

The Necessity of Categories and the Inevitability of Separation, reply to Glenn

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Introduction

The central topic of Prof. Glenn's paper is *the separation thesis*: 'the idea that true separation, of concepts, things, people or peoples, is possible and even necessary.'¹ In the first part of the paper, Prof. Glenn provides a comprehensive description of the separation thesis and an overview of the dominance of its intrinsic opposition between either/or categories in Western intellectual and legal history. The paper covers a wide variety of examples, ranging from the non-contradiction claim in Aristotelian logic, the incommensurability claim in mathematics, the separation in Christian religion between the world of God and the world of humanity, to the importance of boundaries for national legal systems, the separation of national law from all other forms of law, and the positivist's distinction between State Law and other forms of law or morality. The second part of the paper shows how each of these separations, that have for ages dominated the Western intellectual history, have, over time, become subject of scrutiny, critique and have, over time, been replaced by less dichotomous alternatives. For example, Aristotelian logic has been supplemented by 'fuzzy logic', accepting the vague nature of boundaries, and debunking binary opposites. The paradox, however, is that although the Aristotelian dichotomous logic has been debunked in academic circles for a long time now, it is still profoundly rooted in popular consciousness. A similar paradox can be found in the historical development of the concept of race. For ages it was taken for granted that there were essentialist distinctions and 'unbridgeable differences' between members of different races. Each race was perceived to be endowed with particular forms of collective identity that were 'transmissible genetically'.² However, over time this racial

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1 H. Patrick Glenn, 'Legal Traditions and the Separation Thesis', in this issue.

2 Glenn, in this issue at 228.

essentialism has been debunked. Nowadays both science and law dismiss the claim that there are essential distinctions between the races, and view race as a social construct.³ The paradox, again, is that, although essentialist racial separations no longer have any learned or official approval, they still play a very prominent role in ordinary social and political life.

Glenn's paper does not discuss the separation thesis in general, but focuses on its role in current debates on cultural diversity. The paper starts by a discussion of British debates on multiculturalism that emerged after last year's London bombings. Glenn characterizes these debates in terms of a dichotomy between 'separation and isolation on the one hand and a form of social absorption or integration on the other'. Glenn argues that separation, in which ethnic groups are 'isolated in their own communities' is undesirable. On the other hand, cultural integration does not provide a viable alternative because the world has, up to now, never known integrated societies. Interestingly, the separation thesis seems to function here in two different guises: firstly in a descriptive way, describing the separation of various ethnic or cultural groups in Britain; secondly in a conceptual way, conceptualizing the dichotomy between separation and integration. The question that Glenn seeks to answer is formulated as follows: how can separation be overcome, short of the impossible goal of integration?⁴ Moreover, Glenn focuses on the role of law and legal traditions as possible means in overcoming separation. The latter topic of law and legal traditions will be discussed thoroughly in Pinxten's essay in this volume.⁵ In my contribution I will mainly focus on the role of the separation thesis in current debates on multiculturalism.

I agree with the basic tenant of the paper that an understanding of something like the separation thesis is essential for a fruitful discussion of current societal and political problems of pluralism and of cultural, religious, linguistic and ethnic difference. Moreover, the paper provides a rich overview of the dominance of the separation thesis in Western intellectual and legal history. However, the paper provides a convincing demonstration *that* the separation thesis dominates the Western tradition; it is less successful in giving a systematic explanation *why* the separation thesis has been so dominant in the Western intellectual and legal traditions. In this reply I will argue that the human tendency of thinking in strict categories and dichotomous distinctions provides an explanation for the dominance of the separation thesis. Moreover, I will argue why this explanation makes me sceptical about Glenn's optimism on the possibility to overcome separation.

3 Glenn, in this issue at 228ff.

4 In this issue at 224.

5 Pinxten, 'Separation, integration and citizenship, reply to Glenn', in this issue.

Separations: for real?

Glenn's paper provides a convincing argument *that* the separation thesis has dominated Western intellectual tradition, but does not explain *why* it has been so dominant. I think that a convincing version of such an explanation can be found in the way our human brain is organized. The cognitive capacity to make clear distinctions is an essential condition for human survival. The world consists of an infinite number of objects and differences and similarities between them, and without the ability to categorize, 'we could not function at all, either in the physical world or in our social and intellectual lives'.⁶ Jerome Bruner concludes that:

There is, perhaps, one universal truth about all forms of human cognition: the ability to deal with knowledge is hugely exceeded by the potential knowledge contained in man's environment. To cope with this diversity, man's perception, his memory, and his thought processes early become governed by strategies for protecting his limited capacities from the confusion of overloading. We tend to perceive things schematically, for example, rather than in detail, or we represent a class of diverse things by some sort of averaged 'typical instance'.⁷

