsta and the Diva  71
4. The Private Parts of Justice  79
5. If the Genes Fit, How Do You Acquit? O.J. and Science  95
6. The Great Un-American Numbers Game  117
7. What the People Want from Art?  149
8. The Lonely Hour of Scarcity  163
9. Claims for Cultural Justice  189

Notes  217
Index  230
About the Author  243
doubt there is such a moment, but our task is less to dwell on its advent than to try to make human societies where biological nature does not have to be the primary, let alone the final, determinant of our worldly relations. Such societies cannot be biologically sustainable if they continue to permit the use of social scarcity as a tool for the powerful to monopolize resources for their own ends.

Concepts like social justice, environmental justice, and racial justice spring readily to the lips of activists and reformers, and most of us could probably produce a thumbnail sketch or working definition of them. Some are even invoked by name in attempted legislation. For example, the Racial Justice Act, attached to Bill Clinton's first anticrime bill (and shot down in Congress in 1994), sought to address the scandalously disproportionate number of African American males on death row.

My intent here is to speculate about the concept of cultural justice and to examine some of the debates that have shed light on its meaning. One such discussion involves the formal treatment of cultural rights, which has achieved some level of recognition in national and international law. These rights, broadly applied to groups, appear to be a departure from the individualist basis of the liberal rights tradition, and yet they are increasingly seen as an integral element of citizenship in liberal societies. Another discussion arises from the recent imbroglio over affirmative action programs, against a backdrop in which the retreat from race-conscious legislation is in full swing. In this debate, the principle of recognizing cultural differences as a short-term compensatory response to historical injustice is at odds with the acceptance of cultural difference as a long-term component of the quest for social justice.

In a backlash climate governed by appeals to "fair" or "neutral" treatment on a "level" playing field, claimants of cultural rights and affirmative action set-asides are habitually impugned as beneficiaries of "special" rights or privileges. Yet this objection is indefensible when the state itself is far from neutral, sanctioning normative values and practices that clearly reflect the history of its control by majoritarian interests. In addition, the state already plays a powerful administrative role in assigning identities,
given the influence of its ethnoracial census categories and its system of apportionment on the basis of census demographics.

However, as a short-term medium of resource distribution, cultural politics cannot afford, in the long run, to take its cue from such census classifications. Within any group membership there are too many internal differences in values, beliefs, and practices—relating to gender, sexuality, religion, and subethnic groupings—for the state’s bureaucratic categories or cultural nationalists’ purist identities to satisfy the needs generated by a radical democracy. Group-differentiated rights will have to find a way to coexist with expansive libertarian protections and innovative forms of class politics. Strategic coexistence of this sort, I believe, may be the key to forging a politics flexible enough to recognize that forms of cultural justice are integral to the sustainable pursuit of socioeconomic redistribution. Nothing is more crucial or more difficult, given the divisions that have unfolded between what is often termed the social Left and the cultural Left.¹

The Approach to Cultural Rights

Cultural rights have attracted a great deal of attention in recent years. In a world increasingly beset by ethnocultural conflicts, it has become clear that the liberal focus on individual rights, generalized by international conventions after World War II through the concept of human rights, cannot do justice to the claims now being raised on the basis of cultural differences and minority rights. As Will Kymlicka has pointed out, human rights discourse has no way of responding to the heated debates over language rights, regional autonomy, minority representation, education curricula, land claims, national symbols, immigration policies, and so on.² These are issues that appear to demand treatment on the basis of group or collective rights, which may not always be congruent with the rights of individuals and which, in some cases, may suppress these rights.

Nor have socialist traditions been much more attentive to minority cultural rights, treating them as a divisive impediment in the path of the progressive socialization of centralized economies. Despite the efforts and achievements of almost thirty years of cultural activism, largely through

the work of the new social movements, there remains in some sectors of the Left a lingering suspicion of cultural issues. This ranges from knee-jerk disdain for the “cretinizing” effect of popular culture to dogmatic repudiation of identity politics. According to this view, culture does not unite but divides people and, for the most part, is a diversion from real economic issues.

Cultural justice is not distinct from the transformation of socioeconomic conditions. Ideally, they are part and parcel of the same revolution, although some aspects of cultural justice are more easily abstracted from the economic environment than others. Increasingly, respect for people’s cultural identities—conventionally associated with broad categories of gender, race, sexuality, nationality, and ethnicity—has come to be seen as a major condition of equal access to income, health, education, free association, religious freedom, housing, and employment. For some, this need for cultural respect is a necessary supplement to the basic human rights pertaining to freedom of speech, assembly, and conscience. The attainment of this respect is a consequence of the powerful petitions on behalf of what Charles Taylor has described as the “politics of recognition.”³

As a result, much energetic debate has been devoted to the capacity of liberal democracies to accommodate respect for cultural particularity without renouncing their procedural guarantees of equal respect for all citizens. Ironically, this debate has occurred in the United States at a time when the legal arm of the liberal state is in wholesale retreat from affirmative programs and measures intended to remedy the socioeconomic consequences of centuries of cultural injustice. Many who have suffered socioeconomic injustice perceive their hardship as motivated by, or indistinguishable from, cultural disrespect, prejudice, and race hatred, and they are right to do so. A politics of recognition must take notice of these perceptions as well. Otherwise, it will be culturally insensitive as the “blind” justice of liberal respect that it seeks to supplant.

Legal consideration of the cultural rights of social or ethnic groups is still in a rudimentary phase. Typically, such rights have been legally extended to national minorities whose traditional culture and material existence are threatened with extinction by majoritarian forces. Indigenous cultural rights—over language, religion, and traditional practices, including Native jurisprudence—have become a powerful instrument for
negotiating with, and establishing moral authority over, the rule of majoritarian institutions. National minority rights can be a model for ethnic or immigrant groups seeking protection for their own distinct identities and traditions, but the latter are not aimed at self-government or differentiated citizenship. At the level of the nation-state, less powerful countries make similar kinds of appeals in the name of protecting their cultural sovereignty against the imperial sway of foreign influence, especially in the realm of the cultural marketplace, where Euro-American goods and values circulate most freely. Intellectual and cultural property rights are increasingly a feature of NGO consensus, in accord with the International Covenant on Economic, Social and Cultural Rights (ICESCR) and certain UN draft declarations. Such concepts of cultural equity have an extensive, if differentiated, appeal across the spectrum of minorities in the United States—from indigenous national minorities (Native Americans, Native Hawaiians) to commonwealth citizens (Puerto Ricans), and ethnic minorities who are either Anglophone (African Americans), bilingual (many Latinos and Asian Americans), or non-English-speaking immigrants. Cultural rights have even been claimed by white supremacist groups who submit that the survival of “white” cultural traditions is endangered by creeping multiculturalism.

