

## Moral Rackets

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Abstract: Protection rackets are used by criminal organizations to secure power, wherein “protection” is offered to individuals for threats coming from the criminal organization itself. In this paper, I put forth the concept of a *moral racket* as a type of structural racket wherein social dominants exploit moral reputation to perpetuate systems of domination. A moral racket occurs when individuals forcefully position themselves as moral saints for moral issues that either don’t exist, or do, but were created by the wrongful actions of these individuals themselves. Considering three real-world cases of moral rackets of white saviorism within nonprofits, elite philanthropy, and anti-LGBTQ legislation, I show how they are particularly pernicious instruments of oppression. Moral rackets do this by performing several key ideological functions, including creating a perception of legitimacy of systems of domination, undermining moral knowledge, thwarting attention from true sources of social problems, and blocking off avenues of resistance.

Keywords: feminist ethics, oppression, non-ideal theory, ideology, epistemic injustice, trans philosophy, moral knowledge

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### 0. Introduction

Racketeering is defined as any kind of organized crime conducted for the purposes of receiving a profit. Rackets bring to mind old-school Mafia members like Lucky Luciano, and classic “gangster” films like *The Godfather*, films where it is clear who are the “good guys” and who are the “bad guys”. One particularly significant type of racket is protection rackets, which were the original form rackets took. Here, rackets were designed to offer “solutions” to problems individuals faced; however, these problems either did not exist, or wouldn’t have existed if not for the racket itself. More particularly,

criminal organizations offer “protection” to individuals for a fee, but where the protection offered is to secure individuals against threats either coming from within the organization itself, or as a downstream result of the operation of the organization (such as from conflict with other rival criminal organizations). In this way, rackets are one way that individuals are able to forcefully rig an environment to give the illusion that they are benefiting someone, in order to instead benefit themselves and generate power. In the case of these protection rackets, criminal organizations rig individuals’ practical situations to make it appear as though they have problems they need help with, in order to get payment from these individuals for their “protection” services. Of course, what makes it illusory is both the problem and the protection, for the problems do not exist without the same people selling the protection, and if real problems ever were to manifest, the protection would be nowhere to be found.

While illustrating problematic uses of force and distortion to gain power, these workings of protection rackets, whether historical or fictional, are self-contained, isolated to specific one-off cases and places: though they illegitimately generate power for groups of individuals through the exploitation of others, the power remains with those particular organized crime members within their particular location of operation and through the exploitation of a limited and local group of individuals. Unfortunately, rackets with a wider reach—wherein the power generated from such rackets maps onto and connects with broader, more foundational structures of social-political power—exist. In this paper, I put forth the notion of one such racket which I call a *moral racket*. Moral rackets are when individuals forcefully position themselves as moral saints (i.e. the ones capable of remedying problems and selflessly promoting the well-being of others) and their actions as morally

supererogatory with respect to moral issues that either don't exist, or do, but were created by the wrongful actions of these individuals themselves. As I will argue here, moral rackets are particularly pernicious instruments of social-political power, as they are ways in which already dominantly situated individuals secure power over subordinated groups, thus reifying entire systems of domination.

This paper proceeds as follows. In the next section, I look to one philosophical conceptualization of rackets that exist outside of organized crime and rather within systems of domination given by Claudia Card (1991). In section 2, I articulate the concept of a moral racket. I then consider and analyze three contemporary real-world cases of what I will argue are moral rackets: white saviorism inherent in the operation of nonprofits like Teach For America; elite philanthropy like that of the Bill & Melinda Gates Foundation; and anti-LGBTQ bills like “bathroom bills” and “Don't Say Gay” bills. In section 3, I explain the workings of moral rackets, articulating the myriad of ways that they harm and are especially effective tools for maintaining systems of domination. I conclude by noting how the work here goes to show the intimate intertwining of moral and social-political power.

## 1. Patriarchal Rackets

In “Rape as a terrorist institution,” Claudia Card (1991) puts forth a structural view of rape wherein it is a social practice that is terrorist in nature. Regarding its function as a social practice, Card explains that it is structured by a series of rules all working towards accomplishing one goal: the subordination of women to men. While not often made explicit, these rules are nevertheless well-known and tacitly operate in the minds of both men and women. Many of the rules concern notions of consent, defining when a “real” rape has happened, and when a woman has “consented”; for

example, there is the rule that if a woman is wearing revealing clothing that she has consented to sex with men and therefore impossible to rape. Some of these rules were even codified in our legal systems, where until the 1990s it was perfectly legal to rape one's wife.<sup>1</sup> This reflects Card's point that one of the rules of rape states that if a woman has married a man, she has consented to having sex with him whenever he would like, and therefore impossible to rape.