Knowledge about one's environment is the result of (mentally) organizing it in categories. Animals, for example, are categorized in species, or in categories like 'dangerous' and 'innocent,' etc. Human beings are separated in various crosscutting and sometimes overlapping categories of men and women, short and tall, heterosexual and homosexual, or along ethnic lines. The purpose of categorization is to reduce the infinity of possible differences in one's environment to workable proportions, while maintaining relevant discriminations between classes.⁸ Rogers Brubaker concludes that our overall mental architecture is such that we find such social categories 'easy to think':

'The evidence suggests that some common sense social categories – and especially ethnic and racial categories – tend to be essentializing and

6 George Lakoff, *Women, Fire, and Dangerous Things* at 5-6 (University of Chicago Press, Chicago, 1987).

7 Jerome Bruner, *On Knowing: Essays for the Left Hand* at 65 (Harvard University Press, Cambridge MA, 1979).

8 Eleanor Rosch, 'Principles of Categorization', in: Eleanor Rosch & Barbara B. Lloyd (eds.), *Cognition and Categorization*, at 29 (Lawrence Erlbaum, Hillsdale, 1978); Paul Starr, 'Social Categories and Claims in the Liberal State', in: Mary Douglas & David Hull (eds.), *How Classification Works: Nelson Goodman Among the Social Sciences*, at 159 (Edinburgh University Press, Edinburgh, 1992).

naturalizing. They are the vehicles of what has been called a “participants’ primordialism” or a “psychological essentialism”.⁹

These cognitive processes of categorization provide a plausible explanation why the separation thesis is so dominant in Western Intellectual history. Human cognition necessarily designates strict separations between categories to understand one’s environment. Even though there are no essential separations between social categories, these distinctions are cognitive devices, invented to structure one’s environment.

However, the fact that separations between social categories are no ‘essences’ but socially constructed regularities does not make them superficial or perishable. Social categories obtain their own meaning by the stereotypical generalizations about the persons within such a category: The Dutch are rude, Canadians are polite, men are competitive and women prefer motherhood above a career. Like categories, such stereotypes are cognitive devices that, by relying on categories, help us to make faster and more efficient perceptions, inference and decisions. The term ‘stereotype’ is used here in the non-pejorative form and refers to the beliefs or expectations about the qualities and characteristics of specific social categories.¹⁰ These generalizations are assumed to apply to all members of the category. Such stereotypes are very influential because of the human tendency to infer strong interferences from surface similarities: ‘our thinking about social categories gives disproportional strength to category differences correlated with physical appearance’.¹¹ Categorizations and generalizations are thus two sides of the same coin: categories are known by their generalized labels, and generalizations enable us to distinguish a specific social category from others. The generalizations reinforce the differences between the different categories.

Cultural difference is not only embedded in individual cognition but also in the basic structure of society. The social construction of categorical differences between cultural and ethnic groups cannot be reduced to discernable individuals and their considerations and preferences. Instead, they must be understood as the aggregated and accumulated result of social interactions guided by the categorizations, generalizations and stereotypes. They are passed on to new members of the society by processes of socialization before the age of reason and over time become internalized. Keith Hylton

9 Rogers Brubaker, ‘Ethnicity Without Groups’, in: *European Journal of Sociology* XLIII, no. 2 (2002), at 165-166.

10 Thomas Nelson, Michele Acker & Melvin Manis, ‘Irrepressible Stereotypes’, in: *Journal of Experimental Social Psychology* 32 (1996), at 14.

11 Myron Rothbart & Majorie Taylor, ‘Category Labels and Social Reality: Do We View Social Categories As Natural Kinds?’, in: Gün Semin & Klaus Fiedler (eds.) *Language, Interaction, and Social Cognition* at 26-32, (quote at 26) (Sage, London, 1992).

emphasizes this for the inter-generational transfer of racist beliefs on African Americans in the USA:

‘Like a resilient virus, racism has a tendency to replicate itself in successive generations and is to some extent self-confirming. (...) Thus, racism once embedded in an institution is likely to remain for several generations.’¹²

