

April 27, 2007

- **Robert Simon's Response to Thompson**

Simon doesn't dispute Thompson that women and African-Americans have been traditionally disadvantaged and continue to suffer forms of socioeconomic disparity and discrimination. He simply disputes Thompson's claim that preferential hiring will prove an effective remedy against such inequity. "[I]t is questionable nevertheless whether preferential hiring is an acceptable method of distributing...compensation...compensatory claims [for instance] override the right of the white male applicant to equal consideration." (388)

The essential dilemma (according to Simon) has to do with weighing or considering the *collective* interests of the group versus those of the *individuals* comprising such a group. Compensation made on an individual case-by-case basis would render irrelevant the notion of being African-American and/or being female. On the other hand, preferential hiring practices would call into question their acceptability as compensating instruments, given, for example, the inevitable arbitrariness of the job marketplace. (389-390)

This arbitrariness takes on two forms:

1. Arbitrariness in the distribution of compensation benefits. Specifically it clashes with the Proportionality Principle (whenever two or more people are injured in the same way, then *ceteris paribus*¹ they deserve the same kind of compensation, in the same relative amounts), due to the arbitrariness of hiring practices in the marketplace. "Preferential hiring, to the extent that they violate the Proportionality Principle, *arbitrarily* discriminate in favor of some victims of past injustice and against others...[A] policy which discriminates in the arbitrary fashion...is [obviously] not a particularly satisfactory compensatory mechanism." (390)
2. Arbitrariness in assessment of costs. Recall the thought-experiment involving Y (in the preferential group) who suffers the expense of X's benefit thereof. (X is in the non-preferential group.) Suppose the same holds to a greater extent, with respect to Z in the non-preferential group, i.e. that X suffers at Z's benefit thereof. Should X still compensate Y? "Perhaps [instead] *both* X and Y ought to receive (different degrees of) compensation from Z." (391) The problem, however, is that in such a case X is part of the non-preferential group, which would clash with the very notion of providing compensation (reserved for the preferential group). On the other hand forcing X to provide compensation to Y or forcing Z to provide direct compensation to Y (where X is left out entirely) is obviously arbitrary, and hence "not a particularly satisfactory compensating mechanism." (390)

Practically everyone agreed in all three sections concerning the substance of Simon's criticisms of Thompson. However, when the discussion extended into more general issues concerning the legitimacy of affirmative-action vis-à-vis preferential hiring in the workplace, a wide variety of viewpoints were articulated.

¹ "All things being equal"

In general, the majority consensus in all three sections disfavored affirmative-action policies, as devoted exclusively to preferential hiring in the contemporary job market, not necessarily on grounds similar to Simon's objections per se. Some for instance like **Pearl Horng § 0207** and **Christina Stennett § 0206** pointed out that preferential hiring shouldn't be conducted in a vacuum, but that affirmative action should be applied across-the board to encompass *all* services (public schooling, health care, headstart programs, etc) or else not be adopted at all. Otherwise, those from economically disadvantaged situations, who because of this might have weaker credentials, would have to be accommodated in such a manner that credentials requirements would be arbitrarily varied. Such consequences would obviously undermine the meritocratic nature that (would hopes) the job marketplace should be. (**Bradon Berman § 0206, Gopi Narang § 0206**).

Utilitarian problems also seem to surface with regards to questions like precisely when should preferential hiring policies be phased out, and precisely in how and in what manner? (**Michael Donovan § 0206, Lauren Grimes § 0202**). However, as **Ashley Byer § 0206** mentioned, regarding the issue of credentials, it may not be an either/or issue (i.e., either one enforces credential requirements in a uniform and blind manner or in an arbitrary case-by-case manner.) For instance, certain schools adopt weighting factors into the GPAs of the applicants which are correlated with the quality of the schools from whence the applicant came.

Those who argued in favor of preferential hiring, in spite of agreeing with Simon's criticisms against Thompson, basically agreed with the notion that one need not throw the baby out with the bathwater, so to speak. In other words, all that Simon may have succeeded in showing was that Thompson's *particular* approach to preferential hiring was problematic, and hence better policy strategies should be adopted. (**Shanelle Johnson § 0207, Rafaela Spencer § 0202, Uju Onwugbenu § 0202, Lauren Grimes § 0202, Alex Meyer § 0206**). For instance, answering some of the concerns raised against the notion of preferential hiring, **Uju** as well as **Lauren** argued that the central focus should really be the proportionate reflection of diversity of the general populace (i.e. the composition and proportion of minorities in business should ideally reflect the same percentage of such in the populace). By the same token, lest one risk a slippery slope of reparations-talk and recriminations, one shouldn't implement such a policy in such a manner driven by issues of historical wrongs per se. From a pragmatic standpoint, **Shelby Watson § 0207** mentioned that there are sufficient motivating factors (both in the court of public opinion and publicity as well as in the courts proper) to implement *some* provision for preferential hiring in the case of many businesses.

Many also felt ultimately torn or undecided concerning the issue (**David Cimino § 0207, Zak Nur § 0202, Kiersten Bugge § 0206**). The general consensus here seemed to focus on the notion that blatantly *overt* forms of job-based discrimination against women and African-Americans perhaps more prevalent at the time when Thompson originally wrote her article (1973) and Simon responded (1974) have by and large faded to what may at most be a secondary issue. Primary issues concerning possible discrimination today may reflect other more concrete biases perhaps reflective of the generally broader spectrum of individual appearances (than in earlier times). For example, men can (and do) wear their hair long or short, earrings, etc. (**David Cimino**). In other words, all argued that the times we presently live in reflect a far greater span of complexity, and hence possible biases (whether specific or concrete, i.e. aimed at a particular manner of appearance) or more general and possibly ingrained (i.e. against women or African Americans) are of a

more subtle nature. Implementing some blunt tool like preferential hiring (at least insofar as Thompson envisioned it) may actually backfire, creating more harm than good.