Importantly, one of the rules that structure rape as an institution concerns the notion of a "protector". Here, it is stated that if women do not have a protector—and only men can be protectors of women—then she is alone, and therefore consenting to sex and to blame for anything bad or unwanted that may befall her. This is the key to understanding rape as a racket that serves the patriarchy. For notice that the people that women need protecting from are *the same exact group of people* whose protection they are said to need: namely, men. Card (1991: 304) states, "rackets create danger to sell 'protection'". In this case, rape is a racket within patriarchal domination in that it is men who threaten women with rape and therein create danger, and men who sell themselves as the protection against it. Either way, men are able to exert control over women's behavior by women either operating under the constant fear and threat of being raped by men (as without a protector they only have themselves to blame if it occurs), or else seeking out a male "protector", owing him payment in various forms (attention, emotional labor, sexual labor) for his "services". Either way, men are able to secure their domination and power over women, thus solidifying the system of patriarchal domination.

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<sup>1</sup> More specifically, marital rape was not made a crime in the US until 1993; however, 30 states still have exemptions for men who rape their wives, including their wives being, e.g., unconscious, asleep, or impaired to the extent that the man does not have to use force being perfectly legal. See <https://vawnet.org/material/marital-rape-new-research-and-directions#:~:text=Historically%2C%20most%20rape%20statutes%20read,of%20the%20sexual%20offense%20codes>.

Even if one does not agree with Card's analysis of rape as the operation of a racket within patriarchal domination, it is a structurally similar phenomenon that illustrates that rackets can take different forms, namely ones that are non-criminal and systemic.<sup>2</sup> First, her analysis shows that while rackets always have a goal, their goal can be categorized much more broadly, as that of gaining power and control over others, whether that be through monetary profit (in the case of the Mafia) or otherwise.<sup>3</sup> Second, her analysis shows that the agents creating and operating the racket need not be an arbitrary group of individuals, but might instead be a group of individuals that antecedently have power over those they exploit, such that the racket reflects and works to further entrench this power dynamic; in the case of the racket of rape, this is true for gendered power dynamics. Lastly, Card's analysis goes to show how the basic structure of a racket—as a group of individuals creating the false need for protection from problems that the group themselves create or posit in order to gain power—can operate not only on a level of specific and concrete interactions between individuals, but also on a more abstract and structural level within entire social systems.<sup>4</sup>

In what follows, I will argue that there is a particular type of racket that is frequently used by systems of domination and those in positions of power within them for the purpose of perpetuating these conditions of injustice: namely, moral rackets. Instead of manipulating one's practical circumstances such that it seems practically best for individuals to opt for what gives the racketeers

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<sup>2</sup> Here, I am assuming that Card is right for the sake of my argument. However, one need not agree with Card's view of rape, as my arguments about moral rackets are independent of Card's particular view. I'm grateful for [redacted for blind review] for suggesting this point of clarity.

<sup>3</sup> The way in which there are multiple forms of capital other than financial, and that moral rackets focus on cashing in on a certain kind, will be elaborated on in section 3.

<sup>4</sup> It is in this sense that Card argues that the racket of rape affects all women, not solely those who in fact are sexually assaulted.

power (as in the case of criminal rackets), moral rackets manipulate moral terrain in a way that generates power for those in positions of domination.

## 2. Moral rackets

So far, we have surveyed two types of rackets: criminal rackets, and patriarchal rackets. In this section, I will put forth the notion of an additional type of racket I call *moral rackets*. A *moral racket* is when individuals forcefully position themselves as moral saints—(i.e. the ones capable of remedying problems and selflessly promoting the well-being of others) for moral issues that either don't exist, or do but were created by the wrongful actions of these individuals themselves—and their actions as morally supererogatory in order to ultimately gain power. As I will argue here, moral rackets work by falsely elevating the moral reputation of those in positions of domination in ways that serve to justify their social positioning as dominant, thwart attention from real ethical issues, and block off avenues of resistance, in order to thus solidify whole systems of domination. In this way, my argument here goes to show one way in which dominant individuals can forcefully create moral capital to ultimately convert to social-political power.

