

CHARLES W. MILLS

The Racial Contract



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**This book is dedicated to the blacks, reds, browns, and yellows
who have resisted the Racial Contract
and the white renegades and race traitors
who have refused it.**

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The Racial Contract

**When white people say "Justice," they mean "Just us."
—black American folk aphorism**

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INTRODUCTION

White supremacy is the unnamed political system that has made the modern world what it is today. You will not find this term in introductory, or even advanced, texts in political theory. A standard undergraduate philosophy course will start off with Plato and Aristotle, perhaps say something about Augustine, Aquinas, and Machiavelli, move on to Hobbes, Locke, Mill, and Marx, and then wind up with Rawls and Nozick. It will introduce you to notions of aristocracy, democracy, absolutism, liberalism, representative government, socialism, welfare capitalism, and libertarianism. But though it covers more than two thousand years of Western political thought and runs the ostensible gamut of political systems, there will be no mention of the basic political system that has shaped the world for the past several hundred years. And this omission is not accidental. Rather, it reflects the fact that standard textbooks and courses have for the most part been written and designed by whites, who take their racial privilege so much for granted that they do not even see it as *political*, as a form of domination. Ironically, the most important political system of recent global history—the system of domination by which white people

have historically ruled over and, in certain important ways, continue to rule over nonwhite people—is not seen as a political system at all. It is just taken for granted; it is the background against which other systems, which we *are* to see as political, are highlighted. This book is an attempt to redirect your vision, to make you see what, in a sense, has been there all along.

Philosophy has remained remarkably untouched by the debates over multiculturalism, canon reform, and ethnic diversity racking the academy; both demographically and conceptually, it is one of the “whitest” of the humanities. Blacks, for example, constitute only about 1 percent of philosophers in North American universities—a hundred or so people out of more than ten thousand—and there are even fewer Latino, Asian American, and Native American philosophers.¹ Surely this underrepresentation itself stands in need of an explanation, and in my opinion it can be traced in part to a conceptual array and a standard repertoire of concerns whose abstractness typically elides, rather than genuinely includes, the experience of racial minorities. Since (white) women have the demographic advantage of numbers, there are of course far more female philosophers in the profession than nonwhite philosophers (though still not proportionate to women’s percentage of the population), and they have made far greater progress in developing alternative conceptualizations. Those African American philosophers who do work in moral and political theory tend either to produce general work indistinguishable from that of their white peers or to focus on local issues (affirmative action, the black “underclass”) or historical figures (W. E. B. Du Bois, Alain Locke) in a way that does not aggressively engage the broader debate.

What is needed is a global theoretical framework for situating discussions of race and white racism, and thereby challenging the assumptions of white political philosophy, which

would correspond to feminist theorists' articulation of the centrality of gender, patriarchy, and sexism to traditional moral and political theory. What is needed, in other words, is a recognition that racism (or, as I will argue, global white supremacy) is *itself* a political system, a particular power structure of formal or informal rule, socioeconomic privilege, and norms for the differential distribution of material wealth and opportunities, benefits and burdens, rights and duties. The notion of the Racial Contract is, I suggest, one possible way of making this connection with mainstream theory, since it uses the vocabulary and apparatus already developed for contractarianism to map this unacknowledged system. Contract talk is, after all, the political lingua franca of our times.

We all understand the idea of a "contract," an agreement between two or more people to do something. The "social contract" just extends this idea. If we think of human beings as starting off in a "state of nature," it suggests that they then *decide* to establish civil society and a government. What we have, then, is a theory that founds government on the popular consent of individuals taken as equals.²

But the peculiar contract to which I am referring, though based on the social contract tradition that has been central to Western political theory, is not a contract between everybody ("we the people"), but between just the people who count, the people who really are people ("we the white people"). So it is a Racial Contract.

The social contract, whether in its original or in its contemporary version, constitutes a powerful set of lenses for looking at society and the government. But in its obfuscation of the ugly realities of group power and domination, it is, if unsupplemented, a profoundly misleading account of the way the modern world actually is and came to be. The "Racial Contract" as a theory—I use quotation marks to indicate when I am

talking about the theory of the Racial Contract, as against the Racial Contract itself—will explain that the Racial Contract is real and that apparent racist violations of the terms of the social contract in fact *uphold* the terms of the Racial Contract.

The “Racial Contract,” then, is intended as a conceptual bridge between two areas now largely segregated from each other: on the one hand, the world of mainstream (i.e., white) ethics and political philosophy, preoccupied with discussions of justice and rights in the abstract, on the other hand, the world of Native American, African American, and Third and Fourth World³ political thought, historically focused on issues of conquest, imperialism, colonialism, white settlement, land rights, race and racism, slavery, jim crow, reparations, apartheid, cultural authenticity, national identity, *indigenismo*, Afrocentrism, etc. These issues hardly appear in mainstream political philosophy,⁴ but they have been central to the political struggles of the majority of the world’s population. Their absence from what is considered serious philosophy is a reflection not of their lack of seriousness but of the color of the vast majority of Western academic philosophers (and perhaps *their* lack of seriousness).

