

Shelby, Tommie. *Dark Ghettos: Injustice Dissent and Reform*

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Tommie Shelby's *Dark Ghettos: Injustice Dissent and Reform* is an unusual and highly original endeavor for analytical political philosophy. It is an examination of a central aspect of racial injustice in the contemporary United States. Shelby writes from the standpoint of non-ideal justice, but within a distinctly Rawlsian flavor and conceptual repertoire. Rawls has been criticized for his lack of attention to the topic of race, and for his concentration on ideal theory, but this work shows that Rawls's contribution to the theory of justice can yield dividends well outside its initial range of application. The publication of this book is a significant event in contemporary political philosophy. In addition to its exceptional merit in itself, it can be seen as part of an increasing, and very welcome, movement to broaden the range of topics and concerns that can legitimately be regarded as within the scope of the discipline.

Although this is a Rawlsian work, Shelby by no means attempts a mechanical application of Rawls, but insightfully deploys a number of key ideas from Rawls, such as reciprocity and the basic structure of justice, and he also makes self-respect (or self-esteem) central to the analysis. Nevertheless Shelby's project also stands comparison with the work of critics of Rawls such as Charles Mills, in tackling questions of race, and Iris Marion Young, in focusing the analysis on structural

injustice. A different writer may have considered this book something closer to a rejection of Rawls rather than a development, although that may be largely a matter of emphasis. Rawls's work requires adaptation because his concentration on ideal theory makes his work a blunt tool for addressing the serious injustices of the "dark ghetto", a term Shelby takes from Kenneth B. Clarke, and which means deeply deprived, black urban neighborhoods. (One wonders whether the term "dark" is also intended in the sense in which it is used in the "dark ages"; highly appropriate given how few political philosophers have chosen to inform themselves about one of the most serious sites of injustice in the contemporary United States.) Ideal theory, for Rawls, assumes a common commitment to define and follow fair terms of cooperation between citizens who regard themselves as equals. Understood this way, while ideal theory can expose the existence of the dark ghetto in its present form as deeply unjust, it offers little to help understand the details, or to identify the best way of attempting to mitigate and undo the injustices that lead to its existence. Hence to undertake his project within a broadly Rawlsian frame Shelby needs to devise his own key concepts, and this is a very significant contribution.

The result is a sharply written, and clearly and calmly argued, work of philosophy. A strength of the book is its demonstration of the patronizing superficiality of much existing analysis of the problems of the ghetto poor. We understand from reading Shelby how better to analyze issues of work, poverty, family, crime and so on, as they affect what Shelby calls the denizens of the dark ghetto. Shelby wishes to move beyond standard debates, which he characterizes in the following terms: "Some

charge that the government has yet to create an opportunity structure that would enable those born or raised in ghettos to escape poverty. Others point to the attitudes and conduct of ghetto denizens, arguing that the black poor should make better choices and stop blaming the government or racism for hardships they have effectively imposed on themselves. Some split the difference ...” p. 1 Shelby seeks to “reframe the debate,” asking what justice requires and how we, collectively and individually should respond to injustice.

Shelby uses the metaphor of the “medical model” to describe a current paradigm in which a problem is diagnosed in its own narrowly focused terms, and a technocratic solution proposed. The limitation is that, just as medicine takes anatomy for granted, these types of social interventions implicitly accept background social structures, and thus suffer from a type of *status quo bias*, not raising more radical questions about the justice of those structures. Furthermore it tends to treat those faced with injustice as passive victims, rather than potential contributors to a solution. Shelby calls this the problem of *downgraded agency*. Finally, the medical model does not, in itself, challenge the unjustified privilege of those who benefit from unjust structures, thereby leading to what Shelby calls the *unjust-advantage blindspot* problem. Together these observations yield a new perspective in which the black urban poor are seen not as disadvantaged people in need of help, but as fellow citizens with an equal claim on a just social structure. Although those familiar with disability studies would reach for “social model” as a contrast with medical model, this is not Shelby’s preferred term. Rather he appeals to what he calls the

systematic injustice framework, which sees a range of apparently disparate issues as all stemming from the same fundamental source: an unjust basic structure. The systematic injustice framework requires the more affluent not only to offer assistance but to relinquish their unjust advantages. (3-4)

