The Sense and Sensibility of Equality

Christopher J. Lebron
Johns Hopkins University

> "Probably no philosopher imagines that the number of moral agents is exactly one, and that he or she is that one. Yet modern models of agency draw a bubble around each moral subject; when I act, the script is a monologue."
>
> Elise Springer, *Communicating Moral Concern: An Ethics of Critical Responsiveness*

It has become common, fashionable even, for moral and political philosophers to take up a bit of hand-wringing when the idea of equality comes round the discursive bend. The source of anxiety often seems to be both analytic and expressive, the result of two observations showing themselves to be in tension because a popular demand tends to show up as a degree of intellectual impotence. Analytically, those of us tasked with determining the meaning and significance of ideas have been unable to derive a lasting, singular conception of equality, despite its centrality to political and social thought (which is presumed to have [some] relation to political and social life). Expressively, we have the sheer ubiquity of the term/idea of equality in popular discourse, social movements, animal and environmental activism, and arguments over corporate pay, to keep the list reasonably brief. Here the idea is leveraged to make complaints of various intensities and spanning a wide range of policies. We typically presume the idea of equality means to support a requirement that

PHILOSOPHY OF EDUCATION 2019 | Kurt Stemhagen, editor
© 2020 Philosophy of Education Society | Urbana, Illinois

something be given appropriately the first time, or at least the second time, but, maybe sometimes overlooked, is that the demand indicates that something has been taken that ought to be given back – dignity, respect, care, acknowledgment, recognition. Equality then, is meant to express a response, a counter to a civil ethos that has strayed from norms of social, economic, and political propriety. In an effort to make a beneficial contribution to what seems a sort of impasse, I take the following position: equality depends on a certain manner of attentiveness and a certain set of skills that support a democratic life (a scheme of ongoing cooperation) wherein citizens come into a relationship with each other such that the fundamental complaint that something has been taken generates live possibilities for achieving social justice. I will say more about these skills below, but it bears indicating that when I refer to the sense and sensibility of equality, I mean to refer to the capacity for appropriate attentiveness (to the claims that derive from complainants' experiences) and the skills to reason well from the entailments of being attentive to claims of equality understood in just this way.

You may be sitting uneasy with the realization that a great deal seems to have been presumed above. Among the presumptions: that equality claims can be coherent; that equality claims are just that and not confused utterances really referring to other concepts; that equality has moral force at all, or, at least, that it is essential to considerations of justice. The presumptuous nature of my presentation thus far is an artefact of a methodological commitment that requires comment. The argument that follows, to the extent that it fits in any tradition, can be located in pragmatic moral theory. There has been wide acknowledgment of, though not agreement about, what is distinctly at stake in splitting theory into ideal and non-ideal flavors. It is thought, following Rawls, that ideal theory is concerned to work out the first principles of normative questions in the absence of considering the facts of social circumstances in which those

questions might be located or by which they might be motivated; on the other side, non-ideal theorists, a label of which I often take ownership, hold that at minimum, a coherent normative theory must take its point of departure from the facts of injustice, or at least a description of a case of it. But once the non-ideal theorist does this there remains the question of how to order our moral intuitions in order to not merely describe the problem or draw our prescriptive arguments just from that description.

I have found cause to turn to pragmatic moral theory because of its desire to acknowledge that there can be something like moral principles alongside sensitivity to the idea that our moral principles have the force they do because of the practices and relationships in which we find ourselves engaged. This is coupled with an affirmation of adopting an experimental stance towards our practical capacities in service of deepening our skill-set and widening our knowledge base. This final feature is what decisively prevents pragmatism from being a defense or proponent of conservatism in the strict sense of that word. For pragmatists it is also important that our practices (ought to serve to) modulate our grasp of and reasoning about moral principles. My central case here is racial inequality, and my grounding procedural commitment is that its moral urgency cannot be gleaned any other way than by understanding what racial inequality does to black Americans, the force with which it does it, and the range of responses it generates that typically fall from view in analytic liberal theory: despair, hope, rage, ambivalence, alienation, indignation, melancholy, and so on.

This essay ought to be taken as an attempt to say something about everyday political ethics. As such, following the tone set by the ideas of attentiveness and skill, I will suggest three concept pairings that model appropriately conceiving of the relationship between a person making a claim of equality and the audience to whom she makes it. First, a person

making a claim is often offering a narrative, one to which we have a duty to be properly receptive. Second, in the course of offering a narrative, we offer reasons of various sorts, (some of) which act to ground our responsibilities upon hearing a narrative. Finally, there is the affect a person making the claim (often) expresses, which ought to compel in us a properly angled compassion. When taken together, this essay is meant to present an initial attempt to mark out the prerequisite habits for attentive and skillful democratic citizenship, especially when it concerns those who make claims based on equality. The philosophical position this affirms, argued in earlier chapters, is that doing so in effect expresses a fundamental kind of equality, one derived from a human point of view that responds to others in kind – as humans.

SENSE

This essay anchors its arguments in two examples, each of which plays a distinctive role in my argument. The first example presents a schematic of how a game of basketball works – this is leveraged to illuminate some points about the dynamic and contingent nature of democratic life as it unfolds within a fairly stable set of rules, norms, and expectations. Here I want to invite you to begin to consider the fabric of democratic life beyond staid activities like voting or frequently noted institutions like congress or the courts where representation or judicial precedent become predominant considerations respectively. Rather, what matters for us here is our conception of democratic life and our participation in that life alongside others forming a conception of and participating in it to various degrees. The second example, presented in Section II, is of a black man conveying to a white co-worker the experience and ramifications of being racially profiled by the police while driving on the highway. What follows from this example seeks to build on our sense of

the fabric of democratic life developed in Section I and further calls us to reflect on the particular skills we are enjoined to put to use when our co-participants make complex claims having to do with equality from a human point of view as made by Darryl in our example.

