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RC Patterson

University of Missouri-St. Louis, rpc4b@mail.umsi.edu

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Coercion Negates Responsibility:
A Case for Indirect Compelled Doxastic Coercion and Adaptive Preferences as Effects of
Practical Coercion

By
RC Patterson

Urban Studies – Undergrad, Harris-Stowe State University, 2011

A Thesis Submitted to
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Committee

Jill Delston, Ph.D.
Eric Wiland, Ph.D.
Stephanie Ross, Ph.D.

Abstract

In part 1 of this project, I 1) define different forms of coercion; 2) outline adaptive preferences; 3) argue that indirect doxastic coercion is the unconscious element in adaptive preferences; and 4) contextualize these concepts in the black experience. In part 2 I 1) demonstrate how certain segregation policies are a mix of direct practical coercion and indirect doxastic compelled coercion, or indoctrination; 2) In the final section I argue that, under desert theory, coercion negates responsibility.

Introduction

The intent of this paper is to demolish the popular notion that black Americans of low socioeconomic status freely choose to live as criminals, contributing to criminality and the social instability of their environment. When this concept becomes a talking point, it takes this form: Low-income black Americans willfully allow themselves to be poor, and because these individuals choose to engage in this lifestyle, they are autonomous and wholly responsible for their state of affairs. This claim ignores the joint relationship between individual and environment. A host of environmental factors can have significant impacts on the behaviors and mindsets of individuals. These factors are also discounted by the fault-first logic of moral desert theory. Similarly, in Western society, it is believed that women who buy make up various and objectifying forms of attire because they 'want' to, when they are simply conforming to the world, where their autonomy is restricted and dominated by men (Jefferys 2005 pg 7-8). It is not reasonable to conflate the desire for something and the ability to attain such a thing with autonomy. In Nussbaums *Women and Human Development: The Capabilities Approach*, she describes Jayamma, a poor Indian woman who works a low wage job. Jayamma may desire a low wage job and she may be able to attain it, but her desire explains her behavior only when we ignore that fact that this is possibly the only work that she has access to is when the claim is made that she is autonomous (Nussbaum 2000). Similarly in D. Watsin's *POOR BLACK PEOPLE DON'T WORK?: lessons of a former dope dealer*, from his youth as a drug dealer, when the structural inequalities of his environment are ignored, the claim is made that he may desire to sell drugs, ignoring the possibility that he only sold drugs because he had no opportunities to work in a legal field (Watsin 2014). When these individuals are assumed to have autonomy they are likewise assumed to be fully responsible for

their actions. According to moral desert theory one is fully responsible for one's actions regardless of context except in certain circumstances like coercion. This allows for the observer to blame an area's population for its lack of resources without looking at the cause or origin of resource scarcity.

Urban segregation policies, the institutionalized origins of resource scarcity in urban communities, have long coerced practically and indirectly. In the second half of this paper, I focus on how the direct practical coercion of segregation policies, which still exist to this day, and have led to a form of indoctrination. The indirect coercion, I'm referring to, is called indirect compelled doxastic coercion (ICDC). Within this form of coercion an individual's rationality is pushed to the periphery, and beliefs are implanted in the individual's mind. The indirect coercion motivates, and even forces, agents to follow social and financial incentives associated with success in their environment. Individuals are motivated toward incentives that are illegal and harmful, making Faustian bargains in order to survive. The example I use is that of a child raised in the Blood gang¹. At a very early age, before rationality has developed in any way, parents teach children the core values of being a member of a gang.

Thesis-If coercion negates responsibility according to desert theory, and ICDC is a component of adaptive preferences, then adaptive preferences also negate responsibility according to desert theory.

¹ According to Belenkaya (2008), children are initiated into the Bloods gang by their parents in a complex indoctrination practice. On the surface, the children are directly coerced by adults--those individuals legally responsible for their maintenance. The source of this parental coercion, this parental indoctrination, of the child and the subsequent maintenance of this indoctrination into adulthood is indirect compelled doxastic coercion. This form of coercion occurs when one's rationality is pushed to the periphery and one acts on the behest of another, the coercer's, will. The indirect compelled doxastic coercion of the adult becomes manifest in the form of adaptive preferences. Adaptive preferences occur when one does not desire beyond one's perceived feasible set.

Adaptive preferences are the natural consequence to the unconscious coercion that motivates individuals to satisfy desires in an environment of limited resources (Superson, 2012). Indirect compelled doxastic coercion occurs the unconsciously because proving existence of the autonomy necessary for assigning responsibility becomes difficult. The moral desert theory considers that conditions necessary for the removal of the agent from the moral community are created by indirect compelled doxastic coercion. This manifests in adaptive preferences in some low-income black Americans, which prevents them from being judged under a desert theory of morality.

Individuals born in environments of limited resources may be raised to, and raise by others to, believe that one must do certain things to survive, in the example of the Blood gang², one survives through crime. Even if the parents born into this environment don't raise their children to believe committing crimes is the only means of survival, the previous direct coercion produces the same result. Direct coercion in this context takes many forms, including Jim Crow and Red Lining, forming modern day urban concentration camps, mass incarceration, discriminating against home buyers, and racial profiling. Environmental factors, such as job scarcity and peers, may compel one to sell drugs for a living as a means of survival³. This way of living is the direct and indirect compelled doxastic coercion becoming manifest in adaptive preferences. Adaptive preferences occur when one adapts their feasible set to what is attainable within that feasible set. D Watson,

² The child, raised in the Bloods gang, grows into adult hood believing this doctrine and acting on it. Gangs like the Bloods primarily exist in high poverty areas and in many ways gangs and former drug dealers like D Watkins developed as a response to the scarcity of economic opportunity.

³ But the ICDC could simply be a work ethic because ICDC isn't necessarily negative. The ICDC, of one individual could simply be a belief in hard work, in another it could be the belief one should murder people who have disrespected you. If I were to use a Freudian term, ICDC is the programming of the super ego. Either way coercion negates responsibility.

the Blood baby and Jayamma prefer to sell drugs, live in gang life and work at a low wage job, but only because they have no other options.

McMyler (2011) I defines coercion as the act of forcing or threatening someone to do something they would otherwise not have done; it involves one or a group of agents targeting an individual or group and serving as a stimuli for them to act in a certain way, either by threat or force (McMyler, 2011, pg 540). I define coercion as an individual, or group, being forced to do something they otherwise would not have done. This second definition allows for environmental coercion, or natural constraints as coercion. Some individuals are coerced in two ways indirectly trough ICDC and adaptive preferences and directly through environmental features like mass incarceration.

I argue that, especially after significant legislative changes, like the repeal of Jim Crow laws, endemic adaptive preferences continued to grow in low-income black populations due to the coercive nature of segregation. The cycle of coercion is necessarily linked to the cycle of urban poverty⁴. While direct coercion still occurs, I put more effort into history because understanding how the structures came to be is just as important as understanding the structures that exist today.

Coercion and infant indoctrination

While McMyler (2011) & Leon (2011) define coercion as an individual being forced by other individuals to do something they otherwise would not have done. My definition allows for environmental coercion, or natural constraints as coercion. This way we can talk about coercers

⁴ The child's parents also, possibly, suffered this form of indirect coercion as children. With the child's psychology warped in an environment of limited resources the child can't be blamed for its actions later in life.

and coercive features. While the coercion is still happening to an individual or group, that which is causing the coercion doesn't necessarily have to be a person. People can be unintentional coercive features.

