

## Critical Race Structuralism and Non-Ideal Theory

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### ABSTRACT:

Ideal theory in social and political philosophy generally works to hide philosophical theories' complicity in sustaining the structural violence and maintenance of white supremacy that are foundational to settler colonial societies. While non-ideal theory can provide a corrective to some of ideal theory's intended omissions, it can also work to conceal the same systems of violence that ideal theory does, especially when framed primarily as a response to ideal theory. This article takes a decolonial approach to exploring the limitations of non-ideal theory in its ability to respond to and redress the continuing harms done to Indigenous peoples by settler colonialism, including by outlining non-ideal theory's relationship to a colonial politics of recognition.

Realizing a better future requires not merely admitting the ugly truth of the past—and present—but understanding the ways in which these realities were made invisible, acceptable to the white population.

—Charles Mills

An increasing number of philosophers now describe their work as “non-ideal theory.” To some extent, that's a good thing. When they describe their work this way, they mean that their theories are based on a view of the world as it actually is, one that corresponds to an empirical reality where human suffering, disease, and oppression are observable social phenomena.

Marx, for example, was a non-ideal theorist; he tackled specific questions of social inequality and class poverty based on the misery he witnessed. And he sketched a picture of what

a just world should resemble based on the known patterns of labor exploitation in 19<sup>th</sup>-century industrial England. Plato, on the other hand, pretended that the shattering crises of government in Athens brought on by the Peloponnesian War didn't affect his theory of governance or his subsequent portrayal of an 'ideal Republic'. He postulated theories of what material reality is and what constitutes justice in his reality based on an idealized conception of some perfect 'Form' that exists independently of social reality. He was an "ideal theorist."

In Anglo-American political philosophy, ideal theory is closely associated with the work of John Rawls. For Rawls, ideal theory "works out the principles that characterize a well-ordered society under favorable circumstances" (1971, p.216).<sup>[1]</sup> Like Plato, Rawls developed a principled approach to moral questions about the duty to act against injustice. He did so without a critical theory of power or history to inform such an approach. Judgments of justice must be reasoned, he argued, and by this he meant that they should derive logically from other valid judgments or arguments about society (or the relationship between thought and action), rather than from descriptive or observational accounts of society's ills (as Marx did).

For many decolonial thinkers, Rawls's account of justice is a paradigmatic case of *cultural gaslighting* (Ruíz 2020), because it argues for a just and liberal democracy using tools and methods designed to prevent the realization of a non-whitewashed version of such a democracy. It also claims ignorance and plausible deniability for its role in helping cultivate and preserve roadblocks to the realization of such a social reality. This kind of ideal theory works to hide philosophy's complicity in sustaining structural violence and maintaining the structure of white supremacy that is foundational to settler colonial societies. Rawls, for example, built his account of justice on a universalized projection of society's 'basic structure' that makes it very difficult to locate the fundamental causes of injustice in the known patterns of historical oppressions of European

colonialism and US slavery. It also makes it nearly impossible to identify the adaptive and functional mechanisms behind structural violence in settler colonial societies today.

The obscurantist functional role of ideal theory is not an accident, just as it is no accident that, as a political theorist purportedly concerned with justice, Rawls said stunningly little about race or racism. As the late Charles Mills astutely observed: “Here is a huge body of work focused on questions of social justice—seemingly the natural place to look for guidance on normative issues related to race—which has nothing to say about racial injustice, the distinctive injustice of the modern world. What explains this systematic omission?” (2017, p. 139). For Mills, what explains the omission is twofold. Conceptually, Rawls justifies the omission by taking ‘ideal theory’ to mean “a society without *any* previous history of injustice” rather than a society that has *not yet* produced the rectificatory measures necessary to produce justice and live up to a ‘social ideal’ of, for example, equity and corrective action for harms done (p.140). Practically, the omission exists because it comes with payoffs and benefits for certain populations:

If race and racism are thought of in the standard individualistic terms of irrational prejudice, lack of education, and so on, then their endurance over so many years becomes puzzling. Once one understands that they are tied to benefit, on the other hand, the mystery evaporates: racial discrimination is, in one uncontroversial sense of the word, “rational,” linked to interest (Mills, 2017, p. 132).

