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**A WHITE ETHICIST CONSIDERS
REPARATIONS**

**HOW NORMATIVE ETHICS FAIL AND THE
IMPERATIVE FOR AN ETHIC OF CARE**

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Fordham University
Ethics and Society MA, 2025



Good afternoon. Thank you for joining me today.

I am Samantha Ives.

I am an Ethics and Society student with the Graduate School of Arts and Sciences at Fordham University in the Bronx, New York. I am a professional performer, a community organizer, a non-profit manager, and a leadership facilitator as well as an advocate for equitable K-12 education. I am also a mother, daughter, and wife.

I will present my paper briefly, then open the floor for questions. I look very forward to your collaboration and feedback.

ROADMAP

- 01** CONTEXT
- 02** CONSEQUENTIALISM'S FAILURE TO ENSURE JUSTICE
- 03** CONTRACT THEORIES CAN'T PROVIDE A SOLUTION
- 04** KANTIAN DEONTOLOGY IS NOT AN OPTION
- 05** CARE THEORY: WHAT AND WHY
- 06** CARE IN ACTION
- 07** CRITICISM AND COMMITMENT
- 08** QUESTIONS & DISCUSSION

In the next 15 - 20 minutes, I will provide some context for considering the ethical undercurrents in the reparations debate.

I will introduce where we are here in New York and why it matters to have this conversation now.

I will present my reasoning against grounding reparations remedies in the ethics of consequentialism, social contract theories, or deontology.

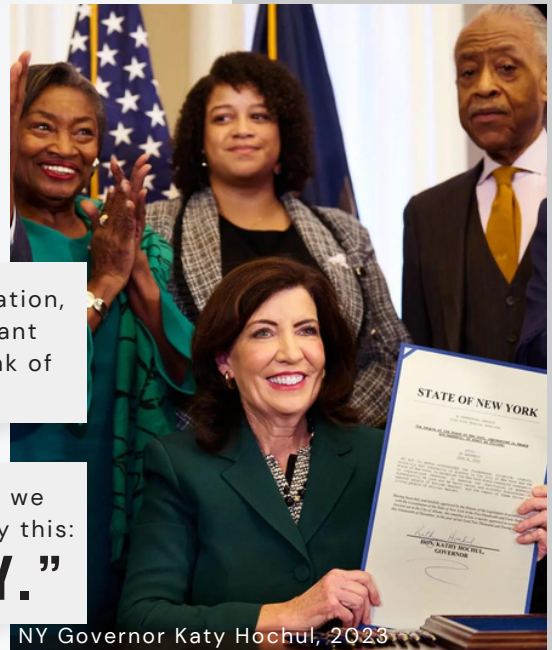
Then I will introduce the ethic of care and elevate Joan Tronto's four elements of caring as a workable, practical framework.

After a brief conclusion, I will open the floor for discussion.

THE LANGUAGE OF CARE

“THIS BILL makes it possible to have a conversation, a reasoned debate about what we want the future to look like. And I can think of nothing more democratic than that.”

“Understanding each other takes work. we rarely get it right all at once. But I say this:
IT IS ESSENTIAL THAT WE TRY.”



NY Governor Kathy Hochul, 2023

Photo: Keivom, James. Gov. Hochul Agrees to a Commission to Look at Reparations for Descendants of New York Slaves. December 22, 2023. <https://nypost.com/2023/12/22/opinion/kathy-hochul-agrees-to-ny-reparations-commission-letters/>.

In 2022, New York senator James Sanders and Assembly Member Michaela Solanges introduced a bill to create a committee to consider reparations. As a New Yorker and advocate, I watched the bill's progress closely. And the more I watched, the more I heard an ethic of care echoing in the words of legislators.

This was interesting to me, because the counter arguments for reparations are often couched in distributive language rooted in concepts of fairness or justice that we as Americans have inherited from consequentialism, contract theories, and deontology.

What I wanted to understand was how the work of New York's commission could progress within a care framework and whether or why it might not be able to progress within a normative framework as most non-ethicists might understand it.

Just before Christmas, New York Governor Kathy Hochul signed the bill to form the “State Community Commission on Reparations Remedies,” making New York the third state with California and Illinois to address reparations for descendants of enslaved Africans.