In the case of early 20th century segregation, in the form of racial covenants, Black Americans were legally prohibited from occupying property in certain neighborhoods. A black person could not buy a house in a neighborhood under a covenant. This collusion coerced Blacks into, moving to cities, to concentrate in segregated areas. After Covenants were made illegal government subsidies and insurance schemes kept Black Americans out of the suburbs. Forcing them to live in segregated parts of cities. This coercion still occurs today in the market when blacks and Latinos are shown fewer homes than white counterparts and charged more for the same home than Whites (the "Black tax") (The Editorial Board, How Segregation Destroys Black Wealth) These are direct forms of practical coercion. Direct practical coercion (DPC) occurs if a threatened consequence of not performing an action is a salient feature of the reason for performing the action (McMyler, 2011 pg 540-541). However, in this form of coercion, the coercer does not exceed the rational capabilities of the one coerced (Leon, 2011 pg 733-734). The direct practical coercion of segregation and discriminatory policies and business practices, like that of the housing market, has led to an environment of limited resources. Within this environment of residential segregation municipal facilities are lacking (Bonastia, 2000), as is the supply of employment. In this environment individuals are forced to adapt to their feasible sets, by working multiple jobs and/or committing crime. Some join gangs because of the limited opportunities for legal employment caused by discriminatory policies that prevented black Americans from working jobs in the suburbs,. Those same jobs helped further the decline of the inner city by leaving inner city areas for the growing suburbs. According to Hagedorn (1990) not only are youth in gangs made up of

the underclass, but when members attained employment they left gangs or matured out. This illustrates my argument that individuals commit crime as a means of survival in areas of limited resources. The formation of criminal gangs in inner cities is tied to the decline of inner city areas. This brings us to next more insidious form of coercion; indirect compelled doxastic coercion.

Belenkaya (2008) opens her article on child gang indoctrination with the image of a recruit one year into membership, covered in red gang attire and a semiautomatic weapon propped on either shoulder. The nickname of “Blood Drop” is earned by members of the Blood gang who are comparatively young, and often initiated by their parents. A child is still developing the capacity for rational choice; therefore, only instances of promised violence between developed rational adults fit into direct practical coercion. According to Belenkaya (2008), “Some of the misguided parents think teaching little ones the gang life is cute.” Some refer to this indoctrination as being “blessed” into it. King Ironman, a Bronx member of the Almighty Latin King and Queen Nation gang, refers to the process with positive language in the article. Belenkaya (2008) concludes the article with this quote: “No child is born evil. They're taught evil things...” You're taking a young, very fragile child who's being taught crime by the people who are supposed to secure and take care of him.” This pattern of criminal education is a form of coercion adults use in child rearing. Many of the adults who use this form of coercion have themselves been coerced under a similar process. Also, they may live in an area where you simply have to choose which side you're on to survive, so even if the parents didn't think it was cute, they may be incentivized to raise their child in their gang to give their child protection.

We would have a hard time matching the child from the Belenkaya (2008) article with this definition. If children had a better grasp on rational choice, tenets of compelled practical coercion would accurately describe that interaction. Indirect compelled doxastic coercion occurs when the

coercer seeks to or manages to simply overwhelm the coercee's capacity for practical deliberation, forcing all other considerations to the periphery of the coercee's consciousness and compelling the coercee to act as instructed. However, infants do not have a developed capacity for practical deliberation. Even despite this fact, an argument made from the compelled coercion perspective potentially describes that interaction in an accurate fashion. Even though the infant does not have a developed capacity for rational choice, whatever the level of capacity the child has is pushed to the periphery. As the child ages, the child develops a stronger capacity for rational choice.

Another form of coercion is direct doxastic coercion (doxastic coming from the Greek work for belief). Though an agent may seem to have a genuine expression of changed belief made under duress, the ever present, and high, possibility of harm motivates the expression, thus the belief is not genuine. On the other hand, indirect doxastic coercion can be achieved when a coercee is influenced to believe something via threat. This is similar to the parenting technique of establishing consequences for undesirable behavior. Direct compelled coercion occurs when one is frightened to the point where they are not thinking but they obeying the coercer because rationality has been pushed to the periphery. The way in which a child's indoctrination differs from this parenting technique helps to define the unique circumstances of indirect compelled doxastic coercion, where individuals have been coercively compelled, but believe they have good evidence, or reasons, for their beliefs. . This mindset is typical in an authoritarian state where the state is incentivized to justify its self-serving regime, so it harshly punishes people who express dissenting opinions (McMyler, 2011 pg 553-554). This form of coercion resembles the indoctrination of the infant.

Beliefs about gang life are implanted at an early age, and are reinforced by exposure to evidence of their benefits in an environment of limited resources. As the child develops into an adult, she justifies actions with beliefs formed in areas of scarcity. This belief can be reinforced by

other members of the environment who reflect those views. If the individual were removed from the coercive environment and provided with access to a larger number of opportunities and incentives, the agent would have the potential to recognize these incentives and opportunities and respond to them. Environmental factors, such as job scarcity and peers, may compel one to sell drugs for a living as a means of survival.

In his Salon article, D. Watkins (2014) talks about how he would wake up early and, cut his fingers by cutting large pieces of crack with a razor. Then he would go to the corner, at 8:30 a.m. and sell portions of the crack for \$6 10 to 12 hours a day, all at the age of 18. His friend Lil Duncan sold heroin every day at 4 a.m. Stopping only to take his sister to school. “[T]here are so many hardworking people like us who are forced to create our own industries as a direct result of being isolated by society. To me that poses a bigger question. Why is employment inequality for African-Americans is always identified as laziness? Hire us.” Direct practical coercion creates the environment where ICDC can flourish. But the ICDC could simply be a work ethic as well as a means of survival, like in the D. Watkins example. The ICDC, of one individual could simply be a belief in working hard. DPC through segregation creates the environment, of scarce resources in which individuals had to adapt. This adaptation to one’s feasible set is adaptive preferences.

Adaptive preferences

Jon Elster (1983) coined the term “adaptive preferences” in his book *Sour Grapes*. The term “sour grapes” came from the fable about the fox who adapts his preferences to what he can reach. The grapes the fox wants are too high, so the fox makes himself believe that those grapes are something he doesn’t want (Elster 1983 pg 123). If this occurs in individuals with informed preferences, it’s called self-deception. In the case of adaptive preferences, this process is

unconscious (Superson, 2012). Nussbaum (1995) offers a criticism of the sour grapes fable. Adaptation takes place in many situations in which there is no good information about other opportunities and possibilities (Nussbaum, 1995 pg 151). An individual who lives in poverty in an urban area and lacks a college degree may not understand the benefits of a college degree. Second-class status can easily be reinforced and internalized, and in this fashion motivation can be de-incentivized. The mere existence of adaptive preferences serves as a warning for the influence of existing preferences in choosing social policies.