African Americans do not necessarily share specific cultural beliefs, norms, or values. Instead, they display the same range of conceptions of the good life as the rest of society: there are left-wing and right-wing African Americans, religious and atheist African Americans, etc. Still, the category of African Americans has a different position in the basic structure of American society, which is generated by the specific stereotypical images. For example, Asian Americans are regarded as productive, hard-working, and obedient, while African Americans are regarded as good at sports and music, but less suitable and reliable as employees, or straightforwardly lazy. The social construction of the African-American race has a long history, which includes well-known elements like slavery, racism and government-sanctioned segregation in the form of Jim Crow legislation.¹³ Martin Gilens concludes that racial generalizations are still very much present in contemporary American society. ‘In particular, the centuries-old stereotype of blacks as lazy remains credible for large numbers of White Americans.’ This stereotype grew out of, and was used to defend, slavery and it has been perpetuated over the years by the continuing economic disparities between black and white Americans.¹⁴ Rebecca Blank argues that such stereotypical generalizations of social categories work as self-fulfilling prophecies:

If someone is perceived or identifies himself or herself as belonging to the African American or another racial group – regardless of the person’s precise physical or other characteristics – that classification creates a social reality that can have real and enduring consequences. For instance, racial classification can affect access to resources (e.g., education, health care, and jobs), the distribution of income and wealth, political power, residential living patterns, and interpersonal relationships.¹⁵

12 Keith N. Hylton, ‘Slavery and Tort Law’, in: *Boston University Law Review* 84 (2004), at 1236-1237.

13 See for a normative discussion of the position of African American in the USA: Roland Pierik, ‘Reparations for Luck Egalitarians’, in: *The Journal of Social Philosophy*, 37, no. 3 (2006).

14 Martin Gilens, *Why Americans Hate Welfare. Race, Media, and the Politics of Antipoverty Policy* at 3 (Chicago University Press, Chicago, 1999).

15 Rebecca Blank, Marilyn Dabady & Constance F. Citro (eds.), *Measuring Racial Discrimination* at 25-26 (The National Academies Press, Washington, 2004).

As a result, all African Americans, regardless of their individual skills and attitudes, face certain barriers in their everyday lives that members of other social categories do not face.

From categories to separation

These arguments from cognitive anthropology and social psychology provide an answer to the question why the separation thesis has been so dominant in Western intellectual history. To make sense of the overwhelming abundance of information in one's environment, human cognition necessarily designates strict separations between categories. For one thing, it explains why separations have been perceived for centuries as natural. In hindsight we can conclude that the essentialist racial and cultural categories and separations were also (misguided) intellectual constructions. This social construction of categorical difference was such an imperceptible process that its results – socially constructed categories like race, nation and culture – appeared to be *brute facts*: independent entities with their own meaning in the social and physical world.

But even after the essentialist explanations for difference and separation have been debunked, they remain a dominant factor in social life and interaction. Difference and separation is internalized by individuals and embedded in interactional patterns, the institutional order, and the basic structure of society.¹⁶ Categories are interwoven in the fabric of society and state, and the embedded character of difference conceals its constructed origins. We do not ordinarily think *about* nor act *upon* the categories of social life; instead, we act and think *within* them.¹⁷

'Social classifications take on a life of their own apart from the claims initially advanced with them. They become diffused and standardized, even on an international scale. This diffusion may obscure their origins and make them appear to be objective, natural, and self-evident.'¹⁸

Anthropologists and psychologists emphasize that difference and separation are continually constructed and reconstructed in social interaction, directed by the cognitive structures. If we find these arguments plausible, we can draw an important conclusion on the separation thesis. Glenn situates his argument in intellectual history; after having discussed a wide variety of examples he concludes that the separation thesis is profoundly anchored in all levels of western civilization. If we accept the conclusions

¹⁶ Richard Jenkins, *Rethinking Ethnicity: Arguments and Explorations* at 56 (Sage, London, 1997).

¹⁷ Starr, *supra* n. 8 at 155.

¹⁸ *Ibid.* at 176.

drawn in cognitive anthropology and social psychology, we can argue that the separation thesis is not only anchored in western civilization, but even one level deeper, namely in human cognition.

One could argue here that categorization must be distinguished from separation: dividing a population in several categories is one thing, drawing firm borders between these categories is another. Such a situation in which several social categories live side by side without firm borders between them could be an example of the sustainable diversity that Glenn strives for.¹⁹ Glenn could accept categorization as a universal cognitive feature of human beings but at the same time maintain that only the western tradition draws firm borders between these distinct categories. In the remainder of this paper I would like to do two things. Firstly, examine whether it is possible to overcome separation while maintaining categorization. Secondly, I want to examine whether drawing firm borders is exclusively a Western affair, as Glenn suggests. Unfortunately Glenn's paper only provides support for the claim that the separation thesis has been dominant in the western intellectual tradition, but he does not show its absence in other traditions.²⁰ I will discuss an issue of cultural diversity that shows that the dominance of the separation theses is more widely spread than only in the Western hemisphere.