In the case of (mostly indigenous) national minorities differentiated through citizenship laws in countries like the United States, Canada, Australia, and New Zealand, established cultural rights regarding language, land use, and the protection of traditional and religious practices are regarded as permanent and inherent rights, requisite to the self-government of cultural communities. For other ethnic (and not national) minorities, cultural justice may involve rights against discrimination and in support of cultural practices considered alien to the majoritarian mainstream and thus a hard sell in the marketplace. These may also be regarded as rights related to more or less permanent cultural differences, since the liberal state, in its post-assimilationist phase, no longer has an interest in eradicating such differences. The categories of rights described above can be invoked to protect minorities from the socioeconomic power of the majority. Opportunities accorded under affirmative action programs go further in helping minorities and women attain representation within the mainstream of national life in positions of institutional power. But neither the rights nor the opportunities can require such institutions to redistribute resources more radically.

Nancy Fraser has argued that there are some forms of symbolic redress, such as establishing respect for marginalized identities, that might be viewed as the cultural equivalent of the liberal welfare state. They promote superficial, onetime compensation for recognized groups that eases liberal guilt, but accomplishes little in the way of restructuring the underlying principles that generate injustices, economic and cultural. Fraser’s “transformative” justice involves a deep restructuring of the relations of production, in the economic sphere, and the relations of recognition, in the cultural sphere. “Affirmative” justice, by contrast, merely involves the strengthening of group identities in their claims on resources and respect. As Fraser notes, however, the transformative option is the more remote for most people, because it is the more destabilizing and radical alternative. It is also the most distant horizon in our current political environment because it involves explicitly socialist and utopian measures.

At a time when state programs of affirmative action are being decimated, minorities feel they are being punished and further disadvantaged. In this respect, it is important to remember that affirmative action policies were conceived as a first step, not the last, toward solving the problems of cultural and social injustice. As such, they established an important break with the occupational caste system, breaching the walls of socioeconomic segregation. With the liberal retreat from race-conscious legislation in full swing, it is important to stand firm in support of these policies and their achievements, while searching for ways to plant the seeds of what Fraser calls transformative justice.

Proponents of affirmative action have been at pains to show that the arguments for specific cultural rights are inseparable from the conditions of economic and social inequality, and yet there is no simple legal basis in a liberal democracy for recognizing this relationship. If we are at all interested in the larger social transformations that redistributive justice can effect, we must be committed to believing that cultural justice is not simply a temporary, expedient vehicle for remedial legislation, to be dispensed with on some false consensus about the attainment of a level playing field. As long as there is every reason to believe that racism is a permanent feature of U.S. society, its political antitoxin must be just as
durable, and just as normative. It would be better, then, if we were to view cultural justice as in for the long haul, as an integral part of a long revolution in social justice. The alternative is weak forms of redress that service majoritarian self-esteem—an integral component of new liberal forms of racism. Malcolm X once compared racism in America to a Cadillac—they come out with a new model every few years. With the auto industry ever in the doldrums, and the legacy of slavery and segregation sure to endure well into the next millennium, it’s high time we had a better comparison, more suited perhaps to the dizzy age of electronic chip speed. In the meantime, senior politicians offer a couple of strange footnotes in the summer of 1997. President Clinton convened a new commission on race, hoping for a “national conversation” that will address “the unfinished work of our times” and “redeem the promise of America” through racial healing. And Congress gave much consideration to a proposal to issue an official apology for the long wound of slavery. Both of these initiatives were received with vigorous cynicism on each end of the political spectrum. African Americans, in particular, have every reason to recall that similar earnest rhetoric in the past was at least backed up by real economic initiatives—the Emancipation promise of forty acres and a mule, during General Sherman’s march through the rebel South, and the pledge during the Civil Rights era to use federal power to vanquish residential and occupational segregation. As it happens, Sherman’s promise was never kept, and the post–Civil Rights period has seen a long, slow retreat from the liberal commitment to racial justice. By contrast, the Clinton rhetoric comes unaccompanied. With affirmative action programs likely to be in tatters soon, there are no new plans in Washington to break the holding patterns of prejudice, no new policies to stem the racialization of poverty, nothing to write home about. So watchers of America will see nothing more than the familiar flag-waving, emotional symbolism, and warm watery talk about moving toward a more just society.

Yet such gestures are already part of a far-flung political style. Following Australia’s official apology to Aboriginals delivered by Paul Keating, Clinton made amends to Native Hawaiians, ex-PM Murayama apologized for Japanese war crimes, Tony Blair expiated on behalf of the Irish potato famine, and Swiss bankers have been trying their best to repent, just to name a few. An outbreak of *apologitis* is afoot in the world’s centers of power. The symptoms are empathy without mourning, and atonement without liability. On the one hand, this condition is easy to ridicule as just another version of Clinton’s stock-in-trade “I feel your pain” management style. But it can also be seen as a weak form of the “politics of recognition,” whereby respect for the rights and identities of aggrieved or marginalized groups is formally acknowledged by the state. In this instance, however, the new political style bids for respect in a way that too closely courts resentment.

**Extensive Justice**

While formal entitlement is the ultimate goal of many claims for cultural rights, and while the nature of protection sought for such rights ranges from civil tolerance to institutional empowerment at the top levels of representative government, the components of cultural justice are often informal in nature. Legal formalism, in the practical grip of the powerful, and in a system so devoted to negative forms of liberal individualism, is not always well equipped to deliver the appropriate quotient of justice. Justice cannot fully be accomplished through the formal work of legal process; it also involves transforming cultural and social behavior in ways that lie beyond the customary reach of legislation. Even in the courtroom, which is only one of the sites where the law is enacted, justice often means something quite different from legality. Thus we have “jury nullification” (whereby jurors vote according to their conscience and not in strict obedience to a judge’s instructions about evidence or laws they may find unjust) and, more generally, a long tradition of civil disobedience that sanctions dissent in the face of unjust or inadequate legislation.

Similarly, formal legal processes are often seen to be too mechanistic in their attention to procedural rules and not sensitive enough to the cultural security and social needs of citizens. Worries even arise, for example, when a Supreme Court appointee is perceived to have led a sheltered, bookish existence, too removed from the busy throng of the nation’s complex cultural life—as was the case in the confirmation hearings for David Souter’s appointment to the Court. Can legislators from a socially and ethnically limited background do justice to claims infused with challenging
assumptions about social and cultural differences? Is it their explicit task to abstract the claims from all ties to the busy, social world, insofar as this is possible to do? Public and legal debate about American liberal jurisprudence is beset by such contradictions.