With an emphasis based on liberty, Nussbaum and Mill argue that people with adaptive preferences should not be forced to suffer from political disabilities, and social policy should not be based on those preferences (Nussbaum, 1995 pg 150). A reasonable ethical theory must distinguish between rational preferences (and/or informed preference) and irrational preferences (uninformed preferences). Elster (1983) would equate true preferences with informed preferences (Elster 1983 pg 113). This notion is founded on the principle that society has no moral obligation to help individuals satisfy unreasonable wants (Nussbaum, 1995 pg 150). Individuals may have manifest preferences and true preferences, the difference between which can be seen in the cases of Jayamma and Vasanti. *Jayamma* settles for low pay and poor working conditions because these circumstances. When offered higher pay, her preference changes out of exposure to the incentives that help to form, and not deform, a preference (Nussbaum, 2000, 113). Vasanti repeats the familiar beats of an individual in a physically and psychologically damaging relationship by denying that harm has been wrought or person has been violated, but through a similar introduction of new opportunity and incentives, her preference changes (Nussbaum, 2000). Vasanti's manifest preference, without external intervention by way of opportunity, would have been to remain in her abusive relationship. Manifest preferences are seen in “observed behavior, including preferences

possibly based on erroneous factual beliefs, or on careless logical analysis, or on strong emotions that at the moment greatly hinder rational choice,” while true preferences are the preferences that would develop “in light of all the relevant factual information, always reasoned with the greatest possible care, and were in a state of mind most conducive to rational choice.” (Nussbaum, 1995 pg 150).

There are two schools of thought that concern preferences. One believes that preferences are not psychological motives or imperatives hiding behind decisions, and that preferences are revealed by actions. The other defines preferences as psychological imperatives or items that lie behind choices and influence them in many ways⁵. This process is what guides our thought processes and our actions. For example, a person may develop a preference for either coffee or soda. This is called an informed preference if it is an evaluation grounded in experience. Informed preferences are propensities formed while in possession of all necessary information. An agent may decide that they prefer coffee because they like the taste, or because it is more beneficial to them health-wise. The agent may similarly? Prefer coffee for any logically justifiable reason. A preference is only informed if it is established as the result of an agent personally experiencing, or getting information of any sort, about alternatives to coffee.

An uninformed preference is a preference developed without exposure to alternatives. The agent with the uninformed preference may not even have a full understanding of their own preferences because of a lack of exposure to alternatives. This deficit can magnify the benefits of the default preference, making it possible for an agent to advocate coffee and never realize some

⁵ If we compare the word preference with value, as Alain Locke used the term, we could define either as an emotionally mediated form of experience. A value or a preference is the result of a synthesis of similarities that we have found in our experiences which is then reapplied to the world.

of the dangerous effects of coffee consumption. An agent with an uninformed preference has experienced preference deformation (Nussbaum 1995). Preference deformation is an umbrella term that includes uninformed preferences and adaptive preferences (Nussbaum 1995). Preference deformation in the form of adaptive preferences is the process by which an individual or group can't attain informed preference satisfaction due to narrow opportunities. In this way, a restrictive society prevents the formation of informed preferences. Individuals raised in food deserts will respond by adjusting their consumption habits to their feasible set. Individuals raised in employment deserts, who may have criminal records, may adapt to using illegal incentives to earn income and survive. This occurs when an individual unconsciously limits their preferences to those preselected by their environment. In feminist literature this process is described as resulting in deformed desires, or repressive satisfactions (Superson, 2012). It makes establishing purely causal responsibility difficult for individuals so affected by their environment.

John Stuart Mill called this form of preference deformation diseased preferences (Nussbaum 1995). Essentially, diseased preferences are adaptive preferences. Mill and Nussbaum describe the conditioning process as it is carried out in terms of patriarchal oppression. Like Mill's diseased preferences, preferences deformed by the insidious patriarchy and racism can cause an individual to ignore the harm associated with a practice or a belief because the social or financial incentive associated with it overpowers concerns of danger. Individuals with low education and poor living standards in an oppressive society will develop preferences that reduce autonomy and increase exposure to risk and harm, but will continue to hold these preferences due to their proximity and comparative availability to options that would have been more preferable had they been experienced. This system controls the conditions in which needs are satisfied (Superson, 2012). For Mill, and others like Bartky, Elster (1983) and Nussbaum (1995), these preferences are

brought about by inequality in access and quality of education, social expectations, lack of information, lack of reflection, denial of autonomy, and lack of options (Superson, 2012). Superson (2012) gives three features of adaptive preferences: 1. These preferences were formed in a social context in response to unjust social conditions; 2. The satisfaction of these desires do not benefit the subject; 3. The individual's welfare is not promoted. They accept their preference as normal (Nussbaum 1995 pg 149). In Nussbaum's *Jayamma* example, *Jayamma* simply accepts her lot in life, her low paying job, never seeking a higher-paying job. In the case of the indoctrination of the infant, preference is even determined without unjustly.

Individuals can be born into a society limited by circumstance, which manifests in the form of resource limitation and heightened competition to fill the same socio-ecological niche. Competition for limited resources can have longstanding psychological impacts on individuals who have endured them. This has been observed to manifest in some women in the form of "the fashion-beauty complex," wherein "women living in a patriarchal culture in which they are judged and objectified according to these standards are likely to adopt the standards and prefer to fulfill them" (Superson, 2012 & Jefferys 2005 pg 7-8). Many black ex-inmates suffer the employment stigma of a criminal record, and are restricted from pursuing legal employment. Couple this personal economic hurdle with the multitude of environmental economic hurdles that exist in areas affected by de facto residential segregation, and an individual is practically primed to develop either an adaptive preference for crime or they are informed about other options, but they can't access them, because of limited options for employment or a criminal record.

In their adaptation to this environment of limited resources, individuals can unconsciously alter their need to satisfy primary functions or secondary preferences (like food and reproduction). Secondary functions (social systems) can shape higher-order preferences (rationality) in such a

way that an individual can believe she/he is satisfying primary functions or secondary preferences, by committing crimes or staying in an abusive relationship, when she/he is actually bring her/himself closer to death, starvation, imprisonment and an inability to reproduce. The environment presents a bargain for need satiation that equates satisfaction of secondary preferences through exposure to risk (Colburn, 2011 pg 57-58). This is often used, in hindsight, to justify some of the conservative talking points regarding lifestyle choice. But in this way, indirect compelled doxastic coercion is the foundation of higher-order preferences. Individuals believe they are satisfying secondary preferences because risk has become intrinsically linked with need fulfillment, even though it is a belief developed in reaction. This can force an individual to satisfy their preferences with beliefs that intrinsically harm them. This process is “covert” or unconscious (Colburn, 2011 pg 68) because this process is unconscious, it causes problems for autonomy. If we define autonomy as a process of self-creation where the one (the agent) decides for “oneself what is valuable, and living one’s life in accordance with that decision” (Colburn, 2011 pg 61 & 72). ICDC undermines autonomy because the agent is not deciding for themselves. Colburn’s (2011) definition of autonomy echos Wolfs’ (1988) concept of the deeper self as something self-organizing and self-creating.

In the case of D Watkins, one is deciding what one believes is valuable in an environment of scarce resources. An environment where the direct practical coercion of segregation policies created an environment of scarce resources in which individuals had to adapt. The status quo of this environment is reinforced by mass incarceration, discriminating against home buyers, employment discrimination and a lack of large scale economic development. The belief compelling D Watkins to sell crack is negative, while the belief compelling him to work hard is not. These beliefs are gained through indirect compelled doxastic coercion- an individual’s

rationality is pushed to the periphery and beliefs are implanted in the individuals mind by environmental factors, like job scarcity, peers and parents.