If you had only a subset of social scientists to rely upon in forming a conception of democratic life, the emergent picture would strike you as deeply odd – it would be a picture of people who anonymously choose leadership while standing in a booth or behind a curtain, or who atomistically disclose to survey workers their 'opinions' about policy. What is gleaned from these studies are often portraits of 'attitudes' or 'preferences' but almost nothing about what leads to those attitudes, how they affect a sense of citizenship, and how these are put into play when we are among our co-citizens, who each have their own opinions, preferences, and attitudes. Maybe even more striking is the omission of the American citizen as striving or struggling in the particulars of her life. Maybe Martha does support welfare, but where does this fit in her sense of the integrity of American democracy? The tendency to treat each respondent as an 'observation' or 'data point' radically abstracts from American democratic life. Liberal political theory in general does not fare much better. To its credit it tends to defer to persons as possessed of the power to conceive of a plan of life freely chosen, but is rarely interested in the context of the considerations that inform that plan. This may not be surprising given its Kantian roots, which ought to bring to mind the very demanding injunction that it is each our distinctive and individual duty to do what morality commands quite apart from what others demand of us in the circumstances of our relationship. And, there is also the sense that one, in a somewhat religious fashion, is meant to sit with the good book of morality and come to understand our duties as our rational capacities were ostensibly meant to enable us.

Now, of course, it does not follow that something more socially expansive cannot be gotten out of these approaches. My own aim is to ground for the purposes of equality as a moral ideal a framework that is an appropriate fit for democratic life conceived more dynamically and interactively. I follow Elise Springer's lead in her move towards a theory of critical [moral] responsiveness when she says, "What we will need to enact in our practice and recognize in our theory is a social dance – or struggle, or conversation – of mutual transformation. [The point of critical responsiveness] is neither moral self-expression, nor regulation of others' action, but rather the communication of moral concern."[1] Springer's project is to devise a view of ethics that holds together both theory and practice, both open to responding and being amended by the other. Intrinsic to her approach is the realization that the act of making moral claims is neither unilateral nor static; claims are always made upon others with the power to counter-claim (thus indicating their own moral priors), and claims are always susceptible to being modulated by the circumstances out of which they arise or in which they are put forward. The principles of right action are not central to this kind of project, but rather an elucidation of the capacities we bring, stances we can adopt, and motivational openness that is required take center stage. This approach to ethics requires individuals who are aware of the game they are playing even if not fully informed of the rules; and here, when they are not, it is to the point that they be willing and able to take ethical cues from others. I am concerned with a special case of this social dance – democratic life – and I will use an analogy to suss out the relevant characteristics.

Imagine a pick-up game of basketball on a Sunday morning. Over the course of thirty minutes or so, people collect on the court without having previously agreed to do so. At first, a handful of people are taking practice shots; some who join are familiar with the others and those who are not ease their way onto the court either waiting for someone

to notice their presence and welcome them by passing them the ball for a shot or by asking to join. When there are at least ten people around somebody calls for teams to be formed. Again, some people are known to each other, while others are not. This will matter in only a qualified sense. On the one hand, the game will be able to function as a game of basketball because the rules are known. On the other, the character of this particular run, the elegance or clumsiness it displays will depend on how well each member responds to cues and signals, and that with respect to how deeply or not any one of them knows the game of basketball. That being said, the point remains: the game will go on successfully and recognizably. We can imagine that in this game certain things will happen: there will be fast breaks wherein split second decisions will be made as to whether a pass should go to one player or another or to nobody at all with the rebounder opting to take the ball all the way down court. These decisions will be made initially with great caution (probably) until a rhythm is established that indicates which players have which strengths on both offense and defense. As the game goes on, players observe weak side defense and perimeter shooting versus driving preferences. As the observations add up, something like an unspoken language develops among players such that when the perimeter shooter gets to the top of the key, the person who has been designated the point guard will know to look for that person and pass the ball to the other player's chest so the shot can be made quickly. And so on.

The above, I think, is a good model for thinking about attentive and skillful democratic behavior. Before I explain my reasons for making that claim, we should settle what might be signified by "attentiveness" and "skillfulness." Here I conceive of *attentiveness* as a dynamic disposition having to do with one's directed awareness of the circumstances surrounding both one's own and others' capacities for action, opportunity for reflection, and practical reasoning, in addition to undercurrents of

affective response to the world. As Springer puts it: "While contemplation implies solitary concentration of attention, concerned attention requires noticing how we might be called to act."[2] Skillfulness, in like manner, is a pre-requisite for successfully overcoming, or sympathetically getting involved with, or thoughtfully engaging, or intelligently avoiding the circumstances brought to one's reflective capacities.

Skillfulness can be thought of as a close cousin of responsiveness save that the former normatively exceeds responsiveness by introducing some further criteria for ascertaining whether one is dealing well with the world around her. If we want to assess responsiveness, we might simply note whether or not a person seemed to be aware of what was happening around her, and if so, ask whether her actions, attitudes, beliefs, or emotions indicate this awareness. If so, she was responsive – if not, then not. However, skillfulness introduces criteria of excellence or deviance – she was aware that her words hurt her friend's feelings, and her approach to apologizing honed in on realizing that her friend, at that moment, wanted the truth as to whether her short story was bad, not a patronizing response meant to vacuously encourage further efforts. If the apology tracks what she knows of her friends' affective landscape, she has exhibited skill. If not, then she has deviated from the many assertions she has made in the past of knowing her friend very well. We might say then, *skillfulness* is a practical capacity to deftly handle the changing landscape of circumstance inhabited by both others and ourselves; this will entail adjusting our utterances to come into line with being sensitive to others' situations, extending sympathy when others are not able or choose not to make explicit their concerns or needs, and revising our beliefs in the face of justified pleas or good reasons to do so.

