

we morally justified in being less concerned about the more remote effects of our social policies? (b) If most of our community would answer "Yes" to question (a), ought our government to override this majority view? The Argument from Democracy applies only to question (b). To question (a), it is irrelevant.

Conclusion

I have discussed six arguments for the Social Discount Rate. None succeed. The most that they could justify is the use of such a rate as a crude rule of thumb. But this rule would often go astray. It may often be morally permissible to be less concerned about the more remote effects of our social policies. But this will never be *because* these effects are more remote. Rather it would be because they are less likely to occur, or will be effects on people who are better off

than us, or because it is cheaper now to ensure compensation—or it would be for one of the other reasons I have given. All these different reasons need to be judged separately, on their merits. To bundle them together in a Social Discount Rate is to blind our moral sensibilities.

Remoteness in time roughly correlates with a whole range of morally significant facts. But so does remoteness in space. Those to whom we have the greatest obligations, our own family, often live with us in the same building. Most of our fellow citizens live closer to us than most aliens. But no one suggests that, because there are such correlations, we should adopt a Spatial Discount Rate. No one thinks that we should care less about the long-range effects of our acts, at a rate of n percent per yard. The Temporal Discount Rate is, I believe, as little justified.

Racial Balance in the Military



Courtesy U.S. Army.

This article summarizes a portion of the recent research of Robert K. Fullinwider, Research Associate at the Center for Philosophy and Public Policy. A fuller discussion of Fullinwider's positions on racial balance in the military and on reverse discrimination and affirmative action generally can be found in "The AVF and Racial Imbalance," available from the Center for Philosophy and Public Policy, and The Reverse Discrimination Controversy, published by Rowman and Littlefield.

When the creation of the all-volunteer force was being debated in 1967–71, one objection frequently made was that an all-volunteer force would become largely black. Such a fear, for example, underlay the opposition to the AVF by a group of liberals led by Senator Edward Kennedy. The Gates Commission, whose 1970 report to the president laid the basis for the tran-

sition to the all-volunteer policy, explicitly addressed this objection. It argued that the racial composition of the armed forces would be little affected by substituting an all-volunteer policy for a mixed policy of conscription and volunteering.

The Gates Commission predictions proved to be wrong. Since 1972, the Army (the branch of the service most affected) has seen a dramatic increase in the proportion of black enlisted personnel serving in its ranks, increasing from 17.5% to 32.2% in seven years. Current accessions for the Army are running at 37% black, with total minority participation over 40%. Moreover, blacks reenlist at higher rates than whites. In a few years, if present trends continue, the Army could be 45% black, according to one estimate.

Is this racial imbalance cause for concern? It has been contended that disproportionate black representation will erode public support for the military and raise doubts among allies—and enemies—about the reliability of American combat arms. It has also been contended that racial disproportion exacerbates racial tensions both in the Army and in society. Some fear that, in case of combat, black casualty rates of 30–40% might precipitate domestic violence. Moral arguments have been offered against the imbalance as well: it seems unfair that blacks should bear a share of the defense burden greater than their proportion in the population.

Several different policies have been suggested to achieve a more representative military. One proposal is a return to the draft. Another option would be to upgrade entrance requirements, at the same time offering sufficient educational benefits to attract middle class whites to meet the higher standards. Observers differ in their solutions, but all agree in rejecting explicit racial quotas as morally repugnant.

Are Racial Quotas Morally Repugnant?

Are racial quotas morally repugnant? One reason for thinking so might be that limitations on black enlistments have an adverse effect on disadvantaged blacks, whose only available employment option is military service. For black teenagers, facing the highest unemployment rates in our economy, the Army provides opportunities for job training and social and economic mobility. These youths would be further deprived if denied access to the military.

This argument applies equally well, however, against any attempt to achieve greater racial balance in the armed forces. Keeping force size constant, any gain in white enlistments must be made at the expense of black enlistments; more whites mean fewer blacks. A return to the draft means taking unwilling whites instead of willing blacks; upgrading entrance standards means turning away blacks who could have performed capably in today's Army. If adverse effect on blacks is what bothers us about racial quotas, other means of limiting black military opportunities must be rejected for the same reason.