The national fixation on origins, foundations, and constitutionalism has always been fiercely at odds with the spirit of innovation that infuses new narratives, "outsider" experience, and contemporary interpretations into the legal canon. In the case of rights claims, the contradictions have sharpened; attention to group rights has increased at a time when the separation of state and ethnicity is most vigorously being promoted. Depending on how history has treated your kind, the restriction of natural rights proclamations to the population that first defined and then enjoyed them — those eighteenth-century white males who alone were recognized as free, property-bearing citizens — can be viewed as a foundational guarantee of hypocrisy or a recipe for some future state of justice, always incomplete, and therefore indispensable to those excluded from the initial menu. As a result, the subsequent struggle between majoritarian interests and minority rights has been relentless; in the wake of the "ethnic revival" of the 1960s and 1970s, it remains one of the central tensions governing the national system of distributive justice.

If the state were already neutral in its treatment of cultural differences, then the liberal preference for regarding cultural and ethnic identity as a private matter — like religious affiliation — would have some justifiable basis. Nondiscrimination, as a blanket policy of liberal justice, would meet more of the requirements for guaranteeing equal treatment. Far from being neutral, the state is the historical product of centuries of majoritarian decision making, governed by the interests of dominant social and ethnic groups. Its national symbols, public holidays, Christian workweek, heteronormative morality, and Anglo-conformity in civic values all reflect that ethnocentric history. So, too, the state has been especially active in the business of defining racial identities. The current census groupings — African American, Asian American, Hispanic (or Latino), Indigenous (or Native American), and European American, to be joined perhaps in the 2000 census by a "biracial" category — are only the latest in the long evolution of the state's management of ethnoracial identity. In sum, the state already intervenes heavily in the domain of cultural recognition, so it is indefensible to argue on those grounds that it should never take an affirmative stance toward recognition claims.

Take the rallying cry of "No Justice, No Peace" that arose in response to the first Rodney King verdict. This was not simply a demand for a retrial that would fairly allocate culpability to members of the Los Angeles Police Department who administered the beatings. It was an implicit challenge to the idea that African Americans have ever expected, and can ever expect, full protection under the legal system of the state, given (a) the solid legacy of legal and civic denial, (b) the growth of an extensive criminal court and penitentiary apparatus that has been almost as effective in its de facto racial demarcation as Jim Crow, (c) the persistence of segregation in housing, income, education, health, and the occupational division of labor, and (d) the aborted commitment to race-conscious legislation ushered in after the Civil Rights Act (CRA). There is no question that the latter development signals the collapse and retreat of liberalism from its post-CRA agenda for a racially just society. While "No Justice, No Peace" resonates, rhetorically, with the anticolonial spirit of "No Taxation without Representation," its broad challenge stands in historical judgment over the failures not only of liberal rights discourse, but also of the state form of representative democracy ushered in by American republicanism.

Just as the demand for popular representation did not end with, but was partially foreclosed by, the Constitutional Convention, the call for minority justice has been managed by the limited legislation that majoritarian elites grant under pressure from mass movements, only to retreat as soon as possible from the race-based agenda through which they were fostered. The most notable moments have occurred in the brief period of Reconstruction, and in the postwar civil rights period, driven as much by a Cold War climate that required civil rights legislation to save face in the international game of public relations as by the desire to respond to civil pressure. The history of civil rights has shown that the attainment of formal equality, though a crucial symbolic victory, has a limited long-term effect on the materially disadvantaged (if unaccompanied by structural change), even while it encourages the popular bromide that "racism no longer exists."

Doing justice to cultural and economic rights involves a protracted revolution in which people's social identities as well as their economic circumstances are seen to be transformed. Ultimately, of course, this means
transforming the identities associated with white heterosexual males along with the identities associated with women, lesbians and gays, and ethnic and racial groups." This is why so much of the work of social movements has been aimed at changing daily habits of mind, behavior, and modes of social integration. Formal equality is only one component of that revolution, although, given the strong historical link between rights discourse and American institutions, it is impossible to sustain a public debate about the shape of the national culture without raising foundational questions about rights and citizenship. We hardly need to be reminded that the U.S. legal system has displayed its most spectacular failures in the protection of the rights of minority populations. Even at the level of formal equality, as Patricia Williams has argued, it will be necessary to expand our understanding of what rights entail: "(t)he task is to expand property rights into a conception of civic rights, into the right to expect civility from others." This latter task entails translating civility into a genuine respect for different cultural practices and modes of being, where respect is normalized in the daily life not only of institutions but also of public and popular culture.

But deep civility and respect demand more than simply majoritarian concessions to the cultural distinctions of others. Psychologically, such concessions often serve merely to boost majoritarian self-esteem. It also requires an overhaul of those distinctive forms of cultural identity that arise from white skin privilege, empowered masculinity, and the heteronormative presumption. Without this overhaul, when the V-8 engines of our dominant cultural identities are stripped down and retrofitted for a more sustainable social ecology, we will still be traveling at different speeds on the same highway.

The intractability of this sphere of cultural relations might be measured by the ugly reaction to the informal proscription of racist, sexist, and homophobic jokes, cast in recent years as the "imposition" of political correctness. Such humor is not exactly illegal (although its contextualization in the workplace and elsewhere can count as harassment), but its degree of prevalence speaks volumes about the current progress of cultural justice in any society. No one wants a humorless culture—a plague too long associated with leftists—but the freedom to utter speech like this is informally perceived as a cultural right, or wrong, on the speaker's part.

Comics, professional and amateur, who joke about Jewish or African American mothers or who use recognizable ethnic speech patterns usually have supporting ethnic credentials, while those who cross ethnic boundaries, in the tradition of Lenny Bruce, have a clear political point to make. Black speech and Yiddish locutions are unconsciously used in daily life by most Americans, indeed most English-speakers, and yet people feel defamed if and when these speakers draw inappropriate attention to their use of this speech. There is often a subtle link between these speech acts and more overt hate speech, which has been on the rise in public discourse for some time, much of it directed, again, at single African American mothers, proverbially always on welfare. There is a much greater gulf between the tolerance, say, for vernacular black usage by whites, most notably in sports and music cultures, and the contempt for official language claims for Black Speech, as exemplified by the recent furor over the Ebonics proposals on the part of Oakland educators seeking to instill cultural self-esteem among underprivileged black students.

