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## OFFSETTING RACE PRIVILEGE

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## Offsetting Race Privilege

Jeremy Dunham and Holly Lawford-Smith

ON SATURDAY, AUGUST 9, 2014, Michael Brown was shot – six times – and killed by Darren Wilson, a white police officer in Ferguson, Missouri (see e.g., Buchanan et al. (2014)). Since that date, Ferguson has been the center of a movement in the United States against what amounts to modern racial separation. Brown was the fourth unarmed black<sup>1</sup> man to be killed by police in that month (Harkinson (2014)), and one of many more in the years prior and the year and a half since. The exact number is hard to pin down, but all sources agree that police kill disproportionately many unarmed black people compared to unarmed white people (Lee (2014)).<sup>2</sup>

“Stop and search” numbers are also disproportionate. The number of stops has increased dramatically, for example from 115,000 in 2002 to 685,000 in 2011 by the New York Police Department (NYPD). More than half of those stopped were also frisked, and around 90 percent of those stopped were black or Latinx men, despite the fact that black people make up only 25 percent of New York City’s population, and Latinx people make up only 28 percent (*The Economist* (2013)). Federal Judge Shira Scheindlin found the NYPD’s stop-and-search policy unconstitutional and recommended widespread reform (Usborne (2013)).

Incarceration rates in the United States are the highest per capita of any country in the world, and this impacts African-Americans and Latinx people disproportionately.<sup>3</sup> To take a specific crime, in 1988, black people were arrested on drug charges five times as often as white people, and by 1996 this had increased to black people being arrested on drug charges 13 times as often as white people, despite the fact that black people and white people use drugs to roughly the same extent (Schoenfeld (2013)).

Troubling differences are also found in the areas of employment, education, healthcare and other basic goods. Many will have heard of the 2001-2002 experiments using fictitious résumés to test racial bias in employers, which found that applicants with white-sounding names were

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<sup>1</sup> We are simply reproducing the racial category terms used by the original sources in this section, and hence mention “black,” “African-American,” “Hispanic,” and “white” without disambiguation (because it is not clear that our preferred disambiguation would track these authors’ preferred disambiguations). In place of the gendered “Latino” and “Latina,” we use “Latinx.” See discussion at Ramirez and Blay (2016). In the remainder of the paper we will use “African-American” and “white American.”

<sup>2</sup> To give some examples, out of 45 people shot by police officers in Oakland, California, between 2004 and 2008, 37 were black (82 percent) and none were white; of the 41 people fired at by police in New York City in 2011, roughly 85 percent were non-white (black and Hispanic), with about 50 percent of those being black (Lee (2014)). See also discussion at Chang (2014).

<sup>3</sup> African-Americans are six times more likely than white persons to be incarcerated in the U.S., while non-white Latinx people are three times more likely than white persons to be incarcerated. Eleven percent of black men aged between 20 and 34 are imprisoned (Schoenfeld (2013)). In 2008, 12 percent of white men with less than a high school education were in prison, compared to 37 percent of black men with less than a high school education (Pettit (2012)).

called for interviews about 50 percent more often than applicants with African-American-sounding names (Bertrand and Mullainathan (2003); see also Neckerman and Kirschenman (1991)). The educational performance of children has been found to correlate strongly with their being educated in smaller schools, with smaller class sizes, a more challenging curriculum and more qualified teachers, all of which children from racial minorities are less likely to have access to (Darling-Hammond (1998)). African-Americans spend more of their lives without health insurance than whites. One report of numbers of people with health insurance in 2009 found 88 percent of whites to have insurance, compared to 79 percent of African-Americans and 68 percent of Hispanics (Russell (2010)).

The United States provides a clear example of a society in which morally problematic differences between people track racial<sup>4</sup> lines. African-Americans, Hispanics and Latinx people are more likely than white Americans to be killed by police while unarmed; more likely to be stopped, searched, arrested and incarcerated; less likely to be hired by employers; less likely to be educated by prestigious institutions; and less likely to be protected by adequate healthcare. African-Americans, Hispanics and Latinx people are disadvantaged by these differences, relative to white Americans, and white Americans are advantaged by these differences, relative to African-Americans, Hispanics and Latinx people. The fact of being advantaged in virtue of the color of one's skin is referred to colloquially as "race privilege."

A discussion of the normative implications of these differences could focus on either side of the differences, or on both. For example, it could ask what those experiencing racial disadvantage *are owed*, without saying much at all about *by whom*. This is a less challenging question than asking what those experiencing racial advantage *owe*. It is intuitively obvious that for at least some of the differences outlined above (if not all of them), those who are disadvantaged are owed substantial improvement in their positions. Much more controversial, though, is *who owes it*. Usually when there is a victim who stands in need of reparation, compensation or assistance, we look first to the culpable causer of the victim's being in that position. When that person cannot be made to pay, either because there is no such person or because that person has died or otherwise fled the scene, we look to others: those who benefit from the victim's being in that position; those who stand in a certain associative relation to the victim or the culpable causer; or those who simply have a capacity to help the victim (see Lawford-Smith (2016)). Here we assume that beneficiaries have stronger obligations than bystanders with a capacity to assist, following the theoretical arguments in Gosseries (2004) and Butt (2007) and the experimental results in Barry and Lindauer (forthcoming). We reject associative relations with the culpable causers of victimhood as

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<sup>4</sup> To be clear, we are not endorsing a biological conception of race. The disadvantages we are interested in track *being identified as* belonging to a particular racial group, whether that racial group is "real" or socially constructed. So long as such identification is possible and can create disadvantage, deeper questions about the metaphysics of race do not disturb the possibility of this normative project.

sufficient for obligations to those victims, on grounds of incompatibility with liberal individualism. We simply assume that associative relations with victims will be weaker than the obligations of those who benefit from that victimhood. This paper is about the beneficiaries of racial disadvantage, whom we will refer to as those with “race privilege.” The question we attempt to answer in this paper is, “What – if anything – do those with race privilege owe?”