Criticisms of adaptive preferences

For Sommers (1994), who follows the traditional economic view, preferences are not psychological factors lying behind choices, but are instead revealed by choice. Choice, even injurious choice, is Sommers's barometer for true preference. Sommers (1994) makes no distinction between manifest and true preferences. Thus, questioning agents' preferences undermines their liberty and becomes undemocratic (Sommers 1994 pg 258). For example, in studies of a housing voucher program in Chicago, deep rental subsidies and lack of geographical restrictions did not substantially encourage low-income minority families to use the program to move to neighborhoods of higher socioeconomic opportunity (Darrah & DeLuca 2014 pg 351-352). This line of logic ignores the fundamental tendencies of social inertia, which are only compounded further by longstanding deformations of preference that exist due to ICDC.

Sommers (1994) goes on to criticize the views of gender feminists-who believe in the power of adaptive preferences and the need for social justice policy changes-, by tracing the idea that social norms can deform preferences, creating internal forces that work against one's own happiness, to Michel Foucault. According to Sommers, because Foucault's view hinges on the assumption that we all live in a police state, his views no longer apply to today's society. Foucault and the gender feminists ignore the difference between democracy and an authoritarian police state (Sommers 1994 pg 229-232). While women may have had deformed preference in the time of Mill, because they were, in effect, segregated or prohibited from voting or owning property in many instances, that time is long gone. The law no longer provides a barrier to liberty. According

to Sommers, the law is the only force that can deform preferences. Segregation and Jim Crow are two such examples of institutionalized preference deformers. But in the absence of these restrictions to liberty, it is up to the individual to decide what is best for them. The respect for these preferences is, according to Sommers, fundamental to democracy. Even if preferences are deformed, there is no liberal way to correct for them.

According to Baber (2007), preferences are not deformed in the examples Nussbaum gives, and that in those examples, she credits these preferences with too much influence. For Baber (2007), preferences are not deformed, and individuals are doing the best with what they have. Jayamma settles for a low-paying job with poor working conditions not as a manifestation of socially conditioned self-fulfilling prophecy, but purely due to the lack of opportunity. A lack of expressed frustration, in this framework, does not equal a need fulfilled (Baber 2007 pg 111-113). Vasanti stays in an abusive marriage not because it is predetermined, but because the alternatives present less opportunity for need fulfillment. Vasanti rationally chooses the best options she has at hand (Baber 2007 pg 113-114). Baber (2007) argues that these individuals are not damaged by adaptive preferences, but that they put up with ill treatment because they are rationally choosing the best option available, not the best possible option.

For Sommers (1994), regarding women as suffering from adaptive preferences is patronizing and illiberal. She claims that the women's suffrage movement has discounted this notion by providing equal opportunity for representation of preference in law. Nussbaum echoes Mill by saying that the denial of the right to vote is the reason why the preference of women was long not recorded, but it does not wholly depict why these preferences can be and can remain distorted (Sommers 1994 pg 259-260). Sommers's (1994) notions of influence disseminated through social structure rely entirely upon de jure conduits to deform preference, when so much

of human socialization occurs through de facto means. For Mill, the absence of equal education, accurate information about potentialities and abilities, and ability to influence due to an imbalanced power structure serve as the main cause of preference deformation (Nussbaum 1995 pg 149). Sommers (1994) ignores the impact that culture and other environmental factors have on preference formation. Influential groups may have social prejudices that cause the constituent members of the disadvantaged group to underinvest in education and work skills, thereby making them less productive. Disadvantaged groups exhibit internalization of their second-class status in behavior that reinforces their second-class status, contributing to the positive feedback loop often seen in endemic cycles of crime and poverty. Any theory of social rationality should take the incredible power of de facto influences on human behavior into consideration.

Sommers is wrong because the law is not the only force that constrains individuals. Social institutions like Rawls's basic structure--the family, culture, peers, celebrities, and media--all are social factors that can constrain decision-making and deform preferences (McMyler 2011 & Nussbaum 1995 pg 152). Equality feminists, like Sommers, cannot explain why American women perpetuate stereotypes and views that only lessen their self-esteem and cause health issues. The gender feminist Nussbaum attempts to explain why women act in these ways. The preferences of lower-class black people remain deformed even in the absence of oppressive law. Social institutions are responsible for the internalization of preferences that only serve to harm women. People can still have adaptive preferences because social institutions function as proxies of the old law; in fact, institutions often outlive oppressive laws. Due to negative values being internalized and reinforced by social institutions, the gender feminist explanation accounts for their deformation of preference.

While Baber's (2007) criticism of Nussbaum should be taken into account, it is not a genuine challenge to Nussbaum's definition for adaptive preference. Baber's (2007) criticism fails by assuming that Vasanti knows about her true preferences. Vasanti may be ignorant about her true preferences due to lack of exposure to the potential for such opportunity, or because she had resigned herself from believing in the accessibility of that opportunity due to the environmental reminders of its abiding absence. Even if an individual is able to positively reframe their limited options such that a predetermined preference provides emotional benefits, silver linings cannot be conflated with true fulfillment of self. Baber (2007) wears the shoes of the other in abstract theory; she never has to don them, tie the laces, and walk any stretch of distance. In doing so, Baber (2007) is committing value absolutism by assuming a universality of values. This view disregards culture and looks at a situation from the viewer's own perspective. Baber (2007) ignores Vasanti's and Jayamma's pasts and inserts her own, which blinds her to the active effects of adaptive preferences, and allows her to comment with the authority of hindsight.

Indirect compelled doxastic coercion as a basis for adaptive preferences

In instances of indirect compelled doxastic coercion, individuals have either been raised in an oppressive society or they were indoctrinated into it in a fashion that resembles but is not identical to the conditioning process present in individuals who suffer from Stockholm syndrome⁶.

⁶ Indirect compelled doxastic coercion satisfies its proposed conditions, under reactive attitudes and the merit view, which remove an agent from the moral community. Within the area of reactive attitudes, an individual is excused from the moral community in the cases of coercion, psychological compulsion, and psychological underdevelopment. Indirect compelled doxastic coercion is reinforced by peers, who may serve to de-incentivize behavior that deviates from deformed expectations of normality. Similarly, an agent may unconsciously fear leaving their community, home, and peers, due to the disparity of exposure and experienced understanding of opportunities that exist outside the safe-zone of community because of the guarantee of need fulfillment in familiar environments, even if needs are fulfilled in a less-than-preferential manner.

Indirect compelled doxastic coercion is the unconscious element that provides for the existence of Elster's (1983) adaptive preferences, which are the physical manifestation, the negative actualization, of indirect compelled doxastic coercion. In the cases of Vasanti and Jayamma, living in a patriarchal environment, they had to adapt their desires to what they could achieve. They believed the patriarchal tenets of their society which set women as second to men and they literally couldn't do anything other than what society allowed them to do. While D Watkin's may have had an ICDC for a positive work ethic, he also had one for selling drugs. Environmental factors, such as job scarcity and peers, may compel one to sell drugs for a living as a means of survival, especially if this individual was raised in that environment.