Overcoming separation

Distinguishing categories is a universal character of human consciousness, but only the western tradition devises strict separations between them, or so Glenn asserts. But what does it mean to overcome separation? It is clear that it doesn't imply overcoming categorization; Glenn emphasizes 'sustainable diversity' as an admirable goal and starts from the assumption that integration is impossible.²¹ So how can we overcome separation while maintaining distinct categories? Glenn presents overcoming separation as an inevitable endpoint of a continuing process of emerging insight in which separations are debunked. He discusses the example of race, arguing that we acknowledge it to be a social construct, thus 'devoid of any scientific or objective reality'.²² Also nationality is disposed of its essentialist character, since nations are best seen as people simply 'born into a particular contingent set of circumstances'.²³ The suggestion in both examples is that once the essentialist

19 Glenn, in this issue at 228ff.

20 'There are many of these [examples of the separation thesis] in western thought, perhaps more than in other traditions, and I will concentrate on them in what follows, but nothing in principle excludes the possibility of their existence in other traditions.' *Ibid.* at 224.

21 In this issue at 223.

22 In this issue at 229.

23 In this issue at 233.

explanation of the separation has been debunked, we can overcome these separations.

‘The separation thesis flows from particular [read Western] traditions which have sought to disguise their origins in tradition in order for them to assume apparently autonomous or free standing status. (...) Cultures or nations would exist as unities or entities, their boundaries directing attention exclusively to internal workings and homogeneity. If these boundaries are accepted, binary logic requires choice, and national laws of citizenship long insisted on the exclusivity of any state-defined form of citizenship.’²⁴

For a better understanding of the separation thesis, we have to distinguish its ontological and the epistemological interpretation. Those who defend the separation thesis emphasize its ontological character and claim that cultures are truly and essentially separated. Critics like Glenn interpret the separation thesis as an *epistemological* claim that cultural separation is a social construction which is ‘the result of many intellectual constructions’, and generates ‘obstacles’ that operate ‘as forms of blockage of any efforts of dialogue and communication’.²⁵ Thus, communities are not essentialist but epistemic entities.²⁶

Existing communities have no essential and definitive character; instead, they are merely ‘contingent and momentary crystallizations of ongoing information flow, upon which they remain dependent’.²⁷

‘Yet all of these forms of identity which would claim exclusivity are eventually founded on information, in the form of tradition. Even race, long held to be founded on physical and genetic reality, is now recognized as a social construct, that is, founded on information and belief, now rapidly declining. (...) The essentially traditional or information-based nature of all forms of collective human identity should mean, however, if recognized, that no separation can be seen as definitive or even effective and all must be seen as open in some measure, and in a fundamental and not simply regulated manner. This is in no way destructive, however, of necessary human identity. It is recognition, however, in modern language, that all communities are essentially, and only, epistemic communities.’²⁸

24 In this issue at 238.

25 In this issue at 223.

26 In this issue at 238.

27 In this issue at 238.

28 In this issue at 238.

Moreover, Glenn sees the unmasking of this essentialist character of cultures as a possible route to overcoming separation. Glenn argues that the separation thesis ‘collapses’ when we unmask those traditions which have sought to disguise their origins in tradition by assuming an autonomous or free standing status of purity, separated from the rest of the world. Emphasizing tradition debunks separation as ontological essence, and affirms its contingent and epistemic character. Recognizing this epistemic character of ethnic, racial, and religious communities implies that no separation is definitive but all are open to reinterpretation. Glenn seems to suppose a slow but emerging understanding process in which gaining understanding on the faulty defences of separation will eventually lead to overcoming separation. This process starts within academic circles and will, over time, trickle down to a broader endorsement in society. After all, if separation is a social construction, it can also be deconstructed:

‘To the extent that separation is no longer taught as the normal and desirable state of affairs, there should be less violent resistance to human contact and exchange.’²⁹

I have two reasons to doubt this optimistic prospect. Firstly, Glenn claims that *because* race is a social construction, it is ‘devoid of any real objective reality’ but this misses the point of socially constructed inequalities as discussed in section 2 (Separations: for real?). The social construction and perpetual reconstruction of race in social interaction is very real and has very concrete consequences, as we can see in the position of African Americans in the USA. This social construction and reconstruction of race can have effect regardless of the diminishing official or learned approval.

