

# Repairing the Damage: Responsibilities, Obligations, and Systemic Racism in Universities

**Aaron Lane**

University of Waikato, New Zealand  
[aaron.s.lane@gmail.com](mailto:aaron.s.lane@gmail.com)  
<https://ror.org/013fsnh78>

**Abstract.** The following two claims are commonly accepted: 1) systemic racism has harmed members of ethnic minorities, thus preventing them from achieving appropriate representation on university faculties; 2) university faculty members ought to take steps to ethnically diversify their departments through affirmative action. Here, I consider the following question: assuming that 1) and 2) are correct, who ought to bear the burden of these diversification efforts? I argue that it is implausible that this obligation lies entirely with prospective employees, and that there is some reason to think that at least some existing faculty members have an obligation to engage in what I will call ‘conscientious resignation’: to resign due to a moral obligation to repair systemic racism.

**Keywords:** Systemic racism; vicarious responsibility; applied ethics; affirmative action.

## Žalos atitaisymas: atsakomybė, įsipareigojimai ir sisteminis rasizmas universitetuose

**Santrauka.** Šie du teiginiai įprastai laikomi teisingais: 1) sisteminis rasizmas pakenkė tautinių mažumų atstovams ir tokiu būdu neleido jiems pasiekti atitinkamo atstovavimo universitetuose; 2) universitetų bendruomenės turėtų imtis priemonių, kad etniškai diversifikuotų savo padalinius afirmatyviu veiksmu. Šiame straipsnyje keliu tokį klausimą: tardamas, kad ir 1), ir 2) yra teisingi, svarstau, kas gi turėtų prisiimti šių diversifikacijos pastangų našta. Teigiu, kad vargu ar turėtų būti taip, jog ši įpareigojimą turėtų prisiimti vien tik būsiami darbuotojai. Be to, yra priežasčių manyti, kad bent jau dalis dabartinių fakultetų darbuotojų turėtų prisiimti įpareigojimą ir įgyvendinti tai, ką įvardyčiau „sąžiningu atsistatydinimu“ – tai yra, kad pasitrauktų iš einamų pareigų dėl moralinio įsipareigojimo atitaisyti sisteminio rasizmo žalą.

**Pagrindiniai žodžiai:** sisteminis rasizmas, netiesioginė atsakomybė, taikomoji etika, afirmatyvus veiksmas

**Received:** 23/10/2024. **Accepted:** 20/06/2025

Copyright © Aaron Lane, 2025. Published by Vilnius University Press.

This is an Open Access article distributed under the terms of the Creative Commons Attribution License (CC BY), which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited.

## 1. Introduction

It is widely accepted that systemic racism plays a major role in impeding the efforts of racial minorities to achieve success in most, if not all, Western societies. A common belief is that, in order to ameliorate the effects of systemic racism, certain ethnic minorities<sup>1</sup> ought to receive preferential treatment in hiring, at least in certain professions. While many Western countries have laws against either making positions open only to ethnic minorities, or explicitly taking ethnicity into account in making hiring decisions, recent high-profile instances of racial injustice (particularly in the US, but also in other Western countries) have prompted activists for racial justice to make a renewed push to take serious action to rectify the systemic racism with which society is, on their view, infected. A part of this serious action is to effect change in hiring practices.

For the purposes of this paper, let us assume that the following two claims are true of many Western societies, including the one I am writing this in, i.e., New Zealand:

1. Systemic racism has harmed members of ethnic minorities.<sup>2</sup>
2. University faculty members ought to take steps to ethnically diversify their departments through affirmative action.

Furthermore, I will assume that 2 is true in virtue of 1. That is, university faculty members have the obligation to take steps to ethnically diversify their departments *because* of the fact that systemic racism has inflicted harm on members of ethnic minorities.<sup>3</sup>

In this article, then, I will not be making an argument for or against affirmative action in universities. Rather, I will be addressing a different question: Assuming that there is a moral obligation to diversify university faculties – and that this is in virtue of the harm which systemic racism has caused – on whom does this obligation fall mostly strongly? I will argue that the answer to this question has some interesting implications for the question of who ought to bear the burden of affirmative action in hiring.