Any such considerations of self-esteem disappear entirely when American language use passes beyond English. The constitutional battle over making English the official language of the United States (English Only laws have been passed in over two dozen states in the last decade) has been one of the many ugly elements of the anti-immigrant backlash, directed mostly at Spanish-speakers. Public discussion of Spanish-language use habitually avoids reference to the language rights granted to Mexicans under the 1848 Treaty of Guadalupe Hidalgo—rights subsequently rescinded by Anglophone settlers. Is there a continuum that links the constitutionality of English Only—an issue consistently evaded by the current Supreme Court—with the demeaning impact of daily speech acts? If so, it is part of an extensive realm of cultural justice, in which respect for cultural difference might be viewed as a durable principle of civility rather than a temporary, bureaucratic form of historical restitution.

Fairness

Compare the notion of extensive justice with the conservative legal use of "fairness" as currently applied to race-conscious programs such as affirma-
rative action. The backlash against such programs and legislation, led by Antonin Scalia, William Rehnquist, and Clarence Thomas, is based on the premise that they are “unfair” to minorities and majorities alike. In recent cases concerning affirmative action and set-asides, the Supreme Court has decided that “benign” preferential treatment on the basis of race and in the name of equality is morally and constitutionally equivalent to laws designed to subjugate a race. For Thomas (in Adarand Constructors v. Peña), “government cannot make us equal; it can only recognize, respect and protect us as equal before the law.” For Scalia, in the same decision, there “can be no such thing as either a creditor or debtor race. To pursue the concept of racial entitlement even for the most admirable and benign of purposes is to reinforce and preserve for future mischief the way of thinking that produced race slavery, race privilege, and race hatred. In the eyes of Government, we are just one race here. It is American.”

This is the worst kind of analytic jurisprudence in action, flaunting its blindness to every last shred of cultural justice. On the other hand, we can expect that the willful retreat from race-conscious legislation as a medium for redistributive justice will only go so far. The self-esteem of the white majority depends on a show of benevolence in allocating a limited share of the resources under its control to minorities. As Girardeau Spann has argued, the good cop-bad cop routine staged between congressional legislation and Supreme Court judicial review has proved effective in managing the process by which the bare minimum of redistributive justice is permitted. Because programs like affirmative action tend to be centralized and are supported primarily at the federal level, minorities are obliged to compete for resources on a national scale rather than a local one, where regional power and political self-determination are easier to achieve. Majoritarian preferences and assumptions are more easily enacted and absorbed into the formal writing of decisions in the highly centralized forum of the Supreme Court.9

The Clinton administration’s policy of “mend it, don’t end it” is a classically mindful expression of the prohibitive costs to the white majority when it is seen to renounce all responsibility for remediating those racial inequities it created. Any abdication of political will that is too visible is likely to incite civil disorder and urban revolt. Nonetheless, the plurality decisions of the Supreme Court and state legislation like the California

Civil Rights Initiative have accelerated the tendency to forbid any race-conscious remedial acts and to recognize only overtly intentional discrimination as a constitutional violation. Demonstrating racial disparities or institutional racism is no longer recognized as proof of unequal protection under the Fourteenth Amendment. Legal conservatives would have us believe that twenty-five years of remedial legislation have eradicated or compensated for all such constitutional violations, and that it is time to return to business as usual: in Scalia’s words, “we must soon revert to the ordinary principles of our law, of our democratic heritage, and of our educational tradition.”10 For Scalia and his sympathizers, the period of temporary unfairness is almost over. The Constitution will once again be “color-blind.” The legal landscape of rights will be returned to its assumed default condition of neutrality, uniformity, and universality; the ground rules will be back in effect. Fair play will resume.

The invocation of fairness in this context is a simple but effective code word for ignoring the historical roles that slavery and segregation have played in creating the modern legacy of racial subordination. Fairness, as applied here, stands in stark contrast to any principle of justice that involves taking race into account on more than simply a remedial basis, en route to improving the lives of all citizens. Effective principles of justice must confront the present and future legacy of the racial formation of a state in which African Americans in particular were included as nonparticipants (not excluded), and where their chattel labor was a condition of freedom for the white majority to assert its natural rights and its monopoly of wealth and property. Only in this historical light can we rightfully understand Scalia’s “ordinary principles of our law” to be nothing ordinary at all, but rather the result of the economic and social history of a nation-state, and therefore an embodiment of majoritarian interests in their very ground rules. As for Scalia’s disingenuous reference to “our educational tradition,” he is referring to precisely the sector of social opportunity where African Americans, Latinos, and Native Americans are most disadvantaged, since they tend to fare worse than others when placed in a “meritocratic” system of standardized testing. In the face, moreover, of today’s heated debates about multicultural education, anyone who knows the least thing about the historical record of religious battles over school curricula, much more fraught in periods of the nineteenth century than
today, will recognize Scalia’s appeals to some common educational tradition as a ludicrous fiction.

The principles of affirmative action—designed primarily to bring minorities into the mainstream of public life—have always inspired some ambivalence, even among their advocates, but the 1994 congressional election that brought Republicans to power was the event that elevated opposition to racial preference into a solid political “wedge.” Suddenly affirmative action was proclaimed by pundits to be a leading cause of injustice in the nation (Aid to Families with Dependent Children [AFDC] ran a close second), and popular sentiment was held to be running against it. Statistical revelations about the existence of a glass ceiling for women and minorities were brushed aside in the Republican stampede to embrace the rights of economically depressed white males, newly victimized by the preferential treatment of less qualified blacks and by the crushing financial burden of assisting welfare mothers. Within a few months, affirmative action and AFDC had been catapulted into the gladiators’ ring reserved for the two or three issues that the pundits designate, at any one time, as eligible for the public spectacle of political debate.

How did this come about? Was it the sour culmination of Richard Nixon’s wily Southern Strategy? Perhaps, although voting patterns in the 1996 elections did not support the expectation that affirmative action would work as an effective wedge. Was it a reflection of the desperate resentment of white workers, beaten down by the cruel advance of the low-wage revolution? Probably, although as always, the worst-hit by economic depression have been men and women of color. Besides, low economic status is hardly ever divorced from racial sentiment, given that white workers continue to enjoy the psychological “wages of whiteness” that David Roediger has described as the birthright of poor whites in the United States.11 Was it a symptom of the collapse of liberal morality, which once held the plight of African Americans to be the immoral core of national injustice, and which increasingly is complicit with neoconservative ideas (including those of black conservatives) about the intractable “pathology” of the “culture of poverty” among urban blacks? No doubt, although this has been complicated by new liberal calls for affirmative action based on class.

Whatever the favored explanation, the backlash against affirmative action was not concocted overnight. Making a political idea into shared common sense, even among a relatively homogeneous group, is a complex process in which legislation does not simply emerge as a final outcome, elevated above the fray and exuding an air of neutral commonality that makes all other claims seem, by comparison, exceptional and interested. But there were also other factors at work in the sphere of public opinion, no less committed to paying lip service to the creed of fairness and neutrality, no less bent on trampling on cultural justice.