The United States is not alone in being characterized by these kinds of differences, and by presenting it as an example we do not mean to suggest that race privilege is a uniquely American phenomenon, or that the American context is somehow “prior” to other contexts. It is a good example because of the availability of statistical information about the relevant differences, and because it is an extremely wealthy, industrialized country that positions itself as an international political leader. But the discussion that follows applies to any countries (and indeed, any nations or subnational states) similarly characterized by differences tracking racial lines.

We will focus in this paper on race privilege alone, leaving it as an open question whether the account given generalizes to some, or even all other forms of privilege, such as gender privilege, class privilege, sexuality privilege, non-disabled privilege and, in particular, intersecting privilege. In § I we defend a particular understanding of privilege. In § II we outline a couple of the strongest existing proposals that speak to the obligations that might be generated by race privilege, and in § III we expand and build upon these in order to suggest a new account of obligations to offset race privilege.

## I. Race-Based Advantage and Race-Based Privilege

As outlined above, white Americans are advantaged in virtue of the color of their skin, an advantage we can refer to as “race privilege.” In fact, it is a specific version of race privilege, known as “white privilege.” Awareness of this form of privilege is increasing (Ayres (2015); Pinsker (2015)), but discussion of the moral obligations that follow from *having* privilege – of any kind – is strangely lacking.

To give an account of the obligations of race privilege, it is necessary to give an account of race privilege so that we can identify who counts as privileged and thus may turn out to have obligations for that reason. In the example cases with which we opened the paper, there were differences tracking paradigmatically morally arbitrary features of persons – namely their race. What needs to be established is what kinds of differences are morally problematic and why they are morally problematic. On that basis, we can distinguish the advantaged from the disadvantaged, and then work out who of the advantaged (if not all) count as privileged. We do this in three parts. In part A we present our definition of race privilege; in part B we address the question of scope for cases understood as morally problematic; and in part C we identify a suitable baseline for identifying those groups, and their individual members, who have race privilege.

**A.**

The classical texts on privilege usually describe it as a set of unearned, unjustified advantages. For example, Peggy McIntosh has in mind “unearned power conferred systematically” (1989: 3), and Alison Bailey – building on work by Marilyn Frye – uses the very similar “unearned assets conferred systematically” (1998: 107). Bailey defines privilege as a subset of advantage (*ibid.*: 108). Although advantages *per se* can be earned and justified, on Bailey’s account, privilege and the benefits it confers are (a) “unearned and conferred systematically to members of dominant social groups”; (b) granted simply because of membership in dominant groups and thereby almost never justifiable; (c) “invisible to, or not recognized as such, by those who have [them]”; and finally (d) have a “wild card” quality, which means that they extend to a wide range of circumstances (*ibid.*: 108). Because privilege is always unearned, it excludes the kinds of advantages that come from work and effort: “any earned condition, skill, asset or talent.” She gives the examples of a second language, developed athletic talents and working hard to afford a decent education (*ibid.*: 109).

We agree that it is useful to be able to distinguish a subset of advantage that suffices to privilege; however, we resist Bailey’s account of this distinction for four reasons. First, condition (c) makes it conceptually impossible for those who have privilege to recognize that they have it, let alone take steps to address the fact that they have it. As soon as privilege is recognized, condition (c) is violated. It is true as an empirical matter that many people who are privileged fail to recognize it, but if we are interested in the moral project of articulating the obligations that stem from having privilege, we will want to allow for the possibility that an individual is both privileged and aware of it (and, in fact, taking steps to offset it).

Second, condition (d) suggests that privilege must extend to a wide range of circumstances. Yet, for us, the issue is morally arbitrary advantages, not the scope of those advantages *per se*. There is no reason why we should be unconcerned about advantages that appear only in one specific set of circumstances.

Third, against Bailey’s caveat on condition (a), “earned” conditions, skills, assets and talents may yet count as morally problematic advantages because of their histories. If promotion practices are unjust or educational access is unequal, then even a promotion that is “earned,” or an educational qualification that comes as a result of one’s skills and talents, may yet count as a morally problematic advantage (*i.e.*, privilege). For example, it strikes us as unintuitive to claim that a student’s securing a place at Harvard University is *unearned*, given how hard any student would have to work to obtain the required high GPA and excellent SAT and ACT results. However, in 2013, African-Americans made up only 6.5 percent of the undergraduate population at Harvard. This figure should be more than twice as high, since the African-American share of the undergraduate population nationwide is 15 percent, yet it has actually *gone*

*down*, from 7.4 percent in 1994.<sup>5</sup> This shows that white Americans (and other racial groups, as we will soon explain) have an *undeserved* advantage, an advantage that is the result of a long history of structural injustice (Hamilton and Ture (1992/1967)). Therefore, if educational access is unequal, then even an educational qualification that comes as a result of one's skills and talents may be the product of *undeserved* advantage; similarly, if promotion practices are unjust, then even a promotion that is "earned" may be the product of *underserved* advantage.

Fourth, although we share Bailey's intuition that something is particularly aggravating about *dominant* groups receiving systematic, undeserved advantages, we want to leave open that other groups might receive these kinds of advantages, too. There are a number of different racial groups the U.S., besides those we have identified as being disadvantaged in particular ways (African-Americans, Hispanics and Latinx people) and those we have identified as being advantaged in particular ways (white Americans). Some such groups might benefit from the disadvantage of the former, and if so we would like to leave open that they count as privileged, too, and have the corresponding obligations. So we will replace Bailey's "dominant social groups" in condition (a) and "dominant groups" in condition (b) with "racial groups."

In light of these criticisms, we defend a revised version of Bailey's definition, which accepts a modified version of (a) and (b), and rejects (c) and (d) altogether. For the reasons outlined above, our modified (a) now reads: privilege is a species of *advantage* (rather than being a power, or an asset) that is *undeserved* and "conferred systematically to members of [racial] groups." Our modified (b) now reads: privilege is "granted simply because of membership in [racial] groups and thereby almost never justifiable." However, we also want to add the further condition that there is a necessary relationship between this advantage and corresponding disadvantage.