Shelby highlights three central tasks undertaken in this book. First, he combines work in liberal tradition with the feminist and black radical traditions to provide a systematic account of social injustice along dimensions of race, gender and class. And indeed the book is an exceptional scholarly achievement, drawing not only an extensive philosophical and political literature but also a wide range of social science. Second, he explores the normative limits on state anti-poverty action under deeply unjust circumstances, especially in terms of what morally acceptable conditions a state can legitimately place on receipt of state benefits. And finally, he sets out to explain what the unjustly disadvantaged are morally permitted and required to do in response to the injustice they face, distinguishing harmful behavior from legitimate forms of dissent. (4-5) These last two aims really provide the engine that drives the analysis. A popular political discourse commonly blames the denizens of the dark ghetto for their own fates. Early pregnancy and single mother families, drug use, crime, worklessness, and even hip hop music, are often said to be ways in which the black urban poor create and cement their own disadvantage. On such an analysis the state's responsibilities are primarily restricted to discouraging or restricting such behavior, through a range of measures from patronizing interference, through financial penalties to mass incarceration. By

contrast the main work of the book is to set out the circumstances where the rejection of “mainstream social norms” by the denizens of the dark ghetto is a permissible response to injustice, either as a healthy expression of self-respect, or, indeed as a protest.

Shelby identifies seven factors that contribute to the persistence of the dark ghetto and the heart of the book takes these in turn, chapter by chapter: residential segregation; cultural configurations; reproductive choices; single-mother families; joblessness; crime; and mass incarceration. Chapter 2, ‘Community’ is the first to focus on a particular social problem at length, looking at what really is the central issue of the book, geographical racial segregation. As is typical of the chapters throughout, Shelby begins by outlining attempts to deny that the problem is a structural injustice. In this case one common argument is that poor blacks become spatially isolated from other racial groups because their behavior is so difficult that others do not want to live beside them. Another common contention is that poor blacks have self-segregated through choice. These arguments are carefully assessed and distinguished from other related claims, and each is dispassionately assessed on its merits. The central contribution of the chapter is to propose an alternative to the position of the “new integrationists” such as Elizabeth Anderson (*The Imperative of Integration*, Princeton N.J.: Princeton University Press, 2010), which Shelby rejects in favor of what he calls egalitarian pluralism. Integrationists want to foster interracial interaction in neighborhoods, which will generally mean movement of

people combined with a range of social policies to encourage genuine mixing rather than an implicit pact of mutual invisibility or even hostility. Shelby's counterview is that justice requires the substantial improvement of black neighborhoods, rather than changing the mix of the people who live within them. Blacks should organize as a group to agitate for, and implement, change, but should be free to make the residential choices that suit them, against a new background of a just basic structure rather than today's racially concentrated poverty and deprivation. Some will choose integration, but others need not. In addition to arguments based on freedom of choice, Shelby argues that it is disputed whether, in the current circumstances of injustice, policies of integration would actually improve the position of urban poor black people. Hence integration with such a weak evidence base would be a tremendous risk, with the danger that it could worsen the plight of urban poor blacks, placing them in a hostile environment, dislocated from their social networks. Hence Shelby argues that residential self-segregation is a reasonable strategy for those blacks who choose it, yet it should be seen, in part, as a protest in which black people partially withdraw their allegiance from broader society. And, he suggests, it is a perfectly just and reasonable response to injustice.

Although there is significant variation in the chapters, elements of the general structure of this chapter are broadly replicated in each discussion that follows. Shelby generally identifies a type of popular reactionary criticism of the denizens of the dark ghetto; for example that unemployment in the ghetto is so high primarily because those living there refuse to take available jobs. Shelby then explains why

such a criticism would be reasonable only against the assumption of a just basic structure of society, which is clearly lacking. Hence the standard criticism has no force. In the case of work, Shelby powerfully argues that the choice of non-work and consequent ghetto poverty can be justified against a background of injustice and exploitation in which work can be grueling, unreliable, and very badly paid. In other cases, Shelby suggests that while the standard objections have little force in the presence of an unjust basic structure, nevertheless a subtle assessment is needed. Not all aspects of current behavior in the dark ghetto are beyond moral reproach. To take one example, Shelby argues that there are cases where fathers have voluntarily assumed obligations to their former partner and children yet fail to meet those obligations. In these cases they can properly be criticized. But still this does not license all existing forms of enforcement, especially as the state lacks moral standing to intervene if it has not created a just basic structure (109). To take another example, although some forms of property crime can be defended as legitimate protest, others, such as murder, assault, gender-based violence cannot be tolerated (220).

Although there is a broad organizing frame that is applied to each chapter, it is not pursued in a formulaic way. Each topic is treated in its own particularity, and taken individually the chapters constitute an insightful relaunching of debates that, in some cases, had got stuck. As Shelby pointed out earlier, standard approaches tend start either by asserting that the disadvantage of those who live in the dark ghetto is the result of oppressive and racist structures, or by contending that individual bad

choices and behavior are the root cause, or land somewhere in the middle. Shelby promised to reframe the debate away from ideas of “structure”, “agency” and “the middle way”. Yet there is a question of how far the debate really is reframed. His general strategy is to consider the degree to which individuals are justified in not acting in accordance with mainstream norms in the presence of an unjust basic structure. This is accompanied by questioning the state’s moral standing to intervene in individual lives when it is complicit in maintaining that unjust basic structure. This seems not so much a thoroughgoing reframing as an insistence that the issues need to be conceived as being infused with racial injustice, rather than being matter of mere disadvantage or misfortune. This is helpful, even if, arguably less radically new than might have been expected.