Cultural Politics and the Culture Wars

One of these factors was the Culture Wars—a fractious public debate about cultural values, or more specifically, the values of an assumed common culture in a nation-state whose history has been marked by an extraordinary degree of multilingualism, a plurality of religious traditions, and a variety of diverse regional and ethnic subcultures. Indeed, it is more accurate to observe that this debate has been over the shape of the dominant culture in the United States rather than over a patently false consensus about common culture. The prosecutor’s case against multicultural challenges to the dominance of white, Christian, Anglo-European values might be summarized in a way that echoes Scalia’s comments about constitutional law. It is time to revert to the ordinary principles of our culture, which in peacetime (as opposed to the extraordinary conditions of the Culture Wars) are free from political conflict of the sort aroused by petitions for a successor multicultural curriculum. Neutral principles of excellence, as embodied in the ground rules of the common cultural heritage, must once again prevail. Whether it is the ground rules of a culture or those of the law, a neutral environment is one in which dominant interests are able to masquerade informally as a background, default condition. Dominant cultural groups always fare best under the rule of the gender-free, color-blind, heteronormative “common culture.” As many have pointed out, it is such a common culture that traditionally operates as affirmative action for privileged white males. In the same way, the rules of property, contract, and tort law make the vast inequalities in our society seem like part of nature, or at least like factory settings. Attempts to change the settings are thus seen as aggressively unfair alterations of a
commonly recognized norm in order to meet the needs of those with “special interests.”

It is not my purpose here to take issue with what is fair and what is not—the proverbial “level field of play” is much too corrupt to honor such a discussion. If nothing else, the Culture Wars have proven that cultural politics matters, and that it is not a mere diversion from the struggle for improvements in the material conditions of people’s lives. Indeed, proprietary struggles over culture have proven to be one of the fiercest sites of entrenched resistance to change in the post-CRA era. The vast amounts of funding and media persuasion devoted to the Culture Wars by conservatives are evidence of the high stakes and passions invested in monochromatism. Right-wing foundations and their mouthpieces have made speech-for-hire into the dominant public force in these debates, reinforcing the belief that powerful white males have proprietary rights over the history and culture of the country. Nor is there any evidence that these conflicts are subsiding. The avalanche of official political attention to cultural issues has only swelled in recent years, barely missing a beat after Clinton’s accession in 1992, when neoconservatives like Irving Kristol declared that the Culture Wars were over, and that his side had lost.

At the time of writing, the stage set aside for public controversy is occupied by the debate over Ebonics, the National History Standards, the future of the NEA and the NEH, same-sex marriage, the Science Wars, and the regulation of Internet speech. The vestiges of previous conflicts are still active, like smoking volcanoes: political correctness, bilingualism, hate speech, multiculturalism (and its more radical strains: multiracialism, cross-culturalism, and interculturalism), educational testing, the “unassimilable” cultures of new immigrant communities, family values, gays in the military, gangsta rap, and sexually explicit and violent imagery. Interspersed between these battlefields are the megastadiums hosting the trials of the month, where many of the great cultural pathologies of national civil life are dissected for mass media consumption. Timothy McVeigh, O. J. Simpson, Colin Ferguson, and Sheik Abdel Rahman, and offstage, the memories of Lorena Bobbitt, Rodney King, Howard Beach, the Mendez brothers, Amy Fisher, Woody Allen, Mike Tyson, Baby M, Charles Stuart, William Kennedy Smith, Glen Ridge, and Central Park, not to mention the large, televised pseudo-trials on Capitol Hill like the Supreme Court judge confirmations, Clarence Thomas–Anita Hill, hearings on Iran-Contra, and the like. On Capitol Hill, the Republican class of 1994 adopted a prosecutorial posture toward the alleged “cultural elite,” intent on wringing out every last drop of liberal guilt from the hypermoting anchormen and women of the TV nation. And in higher education, where the Left has gained its strongest foothold in the last two decades, the sustained attack on tenured radicals continues unabated. This campaign is only the most visible feature of the drive to corporatize colleges and universities, where the low-wage revolution has penetrated so deeply that the de facto erosion of tenure has long preceded attempts, now on the horizon, to abolish this principle that is so vital to the freedom of academic speech.\footnote{12}

With this example of academic labor in mind, we may be tempted to consider that the furor over Great Books, cultural studies, multiculturalism, and political correctness in the academy is simply a diversionary smokescreen for advancing the economic interests of managerial elites and trustees. This is a callous misrecognition of the powerful attempts to fuel the race fires in education that began in the battles over school integration after Brown v. Board of Education and that continue today in curricular moves to teach the history of women and people of color. It also ignores the fact that education and cultural products in general are a vast economic sphere in their own right. North American graduate credentials are one of the most valued sources of cultural capital in the world, and the research activities conducted through the arm of higher education account for a huge portion of the information sector of the national and transnational economy. The debate about cultural values not only affects these economic sectors directly, it is part of the content of the information itself. These are much more than simply contests over national cultural symbolism; they have immense economic value within sectors of the culture and information industries.

This becomes clearer if we move beyond the Great Books debate—should T. S. Eliot make room for Toni Morrison?—to the realm of raunchy popular culture, the other preferred target of conservative morality brokers. Here the traditional contradiction between free market conservatism and cultural conservatism is all the more apparent, and the lords of Hollywood and the moguls of multimedia are foreordained to
take the heat. Culture trading is a vast economy of transnational scale, and its dependence on spectacular products puts it in direct conflict with the national moral campaigns of cultural conservatives, whether Christian, Islamic, Hindu, or Jewish, whether in France, Algeria, India, or Israel. Indeed, the new transnational trading zones are often defined by the willingness of their national clients to liberalize the circulation and reception of cultural and information products. Legislation that favors the global reach of the transnational media Goliaths still vies with judicial attempts on the part of national bodies to regulate the flow of culture across their sovereign borders, attempts that themselves often appeal to a selective, moralizing definition of national, regional, or local cultures. In this global context, local cultural justice, embodied in older reformist agendas like UNESCO’s New International Information Order, has long been part of the response to the perceived imperialism of Western culture industries, in a climate where the “free flow” of neoliberal markets results in a one-way flow of cultural products. Nothing appeals more powerfully to the nation-state system of world politics than the concept of a country's right to self-representation in the global field. More often than not, however, it is this “frontier justice” of nationalism that facilitates the domestic repression of minority cultures.