Not all social-group advantage corresponds to disadvantage in other social groups. It can happen by luck that some people come to have advantages, yet these do not correspond to others' having disadvantages. More importantly, it can happen that some social groups have disadvantages that other social groups lack, yet the others' lack of disadvantage does not count as an advantage. Here we have in mind the particular case of unarmed African-Americans in the United States being more likely to be shot and killed by police than unarmed white Americans. It is clear that this is for African-Americans a *disadvantage*. But being shot and killed by police while unarmed is a violation of one's basic human rights, so it does not make sense to think of *not* being shot and killed by police as an advantage, since this is merely the treatment one should expect to receive in virtue of one's rights. Rights are not advantages; they are conferred automatically on all people simply in virtue

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<sup>5</sup> The population share of African-Americans at Harvard is slightly higher than the median top-tier school share, which in 2013 was 6 percent (McGill (2015)).

of their being human. So white Americans do not count as privileged when it comes to police violence.<sup>6</sup>

Of course, there are many other domains in which white Americans do have advantage, and in which that advantage counts as undeserved, and in which it corresponds to others' disadvantage, as we will go on to discuss. The distinct view being developed here is that an undeserved advantage conferred on grounds of race counts as race privilege only if there is corresponding undeserved *dis*advantage. It is the fact of disadvantage that motivates the whole discussion of privilege. For example, if a white American is more likely to be interviewed for a job than an African-American because she has a white-American-sounding name, then she has an advantage that corresponds to a disadvantage for African-Americans. In this example, African-Americans are systematically disadvantaged in ways that are crucial to their employment possibilities and therefore their material wellbeing. Race privilege is symmetrical with race-based disadvantage because the former is a normative answer to the latter – the question of who bears obligations to take action against racial inequality does not arise when there is advantage *alone*. This raises the question of who has what obligations, for what reasons, and with what content. Looking to privilege for the answer is to look for the *best candidates* for acting to improve the situation of the disadvantaged, and it assumes that the privileged are better candidates than, e.g., those who otherwise have some capacity (social influence, let us say) to act.

Since we are focusing in this paper on race privilege, our revised version of Bailey's definition of privilege is worded specifically to focus on racial groups, an unorganized aggregate of individuals sharing a race or ethnicity. Privilege has more to do with power than with numbers, so an elite minority might be a privileged racial group. In sum, according to our specific version of the conditions that make an advantage a privilege, such an advantage must (a) be undeserved and conferred systematically to members of a racial group; (b) entail a corresponding disadvantage; and (c) be granted simply because of membership in a racial group and thereby almost never justifiable. Which groups have privilege depends on the society we are interested in but, in the United States, it is white people, whether or not it is also others.

## B.

With our definition now in place, one question remains: is privilege a matter of *all* such advantages? Some advantages might meet conditions (a), (b) and (c) of our revised definition and yet be *trivial*. For example, imagine that largely because of one hilarious Korean-American comedian, Korean-Americans come to be stereotyped as “funny.” People are slightly

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<sup>6</sup> It is possible that this disadvantage might lead to others' advantage. While failing to have one's rights violated does not suffice to advantage, advantage can be created as a downstream effect of the rights violations of others. For example, more African-Americans in prison means less competition for university places and jobs. But this advantage does not suffice to privilege, because it is not conferred systematically to members of other racial groups.

more receptive to Korean-Americans in social situations on the basis of this expectation. This is a kind of advantage, and it is surely undeserved, unjustifiable and awarded purely on the basis of ethnic-group membership (by stipulation). But would we go to the lengths of calling Korean-Americans “privileged” in virtue of this? Further, would we think it plausible that they had obligations to “offset” that privilege? We suspect many would want to say that we would not, but this impulse can be explained by appeal to context. So many more differences matter so much more to people’s lives that it would seem perverse to focus on one person being presumed funnier than another for group-based reasons. But consider whether that would be the case in a much more race-egalitarian society. The better things get, the more we can focus on smaller or less significant differences. Probably in a more race-equal society we *would* be concerned about racial-group stereotypes, even if they were only about things like who is funny. Thus these kinds of differences, despite being apparently trivial, remain in play when it comes to privilege.<sup>7</sup>

So rather than trying to draw a line between differences that matter and differences that do not, we take all and any differences tracking racial lines to matter *prima facie*. We should care more about differences that are central to wellbeing, such as education and employment, but that does not mean that those less central to wellbeing do not matter at all. What does it mean for differences to matter *prima facie*? It means that, when we find a society characterized by differences tracking racial lines, *we have reason to examine those differences and their sources more closely*. Sometimes a debunking explanation will render the differences morally innocuous, as was the case in the well-known study of gender bias in admissions at the University of California, Berkeley. Holistic statistics on admissions to graduate programs at Berkeley suggested a bias against women, but when researchers looked into the statistics on admissions to each of the most selective programs, there turned out to be a bias *in favor* of women. The explanation for the overall discrepancy was that women tended to apply more than men to graduate programs with restricted entry (Bickel et al. (1975)).

It is highly unlikely in the example case of racial inequality between African-Americans and white Americans in the United States that if we looked more closely into the inequalities already mentioned we would find a debunking explanation. Controlled experiments have revealed bias in hiring, and statistics show drug use to be roughly the same across racial groups despite the much higher arrest rate for African-Americans on drug charges. But it is possible that we would find debunking explanations of *some* differences between racial groups in some societies, resulting from e.g., cultural preferences about sports, languages and hobbies.<sup>8</sup> This is just the standard liberal line on exposure to a range of

<sup>7</sup> Furthermore, just because a race privilege *seems* trivial, it does not mean that it could not end up leading to nontrivial consequences. For instance, in this hypothetical scenario, Korean-Americans may end up finding it difficult to gain employment due to the perception that they are “not serious.”