Quotas may bother us for other reasons as well—perhaps because they treat persons merely as members of groups, rather than as individuals in their own right. Policies establishing restrictive racial quotas treat individuals as if the only feature about them that mattered were their race.

Condemnation of public policy because it treats persons as members of groups is, however, misconceived: public policy necessarily focuses only on certain characteristics of persons, disregarding others. This is not to say that only these characteristics are supposed to matter, but rather that these are the relevant characteristics to consider in formulating general policies. If racial imbalance is the social ill to be corrected, then race becomes the relevant characteristic from the policymaker's point of view.

The objection to racial quotas, then, must be that race in particular is never an acceptable consideration

in the formulation of public policy. Any policy based overtly or covertly on race is morally prohibited. Race ought never to be taken into account in judging the eligibility of persons for positions or offices, in the military or elsewhere. Our policies must be colorblind.

However attractive such a position may initially appear, on reflection it does not seem either morally or legally acceptable. Given our history of black segregation and exclusion, race remains an important fact about individuals, with significant import for their social and economic prospects. Government policy has recognized for a decade that a colorblind stance merely allows the effects of past discrimination to perpetuate themselves. Court-upheld federal and state affirmative action policies now require that organizations be in certain ways color-conscious.

Two Forms of Color Consciousness

In its weak form, color-consciousness requires organizations to be continually aware of the racial impact of their practices so that those having even an inadvertent adverse effect on blacks can be detected and eliminated. Since discrimination involves not merely conscious, explicit racial bias, but unreflective habits and attitudes, color-consciousness in this weak sense is necessary to correct for the discriminatory effects of apparently neutral policies.

In its strong form, color-consciousness extends preferential treatment to blacks to accelerate their integration in proportional numbers into areas where they have long been excluded. Recent Supreme Court cases have upheld policies giving explicit preferences to blacks and other minorities. The decision in *United Steelworkers v. Weber* sustained the use by the Kaiser Aluminum Company of 1-to-1 black/white ratio admissions into its training program for craft jobs, an admissions scheme explicitly designed to produce in each craft a representation of blacks equal to their proportion in the labor force in the communities surrounding Kaiser plants. In *Fullilove v. Klutznick* the Court approved the constitutionality of the 10% minority set-aside provision of the Public Works Act of 1977. This provision requires that prime contractors for federal projects use at least 10% of their federal funds to procure services from minority subcontractors.

It is not easy, however, to discern a clear and coherent basis for the Court's support of color-consciousness in this strong form. The prevailing rhetoric of the Court holds that race may be used as a basis for assigning benefits and burdens when this is done for remedial purposes—to "remedy the effects of past discrimination." But in the past decade the notion of remedial action has been broadened very considerably. "Remedying the effects of past discrimination" need not mean, as it meant in the early years of Civil Rights litigation, remedying the effects on an identified victim of a specific wrong inflicted by an identified agent. Instead, it has come to mean altering any present condition that is arguably a result of past discrimination—not anyone's discrimination in particular, but societal discrimination in general.

The condition usually corrected by such "remedial action" is racial imbalance, or underrepresentation. Broad "remedial" policies aim at overcoming racial underrepresentation, regardless of whether or not the beneficiaries of these policies have themselves suffered injurious past discrimination. These policies, therefore, are not clearly required by any notion of compensatory justice; the question is not one of compensating victims of past wrongs, since those "compensated" may not be the original victims at all.

The "remedial" standard seems more coherently viewed as the expression of a group welfare goal. It may be most useful to understand the principle underlying Court doctrine and Congressional legislation as this: racially preferential policies are justifiable if they contribute to the betterment of the condition of blacks in general. We may suppose this principle takes its moral justification from the supposition that improving the condition of blacks in general will serve the public welfare by promoting integration, racial harmony, and mutual respect.

