

# Contents

---

|  |    |
|--|----|
| <i>Introduction</i>  | 1  |
| <i>1 The Color-Blind Principle</i>   | 9  |
| Plessy 9; "I didn't notice" Liberals 10; Color-blind and Color-conscious Policies 10; The Responsibility Criterion 12; Justice and the Responsibility Criterion 15   |    |
| <i>2 Black Progress and the Free Market</i>  | 19 |
| The Legacy of Booker T. Washington 19; Black Libertarianism 23; Discrimination and Black Subordination 26; Justice and Discrimination 31; Utilitarianism and Discrimination 39; The Alleged Disutility of Color-conscious Policies 44; The Attack on Politics and Protest 47 |    |
| <i>3 Marxism, Justice, and Black Progress</i>  | 52 |
| The Alleged Irrelevance of Justice 52; Racial Antagonisms in the Working Class 55; The Revolution 60; Harold Cruse and Domestic Colonialism 66; Is Justice Counterrevolutionary? 68  |    |
| <i>4 Busing: The Backward-looking Argument</i>   | 73 |
| <i>Brown</i> and Its Aftermath 73; The Backward-looking Argument 76; Intentions, Motive, and Dignitary Harm 79; Policies: Foreseeable and Avoidable Consequences 86  |    |

|  |            |
|--|------------|
| <b>5 Busing: The Forward-looking Argument</b>  | <b>89</b>  |
| Kenneth B. Clark <b>89</b> ; The Concept of Harm <b>95</b> ; The Rights Arguments <b>106</b> ; The Community Control System <b>108</b> ; Equal Educational Opportunity <b>114</b>  |            |
| <b>6 Ronald Dworkin and Busing</b>   | <b>127</b> |
| Edmond Cahn <b>127</b> ; Dworkin versus the Backward- and Forward-looking Arguments for Busing <b>128</b> ; Dworkin's Insult-based Argument <b>132</b> ; The Nature of Insult <b>134</b> ; The Insult of Segregation <b>139</b> ; A Critique of Dworkin's Argument for Busing <b>140</b> |            |
| <b>7 Affirmative Action</b>  | <b>147</b> |
| Liberals into Former Liberals <b>147</b> ; The Backward-looking Argument <b>148</b> ; The Forward-looking Argument <b>168</b>  |            |
| <b>8 Separation or Assimilation?</b>   | <b>173</b> |
| Dubois's Dilemma <b>173</b> ; Cultural Pluralism <b>174</b> ; Authenticity as Autonomy <b>185</b>  |            |
| <b>9 Self-Respect</b>  | <b>186</b> |
| Racism and Self-respect <b>186</b> ; Self-respect, Self-esteem, and Protest <b>188</b> ; Dignity <b>195</b> ; Preferential Treatment and Self-Respect <b>199</b>   |            |
| <b>10 The Limits of Civil Disobedience</b>   | <b>205</b> |
| Martin Luther King, Jr. <b>205</b> ; Ronald Dworkin and Civil Disobedience <b>207</b> ; John Rawls's Theory of Civil Disobedience <b>212</b> ; Justice and Harmony <b>217</b>  |            |
| <b>11 Conclusions</b>  | <b>226</b> |
| <b>Notes</b>   | <b>229</b> |
| <b>Index</b>   | <b>247</b> |