Part 2

In cases of coercion, blame tends to fall on the coercer, which ignores the potential for a daisy-chain of coercion in which that coercer is simply the nearest link. While the parents of the infant were themselves coercers, it is possible that they were coerced as infants. In fact, it is possible that the history of urban segregation can reveal how direct coercion by local and national government has not only led to indirect compelled doxastic coercion, but also direct practical coercion and then to adaptive preferences in an epidemic fashion. In this section, I give an analysis of the impact of de jure, or legally institutionalized segregation through an axis of private and public players. The failures of urban policies and actions have pushed poor Black Americans living

When the agent has adapted to being uninformed they have adapted to being uneducated, thus making them, not psychologically underdeveloped, but psychologically unfit, where desert theory is concerned. The morality that these individuals are operating under is so distinct from the observer that it would not be rational to apply the standards of the moral community to them. Similarly, it would not be rational for a welder to apply the rules of her trade to the trade of a grocer.

in urban areas into situations where these individuals have few resources, but high segregation and high levels of crime especially because “neighborhoods where violence and gang activity are greatest are often the poorest neighborhoods in a city” (Bjerk 2010 pg 19).

“A life style on bad streets is patternized”⁷

Prior to the 1960s, black communities were still segregated. However, black communities were of mixed income because Black Americans of the middle and upper classes accumulated sufficient wealth to afford decent housing (Kushner, 1980). Black Americans positively identified with their neighborhoods and explicit norms, and sanctions were employed to counter aberrant behavior (Clotfelter, 1999; Calmore, 1995). The migration of Black Americans from the south, in the 1950s, into northern cities was patternized in order to maintain stability (Weiss, 2007). Due to endemic racism against Black Americans, race was seen as a destabilizing factor (Mumford, 1998).

Although federal residential segregation ended in 1917, white land owners created a contract between themselves prohibiting Black Americans from occupying property in certain neighborhoods. This form of direct practical coercion was called the covenant (Kushner, 1980, pp. 16-17). The free market was the legal foundation for this contract, and it allowed residential segregation to persist (p. 18). The existence of this form of contract under the guise of the free market is a direct contradiction to the libertarian notion that the government alone was responsible for segregation, and it remains a classical example for the benefits from and frequent necessity of governmental intervention.

With the advent of the covenant, Black Americans experienced environments systematically deprived of resource and opportunity. They paid more for housing than whites and

⁷ (Nas, 1996, 6)

earned less income to pay for it. Municipal facilities and services were often substandard for Black Americans. Often, Black Americans who moved to northern cities were forced into the ghettos in a pattern of movement which still persists (Kushner, 1980, pg. 17-20). Residential segregation is a monumental example of limited autonomy. The freedom Blacks received after the Civil War, already restricted in the Jim Crow South, was further restricted in the north due to the restrictive channels of movement available in the free market combined with the complicity of local governments to allow this, and any, other form of discrimination.

In the years following World War II, government subsidies and insurance schemes kept Black Americans out of the suburbs. This made large-scale suburban development possible in the 1950s and 1960s (Weiss, 2007). While these policies violated the equal protection principles by basing funding decisions off race, the federal government's justification for allowing these policies to persist was the logic of stability (Weiss, 2007). Stable neighborhoods are good investments, and people of color were viewed as destabilizing factors. As a policy matter, sameness meant stability, while diversity signaled danger. The result was heavy public and private investment in developing white suburbs and the abandonment of inner cities with significant minority populations (Weiss, 2007).

In the era of white flight, the Federal Housing Administration (FHA) funded racism by providing urban whites with the opportunity to leave the city and go further into the county (suburbs). With the loss of the white skilled labor, industry had to also move to the county or lose overhead because hiring blacks en masse was not deemed to be a pleasant option, and the burgeoning county offered a lot more space for development. Despite all the planning, destruction and reconstruction efforts by the urban elites, segregationists still could not stem the tide of

manufacturers leaving the city for the county (Heathcott & Murphy, 2005). This trend has occurred across the nation.

Civil Rights Act under Lyndon B. Johnson ended De jure segregation

In 1967, Charles Haar, an advisor to President Lyndon B. Johnson, created the “Mini Ghetto” scenario. Imagine a congressionally backed administrative housing bill. With the bill’s inception, Black Americans move into the suburbs in well-defined ethnic patterns. Middle income Black Americans live next to middle income whites who are reluctant to stay in their communities. The Black American people moving into lower-class communities experience mass white out-migration or “white flight”. With the loss of the middle class from the inner city and inner suburban areas, both areas suffer problems of alienation, unemployment, and poor education. Charles Haar’s scenario describes the black middle class leaving the inner city, and the death of the inner city as a result of government policy. Primarily, poor Black Americans remain highly segregated by race and class. *De facto* segregation still exists, because many poor Black Americans suffer from adaptive preferences borne of a dialectical historical pattern which has forced them to move in racialized patterns to segregated areas (Chudacoff & Baldwin, 2005).

The Fair Housing Act of 1968 allowed middle- and working-class Black Americans to move out of the inner city and into the suburbs (Mendenhall, 2008). The necessity of this act has continued to have been proven by documented differences in treatment of consumers by realtors. Discrimination on the basis on race and ethnicity has been revealed to be persistent and prevalent by the numerous fair housing audits (William, 2001).

Even though the Fair Housing Act was devised in an effort to provide opportunity for Black Americans, it was also accompanied by a number of unforeseen practical issues once implemented.

The Fair Housing Act incentivized the departure of working- and middle-class blacks from environments shared with low-income blacks, ending the existence of the mixed-income environments unified by a sense of community. The out-migration of middle- and working-class families left the remaining poor with strained neighborhood institutions and reduced access to job networks (Mendenhall, 2008, p. 27). The displaced poor populations pushed the white populations and industries out of the inner city. As the Rust Belt (city) died, the Sun Belt (suburbs) expanded (Heathcott & Murphy, 2005). This death can be seen as a trend or mass movement of low-skilled, high-paying jobs moving to the suburbs from many urban areas, where Black Americans were concentrated. This occurred in tandem with white collar jobs relocating to the inner city. Black Americans then resided in areas without employment opportunities that corresponded to their available skill sets (Williams, 2001, p. 406). By the 1980s, the inner city had concentrated poverty, social dislocation, and social isolation (Calmore, 1995; Clotfelter, 1999). “Residential segregation exacerbates the wealth gap between blacks and whites reinforcing inequalities across generations⁸” (Bonastia, 2000 p. 524). Residence has a significant impact on access to and quality of school, work, and all other socializing institutions and opportunities. According to McClellan (2015) Chicago’s homicides concentrate in 22 out of the 73 community areas. These neighborhoods are racially and ethnically homogenous with little street traffic and high levels of poverty, this meaning that these areas are highly segregated. When contrasted with New York, where almost “every community has an ethnic and social class mix, the streets are vibrant spaces with mixed residential

⁸ At the beginning of Nixon’s presidency, key players in the White House and HUD believed that governmental efforts should be focused on suburban integration and not rejuvenation and rebuilding of ghetto areas (Bonastia, 2000), like the inner city of St. Louis. Although Nixon addressed employment, welfare, and voting, the failure of HUD meant that none of these successes could be maintained. Due to Nixon’s stance against government regulated integration in education and housing, little integration could remain unless there was publicly funded busing.

and commercial use.” (McClelland 2015, Why Some Think Segregation Equals Murder In Chicago) What Calmore calls the culture of segregation can also be described as a culture that motivates the development of adapted preferences in an environment of limited resources. Cultural imperatives compel rational behavioral adaptations and value orientations that deviate from the mainstream norms (Calmore, 1995). These imperatives can range from views on food to views on crime. Individuals adapted to an environment of limited resources will develop views and preferences deformed by the scarcity of resources in their environment, and then pass these views and preferences onto their children in a benevolent but ultimately misguided attempt to train their offspring to survive such a harsh environment. Institutions like HUD have actively ignored this in their attempts to resolve poverty in regards to housing.