It must be recognized that this "black welfare" standard is a double-edged sword. The standard can be used to justify some policies that give preferences to individual blacks, but it also conceivably can be used to justify some policies that work to the disadvantage or exclusion of individual blacks. Could discrimination against some blacks ever be justified on the grounds that it contributes to the betterment of blacks in general? It seems the answer is yes. There may be instances where blacks as a whole are benefitted by actions that are to the disadvantage of some individual blacks.

Consider the 1973 case of *Otero v. New York Housing Authority*. The Supreme Court upheld a New York City Housing Authority policy of black admissions quotas to City housing units, since the quotas were designed to preserve integration in the face of the "tipping phenomenon": the phenomenon of white

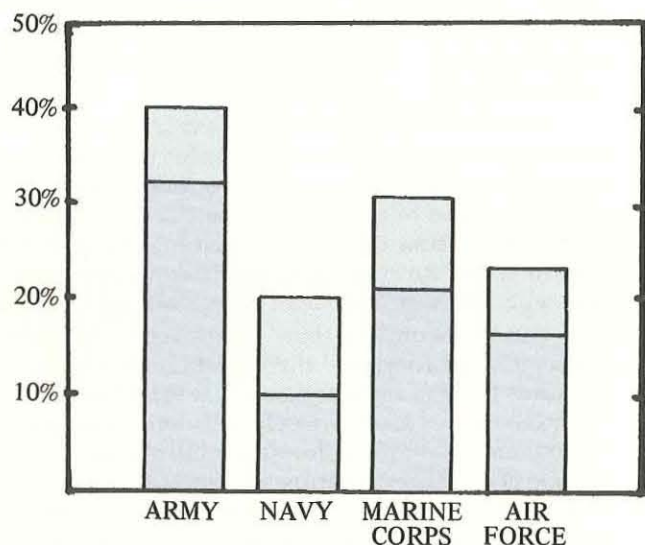
flight from buildings that reach a certain percentage of black occupancy. Here blacks were the intended beneficiaries of a policy of racial integration, and discrimination against some blacks was necessary to carry out this policy.

Implications for the Military

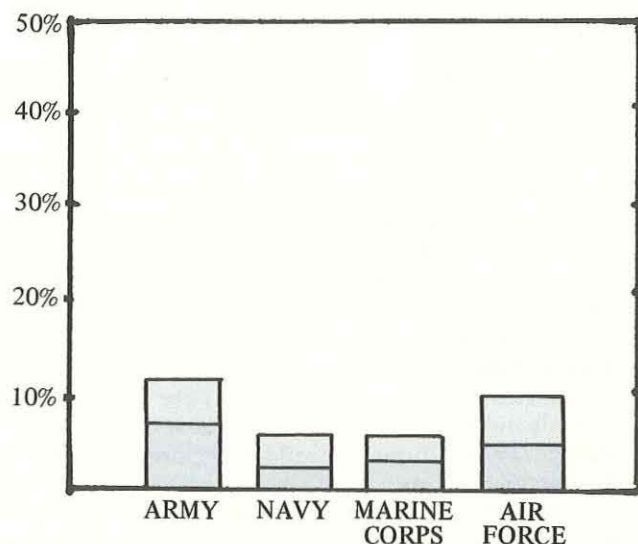
Where does all this leave the all-volunteer Army? The Army is not currently colorblind in its employment policies, nor, on the basis of the preceding arguments, should it be. Since 1970, each of the armed services has been expected to increase and intensify its efforts to achieve a more proportionate distribution of blacks throughout all ranks and occupational specialties. The Army's affirmative action program has the goal, for example, of increasing the percent of minority officers from the current low 11% to a figure more representative of the proportion of minorities in the enlisted ranks.

These color-conscious affirmative action programs work to make black overrepresentation in the military less disturbing. If blacks and other minority enlistees feel they have full participation in the Army, this will promote their institutional loyalty, reducing concern about their reliability and effectiveness as soldiers. Moreover, to the extent that blacks are well represented in all ranks and occupations, the fact that in a war there will be a high proportion of black casualties may be less inflammatory to the black community.