Spreading knowledge on the indefensibility of essentialist justifications of the separation thesis alone will *not* uproot the separation thesis. As I argued in section 2 (Separations: for real?), our human cognition functions – maybe we could even say flourishes – by devising strict categories, and runs the danger of overemphasizing relative innocent differences into strict either/or categories, and ascribe stereotypical characteristics to the elements of these categories. This is *ipso facto* not a bad thing. Human survival is served by the fast and precise capacity of distinguishing dangerous situations from safe ones. Science is served by thinking in strict dichotomies, as mathematics, Aristotelian logic and the zero-one logic in computer science has proven. In our day-to-day life as citizens, scholars or instructors we rely explicitly and implicitly upon distinctions like safe and unsafe situations, good and bad wine, talented and untalented students and exiting and boring papers. We know that these categories and our distinctions between

29 In this issue at 240.

them do not refer to *essences out there*; still they help us to make sense of our world. In our reflective moments we can all see that the borders between racial, ethnic and gender categories are fuzzy instead of strict; we know that the dichotomies and separations we routinely live by are too strict. But we use them in our day-to-day life to avoid the danger of mental overload. Categories and separations are two sides of the same coin and I do not see how a better understanding of their constructed character can help us to overcome separation. We also *know* in our reflective moments that to lose weight we have to eat less and exercise more, and that hangovers are easily avoided by drinking apple juice instead of wine. Still this knowledge does not deter many to become overweight or occasionally drink too much.

Of course, we have to be very aware of our tendency to devise strict categories and to overestimate differences between categories. We have to be aware that the separations we live by are cognitive constructions that should not be taken at face value as essentialist entities. The recognition that separations are social constructions enables us to make them subject of scientific scrutiny and moral deliberation. For example: which separations are helpful (e.g. separation of national law from all other forms of law); which separations are confusing or cannot be sustained upon closer examination, and which are perverse (essentialist racial categories)? Acknowledging separations as social constructions enables us to critically reflect upon the separations we routinely use in our daily life. But I don't think we can overcome separation; the best we can hope for is that incorrect or immoral categorizations will be subject of constant scrutiny and, over time, be replaced by more correct and acceptable ones.

This argument why overcoming separation is less evident, is strengthened by a second one, concerning the strategic use of separation. The cognitive tendency to devise strict categories and to overestimate differences makes separation a powerful vehicle for political rhetoric on religious, cultural and ethnic diversity. It could very well be that that was an emerging tendency of peaceful coexisting of the many ethnic groups in London before September 11th 2001, in Glenn's terms a tendency to 'sustainable multicultural diversity'. But the attacks in New York, Madrid, and London have clearly disrupted these tendencies, and could even be seen as deliberate attempts to this end. Times of political stress induces groups into we/them thinking. Dominant groups – domestic British – start treating Muslims – and those who faintly look like Muslims – with much suspicion, while minority groups, feeling under surveillance, also withdraw from public life to their own community. The point here is that we cannot presuppose a univocal trend towards overcoming separation, but that the process is also characterized by serious set backs. One step forward, two steps back, or so it seems. Al Qaeda's distinction between the followers of 'true Islam' and unbelievers was a powerful reinvention of the separation thesis, and their attacks actually (re)generated

separated societies. President Bush's reaction, a war against terrorism under the heading of 'you are either with us or against us' is another example – that can be supplemented by many others – in which political or religious leaders play the separation card to gain support.

Moreover, such trumps are not only played in the western world. Indeed, ethnic conflict, embedded in the separation between 'us' and 'them,' can be found in all parts of the world. This suggests that, at least in the cultural realm, the separation thesis is not only a Western affair – as Glenn suggests – but a more universal tendency.

Conclusion

Prof. Glenn discusses the separation thesis and concludes by the assertion that if we stop presenting separation as the normal and desirable state of affairs, we can expect less violent resistance to human contact and exchange. In this paper I have argued why we cannot expect this to happen in the near future. Cognitive processes of categorization and separation and strategic appeals by religious and political leaders – *you're either with us or against us* – continually regenerate separation, making it unlikely for separation ever to be overcome. This does not imply that it is impossible for separations to diminish over time. If we focus on the position of African Americans in the US, we can see that the role of race as a determining factor in society and the separation between the races has diminished enormously over the last two centuries. But these changes are mostly the result of abolishing strict separations in governmental policies – e.g. the abolishment of slavery and Jim Crow legislation, the rejection of the 'separate but equal' doctrine. But abolishing these policies does not *ipso facto* undermine the underlying dominance of race in society. For the reasons discussed in this paper, ethnic, racial and religious separations are more persistent than egalitarians like Glenn and I would like them to be.³⁰ Thus, even though I wish it were possible, overcoming separation seems to be a bridge too far.

³⁰ Pierik, *supra* n. 13.