

Responsibility and Reparations for White Supremacy  
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Abstract:

Some attention, however still inadequate, has recently been paid to reparations for slavery. There are two prominent philosophical arguments for reparations: the Harm argument and the Inheritance argument. Both of these arguments have some deficiencies. Both arguments require a questionable causal link between slavery and present circumstances. The Inheritance argument would provide reparations only for descendants of enslaved people and would extract reparations only from the descendants of slave owners. Instead, I suggest we focus on reparations for the present existence of white supremacy. I argue that white people are obligated to make reparations for white supremacy because they both sustain and benefit from it. I argue that either is sufficient for moral responsibility for white supremacy. To some, this is a surprising conclusion, but I show that there are ordinary examples in which an individual is responsible for benefitting from a state of affairs.

## Responsibility and Reparations for White Supremacy

1. There has been some attention to reparations for slavery in the United States. In addition to papers in philosophical journals,<sup>1</sup> there have been news stories on reparations,<sup>2</sup> and several excellent essays in literary and news magazines.<sup>3</sup> Some institutions have begun to grapple with their slave-owning histories.<sup>4</sup> And Representative John Conyers (MI) has, every year since 1989, introduced a bill into Congress to study providing reparations to descendants of enslaved people.

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<sup>1</sup> The Color of Law: A Forgotten History of How Our Government Segregated America, Richard Rothstein, W.W. Norton, London, 2017; The Journal of Ethics devoted a volume to this topic in 2003: Naomi Zack, "Reparations and the Rectification of Race," vol. 7 (131) 139-151; Howard McGary, "Achieving Democratic Equality: Forgiveness, Reconciliation, and Reparations," vol. 7 (131) 93-113; J. Angelo Corlett, "Editor's Introduction," vol. 7 (131) 1-4; Bernard R. Boxill, "A Lockean Argument for Black Reparations," vol. 7(131) 63-91. See also, George Schedler, "Should the Federal Government Pay Reparations for Slavery?" Social Theory and Practice, vol. 29 (4): 2003.

<sup>2</sup> It was reported that a United Nations Working Group urged the United States to provide reparations to all formerly enslaved people, September 2016: "U.S. owes black people reparations for a history of 'racial terrorism' says UN Panel," Washington Post, September 27, 2016, obtained from [https://www.washingtonpost.com/news/worldviews/wp/2016/09/27/u-s-owes-black-people-reparations-for-a-history-of-racial-terrorism-says-u-n-panel/?utm\\_term=.05fe9d9f985c](https://www.washingtonpost.com/news/worldviews/wp/2016/09/27/u-s-owes-black-people-reparations-for-a-history-of-racial-terrorism-says-u-n-panel/?utm_term=.05fe9d9f985c); See also, "Making Amends: Debate Continues on Reparations for U.S. Slavery," NPR, August 27, 2001, obtained from: <http://www.npr.org/programs/specials/racism/010827.reparations.html>

<sup>3</sup> "The Case for Reparations," Ta-Nehisi Coates, The Atlantic, June 2014, "What, to the Black American, is Martin Luther King Day?" Chris LeBron, NY Times, Jan. 18, 2015, obtained from: [https://opinionator.blogs.nytimes.com/2015/01/18/what-to-the-black-american-is-martin-luther-king-jr-day/?\\_r=0](https://opinionator.blogs.nytimes.com/2015/01/18/what-to-the-black-american-is-martin-luther-king-jr-day/?_r=0)

<sup>4</sup> Georgetown University, for example, has begun to acknowledge the grievous moral harm of slavery and the imperative to provide reparations: Georgetown announced in 2016 that it will offer free tuition to the descendants of the 272 slaves who the university sold in 1838 to help pay its debts. "Georgetown University Plans Steps to Atone for Its Slave Past," Rachel Swarns, NY Times, September 1, 2016, obtained from: <https://www.nytimes.com/2016/09/02/us/slaves-georgetown-university.html>.

Notwithstanding these excellent efforts, the attention being paid to the grievous harm of slavery is underwhelming and inadequate; but it is a start.