Below I will have more to say about these two ideas, but it bears noting that I take them to be essential to what we might consider everyday

goodness. Trained philosophers might recognize the above descriptions as comprising (a part of) pragmatic ethics. For my part, I am not inclined to press you to accept one term or another, and for our purposes you should consider them interchangeable. The justification for doing so is plain – everyday living just is pragmatic living, a way of deploying the bundle of abstract notions over which we have varying degrees of mastery (justice, fairness, equality) in decidedly non-abstract ways (asking for favors, extending assistance, falling in or out of love) that evoke a range of responses (sympathy, guilt, hope, fear, joy obligingness, steadfastness).

It is obvious that a very wide range of claims may be made, and that some of these intuitively will have to do with the moral force of equality while others will not. To focus our moral attention, I am here concerned with racial equality broadly. But even there, there are still a number of particular claims that can be made so we need some way of sorting which ones matter for equality and which do not, or at least not as urgently as others. In service of that aim, I suggested that we should take the most morally urgent aspect of blacks' demand for equality, thus marking out the claims that require our most immediate response, to stem from two specific yet muscular complaints: the complaints of democratic distance and democratic disaffection. The first says that it is wrong that blacks share a physical space – America – while being suppressed or marginalized within that space. The push and pull of temporal sharing but normative marginalization results in a kind of distance between blacks and their co-participants in the social scheme. The second says that the result of what appears to many, probably you as well, as hypocrisy is a reasonable tendency to distrust and a sense of alienation – to lack faith in the consistent application and access to the appropriate entailments of liberal democracy: fairness, inclusion, and opportunity.

I now want to turn back to my opening example of the pick-up

game of basketball. You might think it strange that a moral question with such gravity as racial equality should be prefaced by an example of 'just a game.' But in some senses that is the point – the players involved in the pick-up game do not think they are playing 'just a game.' They see their project as one requiring their ability to improvise, call and respond, and perform better or worse within a set of general widely known rules; moreover, they each do so for themselves and for others, for that is the project to which each participant has committed – and in doing so they have made themselves accountable to their own commitments as well as their co-participants' expectations. The successful negotiation of commitments and expectations in this situation has very important parallels to good democratic living. To draw out my meaning, I want to highlight some features of my sports example. I will then make some trouble for myself by pointing out a notable incongruity between my example and the reality of American society. From there I will urge you to consider attentiveness and skillfulness as essential governing ideas in that example; and that these ideas are similarly essential for an egalitarian society.

The first feature of my sports example strikes me as very much intrinsic to political life. I noted that some of the players know each other while others do not. Outside a society modeled on Rousseau's ideal, political life is often – sometimes, *most* often – shared with those who we do not know at all or know in a passing manner. For example, voters assess candidates, reflect on debate analysis, and take to the polls to collectively choose leadership, and outside of very small and local elections, this is done collectively with very little knowledge of those who are deciding alongside you. The same holds true outside of voting. With some exceptions, town hall meetings, the purpose of which is to allow candidates and sitting politicians to address a specific community, are often attended by participants who sometimes know each other and often do not. As a final but telling example, the very leadership upon

which we depend to mind our welfare, economy, and everyday safety are often unknown to us, even after extended campaign periods. Individuals who we would be reasonable in conceiving as our custodians are often beyond our intimate knowledge. But this leads to our second and third features.

The players of our game in fact are able to coordinate their activities outside of knowing each other because of a shared project – playing the game of basketball. On the one hand, this is made possible by a certain degree of informed voluntary activity. To play basketball in our example is a choice to do that and not to play cricket, chess, or merely catch with a basketball. On the other hand, this is made possible because the voluntary behavior to play basketball and to not be doing something else is also a commitment to take up the rules that govern that activity as rules that also govern one's comportment to that activity. So, to play basketball is a commitment to not take a seat in the middle of the court hoping an opponent will trip over you – basketball requires that one plays defense in certain ways, such as by not physically restricting the opposing player except by getting in his or her way; but, one cannot tackle the opposing player – that is reserved for the game of football. If we may set aside for the moment the problem of explicit versus tacit consent that has long plagued liberal and democratic theory, we will here perceive analogues to democratic life. Democratic life is not life under an authoritarian regime – one can choose many ways of expressing one's political will. And, in like fashion to basketball, there are rules that mark out the boundaries of what counts as appropriately doing so. Voting is a common way, but abstaining from voting is equally legitimate; however, setting up one's own bureau of taxation intended to replace the U.S. government's system of taxation does not count as appropriate.

A third feature is one that especially matters for us, and that has

to do with the ways in which our *players begin to adapt their own behavior and expectations as the game unfolds*. The game settles into a rhythm once the players have gotten a sense of various strengths, weaknesses, preferences, and aversions. When a player grabs the rebound that leads to the fast break, another team mate might be confident that rebounding player will be looking down court for a scoring opportunity. If the rebounding player does not pass immediately and chooses instead to bring the ball down court, another decision needs to be made whether to pass then or take the shot – all the players are cooperating by relying on the language of the game, so to speak. Similarly, democratic life is marked by a kind of spontaneous, or at least, unintended, coordination in ways so mundane as to often be overlooked – society is in part protected from social and political breakdown because allies and competitors alike are able to assess and anticipate political, social, and economic strategies that conform with the demands of democratic life. For example, liberals not only expect that conservatives will not only oppose socialization of economic institutions but will do so for expected reasons such as being committed to principles of free market autonomy as well as personal liberty. This allows players to sensibly (albeit not always constructively) engage in political and social maneuvering.

At this point, you might think that something is not quite right. Though I above noted that you might find the use of basketball as an analogy for democratic life in order to assess racial inequality to be a mismatch in tone, I provided some assurance that at least schematically all was in order; the sport and democracy both represent shared projects that rely upon (a degree of) autonomous action within widely known rules that bring both allies and opponents into what is ultimately a cooperative venture. But that does not mean the example holds as well as it might. In fact, there is one crucial asymmetry which must be addressed. To the point, the game I above described, though competitive, is ultimately a

fair game, whereas American democracy with respect to race is far from fair; the persistent nature of systemic racial inequality is evidence of this claim.