The great virtue of traditional social contract theory was that it provided seemingly straightforward answers both to factual questions about the origins and workings of society and government and to normative questions about the justification of socioeconomic structures and political institutions. Moreover, the “contract” was very versatile, depending on how different theorists viewed the state of nature, human motivation, the rights and liberties people gave up or retained, the particular details of the agreement, and the resulting character of the government. In the modern Rawlsian version of the contract, this flexibility continues to be illustrated, since Rawls dispenses with the historical claims of classic con-

tractarianism and focuses instead on the justification of the basic structure of society.⁵ From its 1650–1800 heyday as a grand quasi-anthropological account of the origins and development of society and the state, the contract has now become just a normative tool, a conceptual device to elicit our intuitions about justice.

But my usage is different. The “Racial Contract” I employ is in a sense more in keeping with the spirit of the classic contractarians—Hobbes, Locke, Rousseau, and Kant.⁶ I use it not merely normatively, to generate judgments about social justice and injustice, but descriptively, to *explain* the actual genesis of the society and the state, the way society is structured, the way the government functions, and people’s moral psychology.⁷ The most famous case in which the contract is used to explain a manifestly *nonideal* society, what would be termed in current philosophical jargon a “naturalized” account, is Rousseau’s *Discourse on Inequality* (1755). Rousseau argues that technological development in the state of nature brings into existence a nascent society of growing divisions in wealth between rich and poor, which are then consolidated and made permanent by a deceitful “social contract.”⁸ Whereas the ideal contract explains how a just society would be formed, ruled by a moral government, and regulated by a defensible moral code, this nonideal/naturalized contract explains how an unjust, *exploitative* society, ruled by an *oppressive* government and regulated by an *immoral* code, comes into existence. If the ideal contract is to be endorsed and emulated, this nonideal/naturalized contract is to be demystified and condemned. So the point of analyzing the nonideal contract is not to ratify it but to use it to explain and expose the inequities of the actual nonideal polity and to help us to see through the theories and moral justifications offered in defense of them. It gives us a kind of X-ray vision into the real internal

logic of the sociopolitical system. Thus it does normative work for us not through its own values, which are detestable, but by enabling us to understand the polity's actual history and how these values and concepts have functioned to rationalize oppression, so as to reform them.

Carole Pateman's provocative feminist work of a decade ago, *The Sexual Contract*, is a good example of this approach (and the inspiration for my own book, though my use is somewhat different), which demonstrates how much descriptive/explanatory life there still is in the contract.⁹ Pateman uses it naturalistically, as a way of modeling the internal dynamic of the nonideal male-dominated societies that actually exist today. So this is, as indicated, a reversion to the original "anthropological" approach in which the contract is intended to be historically explanatory. But the twist is, of course, that her purpose is now subversive: to excavate the hidden, unjust male covenant upon which the ostensibly gender-neutral social contract actually rests. By looking at Western society and its prevailing political and moral ideologies as if they were based on an unacknowledged "Sexual Contract," Pateman offers a "conjectural history" that reveals and exposes the normative logic that makes sense of the inconsistencies, circumlocutions, and evasions of the classic contract theorists and, correspondingly, the world of patriarchal domination their work has helped to rationalize.

My aim here is to adopt a nonideal contract as a rhetorical trope and theoretical method for understanding the inner logic of *racial* domination and how it structures the polities of the West and elsewhere. The ideal "social contract" has been a central concept of Western political theory for understanding and evaluating the social world. And concepts are crucial to cognition: cognitive scientists point out that they help us to categorize, learn, remember, infer, explain, problem-solve,

generalize, analogize.¹⁰ Correspondingly, the *lack* of appropriate concepts can hinder learning, interfere with memory, block inferences, obstruct explanation, and perpetuate problems. I am suggesting, then, that as a central concept the notion of a Racial Contract might be more revealing of the real character of the world we are living in, and the corresponding historical deficiencies of its normative theories and practices, than the raceless notions currently dominant in political theory.¹¹ Both at the primary level of an alternative conceptualization of the facts and at the secondary (reflexive) level of a critical analysis of the orthodox theories themselves, the “Racial Contract” enables us to engage with mainstream Western political theory to bring in race. Insofar as contractarianism is thought of as a useful way to do political philosophy, to theorize about how the polity was created and what values should guide our prescriptions for making it more just, it is obviously crucial to understand what the original and continuing “contract” actually was and is, so that we can correct for it in constructing the ideal “contract.” The “Racial Contract” should therefore be enthusiastically welcomed by white contract theorists as well.

So this book can be thought of as resting on three simple claims: the existential claim—white supremacy, both local and global, exists and has existed for many years; the conceptual claim—white supremacy should be thought of as itself a political system; the methodological claim—as a political system, white supremacy can illuminatingly be theorized as based on a “contract” between whites, a Racial Contract.

Here, then, are ten theses on the Racial Contract, divided into three chapters.