Residential segregation and Autonomy

Some government practices perpetuated patterns of segregation. Due to residential segregation, socio-economic mobility had been a central mechanism by which racial inequality had been created and reinforced in the United States (Williams, 2001, p. 406). Such policies included financing mortgages only in white communities and situating public housing projects only in minority neighborhoods, which created a baseline of segregation. Availability of community resources determined the quality of neighborhood schools. Black Americans tended to be in schools with the smallest concentration of whites (Clotfelter, 1999). “There are different and inferior courses and lower levels of achievement than the schools attended by white students in adjacent suburban school districts” (Williams, 2001, p. 405). Massey argues that a simple increase in minority poverty leads to a dramatic rise in the concentration of poverty when it occurs in a racially segregated city (Massey, 1990).

According to the New York Times Editorial Board article, “How Segregation Destroys Black Wealth” residential segregation still occurs today. Even when blacks and Latinos, in the market for buying homes, were better qualified financially, they were still shown fewer homes than white counterparts. They

“were often denied information about special incentives that would have made the purchase easier, and were required to produce loan pre-approval letters and other documents when whites were not. Moreover, real estate agents enforced residential and school segregation by steering home buyers into neighborhoods based on race. Whites were encouraged to live where the schools were mainly white; African-Americans where schools were disproportionately black; and Latinos where schools were disproportionately Latino.” (The Editorial Board, How Segregation Destroys Black Wealth)

Residential segregation exists in a *de facto* form, as it is no longer protected by law. However, the impact of years of residential segregation provides a baseline for institutions to legally limit black autonomy. Children of low socioeconomic status are more likely to suffer cognitive delays, which provides for lower test scores. These children are more likely to exhibit increased aggressive behavior when compared to children of higher socioeconomic statuses (Pavlakakis et al., 2015). The location of your home also impacts your chance of lead poisoning and other environmental hazards, which is connected to cognitive delay and aggressive behavior. The intersection of endemic high rates of crime and poorly functioning educational opportunities only exacerbates the situation. Children with low childhood functioning are more likely to be aggressive and participate in criminal activities later on in life. Association with deviant peers is also a predictor of delinquency or criminality (Huesmann, et al., 2002). Recent work with brain scans links attitudes

and aggressive behavior to activation in different areas of the brain (Freeman, 2003). Individuals are more likely to develop uninformed preferences in this environment because living in poverty puts a strain on the intellectual functioning of individuals.

Children in urban areas are more likely to have low intellectual functions, not because of a biological mechanism that makes them inferior, but due to the impact of years of segregation and flawed Civil Rights policy. This undermines the autonomy of low-income black individuals. Poor black people are denied educational opportunities that would give them capabilities for individual improvement. They are restricted by the criminal justice system, and prevented from accessing a wide array of economic opportunities, simply because they were born in poverty. Individuals living in poverty may have to commit crime to survive. Similarly women, like Vasanti have no preference for economic independence, or her rights as a citizen that have been ignored, before she learns about how women like her might attain these goals (Nussbaum 2000 pg. 229).

The problem with this idea is that preferences are not exogenous, given independently of economic and social conditions. They are, at least in part, constructed by those conditions. A classic literary example of this scenario is that of Jean Valjean from *Les Misérables*. After Jean was released from prison, he was given no opportunity to fulfill his basic needs. Jean turned to crime as a means of survival. This literary example of adaptive preferences, reluctant preferences, and hopelessness exemplify the analysis of Zimbardo and Darrow. The potential criminal is in every man (Darrow, 1922). The human mind can adapt to virtually any known environmental circumstance in order to survive, to create, and to destroy as necessary (Zimbardo, 2004, p. 5). “At this time the child is molded by parents, peers, and other factors in the environment surrounding the child. From first impressions and all through the child’s development, habits form and dominate the child’s life.” Very few people, if any, can trace definite views of conduct or thought

to their conscious effort, but these are born of their structure and the environment that formed their habits after birth. The fact that an individual's political and religious faith depends almost entirely on one's place of birth and early youth, shows the strength of environment in forming and shaping opinions and beliefs (Darrow, 1922).

The criminal justice system funnels young Black Americans into prisons by employing restrictive drug policies. An urban environment with no job opportunities and a failed education structure forces its inhabitants to commit crimes for survival. For D Watson this means he must sell drugs for survival. For the gang member this means selling drugs and participating in violent crime for survival. Strict anti-drug policies allow law enforcement agencies to incarcerate large numbers of Black Americans, not on the basis of race, but due to a high rate of a preference for crime in black communities (Mauer & Huling, 1995). And while violent crimes tend to be higher in poor black communities, black and white commit drug crimes at the same rates (Alexander, 2012).

The preference was formed in a social context in response to unjust social conditions. The satisfaction of the desires to commit crimes do not benefit the subject, because true preferences are never realized due to a lack of information about resources, therefore the individual's welfare is not promoted. A poor education leads to a lack of reflection or deliberation about norms. Disparities mean a lack of options. A lack of options for D Watson and the Bloodbaby.

Black Criminals and desert theory

The indirect compelled doxastic coercion manifesting in adaptive preferences in the infant's parents prevent them from being justifiably judged in a desert theory of moral responsibility in the case of crime. The unconscious nature of adaptive preferences means

individuals are unaware of their compulsion towards damaging effects of pursuing these preferences.

The political right has moved policy away from equal opportunity to the politics of exclusion⁹. Whites believe they benefit from segregation by avoiding crime and other inner city problems, and policies that promote desegregation become less popular. Due to the high concentration of Black Americans in central cities, inner city problems are labeled as black problems, making it easier for politicians to solve urban problems at the expense of poor black residents (Calmore, 1995). The process can be seen as a vicious cycle where white prejudice and discrimination keeps Black Americans in low standards of living that give support to white prejudice (Calmore, 1995).

In an environment of limited resources, many Black Americans may turn to crime. When many of these individuals are incarcerated, private businesses make a financial benefit off the incarcerated through investments in the prison system. When these personages are released, many recidivate and return to prison due to the malformed preferences established by the process of institutionalization. This is just one aspect of the cycle. Another involves underfunded schools that fail to inform the preferences of these individuals, thus allowing their environment to deform their

⁹ In Glazer and Moynihan's analysis of Black American poverty, they came to a conclusion that "the principle causes of the plight of the poor are found in the internal deficiencies of their own way of life, and their total condition is seen as not only self-perpetuating, but essentially hopeless" (Valentine, 1968, p. 28). The political right argues that white motives of avoidance will be reduced when black behavior changes. The political right believes that black segregation is self-induced and whites are justified in their beliefs, because black stereotypes are true. This is similar to what Sommers says about preferences in women. In rejecting any notion of true preferences as distinct from manifest preferences, Sommers holds that observed preferences are true preferences. Similar to the political right, Sommers must hold that it is up to the individual to change their preferences. The political right uses neutral language to apply a color-blind approach to poverty, even though the poor are disproportionately black and segregated (Calmore, 1995).

preference to crime. This poor structure benefits in two ways: 1. Private interests benefit by investing in prisons; 2. Many individuals of middle and upper class, take on a view akin to that of Baber (2007) and Sommers. In a corrupted version of Baber's (2007) view, individuals can justify their omissions to act by viewing a third party's actions in hindsight and projecting their own opinions, formed as a hypothetical response to an unexperienced scenario. In the case of Sommers, individuals can argue that because poor Black Americans have a preference for crime, they deserve to be incarcerated, and if they don't want to be incarcerated, they must change. Poor Black Americans are completely responsible for their behavior because they are no longer limited by *de jure* segregation. While Baber (2007) takes environment into account she ignores the impact one's history has on the mindset of an individual. Sommers ignores history and environment, and like the view of the political right, her view leads to victim blaming.