<sup>8</sup> E.g., it would not be surprising if the children of first-generation, unskilled, economic

conceptions of the good and the freedom to pursue the good one chooses compatible with like pursuit by all. Such free choices can result in clusterings by race, ethnicity or culture if those things themselves are an important source of value to their members.

Differences will generally come in a range, rather than as a binary, and individuals will do better and worse across this range. To identify race privilege in both the binary sense – the sense in which you either have it or you do not – and the graded sense – that is to say, the *extent* of a person’s privilege – we need a baseline with which we can compare a person’s current position. The fact of her being above the baseline gives her privilege, and how far above the baseline she is defines how privileged she is. We will now defend a baseline that we take to be the best combination of theoretically and practically relevant considerations.

### C.

Privilege can manifest itself in many currencies: education, employment, social networks, hobbies and even character traits like confidence. Some of these can be translated into a common measure, like money. Educational opportunities, hobbies and social networks may feed directly into later employment opportunities and therefore be tractable in terms of income differences. This may not capture the full extent of the advantage they confer (in particular, it will not capture their value for wellbeing), and furthermore some kinds of privilege likely cannot be translated into money, like confidence, or captured “as” money, like the “invisible knapsack.”

As McIntosh (1989) has explained, *merely being white* means that one is in possession of a set of useful tools that others do not have access to. To give some examples, a white woman may have a white-sounding name that provides her with a higher chance of being selected for a job interview (even if it has not yet led to a successful interview); she will not have to worry if she requires a credit card, or a loan, that the color of her skin may be seen as evidence of financial unreliability; she can reliably expect her neighbors to be kind to her; she can turn on the television and expect to see her own race represented; and so on.<sup>9</sup>

Even if these tools have in fact not been useful to the person in possession of them, the fact remains that she has them and could make use of them, and the basis on which she has them is a distortion of equality of opportunity that sees valuable tools unevenly distributed

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migrants were more likely to choose vocational university majors rather than non-vocational university majors as a result of pressure from their parents to secure better economic conditions. This might result in racial-group-based differences in university majors (and subsequent differences in employment area), where these children generally have more secure high-income jobs than some other groups. So long as the children were making these choices out of a considered decision to respect their parents’ wishes or to conform to cultural norms or expectations (rather than being manipulated, bullied or coerced) that *would not* be the kind of racial advantage and corresponding disadvantage relevant here.

<sup>9</sup> In McIntosh’s paper, she presents 50 of these tools. Most (but not all) of them would be in the possession of any white person regardless of their class and gender.

according to morally arbitrary features of persons. These tools give her better chances in a range of central domains than someone who does not possess them. This kind of privilege is premised on *probabilistic advantage*, rather than actual advantage. (Notice that this creates a rupture with the literature on benefiting from injustice, because beneficiaries are identified in terms of *actual benefit* relative to some baseline, and not just a probability of benefit. See e.g., Anwander (2005); Butt (2007); Goodin (2013); Goodin and Barry (2014); Haydar and Øverland (2014); Heyward (2014); Pasternak (2014)).

Why accept that mere probabilistic advantage is sufficient to establish the privilege of individuals? Consider a case in which an individual white person has a *statistical probability* of advantage, given the tools we have just outlined, but is in actuality fairly badly off. For example, a white American woman whose parents were too involved with drugs to take care in raising her, who did not have the opportunity to receive a good education (or the necessary tools to take advantage of one, such as a quiet place to study and the relevant resources), now cannot find a job and relies on food banks and the kindness of her friends and neighbors.<sup>10</sup> Does it really make sense to say that this woman is racially privileged?

Our answer to this question is *yes*. It makes sense to say she is *racially* privileged, even if it does not make sense to say that she has other kinds of privilege, such as class privilege, or gender privilege, or intersectional privilege. But other kinds of privilege (class, gender, etc.) *being equal*, this woman is racially privileged in comparison to any African-American or Hispanic-American woman; taking other kinds of privilege into account, she is racially privileged compared to any African-American or Hispanic-American woman *born in a similar situation*. The obligations that this woman has may be weaker than those of an individual who has race privilege to a much greater extent than she does, but she is still privileged (in the binary sense), and she still has *some* obligations in virtue of that (on which more in § III).

Of course, bracketing other kinds of privilege in order to isolate the case of race privilege is a simplification. If we wanted to know the whole story about privilege across the board, we would have to know more about the features of a particular person, and more about which particular society she lived in (because, for example, race privilege plays a bigger role in the U.S. than the U.K., and class privilege plays a bigger role in the U.K. than the U.S.). Fortunately, the way we cash out obligations from privilege in § III gives us part of that story without doing anything to preclude the rest of the story being added in later. That is because we do not think race privilege is “canceled out” by disadvantage in another domain. Thus, our focus on race here is the innocuous “abstraction” rather than the pernicious “idealization,” in Onora O’Neill’s (1987) terms.

While we recognize the importance of privilege manifesting itself in different currencies, we want to be able to say something practical about the extent of a person’s privilege, and the way this relates to her

<sup>10</sup> We would like to thank one of our anonymous reviewers for the above example.

obligations. Thus, in what follows, we will focus on the translatable elements of the story, in terms of the common metric of money. We will use money as a proxy for privilege, even while acknowledging that this will fail to capture the full extent of privilege.

Say we are interested in income differences across the United States, and we make a graph depicting individual incomes. The graph maps all the people and all their incomes (including zero incomes). This gives us a lot of information: the size of the gap between the highest and lowest incomes; the range of incomes in between the highest and lowest; the mean and median incomes. Another thing it might give us is information not just about incomes in general, across society, but about income differences according to racial group (or gender group, or class group, or whatever else we happen to be interested in). Imagine that, when we look at how the income distribution clusters by race, we discover significant differences in income tracking racial lines, with white Americans doing better and African-Americans and Hispanics doing worse.

As explained above, we should take this difference to be *prima facie* morally problematic, and look further into the explanation of the difference. In this case, there is no debunking explanation available. Many features of American society produce and reproduce these differences: from early childhood education (including educational opportunities as well as the quality of the actual education) through primary and secondary education; policing practices; hiring practices; social networks and the ways these can function to exclude outsiders; social expectations around hobbies and vocations; the implicit biases of people in positions of power, as well as in ordinary individuals; and so on.