We might imagine that on Saturdays such as the one on which our players have gathered, a decision is made. Once teams are chosen, the team that is comprised of a certain social group or gender now have to wear noticeable heavy wrist and ankle weights. We could imagine a wide range of inconveniences: running the fast break will be more laborious and at some point, probably impossible due to fatigue; defending players that aren't even especially quick will nonetheless be difficult, thus the encumbered players are easily outmaneuvered; jumping to grab rebounds – a fundamentally important aspect of the game that greatly affects scoring and pacing – also becomes inordinately difficult. There are other difficulties, but it is quite clear that once this asymmetrical inconvenience has been introduced the game is no longer fair, and because of that, some of the players will find their ambitions frustrated, their skills stunted, and their intention to compete for a victory burdened by factors outside of their control. Of course, they could leave the court and find somewhere else to play, but that is just a decision to allow oneself to be pushed from where one is entitled to be for reasons that have nothing to do really with the project being pursued. Rather, it has to do with others who do not perceive your worth and place in participating in that project in the manner that they do.

While the crucial asymmetry in our example is that the game imagined is a fair one where a racial democracy is not, what really demands our attention are the stakes involved in a democracy marked by injustice. When blacks daily face a society that reliably respects the rules for other citizens but not for them, they are left to wonder at the worth of not only their membership but of their very selves. When the goods

of society are disproportionately divvied up among the privileged (of which a very small number are black) they are left to wonder not only about the fairness of markets, but whether those markets acknowledge their claims to participate, cooperate, and compete in them. In *The Color Of Our Shame,* I stipulated that racial inequality was characterized by the problem of social value, by which I meant that blacks' normative standing in the polity is sufficiently diminished as to preclude their being properly acknowledged as entitled to an appropriate share of the benefits and burdens in our society.[3] I also stipulated that this had to do with a kind of care and consideration that is withheld from them on account of race. What the above analogy tries to resist is the notion or maybe intuition that political morality is primarily the business of institutions who are best or maybe exclusively positioned to secure social justice. The sense that motivates this intuition usually has to do with the idea that institutions are best positioned to coordinate action. The analogy above tries to get us to see that if we are concerned with more than just coordination in the form of policies but also with the idea of personal democratic ethics, then we in fact are also party to social justice because as citizens we are positioned to respond in our own way to the needs and claims of our citizens, whether it be by supporting institutional policies or by directly offering assistance, moral support, or so on.

My aim in the remainder of this essay is to persuade you that the problem of social value can be meliorated by the cultivation of appropriate attentiveness and skill. Attentiveness and skill can be managed when we have a firm grasp on the role of narrative and receptivity, reasons and responsibility, and affect and compassion in the course of being presented with a claim concerning equality. If these pairings can be brought into a coherent relationship, it will necessarily be a productive one that can help inform our democratic attentiveness as well as our affective skill.

SENSIBILITY

To the extent that American democracy is both a scheme of ongoing cooperation in a manner explored by our sports analogy and a society marked by not only finite access to goods but also by complex and often times asymmetrical relations of power or access to the institutional levers of power, its participants must possess and deploy a degree of attentiveness and skill to help secure a just and good society. These two attributes help enliven a wide range of our sensibilities, not in the abstract rational sense that has become the standard conception in some strands of political thought, but in a contextualized sense. And this is important. I previously described attentiveness this way: as a dynamic disposition having to do with one's directed awareness of the circumstances surrounding both one's own and others' capacities for action, opportunity for reflection and practical reasoning, and undercurrents of affective response to the world. Also recall that I described skillfulness this way: a capacity to attempt to deftly handle the changing landscape of circumstance inhabited by both others and ourselves. This will entail adjusting our utterances, stances, and attitudes to come into line with being sensitive to others' situations, extending sympathy when others are not able or choose not to make explicit their concerns or needs, and revising our beliefs in the face of justified pleas or good reasons to do so.

The reason we want a wide range of sensibilities enlivened in a contextualized sense is that while some claims are categorical – treat each person as an end in herself, for example – the warrants for those claims can be not only wide ranging descriptively but substantively textured in myriad ways: for example, please do not cut funding to my child's inner city school after-school program, as neither my wife nor I can afford to leave work early and he has no place to go that is safe. At a very general

level, the claim will depend upon the moral force of equality. The parent in question drives through a wealthier neighborhood on the way to work every morning where the schools receive funding for many kinds of extracurricular programs. To this parent, the inequality in access to public funds will seem unfair. However, the warrant will in some senses not rise above equality, but amplify it in a very particular way. Here, the parent is not concerned about equality for its own sake, as an overriding 'ought,' but about the ways in which the absence of equality threatens in a deep sense the family's well-being: the son might not be safe on the one hand, while on the other, if the son is kept safe by a parent leaving work to pick him up, that parent might be fired leaving all of them endangered in other ways such as loss of housing due to loss of income, or less food to make ends meet otherwise. The stakes of living a minimally decent life become paramount.

If we think that this relationship between the general moral force of equality and the textured substance of claims having to do with equality is a strong one, it will be in part because the relationship will be familiar to us with respect to our own hopes, fears, ambitions, and plans of life. The signal difference between the warrants and urgency of our varying claims will depend upon the variance in our circumstances as defined by our social position. As I've acknowledged, even the claims arising from these circumstances can be varied, so we need a way to understand what such claims essentially refer to. To the extent that blacks feel formally and substantively excluded from American democracy while nevertheless living under its aegis without the benefit of the aegis it offers to others, they will perceive both a practical and affective distance from their co-participants; and to the extent that the fact of this distance persists and is both passively and actively maintained by their co-participants, they will be inclined to feel alienated and disaffected, impacting, for example, the capacity or readiness to trust.