While all middle class blacks didn't move, these policies still had a very significant impact on urban areas like St. Louis. To be fair, policies like that of the Fair Housing Act did not start the demise of the inner city, but instead served as a catalyst. Suburban segregation and the economic flight of manufacturers to the suburbs were the true source (cause) of the process, and arguably, the antithesis of this process began even earlier, in the 1940s.

The importance of the environmental factor of adaptive preferences cannot be overstated. Environment (which includes social interactions between individuals, the structural [social and architectural] design of communities), as a formative influence, can serve as the basis for all assumptions that inform an individual's preferences. Circumstance sets a baseline for resolving

the problem of poverty. Adaptive preferences¹⁰ are an effect of poverty, and having them helps perpetuates that poverty.

Responsibility

Is one responsible for their actions in light of coercion and adaptive preferences? I argue a stern no! Moral responsibility (with in a merit based or desert theory- praise or blame is appropriate in the sense that agents deserve such a response, given their behavior and/or traits of character) has several necessary features related primarily to an agent and an observer.

The feature I focus on is coercion. The individual must not have been coerced in their action. If they were then the observer must take coercion into consideration when assigning responsibility to any agent. If this condition is not apparent, the agent is not coerced, and the observer is justified in holding the agent responsible. If this condition is apparent, then the observer is not justified in holding the agent responsible in a negative or positive way, via praise or blame.

Moral agents must possess a capacity for decision-making. In light of decision making, they must also have the power to grasp and apply moral reasons and the capacity to control behavior in light of them (Litton, 2010, p. 677). This desire results from deliberation that reveals the agents' concept of good. The action resulting from this deliberation must be voluntary, which gives it distinctive features. For responsibility to be assigned to an action, an action must be voluntary. The action or trait has its origin in the agent (Eshleman, 2014). The agent has some degree of control. The agent cannot be manipulated, and the action cannot be motivated by an external force (Pickard 2014 pg 4 & Wolf 1988 pg 364).

¹⁰ The possibility that that the root cause of adaptive preference is coercion also excuses them from having responsibility for crimes they may commit.

In “Sanity and the Metaphysics of Responsibility,” Wolf (1988) argues that sanity should be a basic condition of an agent in order for them to be responsible for their actions.¹¹ Sanity is the ability to criticize oneself, reflect on oneself, to know whether an act is right or wrong (Wolf 1988 pg 368-369). Sanity, for Wolf (1988) is normalized under a harm factor. In other words, what is right is that which does not harm someone. In one of Wolf’s primary examples of someone exuded from having responsibility because they lack sanity, the dictator JoJo, who is willing to torture people because they didn’t salute him, lacks what is requisite for sanity (Wolf 1988 pg. 369). Wolf maintains that individuals who are insane or directly coerced are not responsible for their action. The normativity of Wolf’s notion of sanity is problematic for me because of the D Watkins case. If then, D Watkins had to “Lock the clip in (and start) liftin niggaz off the ground like a magician..” because he “started feeling funny, niggaz comin short with money...” with “niggaz” wanting to kill him because they’re “jealous and tired of seein...” (Big Pun, 1998, 19) him making progress in the drug game. The normativity he must operate under removes him from Wolfs notion of sanity. D Watkins must see torture and murder as necessary features of his morality.

Contemporary literature on responsibility has followed the path of incompatibilism, or the desert view. The traditional incompatibilist desert view of responsibility requires the agent to have autonomy. Where coercion is present, autonomy is restricted. Environments that restrict mobility also restrict autonomy, which sometimes leaves individuals with adaptive preferences. Such individuals fear retaliations for expressed difference, and will develop harmful preferences,

¹¹ For Harry Frankfurt responsibility hinges on second order desires (desires about things) determining first order desires (desires to do things) (Wolf 1988 pg 364). For Charles Taylor “our freedom and responsibility depends on our ability to criticize ourselves” (Wolf 1988 pg 365). I argue that the agent must not be restricted--so restricted that said agent must commit acts socially deemed immoral to satisfy their primary functions.

because the harm associated with the preference is less than the harm connected with potential retaliations or even the anxiety associated with such unfocused fears. This preference benefits others who profit off of the debilitation.

An agent's responsibility may be bracketed or reduced because of coercion. In the case of a threat, her acquiescence may be excused if the threat causes a total breakdown in her will. In the case of the infant, the will was overcome by the influence of the parents. According to Fingarette (2004) where there is coercion, the one being coerced, the coercee, is innocent. The victim acted reasonably under the circumstances. The coercer is wrong for inducing the victim to act as they otherwise would not have.

Another problem arising from desert theory is the question "Should Dominic Ongwen be acquitted in hindsight?" Gregory Warner's (2015) NPR article gives the example of Dominic Ongwen, the first member of Uganda's infamous Lord's Resistance Army to be charged with war crimes. When Dominic was ten he was kidnapped by LRA (Lord's Resistance Army) on his way home from school. He would capture other children and kill people at the behest of the LRA. He quickly rose through the ranks to become a ruthless commander.

If we accept the argument that coercion negates responsibility, then if individuals we generally view as responsible for terrible crimes, like Dominic Ongwen, suffered an indirect compelled doxastic coercion, they should be acquitted. Whether it was a sweeping authoritarian social movement, survival in an environment of limited resources or simply an indirect doxastic coercion like that of the Milgram experiments, with agents excusing themselves by arguing that they were "just following orders," the loophole that excuses individuals who are coerced--whether they are confused children, like the gangland infant, or Dominic Ongwen--presents a problem for desert theory.

When a moralizing or psychological test¹² is applied to a coercee's situation, it must indicate whether the coercer's proposal is one in which the coercee must yield to and be released from moral and legal consequences. If so, then the coercee cannot be assigned responsibility for the act. In the case of an armed robber who creates a forced accomplice through threats of harm, legal and moral responsibility is absolved.

Whether belief or desire motivates action, the belief must be autonomously generated in a manner sensitive to reason to assign responsibility to the action. Beliefs formed through brainwashing (similar to indirect compelled doxastic coercion) are not legitimate, and are thus insufficient for one to be held responsible for an action (Anderson, 2011). If, an individual like Dominic Ongwen, who was possibly a victim of indirect coercion, must also be removed from blame under a desert theory. This is not a problem with my argument. This is a problem with desert theory. Desert theory allows for this if the agent is coerced.

Actions based on beliefs that are autonomously formed are the only actions for which responsibility can be assigned. In the case of the infant, we can say that the infant acted reasonably under the circumstances. Problems arise when the infant has grown into an adult. If this adult commits murder for gang-related reasons, then is the adult cannot be assigned responsibility, because they are the end-product of coercion from their environment. The indoctrination is ongoing, as brainwashing feeds more brainwashing in a cycle of perpetual motion. If the adult cannot be assigned blame, can the parents of this former infant be blamed?

¹² When a psychological test is applied, it is done to examine the will of the coercer and the degree with which it has been interfered (Anderson, 2011). When the “ought implies can” principle is applied in either test, and the situation is shown to be an example of one or the other, then the coercee can do nothing other than follow the will of the coercer (Anderson, 2011). This creates situations where the coercee would prefer to not engage in an act, but is helpless to prevent engagement.