There might still be grounds for believing, however, that disproportionate black representation in the military is to the long-run disadvantage of blacks in general. Despite the mitigating factors mentioned, wartime black casualties of 30-40% might provoke black opposition and domestic unrest, which could in



Percentage of black and total minority enlisted personnel—
Department of Defense figures.



Percentage of black and total minority commissioned officers—
Department of Defense figures.

turn seriously threaten the social and economic situation of the black population. Alternatively, minority concentration in the military may reinforce the current low status of minorities, undermining black civilian prospects; if "too many" blacks continue to enlist, military service may begin to be viewed as the only fitting occupation for minority members.

To the extent that either of these scenarios seems likely—which is not to argue for the plausibility of either—it could be morally justified to limit black enlistments by explicit racial admissions quotas. Since any successful effort to restore racial balance will diminish black opportunities to serve, and because white policymakers may be disposed to magnify the

seriousness of problems arising from black overrepresentation, it seems reasonable to set a high threshold of proof. Evidence of the deleterious effects of black overrepresentation must be strongly persuasive, if not compelling. But should this be the case, racial quotas in the military might be, not morally repugnant, but appropriate and justified.

These speculations are not designed to justify a quota policy for Army enlistments. In any event, such a policy would be impossible to implement under current recruiting conditions. The speculations have been aimed, rather, at sharpening our appreciation of the moral grounds for reviewing any efforts to restore racial balance to the military.

Book Review

Political Theory and International Relations by Charles R. Beitz (Princeton, N.J.: Princeton University Press, 1979).

In 1651, Thomas Hobbes wrote that nations continually and inevitably find themselves "in the state and posture of gladiators; having their weapons pointing, and their eyes fixed on one another; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms; and continual spies upon their neighbors." This posture is not an unfamiliar one to twentieth-century readers, although our pointed weapons are now nuclear, and our espionage, electronic.

A venerable tradition of political theory, extending from Hobbes, concludes from this grim picture that no international morality is possible among states; each is involved in an amoral war against all. In reaction to this tradition, an equally venerable response has developed. The behavior of states is indeed governed by moral principles, it is claimed, arising out of respect for their sovereign autonomy. These are the principles of non-intervention and national self-determination.

Political philosopher Charles R. Beitz, in *Political Theory and International Relations*, rejects both the Hobbesian view and its traditional alternative. In this rich and rewarding book, he argues for a third conception of international relations. International morality is possible, on Beitz's view, but its principles derive, not from the idea of state autonomy, but from the idea of justice. "Intervention, colonialism, imperialism, and dependence are not morally objectionable because they offend a right of autonomy, but because they are unjust."

Beitz closely examines Hobbes's account of international relations before rejecting it. According to

Hobbes, nations necessarily behave amorally toward one another, each exclusively following its own national interest, because each nation knows that all the other nations are doing the same. Since there is no common authority constraining states to comply with any international morality, it is not in the interest of any state to follow moral rules. But on Hobbes's view, moral rules are legitimate only if they advance the interests of everyone to whom they apply. Hobbes concludes, therefore, that international morality is impossible.

This conclusion, however, presupposes a picture of international relations that Beitz shows to be increasingly false, if, indeed, it ever was true. It is not the case that nations have entirely independent and hostile interests, threatened by the prospect of any international cooperation. Instead, economically interdependent states cooperate extensively to meet domestic economic goals and achieve balanced economic growth. Certain rules of cooperation are binding on states, Beitz explains, because states have common interests.

If international morality is possible, what is its content? Beitz considers one dominant account: the first rule of international morality is respect for state autonomy—states are not to interfere in one another's domestic affairs. But what is the source of this right to state autonomy, Beitz asks? He answers that a state's right to autonomy is justified only by appeal to the rights and interests of its individual citizens. Persons, not states, are "ends in themselves," and states are legitimate only insofar as they respect their citizens' autonomy, only insofar as they are just. Thus Beitz rejects any absolute non-intervention principle: interference with just institutions is morally wrong; interference with unjust institutions, for the sake of increasing their justice, is not.

By emphasizing justice rather than autonomy, Beitz is able to resolve several perplexing problems about the scope of the right to self-determination.