Here we run into something of a thorny problem, however. The conceptually "lower level" but more immediate and affecting and urgent sense of being displaced while remaining right where you are is a difficult thing to articulate. It requires telling someone not merely what you want, but the attendant narrative of what space in your life and the lives of those you care about that need will fill, and how filling it will help in becoming the person you envision. For our purposes, I have used black literature as a form of testimony to serve as our proxy so that we may follow along, as it were, while noting what is required of us on a daily basis in being attentive and skillful. To the extent that black literature is often realistic, it is also a way of chronicling the mundane, out-of-sight, yet impactful and life defining ways that being black in America can be costly. The idea of equality here, then, attends to a cost to which it is theoretically unaccustomed to attending – the cost of being black rather than going without an index of goods while black. But there is a further consideration. Only the most virtuous of us can be presented with only a claim and testimony and be moved to respond appropriately. Such people may have an especially keen sense of justice or panoramic view of the social situation they inhabit coupled with a rigorous sense of right. The rest of us need a slightly augmented toolset, and I have suggested that imagination is maybe the most important tool we can develop. While imagination can be used to go on remarkable flights of fancy, it can help us do something much more grounded yet no less expansive: to imagine what it is like to be someone, and to keep a firm grasp on our own subjectivity while rehearsing the events and circumstances of someone else's life, thereby being moved, hopefully, to reason about what ought to be done from both the position of spectator and person who experiences and "pays" for the cost of inequality.

To say that imagination is required, useful, and necessary in personally attending to the demands of inequality is at once correct,

so I hope to convince you, but also easy and somewhat problematic. Precisely because imagination is often invoked to prompt people to take leaps beyond immediate reality it has come to represent a feature of our epistemic capacities not often given its due in moral or political theory; maybe more pressing, because racial inequality is often accompanied by issues of immense gravity – slavery, lynching, police brutality – some might nearly take offense to my suggestion that it plays an essential role in addressing racial inequality. It is to this point, then, for me to articulate with a bit more precision the constellation of ideas that I think we need to undergird the use of imagination in recognizing the moral force and urgency of equality, thereby expanding our sensibilities. I want to put forward two sets of ideas that I present in parallel for the matter of presentation. I do not want to be taken as suggesting some rigid systematic ordering of these ideas wherein their being put together only "works" insofar as they are sensibly paired or ordered; their very nature resists such an ordering. On the one side, I will say, are narrative, reasons, and affect, while on the other, I will say, are receptivity, responsibility, and compassion. Once the idea of imagination is appropriately undergirded, we will see more clearly the kind of attentiveness and skillfulness essential to a good sense and sensibility of equality.

Let us turn to our second example. Consider the following: Darryl is a middle class black man who has been stopped by a state trooper on the highway; his experience of the situation is that he has been racially profiled. And this is in fact what has happened – the trooper, having stopped Darryl and getting irritated at his resistance to being harassed, writes him a ticket for failure to wear a seatbelt while driving, which in some states requires a court appearance. Darryl reports all this to you at work the next day and is very upset: as a black man in a country in which blacks are overrepresented in the criminal justice system, he has prided himself on judiciously avoiding interactions with that system. But now

Darryl's identity and the various kinds of expectations and biases to which it is attached has worked to override his intentions and plans. He feels humiliated and is also further concerned about his future job prospects as a black man should his court appearance become a matter of official record. Given that blacks are often discriminated against generally in the job market, it seems cosmically unfair that Darryl will now have to overcome a second arbitrarily imposed obstacle for his plan to pursue a stable career to support himself and family just for being who he is. Darryl says that he regrets and resents that our society continues to be one where racial inequality still plays such a significant role in everyday life.

Above, Darryl could simply be letting off steam, expressing to no particular end dissatisfaction at the inconvenience he is being caused. But precisely because he is unhappy and making it known in a conversation with you, it seems more appropriate to understand that he is extending a kind of invitation to you. Specifically, he is inviting you to be an audience to his narrative. His is a story with important features in which attention-worthy things happen. A very important feature of his story has to do with asymmetry: he was just driving along when someone interfered with the normal course of events. On this evening, when his drive home should have ended with him unremarkably parking his car outside his house, he is instead forced to confront the coercive arm of the state. Here, nothing the state trooper did or intends on doing is a commensurate response to Darryl's own actions or behavior. It follows that a second important feature has to do with arbitrariness – Darryl is quite confident that he is stopped on account of his being a black male driving a German import.

While the above asymmetry points toward the possibility for arbitrariness, what settles this instance as such is that Darryl could have been stopped, even if mistakenly, because a car of his make and model

was witnessed fleeing the scene of a crime an hour earlier. But here the trooper will not even have that to say when Darryl rolls down his window and asks why he is being pulled over. Instead, the trooper will merely proceed to ask him a number of questions hoping to implicate him in one illicit activity or another. Third, there are consequences of this experience. Darryl will have to lose time from work to appear in court; further, his future job prospects might be endangered if the court appearance results in a record of some sort. If Darryl had been pulled over, even if wrongly accused, but then allowed to drive on, the story would have ended there. But here, the trooper has introduced the conditions for what we should conceive as ongoing episodes: Darryl will have to have a conversation with his family and his boss, and will have to appear in court with the outcome of that appearance being indeterminate. In each of these instances, there will be room for understanding or accommodation, but also possibly for misunderstanding and frustration – what should have ended that evening will now reverberate for a span of time Darryl cannot completely control.