Conclusion

Certain segregation policies, which effectively manifest as direct practical coercion, restricted individuals with the creation of laws barring black people from frequenting white institutions. During this period, white flight and the expansion of the suburbs drained urban areas of resources. When segregation was abolished with the advent of Civil Rights policies, the illegality of covenants meant that middle class blacks could leave urban areas, furthering the decline of inner cities. Within this environment of limited resources, poverty developed, worsened, and facilitated *en masse* deformation of individual economic preference to one for crime. One prefers what is in their feasible set; for the child of the gang members, this is a future of crimes that resemble those of her/his parents. The child becomes indoctrinated into a community of criminals. If we accept the argument that coercion negates responsibility, then the infant born to parents who are both members of gangs and the default drug dealer, who because of job scarcity sells drugs, cannot be held accountable for their actions under a desert theory of responsibility. This coercion, which is reinforced by peers, negates responsibility. This means that the necessary crimes committed by poor black individuals in environments of limited resource are the result of coercion, and individuals whose preference is so predetermined by their environment cannot change by themselves.

Bibliography

Alexander, M., & West, C. (2012). *The new jim crow: Mass incarceration in the age of colorblindness*. New York: New Press.

Anderson, S. (2011). Coercion. Stanford Encyclopedia of Philosophy. Retrieved from <http://plato.stanford.edu/entries/coercion/>

Baber, H., E., (2007). Adaptive Preferences, *Social Theory & Practice*, 33(1): 105–126.

Big Pun (1998). Boomerang [Recorded by Big Pun]. Capital Punishment [CD]. New York,

NY: Terror Squad/Loud Records

Bjerk, D. (2010). Thieves, Thugs, and Neighborhood Poverty. Robert Day School of Economics and Finance Claremont McKenna College

Calmore, J. (1995). Racialized space and the culture of segregation: Hewing a stone of hope from a mountain of despair. *University of Pennsylvania Law Review*, 143, 1233-1273

Chudacoff, H.P. & Baldwin, P.C. (Eds.). (2005). Major problems in American urban and suburban History. New York: Houghton Mifflin Company.

Clothfelter, C. T. (1999). Public school segregation in metropolitan areas. *Land Economics*, 75,

Colburn, B. (2011). Autonomy and adaptive preferences. *Utilitas*, 23(1), 52-71.

doi:10.1017/S0953820810000440

Darrah, J., & DeLuca, S. (2014). “Living here has changed my whole perspective”: How escaping Inner-City poverty shapes neighborhood and housing choice. *Journal of Policy Analysis and Management*, 33(2), 350-384. doi:10.1002/pam.21758

D. Watkins. (2014) POOR BLACK PEOPLE DON'T WORK?: lessons of a former dope dealer.

Salon,

http://www.salon.com/2014/04/22/poor_black_people_dont_work_lessons_of_a_former_dope_dealer

Eshleman, A. (2014). Moral Responsibility. Stanford Encyclopedia of Philosophy. Retrieved from <http://plato.stanford.edu/entries/moral-responsibility/>

Elster, J., 1940. (1983). *Sour grapes: Studies in the subversion of rationality*. Cambridge [Cambridgeshire] ; New York : Paris: Cambridge University Press ; Editions de la Maison des sciences de l'homme.

Fingarette, H. (2004). *Mapping responsibility: Explorations in mind, law, myth, and culture*.

Chicago, Ill: Open Court.

Heathcott, J., & Murphy, M, A., (2005). Corridors of flight, zones of renewal industry, planning, and policy in the making of metropolitan St. Louis, 1940-1980. *Journal of Urban History*, 31, 151- 189

Gregory Warner (2015) A FORMER CHILD SOLDIER WILL STAND TRIAL IN THE HAGUE FOR WAR CRIMES. NPR

<http://www.npr.org/2015/01/23/379419891/international-criminal-court-to-try-former-child-soldier-with-war-crimes>

Jeffreys, J., (2005) "Beauty and Misogyny: Harmful cultural practices in the west" Routledge, New York

Krivo, LJ., Peterson, R, D., Rizzo, H., & Reynolds, J, R., (1998). Race, segregation, and the concentration of disadvantage: 1980-1990. *Social Problems*, 45, 61-80

Kushner, J. A. (1980). *Apartheid in america: An historical and legal analysis of contemporary racial segregation in the United States*. Arlington. Carrollton Press
Massey, D.S. (1990). *American Apartheid: Segregation and the Making of the Underclass*. *The American Journal of Sociology*, 329- 357

Leon, M. (2011). Reason and coercion: In defence of a rational control account of freedom. *Philosophia*, 39(4), 733-740. doi:10.1007/s11406-011-9321-x

McClelland, E. (2015). Why Some Think Segregation Equals Murder In Chicago
<http://www.nbcchicago.com/blogs/ward-room/Segregation-Murder-Chicago-189664781.html#ixzz3pGtSAqp6>

McMyler, B. (2011). Doxastic coercion. *The Philosophical Quarterly*, 61(244), 537-557.
doi:10.1111/j.1467-9213.2011.693.x

- Mendenhall, R. (2008). The political economy of black Housing: From the housing crisis of the great migrations to the subprime mortgage crisis. *The Black Scholar*, 20-37
- Mumford, K. (1999). After hugh: Statutory race segregation in colonial America, 1630-1725. *The American Journal of Legal History*, 43, 280-305. Mumford uses legal data to discuss the colonial origins of segregation
- Nas (1996). *Take it in Blood* [Recorded by Nas]. *It Was Written* [CD]. United States, US: Columbia
- Nussbaum, M. C. (2000). Women's Capabilities and Social Justice. *Journal of Human Development*, Vol. 1, No. 2,
- Nussbaum, M. C., 1947, & ebrary, I. (1999). *Sex & social justice*. New York: Oxford University Press.
- Pickard,. H. (2014). Responsibility without blame: Therapy, philosophy, law. *Prison Service Journal*, (213), 10.
- Scheffler, S. (1992). Responsibility, reactive attitudes, and liberalism in philosophy and politics. *Philosophy & Public Affairs*, 21(4), 299-323.
- Sommers, C. H. (1994). *Who stole feminism?: How women have betrayed women*. New York: Simon & Schuster.
- Superson, A. (2012). Feminine Moral Psychology. *Stanford Encyclopedia of Philosophy*. Retrieved from <http://plato.stanford.edu/entries/feminism-moralpsych/>
- The Editorial Board. (2015) How Segregation Destroys Black Wealth, http://www.nytimes.com/2015/09/15/opinion/how-segregation-destroys-black-wealth.html?_r=1

Valentine, C, A,. (1968) *Culture and Poverty: Critique and Counter-Proposals*. Chicago and London. The University of Chicago Press.

Veronika Belenkaya Daily News Staff Writer. (2008). ROBBING CRADLES FOR THEIR NEW BLOOD. violent gang life is passed down from parent to child. *New York Daily News*, pp. 5. 487- 504

Weiss, A. (2007). Grutter , community, and Democracy: The case for race-conscious remedies in residential segregation suits . *Columbia Law Review*, 107. 1195-1233

William, D.R. (2001). Racial Residential Segregation: A Fundamental Cause of Racial Disparities in Health. *Public Health Reports*, 404-416.