The new patterns of economic integration are not fully global. They have been culturally marked by regional, supranational agreements like NAFTA, G3 (Mexico, Venezuela, and Colombia), the Andean Pact, ASEAN, the EEC, and the Southern Cone (Brazil, Argentina, and Chile). Cultural brokering within and between these entities is performed on behalf of powerful producer states or industrial blocs like Hollywood. A more critical form of brokering accepts that the new public spheres and funded networks emerging along with supranational economic integration are potential sites of visibility for groups and communities socially or politically denied at the level of individual states. These new sites are real opportunities for cultural justice, hitherto available only in forums like the United Nations, to indigenous groups constituted as nations or to international movements (women, environmentalists, political prisoners) through NGOs with access to the United Nations. Like organized labor, pushing now for a living wage for workers in offshore factories and free trade zones, cultural activism increasingly crosses borders. 13

It is important to imagine these new supranational cultural formations in provisionally utopian ways, despite their bureaucratic underpinnings. This habit has a long precedent in the syncretic traditions of music, dance, and religion of the African diaspora, for which mixing and fusing cultural influences is the core principle of survival and innovation. The latest exemplars are champions of the mestizo aesthetic of the American borders, for whom the history and experience of cultural and racial mingling offers a model for postnational cultural life: the future is mestizo. One result is a hysteresis medley of syntheses, where there is no evidence of cultural purity and no expectation of a stable or authentic identity. Guillermo Gómez-Peña, border performance artist and court jester of hybridity, offers the “taco-surrealist” picture of a dechauvinized culture in his mock prophetic vision of “the New World Border” after the Gringostrolka of “the Free Raid Agreement”:

The monocultural territories of the disbanding United States, commonly known as Gringolandia, have become drastically impoverished, leading to massive migration of unemployed wasp-backs to the South. All major metropolises have been fully borderized. . . . They all look like downtown Tijuana on a Saturday night . . . . The legendary U.S.-Mexico border line, affectionately known as “The Tortilla Curtain,” no longer exists. Pieces of the great Tortilla are now sentimental souvenirs hanging on the bedroom walls of idiotic tourists like you. . . . The twin cities of San Dollario and Tijuana have united to form the Maquiladora Republic of San Diejua. Hong Kong relocates to Baja California to constitute the powerful Baja-Kong, the world’s greatest producer of porn and tourist kitsch. The cities of Los Angeles and Tokyo share a corporate government called Japangeles, in charge of all the financial operations of the Pacific Rim. The Republik of Berkeley is the only Marxist-Leninist nation left on the globe . . . . The CIA joined forces with the DEA and moved to Hollywood to create a movie studio that specializes in producing and distributing multicultural utopias . . . . Ageing pop star Madonna has reincarnated as Saint Frida Kahlo. She roams around nasty streets in search of people who suffer from identity blisters and heals them. . . . Nearly every important city in the FSUR has a Museum of Cultimultural Art. They all feature classical shows
from the '80s and before as a reminder of what culture used to be before Gringostroika destroyed all traditional borders and categories. Among the most popular travelling exhibits are "1,000 Ex-Minority Artists."²⁴

It is not by happenstance that this macaronic image of a hybrid near-future has emerged at the same moment as a fierce rekindling of nativist sentiment in the United States. Long-standing North American settler fears about the displacement of native-born labor and the nonassimilability of cultural traits have been reawakened. But what does anti-immigrationism mean in a nation that exports culture more successfully than its heavy manufacturing products these days? (Aside from weapons and civilian aircraft, software and culture are the leading U.S. exports.) This latest nativist revival is set against the perceived waning of the modern nation-state, triggered by the vast economic restructuring that is shifting the exercise of fiscal power away from the centralized national bureaucracies into the quasi-sovereign fiefdoms of the corporate trans-state. As its presumed cohesive authority fades, the state’s faltering capacity to function as a consistent expression of national cultural purpose provides an added sense of moral panic to fears about the loss of national identity. There seems no doubt that globalization is an important context for the heated debate about multiculturalism, framed on the right by racist phobias about the advent of anything approaching cultural equity, in the center by fears about the centrifugal tendency of cultural “fragmentation,” and on the left by concerns about the corporate management of cultural diversity or the hidebound essentialism of identity politics.

Unlike in other postcolonial settler states like Australia and Canada, multiculturalism is not official, top-down, national policy in the United States. Critical multiculturalism in the United States arises directly from the legacy of the racial formation of the state—bound up with Native genocide, African chattel slavery, Asian exclusion, and Mexican criminalization—and is quite distinct from the assimilationist tensions between cultural identity and national citizenship that applied to European immigrant groups. Those tensions had been managed by the social engineering programs of Americanization, explicitly intended to purge pre-industrial cultural traits and labor habits among immigrant workers, and by the national celebration of ethnic pluralism that came to incorporate the unofficial persistence of their distinctive cultural identities. Among non-Euro populations, the persistence of racial stratification and prejudice—in labor, income, health, housing, and civic respect—appears to be more fundamental in its structural hold on the nation’s political economy. The deep racialization of these inequities is not likely to be remedied by prettifying up corporate diversity statistics (while corporate capitalism is left unaltered) or by injecting some color into school curricula. But deep respect for the cultural identities and histories of others to the point of self-transformation may prove to be a necessary, daily precondition of any significant change.

The Numbers Game

Struggles for cultural equity may begin and end with these deep alterations of civil society and daily life, but they cannot afford to ignore numerical assessments of recognition and redistribution—not in a nation-state so devoted to statistical forms of expression in government and in economic life. The representative nature of North American democracy and the quantitative nature of its evolved bureaucratic state have had considerable impact on the shape of these struggles. Consequently, the quest for cultural justice has been aimed at not only the securing of inviolable rights, but also the visible attainment of representation in public service and professional life. A typical outcome can be summed up by Bill Clinton’s promise to make his 1992 administration “look more like America” by deferring to ethnic and gender demographics in making government appointments, a procedure adopted, before and since, by many nonfederal and private institutions and encouraged by some affirmative action policies.

These policies have been largely successful, even in blue collar and public employment, but have arguably worked best at the managerial and (pre)professional levels, beyond which the notorious glass ceiling is in effect. The successes have also been accompanied by new kinds of class polarization within minority communities because the racial division of labor has remained relatively untouched, relegating workers of color to
the least desirable jobs or excluding them from legitimate job markets that carry health benefits and social security. So, too, the habitual price of representation in the middle-class professions is acceptance of the culture-bound, behavioral codes of middle-class Anglo-conformity: precisely those ground rules of civility that in the past have guaranteed racial exclusivity through their characteristic blend of race and class prejudice. The result is a growing divide between the sufficiently empowered, in a position to broker the redistribution of resources, and the disadvantaged and impoverished, from whom the former are culturally detached. This divide complicates a system of distributive justice that requires strong representatives or brokers to back up claims for the disadvantaged caught in the poverty trap.