Let me elaborate on this. Typically, it is assumed that the appropriate way for a university to ameliorate this harm is to diversify its workplace. This is typically done through giving preference to ethnic minorities when hiring new faculty members. This has the effect of advantaging potential employees who are of the marginalised ethnic group, and

---

<sup>1</sup> See Beauchamp (1998) and Burns and Schapper (2008). Some hold that women ought to receive similar preferential treatment. In this paper, I will restrict my focus to racial and ethnic minorities. However, assuming that systemic discrimination is the cause of unequal representation for women in at least some departments, most of what I say will apply equally to preferential treatment for women, too.

<sup>2</sup> Hardimon (2023) argues persuasively that systemic racism is but one of many forms of racism that exist in Western societies. I set aside other forms of racism in this paper, however.

<sup>3</sup> The idea that the damage that systemic racism has caused provides a reason for workplaces to diversify their departments is a reasonably commonly held position (see, for instance, Adams (2021)). Of course, even if one accepts that the systemic racism of universities has caused harm to ethnic minorities, one need not believe that universities – including their faculty members – have any obligations arising from this fact. And some hold the view that the diversification of workplaces (including universities) is required for other reasons. My argument will not be convincing to those who hold such views.

disadvantaging potential employees who are of the dominant ethnic group.<sup>4</sup> Note, however, that this practice means that members of the dominant ethnic group who are already on faculty do not bear any of the burden.<sup>5</sup> The practice therefore impacts white people differently depending on whether they are already employed or are seeking employment. Amongst white people, those who are existing faculty members (henceforth *EFMs*) bear none of the burden, while prospective faculty members (henceforth *PFMs*) bear the entirety of it. But, I will argue, given who bears the most responsibility for the harm of systemic racism, and who has the strongest obligations to repair this harm, it is unclear that this can be justified.

The plan of the paper is as follows. In Section 2, I shall state some plausible principles, briefly defend them, and then show how, together, they give us good grounds to think that EFMs have a greater obligation to repair systemic racism than PFMs. In Section 3, I shall address some objections to my arguments outlined in Section 2. In Section 4, I shall argue that given that EFMs have stronger obligations with respect to repairing systemic racism, it is unclear that current affirmative action practices can be justified; and I will tentatively suggest that there is some reason to think that EFMs have an obligation to engage in what I will call conscientious resignation.

## 2. Responsibility, Obligations, and Group Membership

Here, I will state some plausible principles relating to responsibility and obligations, and argue that they give us good reason for thinking that EFMs have stronger obligations for repairing the harm of systemic racism than PFMs. The principles are as follows:

<i>Responsibility from association (RA)</i>	If an agent is a member of a group that brings about a morally bad state of affairs, then the agent bears some degree of responsibility for the morally bad state of affairs.
<i>Responsibility depends on degree (RDD)</i>	An agent's degree of association with a group is proportionate to their degree of responsibility for the morally bad actions of the group.
<i>Obligations depend on responsibility (ODR)</i>	The extent of an agent's obligations towards a harmed party depends on the agent's degree of responsibility for the harm.

We accept that membership of a group (familial, national, etc.) means responsibility for the actions of that group in a range of contexts, RA seems plausible. For instance, it seems correct to say that Americans are responsible for the harm caused by the Iraq war, even they had nothing to do with pursuing that war (perhaps they voted for antiwar

<sup>4</sup> This, of course, assumes that competition for jobs is *zero sum*.