These benefits are much like the social and intergenerational payoffs W.E.B. Du Bois (1935) described as the “public and psychological wages” that extend the privileges of white dominion to white workers but not to workers of color. Under the ideal-theory framework, this structural level of injustice is made difficult to detect, because the universalizing assumptions that underlie the framework can easily produce race-natural explanatory narratives to justify the asymmetries and patterns associated with such injustices. That’s the true purpose of the ideal theory framework: to

provide cover at the epistemological level in order to produce cultural and structural gaslighting (Berenstain, 2020). Which populations ideal theory is designed to benefit (and which populations it is designed to gaslight) are purposefully rendered mysterious or irrelevant to philosophical discussions by the ideal theoretical tradition.

Mills, of course, famously came down on the side of non-ideal theory by bringing the powerful relevance of history and colonialism to bear on questions of racial justice and systemic oppression in *The Racial Contract* (1997).<sup>[2]</sup> In it, he detailed centuries of nonaccidental patterns of white supremacist violence,<sup>[3]</sup> land theft, and displacement—from religious crusades and slavery to mundane policies and administrative practices—that work together as a system to continuously reproduce white supremacy throughout its various transformations in history. Long gone is the period of “formal, juridical white supremacy” and here now is a “de facto white supremacy” that does not require the same administrative structure (e.g., laws upholding chattel slavery) to continue to function “as a matter of social, political, cultural, and economy privilege based on the legacy of conquest” (p.72-73). What makes this continuity possible, for Mills, is the flexile nature of the racial contract (e.g., the fact that it is continuously being remade by new polities whose interests are served by protecting settler white supremacy). And what holds the racial contract together is a lie—a big lie, unlike any other. This lie is a culturally sophisticated and historically long-running cultural project that sustains a social reality Mills describes as a coordinated mass distortion— a kind of collective eyewink and tacit “agreement to *misinterpret* the world” by those who benefit socially and economically from such misinterpretation (p.18). Whereas Marx described ideology as the reproduction of social reality based on ruling *class* interests, Mills takes a decidedly harder epistemological line by situating the long-running successful cultivation of a racial epistemological project in western history as the condition for the

possibility of dominant ideologies, including those that Marx described. It is no wonder then, that Marx and his followers missed the mark on colonialism and the role of racial capitalism in creating and sustaining the conditions of exploitation that Marx purportedly ‘observed’. Thus, Mills describes ideal theory as the pure “ideology” of *white polities*: “a distortional complex of ideas, values, norms, and beliefs” that actively misinterpret the world under the guise of universalized projections of naturalized social narratives about fairness and justice (2005, p.172).

Often glossed over in philosophical discussions of his work is the fact that Mills held a *functional* account of racial epistemology and of the dominant cultural ideologies produced through histories of domination. This functionalism is why Mills’ work is sometimes described as Critical Race Structuralism.<sup>[4]</sup> For example, he thought ideal theory served practical political and cultural functions that cannot be severed from the staying power of white supremacy. In other words, ideal theory is not simply the abstract theoretical busywork of moral and political philosophers influenced by the Platonic tradition. For Mills, ideal theory is not a value-neutral intellectual enterprise, as it creates narrative escape hatches to justify exploitative social arrangements under the guise of naturalness, universality, or historical impartiality—often produced through the use of thought experiments and hypothetical scenarios (a point Fanon also made). Ideal theory creates conceptual scenarios that actively obscure the operations of oppression and systemic violence against racialized peoples. It enshrines social privileges for a “transnational white polity” that profits, quite literally, from this naturalized narrative of social reality (1997, p.29). For example, as Mills reminds readers, Locke was an investor in the slave-trading Royal Africa Company and assisted in writing the slave constitution of Carolina—and these facts are not

unrelated to the philosophical theories of property he produced. This is the tradition of non-ideal theory that interests decolonial thinkers.