Since these differences have not been or cannot be debunked by appealing to the free (i.e., non-coerced) choices or nonadaptive (e.g., not conditioned or made in response to undue social, cultural or familial pressure) preferences of African-American and Hispanic people, they go from being *prima facie* morally problematic to being morally problematic simpliciter. If the U.S. income distribution had featured race-based differences that turned out to be explicable in terms of African-Americans' and Hispanics' free choices or nonadaptive preferences (in particular, choices or preferences over an adequate range of options), then there would be no privilege. In such a case, the relative advantage of white Americans would be morally innocuous. But it did not, so there is race privilege when it comes to income, and those in the race-privileged group have an obligation to offset their privilege. Privilege, then, is cashed out here in terms of undeserved income advantage corresponding to race-based income disadvantage. A white individual can establish the *extent* of her income-based privilege by comparing the income for her percentile among white Americans with the income for her percentile among all Americans (see § III for a worked-out example of this).

A final word on this baseline. In an ideal world, we would have data not just about income differences by race (gender, class, etc.) but also about which differences were due to what kinds of choices. Then, we would be able to avoid mischaracterizing low incomes that were the result of free choices, or nonadaptive preferences, as "income disadvantage."

Because privilege corresponds to disadvantage, this would in turn enable us to avoid mischaracterizing the corresponding high incomes as the result of privilege. But we face serious epistemic difficulties when we try to discover which differences between people are due to their free choices and nonadaptive preferences, which are due to coerced choices or adaptive preferences, and which are due to structural injustice. We would have to know a lot more about each individual than is practically possible.

We are just going to stipulate here that we expect the first type of income disadvantage to be fairly rare in comparison to the second and third types, and so for reasons of tractability we will use a baseline that does not attempt to control for choice and preference. So the baseline is a proxy in two different ways: first, because it translates very different kinds of privilege into the common metric of money, insofar as that is possible, and second, because it concedes the epistemic intractability of controlling for free choice even while acknowledging such control to be desirable, and settles for a race-differentiated income distribution regardless of the explanation of those differences.

In summary, race privilege is an advantage that is undeserved and conferred systematically to members of racial groups, granted simply because of membership in racial groups and thereby almost never justifiable (following, with modifications, Bailey (1998)). Race privilege is always symmetrical with race disadvantage, so if there happened to be a distribution that featured race-based advantage not accompanied by race-based disadvantage, then that advantage would not amount to privilege and so would not be a candidate for obligations to offset. In the next two sections, we turn to the core question of this paper, namely what – if anything – do those with race privilege owe?

## II. The Normative Implications of Race Privilege

Avery Kolers (2014) develops a positive proposal for the obligations held by those better off in a structurally unjust society. Racial disadvantage can be produced by structural injustice, so this is a good place to start in thinking about obligations from race privilege. Kolers argues that the advantaged owe *solidarity with the (organized) disadvantaged*. The groups to whom the advantaged owe solidarity must be organized, because only organized groups have the capacity to make use of collective political action in order to improve their position (although this does not necessarily mean the advantaged owe nothing to the members of unorganized groups, but rather that they should help them organize before channeling resources toward them).

Kolers' account is prioritarian, with preference going to those in a given society who are made worse off by structural injustice. Applied specifically to race, the idea would be that members of a race-advantaged group owe solidarity in collective political action to members of organized race-disadvantaged groups. So white Americans would owe solidarity to organized groups of African-Americans, e.g., Black Lives Matter. But being prioritarian, Kolers' account does not, unlike ours,

distinguish between the race-privileged and the merely race-advantaged, i.e., those who are advantaged relative to one group and disadvantaged relative to another. Everyone better off than the worst off owes the worst off. Neither does it direct the advantaged to stand in solidarity with race-disadvantaged groups that are not the worst off, e.g., because they were a little better off on average than the worst-off group. For Kolers, what matters is the relative positions of the racial groups, and the racial group that is the *worst off* is the one to which our solidarity should go, whereas we argue that what matters is the position of privileged groups relative to disadvantaged groups.

Kolers argues that since his proposal directs us to solidarity with the organized worst off, this adds a precision to his framework not shared by alternative accounts. His account states that as soon as group “G ceases to be the victim of the gravest inequity, then solidarity moves on to [group] H” (2014: 428). But, as we see it, any such benefits of precision are canceled out by the problems his framework leads to in terms of instability in implementation. Instead of directing the advantaged to choose the worst off of the disadvantaged groups and *stick with them* until they have achieved some substantial improvement in their position, his account somewhat perversely directs the advantaged to refocus their solidarity toward the newly worst-off disadvantaged group, as soon as the first make a substantial enough improvement to not be the worst off any longer.<sup>11</sup> Since effective work with organized groups to correct structural injustice requires earning trust, creating networks, learning skills and dedicating oneself to long-term tasks (e.g., accessing funding streams and developing grant proposals), moving one’s support away from one group whenever another becomes worse off makes effective work infeasible. Moving one’s solidarity from one group to another is likely to undo the work done for the first group and consequently increase the probability that it will become the worst off again, creating a situation for the person attempting to help in which she is moving back and forth between groups in a futile manner.

Adding to this problem, Kolers’ proposal requires that we have data available to us on which groups are the worst off at an unrealistic frequency; the discovery that one group is the worst off is likely to happen a long time after it has become the worst off, during which time we will have been giving our solidarity to the wrong group. The time lag in the availability of such data could conceivably lead us to spend *most* of our allotted time involved in such misdirected activity.

We agree with Kolers to the extent that showing solidarity in collective political action with race-disadvantaged groups is *one of the ways* in which the race-privileged might offset their privilege. But we do not think it is the only way. What is owed should be directed at the sources of the morally problematic race-based differences, not to those who fall on the disadvantaged side of those differences – even if it is the race-based disadvantaged who would be wronged if the race-privileged failed to offset their privilege. (This is only a minor disagreement, given that on

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<sup>11</sup> We are grateful to Jess Begon for discussion on this point.