<sup>5</sup> If a university utilises affirmative action in determining who gets promoted, this is not true. However, I will set this issue aside for the purposes of this paper.

candidates or did not vote at all, for instance). RDD is perhaps less immediately intuitive, but reflection upon our responsibility practices suggests that it too accords with the way how general judgements about responsibility work. For instance, if a woman and her sister are out shopping with the woman's son, and her son trips over in the store and breaks a couple of expensive items, we do not expect the woman and her sister to consider themselves equally responsible for the harm, despite the fact that both women have a relationship with the young boy. We consider the mother to be far more responsible, due to the fact that her degree of association with her son is greater than that of her sister's. And so, I think, we have grounds for accepting RDD for now, too. Finally, ODR seems to reflect uncontroversial assumptions about the relationship between responsibility and obligation. For instance, in the example above, we would consider the mother obligated to provide the bulk of – if not all – the compensation due to the fact that she is far more responsible than her sister for the harm her son has caused.

Now, let us apply these principles to university faculty members and potential faculty members. Systemic racism is, *ex hypothesi*, a morally bad state of affairs; and, according to RA, if an agent is a member of a group who has brought about a morally bad state of affairs, then, the agent has some responsibility for the morally bad state of affairs. Furthermore, according to RDD, an agent's degree of responsibility is proportionate to their level of association with the group. As the group of interest here is an ethnicity – white people – and an ethnicity is something we are born into,<sup>6</sup> the length of one's association is identical to one's age. Therefore, with all else being equal, older white people have a greater degree of responsibility for systemic racism than younger white people. As EFMs, on average, are older than PFMs – as of 2018, the average age of tenure-track faculty in the USA was 49, and the average age of tenure-track new hires was only 32 (McChesney and Bichsel 2020) – EFMs bear more responsibility for the harm which systemic racism has caused than PFMs.<sup>7</sup> Finally, if ODR is correct, EFMs have stronger obligations to repair the harm.

I shall argue later, in Section 4, that this has some interesting implications for the practice of affirmative action. Before that, however, I will consider some objections to the principles I have laid out and briefly defended above.

### 3. Objections

#### 3.1. *Objection that RA is false*

The first objection I will consider is that RA is false. On this view, it is simply not the case that mere membership in a group that brings about a morally bad state of affairs confers any degree of responsibility upon an agent. Perhaps the following principle is true:

<sup>6</sup> I will assume for the purposes of this paper that transracialism is not possible. An interesting question arises in the case of an agent who believes that s/he is white but who later discovers that some of his/her ancestors are from an ethnic minority. If s/he has previously identified as, and been identified as white, it is unclear that this discovery can absolve him/her of responsibility for the harm of systemic racism. But I will set this question aside.

<sup>7</sup> This assumes, of course, that the difference in age overall holds when only white people are taken into account, and also that the pool of people who could be hired is similar in age to the pool of people who are actually hired.

### **No Responsibility Without Blame (NRWB):**

An agent *S* is responsible for *x* if and only if *S* is blameworthy for *x*.

This principle is intuitively plausible. If it is correct, it seems to entail that an agent who is a member of a group that is responsible for systemic racism is not responsible for the systemic racism unless the agent has performed some morally wrong action or actions to promote or reinforce racism. Assuming the agent has not performed such morally wrong actions, the agent is not blameworthy, and therefore not responsible. Therefore, one's mere membership in a group is irrelevant in determining responsibility.

One response to this line of argument is that no white person – and so no white EFM or PFM – is innocent of wrongdoing. Although some white people might be more aware of the systemic racism that confers upon them unfair benefits, and therefore might work to disrupt this racism more vehemently, it is highly implausible that any white person is entirely innocent of reinforcing it in some way. While systemic racism may function (as the name suggests) at the level of the system, the system is composed of individuals performing actions; and these actions together produce racism. As, plausibly, everyone is part of the system, all white people are guilty of wrongdoing to some extent (if, in some cases, it is only a very small extent.)