Mills' critique of Rawls can be summed in his claim that "the ghost of the repudiated factual dimension of contractarianism continues to haunt the normative account" (2017, p.141). This critique is widely applicable across a range of contexts of resistance. It can be used, for instance to unpack James Baldwin's (1966) critical analysis of U.S. racism hiding behind egalitarian pretense. Baldwin writes: "I can't believe what you say...because I see what you do." And, according to Mills, what beneficiaries of white supremacy do is whitewash history in order to build their abstract philosophical theories. This is done routinely, with predictive regularity, and with functional outcomes that serve specific cultural projects, including those that uphold normative accounts of the social world to provide cover for ideal theory as the routine apolitical business of philosophers (rather than reveal it to be part of a cultural project aimed at shoring up the conditions for the possibility of the continuation of white dominion). History plays a leading role in Mills' account of non-ideal theory precisely because it is used as an empirical stopgap to the flood of dominant normative accounts of the social world (and the principles of justice that derive from such normative accounts) as a theoretical abstraction. *Colonialism is a historical difference that makes a theoretical difference*, full stop. This is a sticking point in Mills' account of non-ideal theory, here referred to as Critical Race Structuralism (CRS). Despite the congruence with many decolonial thinkers on this point, CRS also has important limitations in Indigenous contexts that are overlooked in discussions of non-ideal theory. In what follows, we address these limitations.

A major concern with the framework of non-ideal theory is that it assents to too many of the terms of the debate set by ideal theory. Mills had a sense of the dangers of triangulating with

whiteness that present themselves whenever historically oppressed peoples have to respond correctively to the whitewashed realities upheld by settler colonial epistemologies. It's exhausting, for one thing, and it creates significantly more work to have to deconstruct and show the flaws in an opponent's framework in terms they can understand and even agree with. It is easier to simply build a framework that can actually do what one needs it to.

Triangulating with a settler colonial theory that sets up inequitable terms of engagement also contributes to a political economy of knowledge that favors privileged intellectuals in the Global North. Silvia Rivera Cusicanqui (Aymara) makes this point in relation to decolonial literatures that center epistemological debates taking place within North American universities—debates which are often focused on the project of 'decolonizing' academic ideas that are built on the assumptions of ideal theory. Cusicanqui writes: "Through the game of who cites whom, hierarchies as structured, and we end up having to consume, in a regurgitated form, the very ideas regarding decolonization that we indigenous peoples and intellectuals of Bolivia, Peru, and Ecuador have produced independently" (2020, p.61). Just as white Anglo-European philosophers wasted no time appropriating 'decolonizing' as a metaphor to mean simply 'undoing'—as in contesting a wide range of disciplinary projects and internal debates that have little to do with actual colonialism (Ruíz, 2021)—non-ideal theory is increasingly used in philosophy as a framework to talk about injustice while simultaneously re-entrenching whitewashed theoretical approaches to questions of social justice, racial equity, and structural violence.

So, even as more philosophers describe their work as non-ideal, many are continuing to engage in the complex theoretical evasions Mills identified as central to Rawls's work. These evasions do not happen through structured silence about racial injustice, but through a rescuing and recentering of white innocence projects (Mawhinney 1998; Tuck and Yang, 2012). White

innocence projects create accounts of the world that uphold settler colonial white supremacy by exonerating white beneficiaries of racism for their role in maintaining and profiting from its systems of structural violence. For an in-depth discussion of white innocence projects, see Ruíz (forthcoming) for an analysis of how Iris Marion Young's work exonerates contemporary whiteness from responsibility for the ongoing harms of racism.