CONTEXT

57%

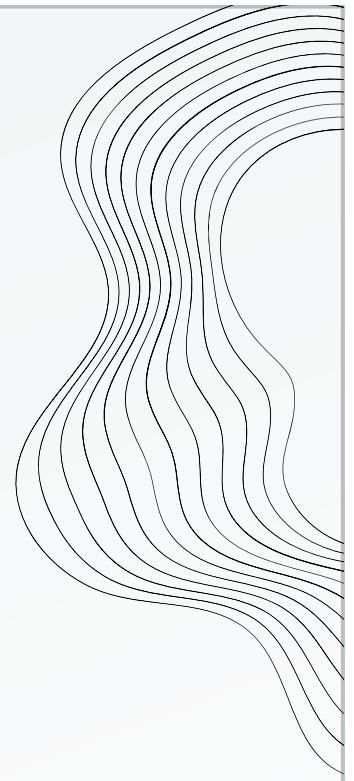
Black Americans who identify as direct
descendents of enslaved people

53%

American adults who believe that
racism still exists

77%

Black adults believe some sort of
reparations are due to African Americans



New York's bill was signed 158 years after General Sherman and President Lincoln offered reparations of 40 acres of land to each newly freed family following the Civil War.

57% of Black Americans have ancestors who were offered what came to be known as "40 Acres and a Mule,"

In current national polling,
53% of Americans think racism still exists.

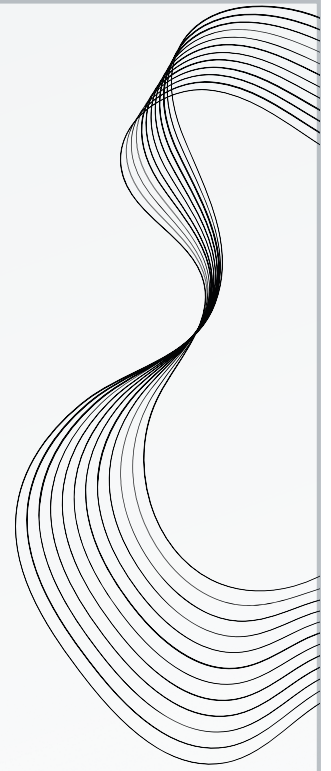
And 77% of Black adults would like to see some form of reparations.

18%

White adults think Black Americans should be repaid in some way for slavery

68%

American adults believe that no compensation of any kind is due to descendants of enslaved people

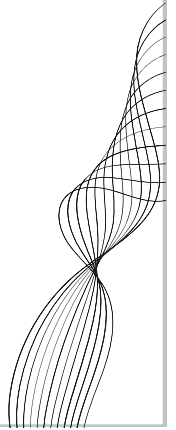


But only 18% of white adults believe Black Americans should be repaid in some way.

Nearly 70% of American adults of any race believe that no compensation of any kind is due as reparations for slavery

“Putting aside the injustice of monetary reparations from current tax payers for the sins of a small subset of Americans from many generations ago... the fair distribution of reparations would be nearly impossible.”

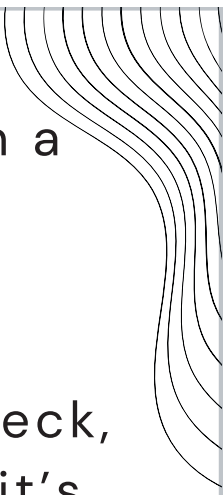
–Mike Johnson, 2019



Here is now-Speaker of the House of Representatives, Mike Johnson, dismissing the reparations debate in its entirety as unfair.

So today I'd like to look at what we mean by "fair" within normative ethical frameworks. I'm particularly interested in how normative theories have been misunderstood, misapplied, or manipulated to undermine Black Americans.

And whether an ethic of care responds to the intention of New York's reparations activists and legislators.



Reparations “occupy a special place in a transition out of conflict or towards democracy.” –Pablo De Greiff, 2006

“Reparations is not just about a paycheck, it’s much more than that. It’s atoning, it’s talking about what we can do to support and uplift Black New Yorkers....” –NYS Assemblymember Michaelle Solages

What do we mean by reparations?

Certainly, there can be cash payments.

It can also mean policies that ease undue burdens or provide access to opportunity.

Or recognize harms done, like the designation of an African burial ground in lower Manhattan.