2. Two philosophical arguments support reparations.<sup>5</sup> The first is the Harm argument. It holds that slavery caused a great harm, during its 250-year existence, but also that there is a clear causal link between slavery and the harms faced by black and brown people in the US today.<sup>6</sup> Because slavery caused today's harms, reparations are owed to people who are currently harmed by the past existence of slavery. The second argument for reparations is the Inheritance argument. It holds that slavery was a great harm to the African people who were brought to the Americas. This harm created a significant debt, during the existence of slavery, to make reparations to enslaved people as compensation. Slave owners and those who supported or benefitted from slavery incurred this debt. But it was never paid, so the debt was inherited by each subsequent generation of descendants of slave owners who fail to pay it. This debt remains to the present, and will until sufficient reparations are paid.

Both of these arguments seem correct.<sup>7</sup> Still there are important difficulties with them. First, both arguments make reparations dependent on a clear line of responsibility from slavery to the present day. The Harm argument holds that slavery causes present day harms; the Inheritance argument holds that debts are

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<sup>5</sup> There are others, but my focus is on the Harm and Inheritance arguments.

<sup>6</sup> Though I will not say this explicitly after this, I will be confining my discussion to the context of the United States.

<sup>7</sup> Boxill, *Ibid.*

inherited from generation to generation, in perpetuity. But some believe that statutes of limitations set limits on these causal connections.

Second, the Inheritance argument can secure reparations only for the descendants of enslaved people, to be paid only by the descendants of slave owners. But many people (black, brown, and white) have immigrated to the United States since the abolition of slavery. These immigrants would incur no debt to pay, nor would be eligible to receive, reparations. Moreover, conversations about reparations could easily get mired in determining the members of these classes.

But these conversations would miss an important point: the ideology (call it white supremacy) that some white people used to establish the institution of slavery did not end when slavery was abolished. That ideology gave rise to legalized segregation and Jim Crow laws, to the terrorism of lynchings,<sup>8</sup> to legal, government-sanctioned housing discrimination in the 20<sup>th</sup> and 21<sup>st</sup> centuries,<sup>9</sup> and it gives rise to the current policy of mass incarceration. White supremacy fuels implicit bias, discriminatory policing practices (stop-and-frisk and increased police violence

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<sup>8</sup> See the Equal Justice Initiative of Montgomery, Alabama, in their 2015 report, *Lynching in America*. Obtained from: <https://eji.org/reports/lynching-in-america>.

<sup>9</sup> The Color of Law, *ibid*.

against black and brown people),<sup>10</sup> de facto segregation of schools,<sup>11</sup> and discriminatory state intrusions into parenting among black and brown families.<sup>12</sup>

Because of the problems with the Harm and Inheritance arguments, and because of the deep moral significance of understanding these ongoing oppressions, I suggest that we shift to making reparations for white supremacy. My argument requires that we understand that white supremacy sustains past and current forms of oppression, recognizing that these oppressions harm black and brown people regardless of whether they are descended from people who were enslaved, or are recent immigrants to the US, or whether their ancestors have lived here for centuries. Similarly, the ideology of white supremacy benefits all white people and all white people are responsible for perpetuating it, regardless of whether they are descended from people who owned slaves, or are recent immigrants to the US, or whether their ancestors have lived here for centuries.

3. Before proceeding, a word about what I mean by reparations. Some take reparations to mean a check from the government, a tax credit, or, as Georgetown University has done, free tuition. These may be good ideas. But none comes anywhere close to repaying the debt owed to black and brown people for the harms

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<sup>10</sup> Roland G. Fryer, "An Empirical Analysis of Racial Differences in Police Use of Force," The National Bureau of Economic Research, July, 2016, obtained from: <http://www.nber.org/papers/w22399>

<sup>11</sup> This American Life (NPR) ran a compelling story on school segregation. See, "The Problem We All Live With," Parts I and II, August, 2015, obtained from: <https://www.thisamericanlife.org/radio-archives/episode/563/the-problem-we-all-live-with-part-two>

<sup>12</sup> Michele Goodwin, "The Invisible Classes in High Stakes Reproduction," Journal of Law, Medicine, and Ethics, Summer, 2015, 289-292.

of white supremacy. To even begin to address those systemic harms, the government and people in the US would need to address the basic needs of all black and brown people living in poverty or struggling to make ends meet with sub-standard housing, segregated schools, inadequate opportunities, and living in environmental pollution. Making reparations includes an honest facing of US history: changing how we teach history, ensuring that our history books accurately reflect the history of all people. This would require a massive redistribution of resources (money, but also time, energy, and priorities) and a radical restructuring of society to, as bell hooks suggests, end the “dominate/subordinate relationship.”<sup>13</sup> This requires nothing less than a true reconstruction of society.