The practice of triangulating with whiteness also tends to decenter important land-based epistemologies and relational accounts of social bonds that are deeply rooted in the physical environs, airways, waterways, and reciprocal attachments to lands, plants, and animal life that are central to the survival of Indigenous lifeways (Maracle, 2015; Paredes, 2014; Kauanui 2008). Leanne Betasamosake Simpson (Michi Sagiig Nishnaabeg), for example, uses a land-based perspective of grounded normativity to powerfully illustrate the critical payoff for upholding settler epistemologies: land theft. And she doesn't need 'non-ideal theory' to name the epistemological contours of settler colonial white supremacist violence on Indigenous lands that help secure these payoffs. Non-ideal theory simply does not get to the materiality of physical lands at the level necessary to be of pragmatic and practical value in Indigenous contexts.

Non-ideal theory is not the only tradition that highlights the hermeneutically deep and complex administrative mechanisms that obscure how the settler colonial cultural project was created and actively maintained —e.g., “that these realities were made invisible” through the settler epistemologies of the racial contract. For many Indigenous theorists, especially those rightfully weary of the 'epistemological turn' in decolonial theory, non-ideal theory is not nearly non-ideal enough.

For one thing, the 'non-ideal' framing tends to cover over the intentional and deliberate nature of the colonial white supremacist epistemological and administrative systems that are



oriented to produce violence. The implicit picture of the ideal/non-ideal dichotomy is that the ideal is the default and the non-ideal represents the imperfect if expected departure from the ideal due to human fallibility, moral error, ignorance, and other flaws of habit and character. This conjures an image of injustice as a matter of human *failing* in a way that covers over the central role of settler *success* in designing systems of colonial violence to secure the specific goals of land theft, forced labor, resource extraction, and sexual exploitation. Non-ideal theory may be able to describe historical gaps or processes of concealment, but it is still up against settler colonial adaptive and regenerative social mechanisms that will produce such concealment, all while decentering alternatives that can be meaningfully used and applied.

One major area of discourse that accomplishes this concealment is that of recognition politics. Non-ideal theory is closely linked to recognition politics, as the harms that non-ideal theory considers are often formulated in terms of failures of recognition (Darwall, 2021). Recognition theory posits that a variety of social harms, including those systematically produced by structures of oppression, can be understood as stemming from a denial of recognition to marginalized populations. Recognition is theorized as a moral psychological process, in which recognizing someone as an autonomous being involves respecting their inherent humanity and equal moral standing (Darwall, 1977). Some recognition theorists go so far as to suggest that liberatory struggles are or should be rooted in a struggle for recognition (Khurana, 2021). However, in his treatise, *Red Skin, White Masks*, Yellowknives Dene scholar Glen Coulthard reveals the way that discourses embracing the politics of recognition tend to reinscribe colonial relations between those ‘asking’ for recognition and those who are in a position to bestow such recognition, under the political and administrative systems they designed. Recognition politics, according to Coulthard, is merely a newer iteration of colonial power relations.

Recognition politics works to conceal the actual processes at play that produce and uphold settler colonial violence. This is evident, for instance, in Canada's Truth and Reconciliation process. Leanne Betasamosake Simpson describes reconciliation processes as just a lot of talking and apologizing without any actual commitment to change. There is no effort to repair the harm or address the root of the problem, which in this case is the dispossession of Indigenous peoples from their land. As Simpson incisively critiques, it's just the abuser showing up with flowers and a promise that it won't happen again. Simpson says, "I need action over words, and I need the action to be grounded in the root cause of the problem, the dispossession." (Simpson, 2013). Land has never been a part of the Canadian reconciliation process, and "This is a problem because Indigenous peoples will not survive as Indigenous peoples without land." But land back and 'recognition' have little to do with one another. The politics of recognition is mostly closely associated with *inclusion* by a settler state in its citizenry, something that settler states have often used as a strategy of genocide via cultural and political assimilation for Indigenous peoples.

Ezgi Sertler (2023) rightly warns against the willfully ignorant optimism inherent in the broad idea of recognition as a pathway to liberation. Specifically, she identifies a mechanism by which colonial administrative systems "enable new categories of legibility promising recognition for certain populations while, at the same time, they limit that category in ways that harm those populations," what she calls a *recognition bluff* (2023, p.2). In this way, the promise of recognition can easily be used to buy acquiescence while settler colonial practices shift forms and renew themselves in adaptive ways.