In a liberal democracy concerned with equality, we have all of these options: we can do the hard work to change social structures, or we can redistribute goods, which seems easier and is more common. In fact, policies that redistribute goods equally or equitably are often what people consider when they use the term “fair.”

CONSEQUENTIALISM

Maximizing Utility

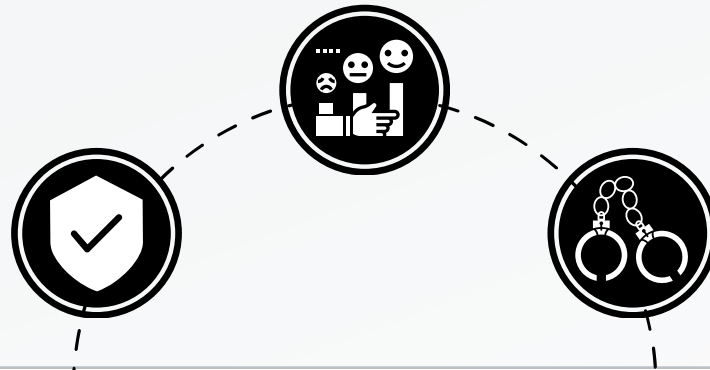
Create the greatest amount of happiness and the least amount of pain.

Distributive Happiness

Happiness (utility) is widely distributed among the most people.

Individual Freedom

Rights may only be restricted to protect freedom and safety.



One such idea is consequentialism.

Broadly speaking, consequentialism and its related framework, utilitarianism, create the most happiness for the most people and the least amount of pain. The ends justify the means.

Philosopher John Stewart Mill guided this ethic as a British writer and parliamentarian through and after the American Civil War.

He argued against slavery and advocated for individual freedom, political autonomy, and democratic governance with deference to minority opinion.

If we consider "40 acres and a mule" through an utility lens, it is easy to see how Black freedmen agreeing to join General Sherman's forces increased the utility of the depleted Union army.

Formerly enslaved people working the land and governing themselves increased the generational well-being of Black Southerners as well as the economic well being of Northerners reliant on goods from the South.

The social cost felt by a few evicted white families, balanced against these considerations tilts the scale toward justice for African Americans.

Sherman and Lincoln look like effective utilitarians.

CONSEQUENTIALISM

Higher Faculties

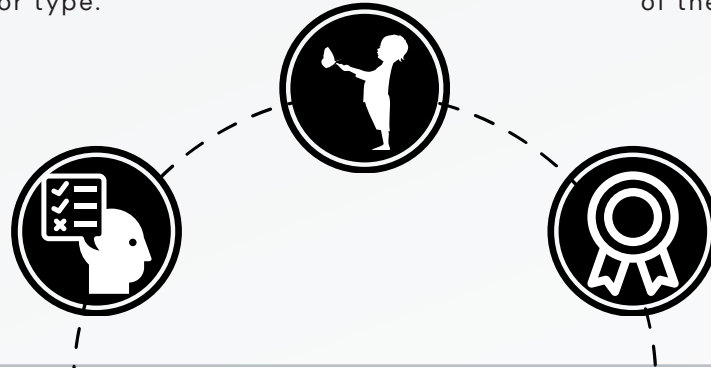
Mill's well-bred individual is more "capable of accute suffering... than one of an inferior type."

Racial Immaturity

A race in its "nonage" does not deserve self governance

Means Justify Ends

Despotism is justified when governing "barbarians" with the goal of their "improvement"



But consequentialism is prone to misuse.

For instance, a casual reader will find Mill elevating the worth of "A being of higher faculties [who] requires more to make him happy... than one of an inferior type." Mill writes that despotism is highly unethical, unless governing "barbarians" with the goal of their "improvement."

An ethic with a history of weighing one type of person against another is rife for injustice.

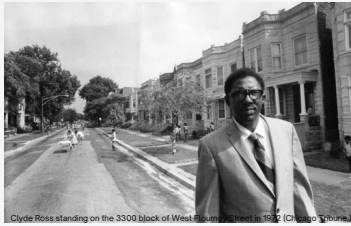
For instance, when Andrew Jackson revoked 40 acres and a mule within months of Lincoln's death, his administration might have weighed the social value of a few white landowners disproportionately higher than thousands of Black farmers to find more social utility in restoring the former Confederates to their land than in supporting the self-determination of newly freed families.

I hear those of you who Jackson was a racist; his actions do not invalidate Utilitarianism as a framework for justice.