Moral rackets come in two types: direct and indirect. Just as the protection rackets of criminal organizations are created either around an actual problem that exists *or* the mere threat of a possible problem, moral rackets are the same. *Direct moral rackets* are when one group of people create an actual problem that is a serious threat to others' wellbeing (therein wronging them), and then present themselves as the solution for the problem and “protector” for those suffering. In direct moral rackets, those selling the “protection” are in positions of domination to the exact group of people that they are

offering this “protection” to. On the other hand, *indirect moral rackets* work by first stipulating a fake victim—a vulnerable person or group—that is suffering from either an entirely fake problem/harm, or the threat of a merely possible problem/harm, in order to then offer oneself up as the “protectors” of that vulnerable group. While indirect moral rackets typically operate by villainizing some other particular group of people as the so-called (but yet false) threat of harm, this functions instrumentally in service of the ultimate goal of raising one’s own (or a group’s own) moral reputation and moral capital.

Sadly, moral rackets are not merely hypothetical; rather, we can find instances of them operating within our actual non-ideal world. In what follows, I locate moral rackets within three contemporary real-world social practices: nonprofits like Teach for America; elite philanthropy; and anti-LGBTQ legislation.<sup>5</sup> I explain that the first two are instances of direct moral rackets, while the last is an instance of an indirect moral racket. As I will argue, contrary to appearances, each of these are pernicious uses of unjust social power and work to solidify systems of domination.

### *2.1. Direct Moral rackets*

As a first case of a direct moral racket, let’s consider white savior nonprofits like Teach for America. Teach For America is a nonprofit that works to place recent college graduates in K-12 schools

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<sup>5</sup> My focus on contemporary cases of moral rackets is not to imply that these are the only cases of moral rackets, nor that the moral racket is a new phenomenon in the world, but rather to aid in understanding contemporary social-political issues. One related phenomenon that other theorists have noted is how dominant groups have historically caused subordinated groups to be practically dependent on them in a variety of ways. For example, Rodney (1972) explains this dynamic as inherent in British colonialism in Africa, and Beauvoir (1953) with respect to gender. I do not deny such analyses; as we will see in our analysis of the two cases of direct moral rackets presented here, both are cases where dominant groups have created kinds of practical dependence of subordinated groups (which I further explain in section 3). My interest is not in the creation of such a practical dependence itself, but rather in the way in which the actions and reputation of dominants in response to this dependency is purposely framed as supererogatory and as moral saints. In this way, my aim here is rather to elucidate one way in which moral framing and moral reputation specifically function in systems of domination, and why they are particularly effective in the maintenance of such systems.

in impoverished areas across the US as temporary teachers. Teach for America, or TFA for short, was started in 1989 by Princeton undergrad Wendy Kopp as part of her undergraduate senior thesis. In it, Kopp proposed that the biggest issue facing America's education system is that poor kids had bad teachers, and that the solution would be to replace those bad teachers with actual credentials with undergraduate students from elite institutions who lacked formal credentials. Although, these recent undergraduates are not entirely without any skills, as they do receive five weeks of training by other undergraduates from elite institutions prior to their placement within an actual school and in front of actual students. As a nonprofit, TFA operates from a combination of federal funding, grants, and corporate donations to total about \$245 million per year, with many of their donations coming from pro-charter school foundations.<sup>6</sup>

Given that TFA's core dynamic is that of sending rich, white graduates of elite academic institutions in to help poor students of color, TFA can be categorized as one manifestation of the White Savior Industrial Complex. Coined by writer Teju Cole in a series of tweets in 2012, Cole draws attention to the way in which whites position themselves as the saviors of Black and Brown people, and the structural problems within predominantly Black and Brown communities and even whole countries. In the original tweets, he states,

The white savior supports brutal policies in the morning, founds charities in the afternoon, and receives awards in the evening. The banality of evil transmutes into the banality of sentimentality. The world is nothing but a problem to be solved by enthusiasm. This world exists simply to satisfy the needs—including, importantly, the sentimental needs—of white people and Oprah. The White Savior Industrial Complex is not about justice. It is about having a big emotional experience that validates

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<sup>6</sup> Skeens (2020).



privilege. I deeply respect American sentimentality, the way one respects a wounded hippo. You must keep an eye on it, for you know it is deadly.<sup>7</sup>

In his 2012 article expanding on his concept of the White Savior Industrial Complex for *The Atlantic*, Cole highlights the way in which white people infiltrate African countries to “save” Black Africans from issues they are experiencing, often referred to as “humanitarian disasters”. There, he directs his criticism in particular to the *KONY 2012* film and nonprofit Invisible Children Inc. Founded in 2004, Invisible Children Inc. was created to end the Lord’s Resistance Army (LRA), run by war criminal Joseph Kony in Uganda, focusing specifically on the LRA’s use of child soldiers. Invisible Children operates largely by collecting donations and money from the sale of merchandise through audiences in predominantly white high schools and colleges, where they show promotional films that have been widely criticized for their misleading nature.<sup>8</sup> Run by three upper class white men, Invisible Children Inc. follows the same structure of TFA: positioning white people as those who can and should save Black people from their own problems.