When the establishment of congressional representation by population entailed the first rigorous census taking in a modern nation-state, the extensive uses of census data in the United States increasingly came to pervade the administration of national demographic life at all levels. Employing data, primarily organized around family units, to motivate and explain policy making has long since become the rule of government. Majority and minority are more than just a numbers game, but they are also precisely that, and all the more so since the Office of Management and Budget issued its Statistical Directive 15 of 1977, which created what David Hollinger has called the “ethno-racial pentagon” of national bureaucratic life: African American, Asian American, Hispanic (or Latino), Indigenous (or Native American), and European American. While these categories are highly contingent, they are impressively resilient once put in place, and very quickly attain the air of natural, normalized facts, creating expectations in others’ minds about how to treat members of each category. They make very little sense as categories linked by some common culture—what does such a culture mean, for example, to those of Vietnamese, Chinese, Korean, Japanese, Thai, Filipino, Samoan, and South Asian descent who are all identified as Asian/Pacific Americans? Over time, however, these categories exert a cohesive cultural influence on those obliged to share group membership.

With the bureaucratic creation of such broad, multiethnic categories, census classification has continued to boost numbers of whites. Most Mexican Americans, for example, are primarily from Native stock, and yet many are now classed as whites; Hispanics have therefore “lost” millions of Native Americans. The blood quantum that quantifies the category of race for Native Americans had long been used as a means of depleting Indian numbers, given the rates of intermarriage that were encouraged during periods of intense assimilation. Here was an example of the “statistical extermination” of Indian populations: the continuation of genocide by statistical means. This bureaucratic sleight of hand was part of a legal history that runs from the Doctrine of Discovery and Rights of Conquest to the restriction of trading rights, the breakup of traditional land tenure and federal incorporation of land into domestic assets, the destruction of traditional jurisprudence and religious observance, the brutal policy of the Indian Wars, the termination of sovereign nations (109 nations were terminated between 1953 and 1958), the massive urban relocation of half the Native population under the Relocation Act of 1956, the murderous counterinsurgency against indigenous leaders in the American Indian Movement, and the radioactive colonialism of military policy around the tribal lands of the West and Southwest. While statistical assessments of demography have played a pernicious role in this history, they have also become an important tool for legal opposition to the expropriation of Native lands and resources. Revised numerical estimates of pre-contact urban Indian populations have been used (a) to contest the “legality” of Conquest and Discovery, based, as these doctrines were, on the thesis of “vacant lands,” (b) to strengthen the case for remedial legislation and for reclaiming the land base, and (c) to generally challenge the cultural mythology of the vanishing Indian. Accordingly, census numbers of those declaring themselves Native American have risen dramatically.

A different form of demographic mentality has governed the modern color line in North America, most notably in the administration of the one-drop rule and its legacy—the persistence of bichromatic public consciousness about two nations, black and white, to the exclusion of all other perceptions of American culture. This color line, which once separated what neoconservatives used to call “unmeltable ethnics” in the black nation from assimilable ethnics in the white nation, remains very much in effect, primarily on account of institutionalized racism. In a fiscal climate where limited resources are made available to competing minorities, there
is considerable pressure on empowered African Americans to use the bichromatic mentality to advance their interests over those of other non-white minorities. In an age of social austerity, or more accurately, proscarcity politics, targeted at the working poor and unemployed, this competition for resources and low-wage jobs is sharpened. The contest is not just among minorities, but also between native-born and immigrants. Lobbying for a demographic share of shrinking resources is difficult enough, campaigning for resources on the basis of restitution or ancestral reparations is even harder.

These are the circumstances under which the politics of etnoracial tradition come to be appraised in transactional terms. Not surprisingly, a cultural calculus comes into play. Purist appeals to blood identity and undiluted heritage are important cards to be played in the game of distributive politics. Claims for cultural justice are reduced to fiscal assessments, where authenticity and racial essence figure as blue-chip collateral. Such conditions of enforced scarcity discourage any recognition of cultural mixing; acknowledgment of mixed-race hybridity tends to weaken and undermine the legitimacy of entitlement claims. Under these conditions, then, cultural essentialism assumes a commodity value that is difficult to renounce in hard times.

At some level, minority demographics, however undercounted from census to census, get their share of recognition from the system of state apportionment. Given the history of denial and exclusion and the abdication of any political will to confront racism, cultural justice is unlikely to be served any other way soon. But there is a high price for any society to pay in accepting a cultural politics that takes its cue from such census classifications. Culturally, it closes off the often vast differences in values, beliefs, and practices espoused by members within these group identifications. Sometimes these differences are the result of multiple ethnic traditions—Cuban, Mexican, Iberian, Puerto Rican, Dominican, among others, in the case of Latinos. Sometimes they are the result of divergent social identities, relating to sexuality, gender, and religion, within these subethnic groupings themselves. Ultimately, the language of collective identity, whether encouraged by the state’s bureaucratic categories or by cultural nationalism, cannot fully satisfy the need for autonomous action

and self-organization that radical democracy lives by. People do not divide up into neat cultures, bound by homogeneous or coherent ingredients. Whatever authority might be attached to group rights on the basis of ethnocultural identity, it is also unjust when these rights are used to repressively impose internal conformity on members in order to preserve group solidarity or cultural purity.

**Lowering the Tone**

The emergent phenomenon of conservative, even racist, multiculturalism suggests some additional hazards. Consider the version proposed by welfare-basher Charles Murray and the late IQ quack Richard Herrnstein, best known as authors of *The Bell Curve*. They call it “wise ethnocentrism,” and it appeals cynically to the alleged virtues of cultural difference. Minority groups, Murray and Herrnstein argue, should be released from the injunction to assimilate, and should be encouraged to protect and sustain their “clannish” self-esteem. Cultural groups are different; they should remain so. There is no need to compare one with another, and even less need to encourage any mixing between them. In this version, a straightforward prescription for segregation masquerades as tolerance for human variation. Behind this appeal to “clannism” lurks Murray’s hankering after a Jeffersonian natural aristocracy and a caste order where everyone knows their place, and where everyone will cheerfully accept their point of distribution on the bell curves—the gene pool, presumably, taking the place of the safety net.

Etienne Balibar has most forcefully argued that the new racism proceeds not from older myths of superiority about biological heredity, but rather from nominally antiracist beliefs about the harmfulness of abolishing cultural differences. (In the affirmative action debates, the Right has similarly seized the moral high ground of antidiscrimination.) Culturalism, Balibar argues, has come to replace biologism as the basis for a racism without race. It may be that this is more true of the insurgent European racism Balibar is describing than of the situation in North America, but at the very least it seems to me that Balibar is a little premature in declaring
the death of biological racism. To see why, one need look no further than The Bell Curve itself, which used discredited ideas and data about the alleged link between genes and intelligence to buttress its policy claims and to fuel the war against welfare programs.