When Darryl extends this invitation to you and you come to understand it as an invitation to be an audience to his narrative, a certain requirement sets in for you – and that is to be receptive. To make my point clear, imagine you have been offered and have accepted a ticket to a concert and while sitting in your seat you constantly shift, look at your phone, speak loudly to your companion, and get up frequently. We can imagine that at the end of the night your companion says, "If you didn't want to be there, why did you bother accepting the invitation?" Here, your companion is confused by your behavior because you in fact made two commitments. The first is to accompany your companion. But, second, since your companion has invited you to a specific kind of event – a concert – he will expect that your behavior and expectations conform to the norms of concert going: silence during the performance, generous

interpretation of the musical selections. In effect, your acceptance obligates you to be receptive. Now, there is an important difference in Darryl's example: that situation is transaction free. You might think, well since no explicit invitation was extended, I did not accept any invitation, and therefore I am not in any way obligated to be receptive to his narrative. While sense can be made of your response, you would have to realize the wider implications of it, for it signals a disposition to social life that not only is rarely operative but that if followed consistently would render social life undependable and awkward. To rely on such a disposition would require that for every exchange with other people you first require or demand a justification for why they should be heard. Of course, you are likely to receive (besides a peculiar look) a straightforward response: I was simply looking to share something on my mind and since we are here in the same space, I turned to you. This strikes me, and might strike you, as the equivalent to small talk – a human way of avoiding mutual isolation.

Now one thing should be made clear. Nowhere in my above example is Darryl's invitation extraordinarily demanding. Nothing he said is a request for action, for example. Taken at face value, it is an invitation extended in a typical human manner that obliges one to be receptive. It would, for example, be typical after many such receptions to turn back to what one was doing or would normally be doing and appreciate the performance for what it was. However, unlike the artistic performance, Darryl's narrative contains within it cues and mechanisms meant to compel us to do more than simply return to what we were doing. On a social picture of reasoning, invitations take on the role of not only reason giving in the form of legislation but rather in the form of co-constituting a space of mutual understanding. Anthony Laden writes: "Invitations allow for the creation of relationships that do not already exist, and so capture an essential feature of the activity of reasoning pictured here: that it not only takes place within a shared space of reasons, but that it

can serve to construct and modify those spaces as well."[4] It is a narrative that by nature of its constitution does ask for a response – it wants us to agree, sympathize, commiserate. But we would be unduly hasty in thinking that just because we are obliged to be receptive that that is also cause to agree, feel similarly enraged, or share our own kind of story if we have one. For that to happen there need to be reasons, and in so far as there are, we should perceive attendant responsibilities.

What does it mean for Darryl's narrative to be a vehicle for reasons? One way to get a grip on this idea would be to consider Samuel Coleridge's famous injunction regarding fiction – the willful suspension of disbelief. For Coleridge, fiction only works when readers meet the narrative on its own terms. For example, though a person's being arbitrarily thrown into an asylum for no reason at all seems quite the stretch, the point of the setup is not to believe that *that* can happen; rather, the point is to position the reader to face the very real fears of what it would mean to go mad or to be thought more mad the more sane one insisted one was. Here, to move past what is a source of resistance – unfamiliarity with the circumstances of the character – is to then have access to the author's or character's reasons for telling the story (to convey a deep fear), as well as to access the reasons for the story being a worthwhile read (this is a deep fear many people share and is important to understand the fragility of psychological stability). For a work of fiction to be a vehicle for reasons is in some sense to understand why the story was written and is in turn worth reading in the first place. That said, it is then much easier to understand how a narrative like Darryl's is a vehicle for reasons. We just need to know which particular reasons matter with specific regard to his story and what kinds of reasons matter with general regard to this kind of story.

First, specific to Darryl's story there is the reason for his feeling

victimized. Here Coleridge's suspension of disbelief has an unfortunate role to play. The casual observer might find Darryl's sense of victimization wrong-headed if not paranoid. Sure, the trooper may have been brutish and crude in his behavior, but he wouldn't be the first person in a low position of power wherein his bad character informed how that power was used. But Darryl's claim is of course stronger – to his mind it isn't merely that the trooper is a man whose vices have overtaken his virtue, but rather that his vices have been especially enlivened on account of Darryl's crossing his path as a black man. The pointed charge that Darryl is leveling is that the trooper has targeted him as an object of discipline for reasons that stand quite independent of warranting discipline – driving recklessly is a proper warrant for being pulled over; driving an expensive car while black is not. Another reason specific to Darryl's story has to do with uncertainty: he is trying to convey a sense that now has settled over him, namely, that his future has slipped from his grasp in unjustifiable ways. Darryl need not be a metaphysical libertarian to think that consequences (at least sometimes) follow from actions, and so long as some of us are at liberty to take actions, then some of us can take pride, feel ashamed, and cultivate aspirations in favor of some consequence or other. Darryl's story seeks to provide a reason to understand that at the moment he shares his narrative, there is cause for him to also be confused, puzzled, perturbed, and circumspect about the ethical integrity of his society at a high level, and, at a much lower, everyday level, for him to feel unsure, unsteady, worried, and anxious about his ability to more or less be the proper author of his life.

Now, none of this, you will have noticed, addresses in any meaningful way Coleridge's injunction to suspend disbelief. Out of kindness one may hold off the conclusion that Darryl is merely shaken up by the incident, or one may take him at full face value if his audience knows him well. But what if his audience is someone who knows him mostly

in passing? What then? Chances are the person is not fully convinced *just on account* of the reasons particular to Darryl's story. To borrow for a moment the language of social scientists, Darryl potentially has an endogeneity problem – he is making a claim about his victimization while feeling victimized, so it may seem nothing stands outside of his narrative to compel us to fully accept his interpretation and explanation for events.