Kolers' account the solidarity that is owed to the disadvantaged most often takes the form of political action *together with them* against the sources of structural injustice.)

Iris Marion Young has argued that in order to handle structural injustice, we need an alternative to the traditional "liability model" of responsibility. Structural injustice on her understanding is the kind of injustice that builds up over time as a result of the actions of many different people and becomes embedded in social systems. Young's alternative to "liability responsibility" is "political responsibility," which uses interrelations of "connection, power, privilege, and interest" to tie people together within structures (Young (2003: 3)). (Examples of structures include institutions such as the legal system, the market, family organization, the division of labor and the social interactions that go on within those institutions (ibid.: 4-5).)

Political responsibility is forward-looking, seeking not causal connections between particular individuals and particular injustices, but rather a capacity to take action to undermine unjust structures and a special responsibility to do so because of one's connections to these structures and others within them:

Taking political responsibility means acknowledging that one participates in social processes that have some unjust outcomes, and one participates with many others. Discharging that responsibility entails enjoining collective action with at least some of these others. We share responsibility to organize means of changing how the processes work so they will issue in less injustice (ibid.: 15).

For Young, shared responsibility is responsibility we all have together (rather than responsibility held at the level of the group, potentially insulated from members). On her account, the normative implications of structural injustice are that individuals take collective action in order to change the structures.

Young's proposal, similar to Kolers', fails to distinguish the race-privileged from the merely race-advantaged, and even the race-disadvantaged. There is nothing that the race-privileged owe in particular. Rather, there is something that everyone interacting within the structures that create race-based advantage and disadvantage owe to one another. The disadvantaged owe it, too: "many of those properly thought to be victims of harm or injustice may nevertheless have political responsibility in relation to it" (ibid.). As explained earlier, we are here accepting the intuition that those who do well out of certain sorts of injustices, structural or otherwise, have obligations that are either different in content to, or stronger than, the obligations of everyone with a mere capacity to act against that injustice. But we can take Young's view of the *content* of the obligations as part of the story about what the privileged owe. In the next section, we suggest that the method for offsetting race privilege is pluralist, and so includes the content of the obligations that Kolers and Young suggest, but is not exhausted by them.

### III. A New Proposal: Offsetting Race Privilege

In the preceding section, we agreed with Kolers (2014) about the importance of solidarity, and with Young (2003) about the importance of collective action for structural change. Taking the relevant elements of the discussion in § I–§ II forward, this is the new proposal:

*What the race-privileged owe:* A contribution reasonably expected not to be futile, commensurate with the extent of one's race privilege, toward the eradication of the morally problematic racial differences in one's society.

Fulfilling this obligation offsets race privilege. “Morally problematic” here is a technical term, used in the way we defined it in § IB. We deliberately employ the term “offsetting” to emphasize that the kind of privilege that comes from race or ethnicity in certain societies is often not something any individual can help but have, and not something she can easily (or at least entirely) give up. This is similar to the emitting of greenhouse gases (GHGs), which is not something we can easily (or at least entirely) stop doing (and from discussions of which we borrow the term). The moral question in both cases is what we can do about it. In the GHGs case the imperative is to reduce our emissions as much as possible, and offset the remainder of those we absolutely cannot do without. In the race-privilege case, the imperative is to make a contribution commensurate with the extent of one's race privilege toward getting rid of the sources from which that race privilege comes.

A race-privileged individual can figure out (at least roughly) the extent of her race privilege by comparing her own position to the baseline. What she has over and above the baseline is the extent of her privilege, so the more she has over and above the baseline the more she is required to do to offset her race-privilege. She should work out the income percentile to which she belongs on the income distribution of her racial group alone (e.g., the 50th percentile), and then establish the difference between the average income on this percentile, and the income of those at the 50th percentile on the whole-society income distribution.<sup>12</sup>

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<sup>12</sup> Easily available tools can be used to do this. See in particular [blogs.wsj.com/economics/2016/03/02/what-percent-are-you-2](https://blogs.wsj.com/economics/2016/03/02/what-percent-are-you-2/) (Van Dam (2016)). It is important to be careful with the data that we use to establish race privilege. As Jeff Guo (2016) recently pointed out, economic statistics often leave out the zero incomes of incarcerated people. Therefore, because of institutional racism in the U.S. justice system (see examples in the opening section), they may drastically underestimate the extent of race privilege translated into financial terms. Gender makes a significant difference to one's income, too, but because we are bracketing other kinds of privilege here to focus exclusively on race, we would suggest that one uses one's race-group income percentile, and compares this to the whole-society percentile controlling for one's gender. Note that we are assuming here that a just version of U.S. society would have the same income distribution, but with those incomes belonging to different people – in particular, without obvious clusterings of income by racial group. If racial income equality would have a significant impact on what the incomes were (e.g., if it would raise the average income) then the baseline would shift and have implications for the extent of privilege.

Imagine that a white American woman checking her race privilege in 2016 finds herself to be in the 50th percentile among white Americans alone. She earns around \$23,462 per year. Now imagine that she compares this to the average wage of someone in the 50th percentile on the whole-society income distribution (or the whole-society income distribution, controlling for gender (see n. 18)), which she finds to be \$21,544. This comparison shows our individual that her income privilege amounts to \$1,918 per year. This means that for her contribution to be commensurate with her privilege, it must amount to \$1,918 or its equivalent in terms of time or effort. If we decide that an hour of her time is worth the U.S. hourly average wage (\$22.64 as of August 2016), then she can offset her privilege by dedicating just over seven hours a month to fulfilling the obligations she has to offset her privilege. (Interestingly, since we believe that the work done to offset this obligation should target the structural injustice that created the privilege in the first place, the amount of time or money required to offset one's obligations should, theoretically, decrease over time.)