Murray and Herrnstein's barnacled appeals to genetic determinism were no more novel than their obsession with race-based public policy. What is new about the context for circulating these bromides is an emergent industrial environment driven, in large part, by biotechnology and genetic medicine. Despite The Bell Curve's alleged connection between genes and intelligence, the book makes no mention of "hard" science, least of all the kind of molecular biology that has reinvented our thinking about genetics in recent decades. In the spice-and-dice biotech labs, genetic material no longer has the fixed, immutable status it used to occupy in the theory books of destiny. If anything, industry boosters have revealed in the claim to be able to intervene in and modify the alleged connection between genes-and-anything, thereby opening up a whole new chapter in the history of eugenics. Murray and Herrnstein had good reasons for avoiding hard science—theyir soft science was soft enough. But their widely publicized theses about the genetic basis of cognitive strata in society helped reinforce the racist perceptions already in the public mind that inequalities related to genetic endowment can never be overcome, least of all by spreading tax dollars around.

The Bell Curve has had lots of company. Policy-oriented books that argue a genetic or Darwinist basis for social, moral, and cultural behavior are a booming genre. Cultural racism may have lost some of its official backing, but some form of hereditarianism is always at the ready with trumped-up statistics and pseudoscience to prove that redistributive politics is being wasted on the "cognitively disabled" or "genetically inferior" poor. If nothing else, the appeal of these arguments shows that science, not cultural values, is the common language in liberal democracies. By this I do not mean to suggest that science is not shaped by cultural values, nor that everyone has equal access to the authority that science confers on truth claims. On the contrary, any movement for cultural justice has to address the way science both meets social and cultural demands and fashion these demands in turn. With the new eugenics waiting in the wings, or stealing in the back door, and with the legacy of nineteenth-century scientific racism still dormant and festering in the public mind, there is no defensible alternative.

The regard for cultural justice, insofar as it goes beyond the limited domain of claims for representation or reallocations of recognition and respect, must ultimately be tied to criteria that the actually existing state does not satisfy. Why? Because, unlike so much of the state's legal framework, which derives its authority from appeals to precedent, substantive justice derives its moral authority from what is radically lacking in the state. There is a liberal version of this called "the promise of America" in which the eternally young nation (despite being much older than most of the world's sovereign states) serves justice on all her children in some future, ideal state of the union. Liberation politics, in the form of the civil rights movement (followed by women's and gay liberation), appealed in part to such a narrative; the state, once transformed, will be coterminal with the transformation of its citizens. Sadly, the commitment to advancing beyond the initial stages of this transformation has been blocked.

Identity politics is in many respects the successor to the liberation politics of the civil rights generation. It assumes that its constituents are already transformed, and demands not only their recognition as women, or lesbians, or Latinas, but also their right to representation and empowerment within the state and public institutions on the basis of these identities. A third generation of movement politics seeks to expose the state's protection of dominant interests under the guise of neutrality. For example, it challenges the heteronormative assumptions made by the state about the sexuality of its citizens. This initiative, associated with queer theory, can be aligned with a race politics that aims to challenge the ethnicity-free assumptions behind normative white identity, and whose watchword is the "abolition of whiteness." The equivalent for gender politics challenges the state's division of the public and private spheres insofar as the division rests traditionally on masculine, proprietary privileges. As long as whiteness, masculinity, and heterosexuality are actively promoted by the state (through government spending, for example, that subsidizes suburbia, heterosexual families, and male breadwinning), this preferential treatment should be revealed and challenged. Last, we must recognize the profound anti-essentialist sentiments with which people decide to exclude them-
selves, in certain times and places and for a variety of reasons, from group membership. A group, after all, is defined as those who identify, partially or wholly, with some dominant notion of the unique qualities associated with group membership. In this context, the values and expectations associated with the politics of group identity may be perceived as a "trap" or a limitation on individual freedoms. Related to these sentiments, but less negative in its source impulse, is the recognition that we all have multiple identities at different times and places, and that the potential fullness of social and cultural life can be pursued only through this range of identities.

In my opinion, we cannot afford to abandon any of these forms of politics; claims for cultural justice must be able to draw strategically at various times on liberation politics, identity politics, anti-essentialism, and a politics that challenges state neutrality. Flexible communication between generations and communities demands it, no less than the long overdue rapprochement between the cultural and social justice wings of left-liberal thought. For too long, there has been a division between those concerned with justice claims relating primarily to gender, race, and sexuality and those concerned with economic issues. Group-differentiated rights will have to coexist along with innovative forms of class politics and libertarian protections. Among other things, such a coalition is the only way to prevent white male interests from dominating class politics and middle-class interests from dominating cultural politics. The managers of the United States' representative institutions have often been more willing to grant political than economic democracy, since symbolic reform is less of a concession than the redistribution of material wealth. On the other hand, many people increasingly feel their right to recognition of their cultural identities almost as strongly as they seek the benefits of the social wage. In many cases, such recognition is a prerequisite to the economic and social benefits that result from redistribution. Cultural recognition, as Iris Marion Young has pointed out, plays a visible role in the division of labor and the decisions that are made about the geography of investment and the organization of production. Material inequalities are as much the primary target of identity politics as of class politics. Identity recognition, even when it purports to be an end in and of itself, is usually always a means to a material end. It takes a great deal of effort to separate the one from the other—effort that is surely better spent in the common pursuit of goals.

Notes to Chapter 1

1. In March 1997, name.space, owned by pgMedia, Inc. of New York, sued Network Solutions, Inc. in U.S. Federal District Court for antitrust and conspiracy to commit antitrust (http://namespace.xs2.net/ns/legal.html). The case sought inclusion of the nearly four hundred new top-level names served by name.space, and proclaimed to be in the public domain, in the ROOT.ZONE file controlled by NSI.

2. The widespread tendency to demonize Internet activities as a breeding ground for inaccurate information, rumor, and heady conspiracy theory of all stripes was compounded in May 1997 by the San Jose Mercury News editor's retraction of support for Gary Webb's infamous articles and documentation, posted for all to see on the newspaper's Web site, about the CIA's alleged smuggling and distribution of crack cocaine into poor Los Angeles neighborhoods. For details on the stories and the backlash against the Mercury News, see Alexander Cockburn and Jeffrey St. Clair, White-Ops: The CIA, Drugs and the Press (New York: Verso, 1997).