When framed principally as a response to ideal theory, non-ideal theory can easily become a politics of recognition. It does so by suggesting that, if only there were more

recognition of and respect for marginalized people's inherent humanity, dignity, or equality of moral standing, there wouldn't be such extensive ongoing violence against 'unrecognized' groups. All the while, it conceals and deflects from the extensive positive work that is done to build, uphold, and maintain these systems for their beneficiaries. The lack of recognition is not the motivating factor for the colonial systems of administrative power; it is the justificatory work done on the back end to excuse and deflect from these systems and the dynastic wealth they generate. When non-ideal theory is reabsorbed into the orienting goals and productive capacities of the ideal theory framework, it gaslights marginalized populations into thinking that it's necessary or even desirable to seek permission for one's freedom, or to attempt to secure equity and reparative action as if an argument for harms done must precede the actions of repair—and be deemed acceptable by the harm doers themselves. Non-ideal theory thus often works to conceal the inner functioning of structures of oppression and settler colonial administrative systems that promise recognition while inventing new strategies of withholding by deflecting from the true obligations of reparation and land rematriation that are generated by the violence on which these systems depend.

While Mills was rightfully wary of the dangers of triangulating with whiteness, his own later efforts<sup>[5]</sup> to reconcile liberalism with racial justice as a positive project, partly via terms set by the Rawlsian and Kantian framework, skirt dangerously close to absorption by the adaptive capacities of settler epistemological systems. These systems easily coopt, nullify, and reconstitute conceptual resistance strategies, so that dismantling the structure of white supremacy resembles attempts to 'void the [racial] contract.' This is an approach that concedes significantly more to settler epistemological frameworks than do resistance strategies starting from various

Indigenous practices of sovereignty and autonomy that never relied on the premises of such a[n illicit] contract to pursue Indigenous lifeways.<sup>[6]</sup>

The challenge of taking up Critical Race Structuralism in the next decades rests on the ability to remember these tensions and utilize non-ideal theory in ways that do not recenter the lifeworlds and concerns of those whom ideal theory was built to protect.

## Notes

- [1] The notion is classically dated to Rousseau's (1762) distinction between two types of social contracts (one ideal and the other non-ideal) (Ruíz, in press). Think of Rawls' notion of Ideal theory as a Platonic 'Forms' version of the social world; a kind of formula or model for plugging in questions about justice, fairness, and moral conduct under controlled variables.
- [2] Mills writes: "My 1997 book, *The Racial Contract*, was explicitly and self-describedly a work in non-ideal theory. I sought to show there that—insofar as the contractarian tradition has descriptive pretensions ("contract" as a way of thinking about the creation of society)—the modern "contract" is better thought of as an exclusionary agreement among whites to create racial polities rather than as a modeling of the origin of colorless, egalitarian, and inclusive socio-political systems." (2017, p. 140).
- [3] Without any significant attention to gendered racial violence or the inherently intersectional nature of white supremacy, as Lindsay (2015) notes.
- [4] Critical Race Structuralism (CRS) is "a theoretical framework that analyzes racial and ethnic relations in social and institutional systems in terms of patterns and relationships between race, culture, gender, and social structures." (Pass and Bullock, 2021; refer also to Wiggan, Teasdell, and Parsons, 2022). Mills' deployment of history as a cornerstone of non-ideal theory figures into CRS by situating the institutional systems and patterns of oppression that hold between race, culture, gender, and social structures within the historical structures of *colonial occupation and oppression* in settler colonial white supremacist states.
- [5] A project he intended to develop, but did not have time to do so—which is an important point to make in light of the material toll differential health burdens are designed to take on populations of color.
- [6] On a practical level, ideal theory does not sufficiently support the positive and strength-based approaches many Indigenous communities rely on to structure public health programs and intervention strategies that respond to structural violence and intersecting oppressions.

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