4. The United States is and always has been a white supremacist society. This means several things: first, US society is racialized. The idea that there are races<sup>14</sup> has been invented by white people and includes the notion that white people are superior to black and brown people. Second, in a white supremacist society, black and brown people are under a constant threat of violence. This legitimized violence takes many forms: slavery was a form of institutionalized violence; government-sanctioned segregation perpetuated the notion that the white people were superior to black and brown people and continued this justification of violence. Lynchings,

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<sup>13</sup> bell hooks, “Overcoming White Supremacy: A Comment,” Oppression, Privilege, and Resistance, Lisa Heldke and Peg O’Connor (eds), McGraw Hill, Boston, 2004, 75. Speaking about ending white supremacy, she argues that the “individual struggle to change consciousness must be fundamentally linked to collective effort to transform those structures that reinforce and perpetuate white supremacy.”

<sup>14</sup> One excellent paper on racial formation is Michael Omi and Howard Winant’s, “Racial Formation,” reprinted in Oppression, Privilege, and Resistance, Lisa Heldke and Peg O’Connor, *ibid*, pp. 115-142.

and threatened lynchings, were forms of terrorism against black and brown people. Perpetrators of lynchings acted openly and with absolute impunity and were often celebrated for their actions. Throughout the 20<sup>th</sup> and 21<sup>st</sup> centuries, government policies on housing, policing, and mass incarceration have continued to promote violence against black and brown people (police violence, incarceration, punishment, and the death penalty, all undertaken in racially biased ways).

Finally, to say that the US is a white supremacist society, is to say that the culture – from government, to business, to arts, to sports – is led by and dominated by white people, driven by the ideas of white people, and that norms and standards are set by white people. For instance, the idea of how to dress (for work, play, exercise, or doing housework) refers unselfconsciously to how a white person would dress, but applies to all people. How to style one’s hair refers unselfconsciously to how a white person would style one’s hair, but applies to all. Certainly there are aspects of black culture that make their way into white society: rap or jazz music, modern dance, dreadlocks or cornrows as hairstyle. But in a white supremacist society these art forms and styles are “otherized,” regarded as “exotic” or different from the norm. That serves to perpetuate, rather than undermine, white supremacy.<sup>15</sup>

5. There are three reasons why reparations are needed for white supremacy. First, white supremacy causes, and has caused, enormous harm. This harm creates a substantial moral debt. Notice that this argument (unlike the Harm argument) does

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<sup>15</sup> This is by no means a full explanation of how to understand white supremacy. However, I hope it is sufficient to make clear what I take this term to mean.

not stand by itself. Rather, it must be joined with a second argument, which holds that all currently living white people benefit from white supremacy, perpetuate white supremacy, and are therefore responsible for white supremacy. Third, and finally, one might wonder whether there is anything that currently living white people can do to escape the benefits and perpetuation of white supremacy. I show that there is nothing white people can do to escape responsibility for white supremacy and conclude that ordinary citizens and the US government are obligated to make reparations for white supremacy.

White supremacy, beginning with the institution of slavery, has caused harms of tremendous magnitude to the millions of Africans, then African-Americans, who were enslaved. The period of time during which Africans were enslaved was substantial. When Europeans arrived in at Jamestown in 1619, enslaved people from Africa accompanied them to assist in the production of tobacco. Slavery, as an institution, persisted for nearly 250 years. It is believed that as many as 11 million Africans arrived during this period, with perhaps 1 million dying on the journey here. Thousands of others were born into slavery. The fact that the institution persisted for so long and encompassed so many people is part of magnitude of the harm of slavery.

In addition to having this significant scope, the institution of slavery caused other harms to Africans and African-Americans. Some attempt to quantify the harm in financial terms: perhaps we can determine how harmful slavery was by



determining the value of the wages enslaved people lost.<sup>16</sup> While it is valuable to know this estimate, it leaves unacknowledged many harms: enslaved people were kidnapped and most lived the remainder of their lives without freedom, in conditions of significant hardship and deprivation. Enslaved people lost all personal security, as they were subject to beatings, rape, and murder at any time. Most lost the freedom to have a family of their own, or to live with the family into which they were born. The destruction of families, the loss of safety, security, and the comfort of family and friends, are among many of the devastating harms of slavery. The magnitude of this harm, to such a great number of people, over many centuries, cannot be overstated.