I argue it does. Remember, we are looking for a framework for modern day New Yorkers, one that provides a true bedrock of equality for non-philosophers to use as they consider reparations.

Consequentialism has historically endorsed inequality. It has allowed unjust means for repressive ends. It cannot be a framework within which to consider a just reparations policy. (Breathe)

SOCIAL CONTRACT THEORIES



Clyde Ross standing on the 3300 block of West Belmont Avenue in 1996 (Chicago Tribune)

Ideal government is unbiased, unaffiliated & distributes justice from a neutral "original position" open to all.

Contractualism

Unequal distribution must benefit those who receive the least. (John Rawls)

Actions promote self interest & parties accept short-term losses for long-term wins.

Contractarianism

Contracting parties are equal.
The contract itself is fair and impartial.



Members of the Contract Buyers League picketing a contract seller's office in Chicago, 1968

Turning to Contractualism and Contractarianism, we can look to Chicago where Ta-Nehisi Coates humanizes the failure of contract theories in his influential 2014 Atlantic article.

Coates tells of Clyde Ross, a homeowner who sought reparations in the form of financial redress for himself and his neighbors. He and his group, the Contract Buyers League, charged the Federal Housing Administration and predatory landlords for exclusionary practices that undermined Black homeowners, devastating entire neighborhoods.

Ross's mortgage agreement was part of a larger social theory, contract theory, in which parties agree to an ethical give and take.

The FHA, a federal institution that protects lenders by insuring mortgages, underwrote the boom of post-war homeownership in Chicago, intent to spur property investment, federal economic growth, and generational wealth. But only for whites.

If the FHA had committed to contractualism, it would have insured home ownership for all citizens equally with a racially blind system of approval overseen by a diverse team from all corners of society.

If the institution had been contractarian, it would have presented options that benefitted homeowners, thereby securing its own future growth.

That is not what happened in Chicago. Or in any redlined city in America, including mine. While

the FHA now aspires to work within both of these ethics, housing discrimination is alive and well.

Too many times in America's history have institutions like the FHA repressed BIPOC communities that would have otherwise benefited local, regional, and national economies.



THE RACIAL CONTRACT

In practice, American society is committed to a Racial Contract within which the personhood of white Americans is "enshrined simultaneously" against "nonwhite subpersonhood."

- Charles W Mills

Charles W. Mills shifts the horizon of social contract theories.

Mills argues that from the overlapping historical forces of colonialism, culture, and Christianity emerged a politically and morally stratified society in which people with pink or "white" skin dominate people with brown, yellow, red, and black skin, enshrining "subpersonhood".

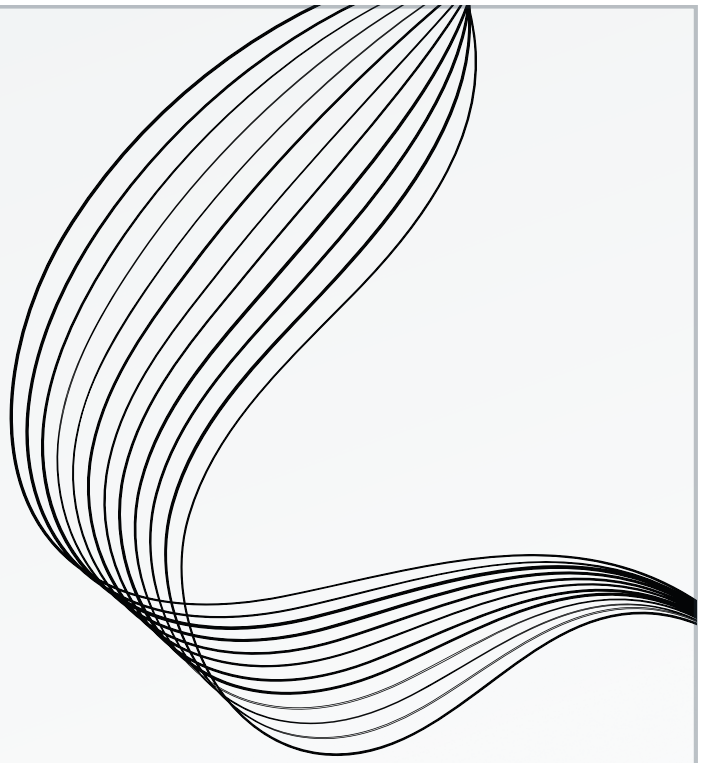
Mills asserts that American society has not only failed to practice distributive justice, but has fabricated a false pretense of equality while institutionalizing marginalization and exclusion, especially of Black Americans. He calls this the Racial Contract.