But I will not pursue this line of argument. Instead, I want to take issue with *NRWB*. While I agree that an agent cannot be *morally* responsible without being blameworthy, there are other types of responsibility that do not require the agent to be blameworthy. Consider Bernard Williams's famous example of the truck driver who non-culpably runs over a pedestrian (1981). Although the truck driver is not guilty of wrongdoing (and so is not blameworthy), the driver appropriately experiences a type of distress which Williams terms 'agent-regret'. This emotion picks out the fact that, while the driver is not blameworthy, the driver is still responsible in some sense for the harm caused to the pedestrian, and this responsibility generates certain obligations towards the victim.<sup>8</sup>

Situations of supposed unavoidable moral wrongdoing provide us with another example of this type of responsibility. Let us assume that the following principle is correct:

### **Right Action Cannot Be Wrong (RCW):**

If *S* performs action *x* and *x* is morally right, all things considered, it cannot also be the case that *x* is morally wrong.<sup>9</sup>

Nevertheless, there are situations in which, in performing a morally right action which causes harm to another agent, *S* is responsible in some sense for the harm. Gowans (1994) gives the example of a man whose companion becomes incapacitated on a hiking trip,

<sup>8</sup> See also Wolf (2001) and Enoch (2012).

<sup>9</sup> Some philosophers disagree with this principle. See Gowans (1994), Tessman (2017), and De Wijze (2022). For an extensive defence of this principle, see Lane (2025; forthcoming.)

and who sets off in search of help.<sup>10</sup> Finally he stumbles upon a remote car park, into which a car containing two young women has just pulled. The man tries to explain to the girls his desperate plight, but they are aghast at his dishevelled appearance and frantic demeanour, and take him for some type of dangerous lunatic. Seeing that they will leave without offering him any help, he steals their car keys and makes off with their car to get assistance for his friend. In this case, the man's actions seem, all things considered, justified. But he has harmed the two young women, stealing their car and leaving them in the wilderness, and he is responsible for this harm. He has certain obligations in virtue of it.

An opponent could grant that this separate type of responsibility exists, and that it generates moral obligations. But it might be countered that there is a relevant difference between the two cases above and the case of systemic racism. In the case of the truck driver and the hiker, for instance, both are directly causally responsible for the harm. In the case of systemic racism, however, the causal link between the agent and the harm is much more indirect and tenuous. It could be argued that it is the former type of connection – a direct causal connection – that is required for an agent to be responsible in this second sense.

This contention seems plausible. Consider this case (let us call it *Lightning*.) I buy a new sports car and park it in my driveway. A couple of days after I buy it, a young man who is walking by my house notices it, and pauses in front of my driveway to admire it. Unfortunately, at that moment, a bolt of lightning flashes down and strikes and kills him. If he had not stopped to admire the sports car, he would not have been in that spot at the moment of the lightning strike, and so would have been completely unharmed. In this scenario, I am in a sense causally responsible for the young man's death. But it does not seem as if I am responsible for his death in the way in which Williams's truck driver is responsible for the death of the pedestrian, or the hiker is responsible for the harm to the two young women. The causal relationship seems too indirect.

One could argue that the harms of systemic racism are like the harm that the bolt of lightning inflicts on the young man. The harms are not attributable clearly and directly to an exercise of agency on the part of a particular individual. Rather they are the product of a complex system of laws, institutions, and customs. The laws, institutions, and customs are, of course, the result of the exercise of agency, but the causal link between the harm and the agency is too tenuous for an agent to be responsible for the harm in such a way as to generate subsequent obligations.

But this objection overlooks the fact that there are other situations in which we *do* accept that an agent is responsible in some sense for some morally bad state of affairs even though the agent is causally related to the morally bad state of affairs only indirectly or tenuously. Here is a case to show this (call it *Child's Toy*.) We shall discuss a parent whose child damages another child's toy through negligence. In this case, the parent is

---

<sup>10</sup> Gowans holds that, in the scenario he sketches out, the man *is* morally responsible for the harm he causes, despite the fact that he makes – all things considered – the morally correct decision. This is because he holds that unavoidable moral wrongdoing is possible. For a number of reasons that I do not have space to go into here, I reject this idea.