It is deeply important, then, to understand that Darryl's narrative is also a vehicle for *kinds* of reason, and here I have two particular kinds in mind: reasons of justice and reasons of probability. The former is a kind of reason that directs the audience's attention to features shared between a particular person's story and more widespread patterns experienced by others. In Darryl's case, his claim that he was targeted because of the color of his skin should not be taken solely as a claim that Darryl thinks he uniquely has been racially profiled. Rather, his conclusion can only make sense to him and therefore to us if some other things are true about the world. First, that there is such a thing as "racial profiling" and that it is something that happens with sufficient regularity so as to count the trooper's behavior as quite ordinary *from Darryl's point of view*. Second, that racial profiling is neither a benefit nor complement to its victims; indeed, that it is a form of disrespect and diminishment to those that are targeted. The first is an empirical fact, and the second is a justifiable assertion given the history of race alongside the historical development of the criminal justice system. In this sense, Darryl's narrative casts him in the role of representative, and a reason of justice is one that asks us to make the connections between the specifics of Darryl's story and the general features of our society.

The reason of probability follows closely on reasons of justice. Note that Darryl has made a point to avoid contact with the criminal justice system. To many this makes obvious sense quite independent of

race – what person in his or her right mind makes a point not to avoid entanglement with the criminal justice system? However, the content of Darryl's motivations counts for something because his plans to avoid that contact are informed by a wider knowledge of the implications such entanglements have for blacks. These implications are not merely disenfranchisement as is the law in some states or the inconvenience of incarceration, but rather the longer-term effects of amplified discrimination and the pervasive effects of adding the stigma of criminality – no matter how petty the offense – to the stigma of racial identity, both of which have become tightly correlated in the mind of many Americans.

It is important to note that while I have taken the liberty of systematizing (some of the) reasons for Darryl's example, these are reasons that will hold for many examples of both low level and more explicitly pronounced racial injustice. That is to say, that complaints and criticisms forwarded by blacks regarding unequal treatment will always be underwritten by reasons of justice and probability since racial injustice is both wide and deep: it is both indicative of a wide range of institutional dispositions that are adverse to blacks' interests and deeply entrenched in our history, thus the history of the development of our institutions. The relationship, then, between Darryl's local experience of racial injustice and its categorical presence in American society are what activate his audience's responsibilities. Above I said that receptivity in itself does not ground cause for our agreeing, sympathizing, or commiserating with Darryl. Receptivity means leaving the front door of our reflective and affective capacities open; it positions us to respond appropriately to the form and content of address headed our way when we are listening, watching, and feeling. But so long as that front door is open in a genuine sense, we must be reflexively prepared to respond to the address to which we are an audience.

There are responsibilities grounded in the exchange of reasons that have to do with the practice of discourse and conversation itself. For example, we might think that precisely because reasons should (often) be properly conceived as more than explanations for why we do what we do but also opportunities to co-author the world and thus share authority in navigating dynamic and uncertain situations, we have attendant responsibilities to extend our capacities for understanding what is at stake when a reason is offered. Anthony Laden draws a distinction with regard to reasoning between authority of command and authority of connection. The former he identifies as being a mode of reason-giving wherein once the sense and coherence of the reason I offer is recognized, you are thereby obliged to follow it. In contrast, authority of connection depends on a collective "capacity to try to shape a normative environment we share … the capacity here is essentially mutual: we are both entitled to try to shape each other's normative environment in part because we are each shaping a normative environment we share."[5] If we are deliberating on an important matter, and it is my aim to try and persuade you of my view, it can only work if you allow yourself to be spoken for – doing so allows me to articulate a reason that can stand as justificatory and motivational for both me and you. Laden notes: "It is not only that we may take up new positions and identities and relationships in the course of living, conversing, and reasoning with others, but that we may come to understand what it is to have those positions differently. And this shift can give rise to new *kinds* of reasons."[6] Notice, my offering a reason does not bind you to accept that I speak for you – that is what deliberation and disagreement are about. However, it is difficult to reach agreement if we hold fast *against* being spoken for. There is genuine disagreement, and then there is intransigence; the former is healthy for discourse, while the latter adds little or nothing to the project of figuring out a way forward.

Now, I think that the responsibilities that come with reason giving

from the point of view of discourse and conversation hold with respect to Darryl. Insofar as he offers reasons particular to him having to do with victimization or uncertainty, he attempts to speak for us since these are kinds of experiences to which we are each susceptible and of which we have a common sense. Similarly, reasons of justice or probability, which appeal more widely to features of the world external to Darryl's own local experience, attempt to speak for us since we each in our own way navigate the imperfections of our society and the vicissitudes of chance occurrences that nevertheless shape what our lives can and can't, will or won't be. In both cases, the appeal is to us as persons not only with working conceptions of abstract notions of victimization, uncertainty, justice, or probability, but persons with enough sensibility to locate the presence of these ideas in the world through which we move.

True as it may be, then, that reasons are a way of sharing discursive and conversational authority, and thus authority to co-create new opportunities for moving forward in the world, there is another, albeit not unrelated, aspect to what makes us responsible as receptive audience members. This particular narrative is not one that is strictly speaking a personal one. For example, Darryl is not lamenting difficulties he has been having being a better musician or writer. Rather, the moment his narrative expresses reasons that point towards shared society – reasons of justice and probability – he also is implicating wider democratic society. The circumstances that result in his particular experience are categorical features of a society that we each have some role in co-creating, even when we choose to stand by and do nothing. An essential aspect of the spirit of democratic life is to share responsibility for the state of our society. Now, in Darryl's and like instances, it would be a mistake to think of responsibility in a very forceful or deep way. None of the reasons you perceive as a function of being receptive put you on the hook to turn about and stage a protest. The responsibility here is basic and two-fold.

One has to do with acknowledgment in a genuine sense, which means that one does more than sincerely express regret in sympathy with Darryl. Additionally, insofar as reason-giving provides Darryl authority to speak for you, then acknowledgment here indicates a duty to critically realize one's own culpability and a commitment to remain alert to ways in which one even passively is complicit in an injustice deeply rooted in our political, social, and economic practices. The other kind of responsibility is bound up with our final pairing, and that is the relationship between Darryl's affective landscape and our capacity for compassion.