Two problems are immediately apparent. The first occurs when the extent of racial privilege is immense. While working off \$1,918 of privilege would be relatively undemanding, imagine if our individual was instead a white male in the third percentile. This individual would be earning \$229,674 and his income obligation would therefore amount to \$31,842 (or its equivalent in time or effort). He would have to work 27 hours a week<sup>13</sup> in order to fulfill his obligations (and these are only his obligations *from race-based privilege* – he will likely have others). However, we find it unpersuasive to say that the demanding obligations that might follow from excessive privilege are *too* demanding. Even if it is impossible to offset one's privilege in terms of time, it is quite possible to offset it in terms of money (or a combination of both). And, of course, all obligations are subject to an "ought implies can" constraint, so if some individual cannot fulfill them, then he is off the moral hook.

The second problem occurs in light of our claim in § IB, that one has race privilege in virtue of being a member of a privileged racial group, and is thus conferred obligations even if the privilege has not manifested into actual measurable benefit. We said that this was because, even if one has not succeeded in using the tools that being white provides, having the tools in the first place is a kind of privilege. But how can an individual who has not benefited offset her obligations? Does this not ask her to "spend" what she does not have? Our answer to this apparent problem is that there are ways to offset obligation that do not require significant expenditures of time or money. These ways require a change in habits of action rather than significant time or money. Every racially privileged individual should, for example, call out incidents of racism where they occur, vote for political parties whose platforms include action against

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<sup>13</sup> For simplicity, we are valuing the time of both individuals at the same amount – namely the hourly average wage. But note that this overvalues the time of the former and undervalues the time of the latter, if we assume instead that their time is worth what they would actually get paid to do another hour's work at their respective jobs.

racial injustice, and boycott companies known to be involved in racist hiring practices (see our full list, below). Such actions do not require significant time but they would contribute to lessening the efficacy of the tools in the “invisible knapsack.” We could give the same answer to those who have benefited to a great extent from racial privilege but would, for whatever reason, have to put themselves into poverty or poor health in order to offset that privilege.

Three elements of the proposal stand in need of further explanation. The first is the epistemic element involved in both reasonable expectation of non-futile contribution and assessment of the extent of one’s race-privilege. The second is the fact that obligations are directed toward dismantling the differences that create race privilege, rather than, e.g., toward the race-disadvantaged. The third is the currency in which contributions can be made.

Individuals cannot be required to perform actions that they know to be futile (Lawford-Smith (2012)). For example, they cannot be required to perform a part in a collective action when they know that insufficiently many others will perform parts. To do so would be irrational, and our obligations do not direct us to perform irrational actions. It might seem that this caveat will excuse a lot of inaction in offsetting race privilege, but as we will explain soon, the fact that the metric of contribution is pluralist helps to avoid this problem. (To foreshadow, there is almost always something that a race-privileged person can do to offset her race privilege that will not be futile.) The caveat is phrased in terms of a reasonable expectation of the contribution not being futile, rather than the objective fact of whether the contribution would be futile, so that race-privileged individuals who refrain from making a contribution on the basis of good evidence that doing so will be futile, *even if they are in fact mistaken*, will not fail to do what they ought.

In fact, the same goes for race-privileged individuals assessing the extent of their privilege, which of course requires acknowledging their privilege in the first place. If this is done on the basis of reasonable belief, then race-privileged individuals will not be able to avoid obligations simply by deliberately ignoring evidence that points to their race privilege – this will not count as reasonable. Neither will we be forced to say that race-privileged individuals who have made good-faith attempts to assess the extent of their race privilege, and taken steps to offset it, have failed to do as they ought because they have made mistakes in their calculations. If their beliefs were reasonable, then they have done as they ought.

In discussing Young’s proposal in § II, we noted agreement with her directing the discharging of obligations toward the structural injustices themselves rather than those disadvantaged by them. The proposal advanced here focuses on *the sources that create race privilege and race disadvantage*. Compared to proposals that direct benefits toward the disadvantaged – as many do in the literature on benefiting from injustice (see e.g., Goodin and Barry (2014)) – this proposal has the advantage that it will not permit the perpetuation of the status quo alongside the assuaging of the guilt of the privileged. This is an objection that might be made against the imperative that we offset our GHGs (instead of

stopping those actions that emit them). Offsetting race privilege in the way suggested here cannot perpetuate the status quo because contributions are targeted toward modifying that status quo. Directing benefits toward the race-disadvantaged directly, on the other hand, might perpetuate the status quo, because it would create ad hoc redistributions (in the relevant metric) without upsetting the actual systems and institutions that cause morally problematic race-based differences.

This feature of the proposal also helps avoid what is sometimes called the “pity objection,” discussed by luck egalitarians, that says that attempts to compensate for disadvantage can be disrespectful to those they are intended to help because they require the acknowledgement of the disadvantaged *being* disadvantaged (Anderson (1999)). (However, pulling in the opposite direction is the idea that the race-disadvantaged are owed *recognition*, even when there are no non-futile contributions that can be made to offset race privilege).

Finally, and perhaps most importantly, is the metric of contribution. Obligations from race privilege are flexible in that offsetting requires one or more of a range of possible contributions that the race-privileged individual can reasonably expect not to be futile. The following list<sup>14</sup> is representative, although surely not exhaustive, of appropriate contributions:

- Call out racist comments made in social situations.
- Take steps to collectivize into groups organized against racial injustice (Young (2003)).
- Stand in solidarity with members of racial groups experiencing discrimination or oppression (Kolers (2014)).<sup>15</sup>
- Publicly boycott companies and corporations if you know them to be involved in racist hiring or employment practices.
- Go out of your way to buy from companies or organizations run by minority racial groups.
- Commit time and resources to organizations aiming to end structural injustice.
- Undertake research into race-based social differences and whether they have debunking explanations, and share findings.
- Teach your students the effects of white privilege (McIntosh (1989)).
- Press upon those in political power their moral duties to effect social change, e.g. write to MPs, government officials and elites; sign petitions; take advantage of your social networks.
- Encourage workplaces (your own and others’) either to use anonymized CVs when hiring to mitigate racial bias, or to support positive discrimination in order to increase the racial diversity of their employee pool.
- Encourage workplaces (your own and others’) to support positive bias in promotion policies.