- **Joel Rudinow—How “Black” is “Blue?”**

In general, most everyone in the discussion sections reacted with plenty of skepticism concerning Rudinow’s “Experiential Access” argument. (Since Rudinow effectively points out the glaring weaknesses in the “Proprietary Argument” in pp. 413-14, the discussion focused mostly on the points raised later in the article, pp. 414-417). Interestingly, however, two discussants who both had courses in ethnomusicology, came to rather contrasting conclusions. On the one hand, **Katrina Taschman § 0207** endorsed Baraka’s position, concerning the essential “Great Music Robbery” (413) conducted by white commercialization and dilution of the authentic musical art form concerning the blues. Katrina’s views were essentially in line, for instance with what Baraka writes as the “ ‘[the blues’] production, not its appreciation...as concomitant with what seems to be the peculiar social, cultural, and economic experience of [being] black...in America...as if these materials...[of the] blues [is] a kind of ethno-historic rite as basic as blood.’”(414-415) For Katrina, this ethno-historic rite was [and is] the unique cultural expression of an ethnic shared experience. “Other things being equal, the more directly one’s knowledge claims are grounded in first hand experience, the more unassailable one’s authority...[t]he human spirit will continue to seek, recognize, and communicate the truth privately in defiance of even the most repressive regimes, which...cannot even prevent public communication of forbidden ideas.”(415) On the other hand, **Lauren Grimes § 0202**, who also had courses in ethnomusicology, essentially emphasized what Rudinow later writes as “what is crucially and universally *human* about [the blues’] central topics.” (416) Not just in the case of appreciation, but also in its expression and production. For Lauren, just as Buddy Guy says of Eric Clapton (in the opening passage of the subsequent article by Paul Taylor) “ ‘all I want to do is hear him [Clapton] play. Race, size, color, nothing matters when a guy’s got it, and Eric’s got it.’” (417) In short, for Lauren, the blues is a shared and universal art form, though having unique origins, nevertheless is open for anyone to experiment and sing it, if they (in the words of Buddy Guy) “got it.”

Katrina and Lauren’s views reflect perhaps an underlying and fundamental tension inherent in every evolving phenomenon like an art form or a language: how does one reconcile authenticity and innovation? Art and language are like ‘forms of life’² so they defy being fixed with boundaries or straight-jacketed with simplistic definitions of their authenticity. (Hence the difficulty of this latter term in precisely characterizing the blues, as discussed in 411-414). Most everyone, however, agreed with **Christopher Young § 0206**, as well as **Shanelle Johnson’s § 0207**, points that Baraka’s Great Music Robbery does serve as a cautionary role for anyone approaching this art form. In other words, a necessary condition for seeking to authentically innovate and express the blues would involve not being primarily motivated by any ulterior motives (commercialism, etc). As a student of art serves an apprenticeship, so an aspiring musician should approach the blues (regardless of their ethnicity), with a spirit of humility, respect, and sincerity.

In fact, echoing the inclusive and robust character for innovation the blues share, **Shelby Watson § 0207**, **Oneg Pruitt § 0207** as well as others pointed out that there appears to be an element of condescension and stereotyping (no matter how well-intentioned) in

² As expressed by philosopher Ludwig Wittgenstein.

seeking to privilege playing blues as essentially off-limits to others of non-African-American ethnicity. Certainly, Rudinow's exposition of some of the hidden meanings (echoing Strauss) in early blues' lyrics serve as a cautionary point against 'presumptive familiarity' against anyone embracing this art form, nevertheless Shelby's and Oneg's points echo Buddy Guy here: this art form is colorblind. To restrict it otherwise smacks of condescension.

Nevertheless, of course, 'colorblind' is only half the story. The real issue is *ethnicity*, of course (410-411). In this respect the hard question concerning someone white having grown up immersed in an African-American community was raised by many, as for example was raised in lecture (Thursday). On the one hand, it seems easy to conclude that such an individual *is* experiencing first-hand the collective ethnic reality, *within* the community. Nevertheless, the individual's skin color becomes an issue *outside* the community, as, for instance, if the African-American community is surrounded by a predominantly white, racist, broader community. Such an individual would not experience the same degree of racism and scorn as members of his or her own community would, no matter how identified and loyal the person would feel towards his African-American home community. Hence a case may be made in either way: in other words, the person basically is sitting at the boundary between two worlds. Someone from within the African-American community could argue that because such a person does not experience the same treatment from whites *outside* the community, then this individual is really not fully in touch with or identified with the community's perspective, to enable him or her to fully and authentically play the blues, in this sense. On the other hand, someone within the community could argue with equal force that because the individual is primarily *identified with*, and *loyal to* the community, then, she or he *is* in touch with the essential experience of the community, and would therefore convey this authenticity effectively in playing the blues.

Difficult 'border' cases like this certainly arise all the time. As an analogy, I brought up the example of an ethnically American Hawaiian who became a Sumo Wrestling champion in Japan. Since Sumo wrestling requires years of insulated training and practice, there were many in Japan who felt that this person, no matter how many competitions he won, was essentially an 'outsider,' not fully in touch with the authenticity of this art form. **Christina Stennett (§ 0206)** objected to the analogy, however, by pointing that that blues seems a far more 'portable' art form, in other words one that is by nature more public, than the ancient tradition of Sumo wrestling.