Even after the abolition of slavery, these harms continued. Legal segregation persisted for decades. Lynchings terrorized black and brown people across at least 20 states. It is estimated that at least 4,075 black Americans were murdered by lynching between 1877 and 1950.<sup>17</sup> Lynchings were a terrible harm to the individuals, and families of the individuals, who were murdered; but they also terrorized all black and brown people everywhere. Cross-burning, defacing property, and threatened-lynchings were a major form of terrorism against black and brown people, though the government ignored these murders and threats of violence.

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<sup>16</sup> According to the *NY Times*, one researcher has valued the lost wages of enslaved people at between \$2 and \$4 Trillion. Dalton Conley, "The Cost of Slavery," February 15, 2003.

<sup>17</sup> See the report by the Equal Justice Initiative in Montgomery, Alabama from 2015, *Lynching in America*.

The harms of white supremacy continued throughout the second half of the 20<sup>th</sup> century and continue to the present. Black and brown people are currently incarcerated at 5-10 times the rate of white people.<sup>18</sup> Rates of the commission of crimes have fallen steadily since the 1970s, but the rate of incarceration has risen drastically during the same period. In 1970, 200 people were incarcerated for every 100,000 people in the US; in 2010 nearly 1000 out of 100,000 people were incarcerated. This represents a 500% increase in the number of people incarcerated over these 40 years and disproportionately affects black and brown people (mostly men). Of the total number of people incarcerated in 2014, blacks are incarcerated at a rate of 1408 per 100,000 people, while whites are at a rate of 275 per 100,000 people.<sup>19</sup> It has also been widely reported that black and brown people are far more likely to be stopped by police, frisked, more likely to experience non-lethal police violence, and more likely to be arrested. Economist Roland Fryer has found that, “on non-lethal uses of force, blacks and Hispanics are more than fifty percent more likely to experience some force in interactions with police.”<sup>20</sup> Finally, black and brown mothers are far more likely to experience state intrusion into their parenting than white mothers. This intrusion is much more likely to result in removal of

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<sup>18</sup> <http://www.businessinsider.com/study-finds-huge-racial-disparity-in-americas-prisons-2016-6/#incarceration-ratio-for-blacks-versus-whites-by-state-1>

<sup>19</sup> “The Color of Justice: Racial and Ethnic Disparity in State Prisons.” <http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

<sup>20</sup> Fryer, Ibid, <https://scholar.harvard.edu/fryer/publications/empirical-analysis-racial-differences-police-use-force>

children from the household for black and brown women than it is for whites.<sup>21</sup> The harms of white supremacy continue to be substantial: black and brown people are killed, harmed, subject to loss of freedom, and black and brown families are torn apart by mass incarceration and state intrusion into parenting at rates far higher than whites.

Understanding the harms of white supremacy is important for two reasons: first, it is a necessary step in the argument for reparations. If black and brown people were not presently wronged, then it would not make sense to argue for reparations for present wrongs; of course, this would do nothing to obviate the need for reparation of past harms. But if I am correct, black and brown people are currently being harmed, not only by slavery, as the Harm argument holds, but also by the present existence of white supremacy.

In addition to harming black and brown people, white supremacy also substantially benefits white people. A few examples: white people have the freedom to shop without being routinely suspected of shoplifting; white people have the freedom to call the police when in danger and to believe (probably correctly) that the police will help; white people have the freedoms to drive without being pulled over because of the color of their skin and to parent without worry that the state will intrude.<sup>22</sup> These are basic freedoms to which all people are entitled yet which black and brown people do not enjoy.

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<sup>21</sup> “Has Child Protective Services Gone Too Far?” Michelle Goldberg, The Nation, September 30, 2015, obtained from: <https://www.thenation.com/article/has-child-protective-services-gone-too-far/>

<sup>22</sup> Peggy McIntosh, “White Privilege and Male Privilege,” Oppression, Privilege, and Resistance, *Ibid*, pp. 317-327.