A not insignificant characteristic of the reason-giving feature of Darryl's narrative is that it appeals to us as persons who could be Darryl; not only if we were him, but if we shared his identity marker, we would necessarily have to carry the baggage with which it comes, and thus we could be him by standing in a place similar to his and thereby sharing his perspective (and imagining the resulting experience) of the social scheme. If we accept that reasons do in fact give Darryl, in this instance, authority to speak for us with respect to victimization and uncertainty, then we also have to accept that these are ideas that move Darryl to express himself because of how general circumstances of injustice have made themselves immediately manifest in his own life. Notice, it is important that the general circumstances have a real, tangible, and urgent relationship with Darryl's particular life. It reminds us that notions of justice and equality are not abstract and have distinct connections to visceral experiences of hope and fear, prosperity and despair.[7] And insofar as that is true, then a third feature of Darryl's narrative is that it presents to us, and paints a picture of his affective landscape. When in the course of his narrative we perceive, on account of our being receptive, reasons of victimization and uncertainty, we are also inclined to realize that these ideas are attached to the quality of Darryl's life and have effects that require our attention. To feel victimized is to perceive oneself as having unjustifiably

suffered at the hands of forces outside of one's ability to counteract, at least at that moment. To feel uncertain in Darryl's case is not merely the common sense realization that events beyond our control can affect our lives, but, rather, that in some senses the world has lost its semblance of being rational – that the world has lost its sense of conforming to reasonable expectations of social cause and effect. Law enforcement officials' job is to pursue and prosecute deviants. When they turn their coercive energies towards blacks on account of being black rather than on account of being in fact deviant, they have collapsed the relationship in crucial ways, and, precisely because law enforcement has such authority in a society like ours, their collapsing that distinction invites others to do so, placing Darryl in a position to navigate a world that is especially irrational for him and similarly situated blacks.

Thus, when Darryl expresses regret that the society that he calls home is irrationally unjust in this way, we have to be prepared to attend to his sense of being unmoored from a place he calls home. As Michael McKenna writes, "Though the reactive attitudes are emotional responses, they are not unstructured ejaculations … Rather, they provide a motivational base for altering our highly complex social practices and interactions. The alterations that take place are understood to be fitting responses to the agent whose quality of will instigates the response."[8] He likely perceives himself to be what I have called elsewhere social strange fruit: the object of disapprobation and diminished value that will have real effects for Darryl's social, political, and economic existence. Insofar as his narrative shows up his affective landscape in this and other ways, it bears acknowledging that our appropriate stance is one of compassion. Here *compassion* is both a weak and strong demand. It is *weak* because it in the first instance refers and speaks to our disposition; it is a prerequisite or condition for certain kinds of actions – for helping actions. It is also weak because it is open-ended, for we can't quite know what actions will

most appropriately follow from compassion until the situation fully or sufficiently unfolds for us in a way allowing the complex of our capacities for critical judgment to be brought to bear. But this also highlights what makes it a *strong* demand. Precisely because compassion leaves the matter of practical reasoning and action open-ended, it brings with it a demand for temerity as a virtue: that one be willing to see to their conclusion the results of one's reflections. Compassion may direct us to do something as small yet important as embrace the person in front of us to convey solidarity, or it may compel us to make a sacrifice and accompany the person to a very difficult encounter to both bear witness and advocate for justice on that person's behalf. In either case, compassion pushes us beyond rationally assessing what is right to considering what it means to be good.

CONCLUSION

Our two examples share an important quality: they direct our attention to the dynamic nature of shared life, and they press us to embrace the unsettled but resolvable nature of complex problems having to do with co-authorship and responsiveness. Because our case here has to do with racial inequality, I have chosen to brand this feature of our shared lives as the sense and sensibility of equality, and I have tried to capaciously but precisely mark out what is required therein by suggesting that we must be attentive and skillful. Rather than go on about the definition or analytic requirements of these two ideas in themselves, I chose a more circuitous, but hopefully, fruitful route in exploring the relationship between narrative and receptivity, reasons and responsibility, and, finally, affect and compassion.

In having stacked these pairs, as it were, I have been trying to explore alongside you the complexities of what it means to be on the

receiving end of a demand for equality. These complexities, I hope, have highlighted the necessary range of the attentiveness required of us as well as the kinds of skills that can help us successfully navigate the difficulties of moral life. And, if there is anything I would like you to take away from our exploration, it is that when it comes to equality, our moral life is a shared one from which we cannot possibly entertain extricating ourselves. Doing so would deny both the nature of our own moral capacities as well as the entailments of our participating in a liberal democracy that has rhetorically, and in some cases substantively, built itself on the very idea of equality. Such a denial neither makes sense, nor is sensible. Better, then, to embrace what is before us to ensure better circumstances for us all.

---

1 Elise Springer, *Communicating Moral Concern: An Ethics of Critical Responsiveness* (Cambridge, MA: M.I.T. Press, 2013), 3.
2 Ibid., 85.
3 Christopher J. Lebron, *The Color of Our Shame: Race and Justice In Our Time* (New York: Oxford University Press, 2013).
4 Anthony Simon Laden, *Reasoning: A Social Picture* (New York: Oxford University Press, 2012), 33.
5 Ibid., 65.
6 Ibid., 211.
7 Here David Owens' value-constituting model of blame is instructive. He writes: "A valuable aspect of friendship is the fact that it renders certain (disloyal, etc.) actions wrongful and where it is a good thing that these actions are wrongful, this is so, in part, in virtue of the fact that it is a good thing that they would render blame appropriate." Here I take Owens to be saying that blame enlivens both the nature of the relevant relationships and the reason we are partaking in that relationship. David Owens, *Shaping the Normative Landscape* (New York: Oxford University Press, 2012), 27.
8 Michael McKenna, *Conversation and Responsibility* (New York: Oxford University Press, 2012), 68.