<sup>14</sup> Compare with Lawford-Smith (2016: 42–43).

<sup>15</sup> This and the prior contribution must obviously be made with care and sensitivity. Opinions differ regarding the value of “white allyship” to Black Lives Matter (see e.g., Brinkhurst-Cuff and Andrews (2016)). Such contributions must be considered on a case-by-case basis, and ideally in consultation with members of the racial group in question.

- If your workplace (or another you have influence over) takes advantage of internship schemes, push for these to be paid at a living wage.<sup>16</sup>
- Donate money, goods or labor hours to charities and organizations working against racial injustice.
- Vote for political parties whose platforms include action against racial injustice.
- Expose your children to non-white literature, history and music from an early age.
- Support schools that foster racial integration.

Which of these is most important or efficacious will depend on the society the race-privileged individual finds herself in. In a society in which most others are not aware of race-based social differences, or are aware but unwilling to do anything about them, it might be more important to work on social beliefs and attitudes (as a precondition to eventually changing domestic legal policy). This would mean focusing on research and dissemination, calling out and boycotting. These are particularly important when the source of the morally problematic race-based social differences is the race-privileged themselves. Some biases and stereotypes based on race or ethnicity are perpetuated mainly by way of aggregations of micro-aggressions, each too small to prosecute but cumulatively having an enormously damaging impact on those they target, or by implicit biases. In such cases, making a contribution aimed at eradicating morally problematic race-based differences will mean making a contribution aimed at stopping those micro-aggressions, changing damaging stereotypes and undermining harmful biases.

The privileged can start with themselves and their social networks, via the economy of esteem (with the hope that individual behavior may be modified in response to their disesteem), which would make the first item on the list – calling people out – the most important. Although such a contribution may sound rather easy, in certain societies this kind of contribution can actually be very difficult, and can lead to the loss of esteem from members of one's own community. In other societies, where the race-privileged are reasonably cognizant of the problems with their societies, politically oriented actions will be more important, including collectivizing, standing in solidarity, voting, writing to MPs or congress members, and supporting the work of relevant organizations.

How would this proposal play out in the example case, of race privilege (in this case white privilege) in the United States? As mentioned earlier, at least one of the differences that we outlined in the opening section does not fall within the scope of the discussion in light of the definition of race privilege developed in § I. In particular, the disproportionate killing of African-Americans by police compared to the

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<sup>16</sup> Because such internships require the intern to be able to work unpaid, often in expensive cities (like New York or Washington), only those with wealthy families can afford to do them. This means that they reinforce exactly the kind of structural injustice that we have argued the offsetting of race privilege should aim to eradicate. This is exacerbated by the fact that such internships are often arranged through family connections. It is hardly surprising, then, that those business sectors that rely the most on unpaid internships have the worst minority representation (Legge (2014)).

killing by police of white Americans is outside the scope of the discussion, because not being killed by police is a *right*, not an undeserved advantage. (This is just as well, because a distribution holding the aggressiveness of current policing in the United States fixed would see more white Americans and fewer African-Americans being killed by police, while surely what justice requires in that context is *less shooting overall*.) That is not to say that there are no obligations in light of this race-based difference: there certainly are, and they are urgent. It is only to say that those obligations are not a matter of race *privilege*, and race privilege is our focus here.

The remainder of the differences are eligible, in particular the facts to do with racial profiling in stops and searches, arrests, sentencing and parole, and also in hiring decisions, university admissions, access to healthcare and so on. For example, consider the situation of a specific social group, namely white American drug dealers. They are less likely to be stopped; less likely to be searched if stopped; less likely to be arrested if searched and found in possession; less likely to be sentenced heavily if arrested; and less likely to serve their full sentence if incarcerated (more likely to be let out of prison early on parole), compared to African-American or Hispanic drug dealers. Whether a drug dealer will be stopped, searched, arrested, sentenced and paroled tracks a morally arbitrary feature of persons – namely, race. If these processes were race-blind, we would expect to see a distribution of each roughly in proportion to the composition of the United States population (unless there were free choices or nonadaptive preferences pushing more people from certain racial or ethnic groups into drug dealing, which is unlikely). Relative to this baseline, white American drug dealers have race privilege, and therefore have obligations to offset it. (If only one could control for criminal behavior on *The Wall Street Journal's* income percentile tracker (see n. 14).)

These obligations require a contribution to the eradication of the source of their racial privilege, so in this case toward race-blind practices in policing and throughout the legal system. Of course, it is not likely that white American drug dealers in the United States will acknowledge, and take steps to offset, their race privilege. But this illustrates one way the proposal plays out in the example we started with. There will be other applications for which the offsetting of race privilege is not as unlikely. The same story could be told about white American students (at pretty much any level) or white American employees (of many companies, at least). And even if *no* race-privileged individuals were likely to acknowledge or offset their race privilege, it is still important to understand what they owe in light of that privilege, and how far they are falling short of what they ought to be doing.

#### IV. Conclusion

The race-privileged owe a contribution that can be reasonably expected not to be futile, commensurate with the extent of their race-based advantage, to the dismantling of the relevant social injustice. In monetary

terms, that roughly means that the race-privileged owe the difference between what they earn at the relevant percentile for their racial group, and what they would earn at the same percentile on the whole-society distribution. In non-monetary terms, the race-privileged owe the equivalent in time or effort, e.g., in taking political action. If the proposal had directed these “offsets” directly to the race-disadvantaged, this would not prevent the problem from constantly recurring (it might treat some of the symptoms without addressing their root cause). That is why it makes more sense to target the policies, systems and institutions perpetuating and sustaining morally problematic race-based social differences. What the race-privileged owe is reform of the system that allows them to *have* race privilege in the first place.<sup>17</sup>

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