In addition to benefiting from it, white people also perpetuate white supremacy. There are many actions taken and omissions committed by white people that serve to sustain white supremacy. Consider: first, it is largely white government officials who author, implement, and sustain the policies of mass incarceration, housing discrimination, de facto segregated schools, etc. Ordinary white citizens have elected these officials and have failed to oppose these policies. White people have not demanded the end to these suspect policies. At every moment in time, a white person is taking some action (or inaction) to sustain these laws, policies, procedures, habits, and norms, which together perpetuate white supremacy.

Of course, it is tricky to attribute responsibility to individuals where a state of affairs is sustained by groups of people, institutions, and policies. Still, these groups and institutions are comprised of individuals who enact and implement the policies in question. And while there are white people who are working to resist white supremacy, still this resistance is not sufficient to bring it to an end. White people need to do much more.

But, I argue, even if every action committed by a white person was aimed at ending white supremacy, still this individual would continue to benefit from white supremacy. And because white supremacy includes these unjust benefits to whites, even this white person whose every action was aimed at ending it, would bear some responsibility for it. My view is that either benefitting from or taking (or omitting) actions that sustain white supremacy is sufficient for being morally responsible for it. Most white people do both: most do not direct their every action at ending white

supremacy. And even where some white person does all they possibly can to end white supremacy, still this person benefits from it (as do all white people) and thus bears responsibility for it.

This view is controversial. Especially those enamored of the “ought implies can” principle will believe that it is inappropriate to hold the individual whose every action is aimed at ending white supremacy responsible for the perpetuation of white supremacy. There seem to be three controversial aspects of my view: first, it is controversial that people can be responsible for their omissions; second, it is controversial that people can be responsible for outcomes beyond their control; and finally, it is controversial that people can be responsible simply for benefitting from some state of affairs.

These are long-standing debates and so, at best, I can say a few words in defense of my view. First, someone who omits to prevent a harm may, nonetheless, be responsible for the harm. Determinations about whether the individual is responsible and the extent of responsibility rely on the circumstances surrounding the omission (if the death occurred in one’s immediate surroundings, with one’s knowledge, with willful disinterest, the individual who omits to help bears a greater responsibility than an omission that results in a death that is far away or more removed). But second, and this is quite important, responsibility for a state of affairs is heightened when an individual both allows and also benefits from the state of affairs. Consider someone who fails to intervene at work where a co-worker is being harassed. This harassment affects the worker’s performance so that this individual is passed up for a promotion. The promotion goes to the co-worker who did not

intervene. Here, it seems plausible to hold that the promoted co-worker is responsible both for failing to intervene and also for benefitting from the harm. This seems morally worse than a situation where someone fails to intervene but does not benefit from that failure. Indeed, I think one would feel differently about a co-worker who refused to accept the promotion. This individual would then not be blameworthy for benefitting from the harassment. Thus, here we have a case where the state of affairs is out of the co-workers control (the co-worker did not commit the harassment), where the co-worker omits to act (they do nothing to protest the harassment), and where the co-worker benefits from the situation. I believe this co-worker is morally responsible for all three aspects of the situation.

In the same way, nearly all white people routinely fail to resist white supremacy, none resist it sufficiently to end it, and all benefit from it. Thus, I conclude that currently living white people owe reparations to currently living black and brown people for the existence and harms of white supremacy. Even the white person whose every action is aimed at ending white supremacy, because they benefit from it, is still responsible for white supremacy. One might think that the best chance for achieving a just society might be the provision of reparations for the harms white supremacy causes every day.

One final point: as an empirical aside, it is interesting to note a difference in views of moral responsibility among black and white people: white people tend to think having control over an outcome is necessary for moral responsibility, whereas black people tend to think the fact that someone is harmed is sufficient for moral responsibility. This psychological information does not resolve these philosophical

questions about responsibility, but it does give us further reason for skepticism about the view that moral responsibility requires control.<sup>23</sup>

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<sup>23</sup> B. Flagg (1993). "Was blind, but now I see: White race consciousness and the requirement of discriminatory intent." *Michigan Law Review*, 91(5): 953-1017. And J. Chan (2011). "Racial profiling and police subculture." *Canadian Journal of Criminology and Criminal Justice* 53(1): 75-8.