not morally responsible for damaging the toy. And nor has the parent played any direct causal role in damaging the toy. But, plausibly, the parent nevertheless is responsible for the fact that the toy is now broken. This type of responsibility has been termed ‘vicarious responsibility’.<sup>11</sup>

What accounts for this difference? It seems to me that it is the difference in agency between the producers of harm. In both *Lightning* and *Child’s Toy*, the agent is indirectly causally linked to the harm, but only in *Child’s Toy* is the link manifested via any type of exercising of agency. In *Lightning*, the agent is linked to the sports car, and the sports car causes the young man to stop and admire it. But the sports car is not an agent, and so there is no exercise of agency on its part in its role in producing harm. In *Child’s Toy*, however, the child does have agency, and so the mother’s association with the child does confer responsibility.

If we accept that an agent can only be vicariously responsible for the harm caused by agents, then it seems as if systemic racism can confer responsibility. This is because, although the system is not an agent, it is agents who – exercising their agency – who constitute the system. And so it is plausible that the ethnic majority in countries that are systemically racist are, even if not morally responsible, nevertheless are vicariously responsible for systemic racism. Even if an agent has not personally contributed to systemic racism, the fact that the agent belongs to the majority ethnic group makes the agent responsible for the racism; and from this responsibility arise the obligations to repair the damage that systemic racism inflicts upon ethnic minorities. Therefore, such an agent cannot claim to have no obligations to help repair the damage which systemic racism has inflicted simply because the agent is not morally responsible for systemic racism. The agent’s obligations to help repair the damage it has caused arise due to the agent’s vicarious responsibility for systemic racism.

We do not, then, appear to have good reasons to reject RA.

### 3.2. *Objection that RDD is False*

Another way of countering my argument could be to claim that RDD is false. Let us recall that RDD is as follows:

*An agent’s degree of association with a group is proportionate to the agent’s degree of responsibility for the morally bad actions of the group.*

But perhaps it is not the case that an agent’s degree of association with a group plays a role in determining the agent’s degree of responsibility. Perhaps an agent’s degree of responsibility supervenes instead on the unearned benefits an agent has received. Tahmandijs, for instance, has argued as much, by suggesting that white people are responsible for repairing systemic racism through affirmative action due to the fact that they have received these unearned benefits:

---

<sup>11</sup> See Goethe (2021).



[A] social structure can provide to one group more than to another certain educational, social, or economic advantages... What whites, or members of any other dominant group, are [therefore] being deprived of by affirmative action are not rights but unearned benefits.

(1997, p. 205)

On this view, it is because white people have benefited from systemic racism that affirmative action is justified. Let us call this the *Unearned Benefits* (UB) view.

I agree that the degree to which one has received unearned benefits as a result of systemic racism is relevant to the extent of one's obligations to repair the harms caused. However, I do not think this can fully explain an agent's obligations. To see this, consider a scenario involving two hockey players, Smith and Jansen:

Smith and Jansen are members of a hockey club. Smith has been at the club all his life, but has never taken hockey particularly seriously. He has never tried out for top level teams, preferring to play at a more social level. Jansen arrives at the club from the Netherlands, and immediately tries out for the premier men's team. He is selected over a more deserving player who has just relocated from India, and this selection is due to some combination of structural, systemic factors. He plays three seasons for the club before the allegations of systemic racism at the club come to light, remaining a fringe player throughout, but nevertheless gaining access to some minor sponsorships, and the stipend and prestige that come with playing on the premier men's team.

Here, it seems clear that Jansen has received more substantial unearned benefits from the club's systemic racism than Smith. But it is implausible that Jansen has greater obligations to repair the racism. It seems as if, despite the fact that Smith has received only minor benefits from the systemic racism, his longstanding association with the club means that Smith nevertheless has substantial obligations to repair the morally bad state of affairs. If this is right, then the extent of the unearned benefits one has received as a result of systemic racism cannot fully explain the extent of one's obligations to repair the systemic racism. At best, they make a partial contribution to the determination of one's obligations.