According to Mills, the Racial Contract underwrites the social contract New York is about to examine.

If reasonable people disagree whether a social contract is ideal, aspirational, or purely fabricated, the contract framework is unworkable for the Committee on Reparations.
(Breathe)

A WORD ABOUT DEONTOLOGY

AND THE NEED TO REPAIR A CRACKED FOUNDATION



Consequentialism and contract theories attempt to redistribute good from the haves to the have-nots. As Elizabeth Anderson points out, egalitarians of this ilk attempt to uplift people who are pitiable by donating excess goods from the enviable, which only reinforces the inferiority of those who have had the back luck of facing oppression in its many forms. She argues instead for democratic egalitarianism predicated on absolute equality. She invokes our Kantian deontological duty to each other.

Immanuel Kant's categorical imperative dictates that one has a duty to respect everyone's rational autonomy; that humans are never merely a means to someone else's end; and that every moral action should be able to become a universal law that all other rational, free-willed people would choose for themselves.

Anderson calls this "mutual consultation, reciprocation, and recognition" rooted in absolute equality.

But we can't assume that true equality is a given. Kantian Deontology has failed Black America since the first enslaved people arrived in New Amsterdam.

Decades of suppressed reparations movements, the Tuskegee syphilis experiments, Jim Crow, and ongoing police violence and voter suppression belie an America in which everyone is respected as capable and free.

New York's commission must must publicly repair and uphold the dignity of African Americans.

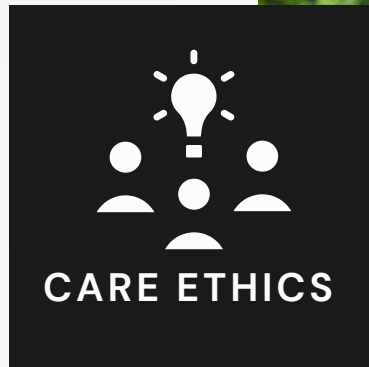
They must elevate Black and Brown culture and people as inherently autonomous, worthy, and self-directed. They must identify what is good, abundant, distinct, and socially valuable within BIPOC communities and to all New Yorkers. This is work for the commission to do and not yet a foundation upon which it can build. (Breathe)

NEW YORK MUST

"change our political structures and laws to ensure Black New Yorkers are empowered." -Michaëlle Solanges

NEW YORK NEEDS

"a species activity that includes everything that we do to maintain, continue, and repair our 'world' ... [as] we seek to interweave in a complex, life-sustaining web." - Joan Tronto



Governor Hochul tells us, "if this committee can present a viable path forward to helping the descendants of New York slaves and addressing the harms and disparities that exist in education, ... housing, ... healthcare, ... the environment, that, my friends, will lift all of us up. It'll strengthen our economy. It'll strengthen our communities. It'll strengthen the bonds that bring us closer together."

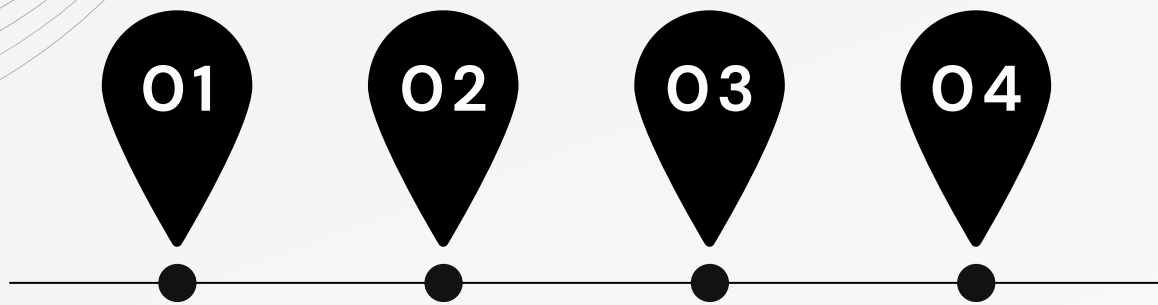
Now I know as an organizer and facilitator that laying a groundwork is vital to the committee. Conversations will be difficult, and a shared foundation of what is good, what rights are important and why, is imperative.