As mentioned, many of the chapters end with a discussion of individual behavior, and a condemnation of the injustice of the basic structure. In some cases there is a detailed examination of possible forms of protest, with the example of hip hop music particularly striking. But there is a limitation: the chapters do not take the next step of proposing structural reform beyond bare outlines. This is something of a surprise given the book’s subtitle: “Injustice, Dissent, and Reform.” We learn, surely correctly, that the emancipation of the ghetto must involve the political agency of those who live within it, even though relatively little is said about how that is to be done, or how to catalyze and accelerate existing social movements. The task of linking theory and practice is barely touched upon. But Shelby is insistent that his work is that of a political philosopher, and hence his focus is primarily on the values

and principles that provide for sound normative analysis. He explicitly states that this work is not intended as a work of public policy (7, 278), and so what reform means in practice is left unsaid. It is understood that every book has its scope, and there is a limit to what one can do even in a book as significant and path-breaking as this. But the scope of any project is within the discretion of its author and it is slightly surprising not to hear more of Shelby's answer to Chernyshevsky and Lenin's question "What Is To Be Done?" Perhaps he will reply that on his approach it is not for the theorist to dictate policies, but for the black urban poor to design the interventions and solutions that will improve the justice of the basic structure. There is clearly much to be said for this, but still we need to know how to move to a situation in which the agency of the oppressed can be deployed more effectively.

Before closing, I want to mention a methodological issue connected to ideal theory. Shelby is clear that this book is an exercise in non-ideal theory, identifying injustice rather than setting out a theory of justice for ideal circumstances. However, in setting out his methodology he suggests that nonideal theory in fact presupposes ideal theory. The argument is very brief. "In fact, nonideal theory logically depends on ideal theory, and the aims of nonideal theory give ideal theory its practical significance." Such a logical claim seems plausible when the parasitic term "nonideal" is used, but for this reason I prefer to use the idea of "real world" theory, and much more work is then needed to establish logical dependence. Shelby's observation that an injustice is a failure to satisfy what principles of justice demand may seem to provide strong support for his position, but it is often much clearer that

a situation is unjust than what would be necessary and sufficiency to make it just. At least phenomenologically, therefore, there is no dependence on ideal theory in making judgments of injustice. Hence a number of theorists have questioned the claimed dependence, and in describing his own theoretical development Stuart Hampshire, for example, wrote “I came to recognize that my socialist sympathies, and loyalty to the political Left, were far from unreasonable, and not at all difficult to defend, in proportion as they were traceable to emotions engendered by the persisting evils of human life: and poverty in all its modern forms is certainly one of these. My political opinions and loyalties, when challenged, did not any longer include or entail any generalizable account of a future ideal society or of essential human virtues. Rather, they pointed to the possible elimination of particular evils found in particular societies at particular times, and not to universalisable principles of social justice.” (Stuart Hampshire, *Justice as Conflict*, London: Duckworth, 1999, p. 7-8).

I realize that this does not settle the issue. Perhaps Shelby’s more systematic project does require there to be ideal principles of justice. And even if there is no logical connection, a choice can be made to join up ideal and non-ideal theory, and, for some at least, this would be the most complete and satisfying way of doing political philosophy. I simply want to cast some doubt on the claim of necessary dependence, and to consider whether Shelby could have written substantially the same book if he had shared Hampshire’s methodological views. I suspect, though, that Shelby would

accuse Hampshire of adopting something close to the “medical model,” failing to grasp and tackle the systematic connection between different problems generated by an unjust structure. Yet the question reappears: do we need to know what a just structure is to be able to appreciate that we are faced with an unjust one? And indeed one may ask whether Shelby is faithful to his own methodological strictures, for although at many points we are introduced to unjust structures, we are given only the briefest account of the nature of just structures. Furthermore, he points out that most of the substance of the book does not depend on any particular fine grained theory of justice (19).

But these methodological issues are not the main focus of the book. Throughout, it is characterized by clear analysis, distinguishing concepts or lines of argument commonly run together, and assessing their force. It is a model of clear, accessible, analytic, thought, avoiding unnecessary jargon and explaining technical terms skill and insight. Every chapter makes an important contribution to the literature, especially in pointing out the limitations of much existing analysis and providing a deeper and more thoughtful alternative. Together the book presents a coherent and radical position, explaining why the denizens of dark ghetto are, in present circumstances, justified in their rejection of many mainstream norms. It will immediately be a required text for the philosophical study of racial injustice.

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