Furthermore, the UB view has some highly implausible consequences. Here is a story to show this. Simpson and Lewis are two philosophers who were hired at the same time by the same university. Both are equally deserving, and both receive the same degree of unearned benefit. Subsequently to gaining employment, Simpson works hard, producing a number of excellent academic papers and excelling in teaching. Lewis is lazy and does the bare minimum to avoid being fired for poor performance. In this case, it seems that Simpson derives more unearned benefit than Lewis does. Yet it seems absurd to hold that Simpson has more responsibility to repair the damage inflicted by systemic racism than Lewis.

One could object that Simpson does not receive more unearned benefit than Lewis, because his subsequent achievements, and the benefits he derives from them, are *earned* – i.e., they are the result of his hard work and dedication. But this is implausible. Imagine that, desiring to live a life of leisure in the South of France instead of working full time at a university, I murder my wealthy brother in order to inherit his fortune. Subsequently, I



skilfully invest it, with the result that it quickly triples in value. In this case, it is implausible to say that the money I have made using my brother's fortune is *earned* – the fact that I have come into the money immorally renders the benefits I derive from it illicit. If this is the case, then it is plausible that the benefits Simpson derives from his unmerited academic position are also unearned.

Therefore, while the unearned benefits may make some contribution to the degree of an agent's responsibility for harm caused by a group of which he is a part, it does not entirely explain the degree of this responsibility, and so we have no reason to reject RDD.

#### 4. Determining Obligations

I have argued above that EFMs, in virtue of their age, have greater obligations in virtue of the harm systemic racism has caused than do PFMs. In this section, I will investigate what these obligations might be. I will also suggest that the nature of these obligations has implications for university employment practices.

If we accept that EFMs have, on average, greater obligations to repair the harm of systemic racism, then a further question arises: what ought they *to do* to satisfy these obligations?

Drawing on tort law, Jake Wojtowicz has argued that, in cases of non-culpable harm, the starting point for thinking about the obligations of the agent who has caused the harm is to consider what is required to repair the harm:

if you accidentally [and non-culpably] break my fishing rod you can make it up to me by fixing it, or by taking me hiking if the purpose of having the rod was just that I could enjoy the outdoors; in doing so, you try to repair what you damaged.

(2022, p. 513–514)

Tamler Sommers makes a similar point. In an intriguing article on obligations on the wake of harm, Sommers holds that while the exact nature of the agent's obligations is determined through dialogue between the agent and the harmed party, there is an objective range within which these obligations may fall, and these obligations must be clearly related to repairing the harm caused (Sommers, 2013; cf. Sommers, 2016 and 2018). Sommers's discussion focuses mostly on agents who are (at least somewhat) culpable for the harm, but, as I have argued elsewhere, his account is more plausible when applied to agents who are not culpable for the harm they cause (Lane, 2025; forthcoming). If this is correct, then, whatever the obligations of white EFMs and PFMs in virtue of systemic racism may be, they must relate clearly to repairing the damage caused by such racism. For instance, establishing a fund to finance for ethnic minorities leisure cruises around the Pacific would not be a legitimate way of fulfilling one's obligations arising in virtue of responsibility for systemic racism, and nor would furnishing them with a lifetime's supply of Coke Zero. While ethnic minorities might enjoy these perks, they do not address the harm they have suffered due to systemic racism.

How, then, could EFMs fulfil their obligations? One possible way is to craft policies around hiring that would favour ethnic minorities when recruiting new members of the

faculty. But this view is somewhat counterintuitive when we consider who is burdened. Such a hiring policy would disadvantage white PFMs – and their chances of securing employment would be diminished in order to increase the chances of the victims of systemic racism. White PFMs would therefore bear a considerable burden. However, EFMs bear very little burden, if any at all. To see that this is problematic, consider again *Child's Toy*. Imagine if, upon discovering that her son had damaged some goods in the store and acknowledging that she owed the shopkeeper compensation, the mother grabbed her sister's purse, took \$100 out, and handed it to the shopkeeper. "I know my obligations to make things right with the shopkeeper are far greater than yours", the mother might say. "But that doesn't mean I have to bear the burden of fulfilling the obligation. It's fine for me to put that on you". While the shopkeeper has been compensated in this scenario, it is highly implausible that the mother has fulfilled her obligation towards him; or, if she has, she has filled it in an impermissible manner.