As we've seen, normative understandings of fairness fail to create just ethical systems.

The commission needs a workable and accessible ethical framework, one that embraces diverse lived experiences, understands intersectional identities, and allows for deep and complex relationships between individuals and groups.

Hochul hints at the way forward. I'd like to make it explicit: The commission must employ an ethic of care.

THE FRAMEWORK OF CARE



A theory of care integrates what most of us are familiar with from team building, parenting, or seminars on Inclusion. Just like those seminars, there is an actionable approach to this ethic.

Care theorist Joan Tronto proposed four phases of caring that could serve as a framework for NY's Commission on Reparations.

THE FRAMEWORK OF CARE

01

02

03

04

CARING ABOUT

empathizing, and discerning the needs of others "to assume, and to take seriously, responsibility,"
-Joan Trono

CARING FOR

"a praxis ... centered on the life chances and life situations of people who should be cared about without regard to the source of their difficulties."
-Kimberlé Crenshaw

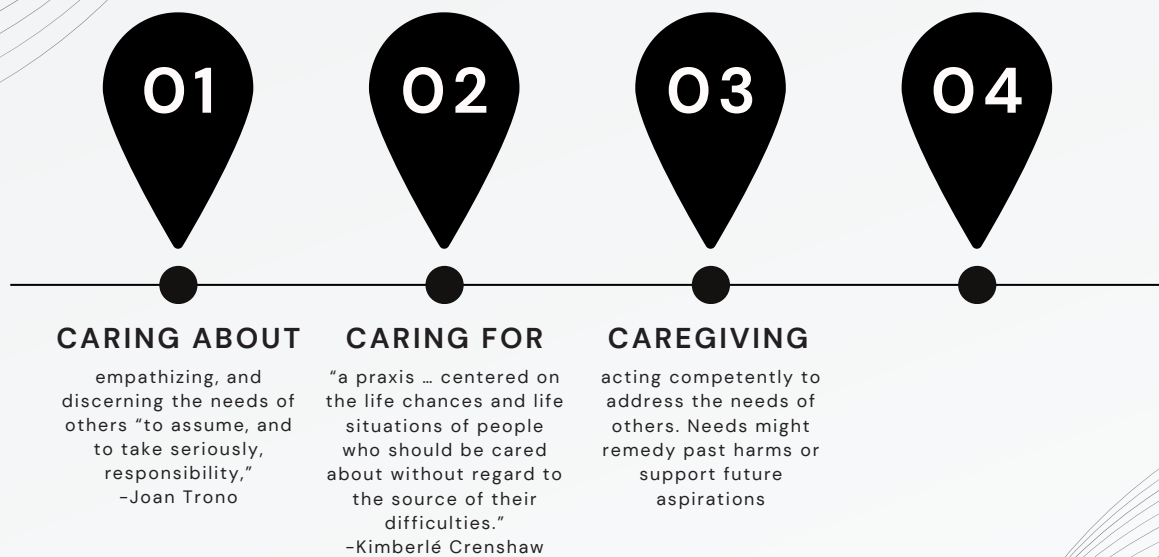
The first two phases, Caring About and Caring For, require inquiring, empathizing, and discerning the needs of others.

New Yorkers have elected legislators who have firmly established that they "care about" the descendants of enslaved people in New York. We have given our legislators a mandate to "care for" our communities, our neighbors, and a healthy state government.

They appointed a commission that is about to undertake the task of, in Kimberlé Crenshaw's words, "[remaking] the world as necessary."

Commissioners must begin by acknowledging that they care, why they care, who they care for, and by explicitly accepting responsibility for the world building they are about to undertake.

THE FRAMEWORK OF CARE



The third phase is Caregiving, or acting competently to address the needs of others.

The commission includes activists, educators, policy and law experts, faith leaders, economists, and civil servants.

Those volunteers must interrogate the ways in which public policy in New York has limited opportunities for Black workers and families. They must wrestle with ways in which traditional (white) concepts of the good and the right have failed Black people.

Caregiving will require effective and broad outreach. By sharing their progress, these volunteers can recruit all New Yorkers as collaborators as we engage thoughtfully in a meaningful, Black-led response to injustice.