One could argue that there is a crucial difference between these two scenarios: that while the \$100 note belonged to the sister, the job does not belong to the white PFMs. PFMs are not being deprived of anything which is theirs or to which they have a right. But this is unconvincing. While white PFMs do not have a right to a job on a university faculty, they *do* have a right to a fair chance at a job on a university faculty; and it appears that they are being deprived of this right under policies that place the entire burden for repairing the harm of systemic racism on them.<sup>12</sup>

I want here to suggest that there are some grounds for taking a more controversial position: that at least some EFMs are obligated to engage in what I will call conscientious resignation. By 'conscientious resignation', I mean resigning in virtue of a moral obligation – in this case, a moral obligation to repair systemic racism. I will briefly explain why this is plausible.

As we have just seen above, it appears that if one has an obligation to bring about *x*, then it is impermissible to bring about *x* in such a way that unduly burdens others, at least so long as there is another way to bring about *x* that does not impose such a burden. For instance, in *Child's Toy*, the mother could pay the shopkeeper \$100 herself, thus effecting restitution without unduly burdening her sister. In the case of EFMs who have obligations to repair the harm caused by systemic racism, then, we need to find a way for EFMs to fulfil their obligations that does not impose an undue burden. An obvious way is for them to engage in conscientious resignation. In conscientiously resigning, they adopt a reparative method that does not burden others. Instead, they shoulder the burden imposed by the fulfilment of the obligation.

There are, of course, a couple of problems that arise in relation to this position. First, many EFMs have families, and these families would likely be burdened by the loss of income that would result from acts of conscientious resignation. While PFMs may have families too, it is perhaps more burdensome on a family for one of its breadwinners

<sup>12</sup> Because PFMs have *some* responsibility for, and therefore *some* obligations to repair, the harm of systemic racism, it seems permissible for their right to equal consideration for jobs to be curtailed to a degree.

to lose a job the individual already has than to miss out on a job which that individual hopes to have, and so it is not entirely clear that conscientious resignation will always result in the least undue burden. Furthermore, there are practical problems involved. For conscientious resignation to work, university administrators would have to cooperate – they would need to put policies in place ensuring that ethnic minorities were hired in place of conscientious resigners, and so on. Given how keen many university administrators are at present to cut the size of humanities departments, it seems likely that, at many institutions, conscientious resigners would not be replaced at all, rendering such resignation pointless. A third problem concerns determining who exactly amongst EFMs ought to engage in conscientious resignation. Plausibly, repairing the harm of systemic racism can be achieved without every EFM within a department conscientiously resigning, and so only some EFMs have this obligation. But which ones? Possibly it is those who have been associated with the department for the longest. But an exodus of the most experienced EFMs would likely greatly reduce the quality of philosophy produced by the department; and assuming the department as a whole has some obligation to produce high quality philosophy, the obligations of the longest-tenured EFMs to conscientiously resign may, at least in some cases, be outweighed by the larger departmental obligation to produce high quality philosophy.

These points require further consideration. My purpose in this section has merely been to suggest that there is plausibly an inconsistency between who has the strongest obligations to repair systemic racism, and who is typically asked to bear the burden of these reparative efforts.

## 5. Conclusion

The main claim of this article has been modest. It is this: assuming that systemic racism has harmed, and continues to harm, ethnic minorities, and assuming that, in virtue of this harm, there is an obligation for universities to diversify their faculties, there are good reasons to think that white EFMs have, on average, a greater obligation to ameliorate the harm than white PFMs. I have also suggested that, if we accept this claim, there is reason to think that white EFMs cannot fulfil their obligations merely through implementing hiring policies that benefit ethnic minorities at the expense of white PFMs. I have further suggested that it is plausible that there is some obligation on the part of EFMs to engage in what I have called conscientious resignation – resignation in order to allow an ethnic minority to take one's place on the faculty. However, as I have acknowledged, this view seems to run into a variety of practical problems, ranging from the unlikelihood of university administrators acquiescing in the practice to determining which EFMs ought to engage in the practice. Whether or not conscientious resignation is a feasible strategy for remedying the harms of systemic racism requires further consideration of these issues.

## References

- Adams, M., 2021. Nonideal Justice, Fairness, and Affirmative Action. *Journal of Ethics and Social Philosophy* 20(3): 310–341. <http://dx.doi.org/10.26556/khasts33>
- Beauchamp, T., 1998. In Defense of Affirmative Action. *Journal of Ethics* 2(2): 143–158. <https://www.jstor.org/stable/25115575>
- Burns, P. & Schapper, J., 2008. The Ethical Case for Affirmative Action. *Journal of Business Ethics* 83(3): 369–379. <https://doi.org/10.1007/s10551-007-9625-8>
- de Wijze, S., 2022. Are ‘Dirty Hands’ Possible?. *The Journal of Ethics* 28: 187–214. <https://doi.org/10.1007/s10892-022-09411-8>
- Enoch, D., 2012. *Being Responsible, Taking Responsibility, and Penumbral Agency*. In: *Luck, Value and Commitment: Themes from the Ethics of Bernard Williams*, eds. U. Heuer, G. Lang. Oxford: Oxford University Press, 95–132. <https://doi.org/10.1093/acprof:oso/9780199599325.003.0005>
- Goetze, T., 2021. Moral Entanglement: Taking Responsibility and Vicarious Responsibility. *The Monist* 104(2): 210–223. <https://doi.org/10.1093/monist/onaa033>
- Gowans, C., 1994. *Innocence Lost*. New York: Oxford University Press.
- Hardimon, M., 2023. Is Racism Essentially Systemic? *American Philosophical Quarterly* 60(4): 369–380. <https://doi.org/10.5406/21521123.60.4.05>
- Lane, A., [Forthcoming]. *Why Unavoidable Moral Wrongdoing Is Impossible*. PhD Thesis. University of Waikato.
- McChesney, J. & Bichsel, J., 2020. *The Aging of Tenure-Track Faculty in Higher Education: Implications for Succession and Diversity*. CUPA-HR. Available at: <https://www.cupahr.org/surveys/research-briefs/>. Accessed on 16 September 2024
- Nielsen, K., 2000. There Is No Problem of Dirty Hands. In: *Politics and Morality*, ed I. Primoratz New York: Palgrave-Macmillan, 1–7.
- Sommers, T., 2013. *Partial Desert*. In: *Oxford Studies in Agency and Responsibility, Volume 1*. Oxford: Oxford University Press, 246–262.
- Sommers, T., 2018. ‘Negotiating responsibility’. *Behavioral and Brain Sciences*, 41, p. e58. <https://doi.org/10.1017/S0140525X17001169>
- Tahmandiys, P., 1997. Affirmative Action in a Democratic Society. *QUT Law Journal* 13: 195–210.
- Tessman, L., (2017) *When Doing the Right Thing Is Impossible*. New York: Oxford University Press.
- Williams, B., 1981. *Moral Luck*. In: *Moral Luck. Philosophical Papers 1973-1980*. Cambridge: Cambridge University Press, 20–39.
- Wolf, S., 2001. The Moral of Moral Luck. *Philosophic Exchange* 31(1): 1–18.
- Wojtowicz, J., 2022. Agent-Regret, Accidents, and Respect. *Journal of Ethics* 26(3): 501–516. <https://doi.org/10.1007/s10892-022-09401-w>