In my community this work is happening on DEI committees, in restorative justice trainings, and elsewhere. We call on our elected leaders to share their language and priorities so that we can support their work.

THE FRAMEWORK OF CARE



Finally, the only way to determine whether caregivers are succeeding is to integrate Care Receiving, which Tronto calls "complex."

Care in practice is deeply personal as it integrates both relational and individual autonomy and external and internal decision-making processes so that a person speaks for themselves as an individual with unique needs who is situated within a family, community, and society, and is received in their entirety by focused, dedicated, and responsible peers.

Care Receiving demands that caregivers continually sustain a dialogue to know what is working, what isn't, and how we can do better. Care receivers must be courageous, and honest, and both care givers and receivers must embrace mutual vulnerability among absolute equals.



I'm going to pause here to recognize that I am a white woman advocating a framework for which white women have taken credit, despite the timeless practice of care in especially non-white communities.

To some scholars, the ethic of care is merely a reframing of virtue ethics and is guilty of the same white normativity as other traditional theories.

Black feminists criticize the ways in which white feminists avoid and ignore the lived experiences of Black women and others with intersectional identities.

For example, some early care theorists rooted the morality of caring in the experience of white motherhood, to the exclusion of communities of color, men, and others with intersectional identities.

In my research, and as an ally and up-stander, I have wrestled with the criticisms of care and the debates around racism in feminist theory, and come to the conclusion that care as a praxis has matured to answer my concerns and those of many critics, though that is perhaps a topic for the next essay.

CARE IN ACTION

- Hold Hearings
- Read History
- Listen to Stories
- Meet Leaders
- Visit Communities
- Ask Wisely
- Listen Deeply
- Accept Truth

- Determine needs
- Propose ways to meet those needs
- Engage experts and support their work
- Ask for feedback
- Adjust
- Ask again
- Adjust again

- Present findings
- Suggest changes
- Advocate for implementation
- Engage the community
- Solicit feedback
- Start again

So, let's explore how care looks in action. It is enormously practical; I would argue that we do it every day to sustain healthy work groups and personal relationships.

It is time to incorporate this ethic at a policy level. Begin with hearings and community outreach. Ask wisely and listen deeply.

Inasmuch as all policy is personal, and all politics are local, the work of New York's committee must be grounded in the lived experience of New Yorkers.

Once proposals are put forward, feedback must be solicited, and adjustments must be made. The community must be informed and invited to testify not just once, but throughout the process.

We must actively collaborate on holistic solutions to entrenched inequality. The cyclical action you see here provides a roadmap for this demanding work.

CONCLUSION

"Democracy is not a state. It's an act, and each generation must do its part." John Lewis

CONSEQUENTIALISM

Weighs the value of persons and projects

Can be misused to oppress a minority for the "good" of a group

CONTRACT THEORIES

Have constructed a fabrication of equality while arguably institutionalizing oppression

DEONTOLOGY

Must be incorporated thoughtfully in care ethics

Cannot stand alone until autonomy and dignity are explicitly defined by and for the Black community

Has not historically been sufficient to prevent systemic harm

CARE ETHICS

Recognizes caregivers and care-receivers as moral equals

Honors social reciprocity and interconnectedness

Operates in the present as informed by the past, and as constructive of the future

Integrates community and culture

Provides an actionable framework

Accommodates feedback and encourages growth

Mindfully applied, care ensures that every person retains full autonomy, and provides an ethic to guide decisions about opportunity, reciprocity, security, and financial reparations.

Traditional normative theories fail to uphold the true equality demanded by a liberal democracy and must be employed carefully or, I argue, avoided altogether as frameworks within which to pursue justice.

The reparations debate itself is beyond the scope of this essay, but New York has decided to move forward, claiming that it is the right thing to do.

Within that claim, we must embrace the ethic of care.

If New Yorkers can recognize our moral equality, truthfully speak and deeply hear about complex histories and lived experiences, accept responsibility, embrace both strength and humility in turn and occasionally simultaneously, and build a social structure of mutual support, we can pave the way for our nation.

Thank you. The next and final slide offers resources to learn more. I look forward to your questions.

SOURCES & TRANSCRIPT



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DO THE RIGHT THING. IT WILL GRATIFY SOME PEOPLE AND ASTONISH THE REST."
- SAMUEL CLEMENS