As a second case of direct moral rackets, let’s look to elite philanthropy. Philanthropy is defined as charitable giving to causes that aim to improve the wellbeing of others. Elite philanthropy, as a specific subset of philanthropy, is when those in the upper echelons of wealth—typically, billionaires—donate money to charitable causes. For example, in 2018 Warren Buffet donated \$3.4 billion, while Bill Gates donated \$36 billion from 1994 to 2018 to his own Bill & Melinda Gates foundation.<sup>9</sup> But before we get a distorted perception of this kind of giving, we should note the definition of elite philanthropy Maclean (2021, 333) gives which highlights the significance of the

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<sup>7</sup> Cole (2012).

<sup>8</sup> Titeca and Sebastian (2014).

<sup>9</sup> Friedman (2018); Johnson (2021).

economic position of those making such donations; they state, “Elite philanthropy is the preserve of wealthy individuals and close family members who have grown rich predominantly through the accumulation of entrepreneurial fortunes”. When considered as a percentage of their total giving, Buffet’s donations come out to just 3.9%, and Gates to just 2.6% of their total earnings.<sup>10</sup>

There are a few criticisms of elite philanthropy worth noting. For example, various theorists (Horvath & Powell 2016; Reich 2016) have argued that elite philanthropy is undemocratic, as it puts an unjustified amount of power in the hands of the uber-wealthy when it comes to deciding which social issues are important and ought to be prioritized in addressing. Additionally, there is a serious question whether such giving even helps. In fact, Duquette (2018) found an inverse relationship between philanthropic giving and economic inequality, showing that philanthropy does not reduce economic inequality. Given this, it appears that elite philanthropy abides by the following quizzical pattern: those with the utmost class privilege give away an immensely small amount of their wealth to charities aimed at helping those “less fortunate” just to, in the end, fail to reduce economic inequality, and seemingly make it worse.

It is my claim here that both white saviorism and elite philanthropy are cases of direct moral rackets. First, consider the dynamic of white saviorism. Beyond the fact that white saviorism involves the problematic notion that white people can save Black and Brown people and communities from problems they may face (which presupposes that white people are either smarter, or more competent, or better decision makers than people of color), it also strangely glosses over the fact that the types of problems that white people attempt to save Black and Brown people from are those that *white people*

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<sup>10</sup> Savage (2021).

*themselves* created in the first place and wronged Black and Brown people in so doing. We can see this problematic structure manifested in Teach For America when considering the way that the education system works in the US. The public school system in the US operates off of property taxes; this means that the wealthier the neighborhood, the wealthier the school, and the better the education students in that area receive. Due to rampant racist housing discrimination and wealth disparities across race<sup>11</sup>, white children are disproportionately students in well-funded schools in wealthy neighborhoods, and Black and Brown children are disproportionately students in low-funded schools in underfunded neighborhoods; this leads to well-known education achievement gaps across race.<sup>12</sup> Although Teach for America claims it has the aim of helping impoverished students, in the end it helps those who are already better off. This is because TFA “places approximately 40% of corps members in charter schools, undercutting veteran teacher pay and further funneling public money from public schools in poor areas to privately owned charters, mostly run so rich white people can feel like they’re Part Of The Solution, while also turning a profit”.<sup>13</sup> In this way, instead of aiding in closing education inequality across race, all TFA does is aid in creating the perception that privileged white people are being supererogatory moral heroes.

The same problematic structure can be discerned in elite philanthropy, only as it regards class instead of race. First, we should note the origins of elite philanthropy, as it was created as a way of solving social problems created by capitalism (Hall 1992, 2006; Owen 1964; Zunz 2012, 2016). Maclean (2021) notes how it was Carnegie who argued that “the problem of our age is the proper

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<sup>11</sup> See Coates (2014).

<sup>12</sup> See <https://cepa.stanford.edu/educational-opportunity-monitoring-project/achievement-gaps/race/#first> for education achievement gaps across race.

<sup>13</sup> Skeens (2020).

administration of wealth, so that the ties of brotherhood may still bind together the rich and poor in harmonious relationship”—notice that the goal here is not the *dissolution* of poverty, but merely maintaining a more “harmonious relationship” between the wealthy and the poor. This is because capitalism cannot exist without wealth inequality, and itself entails foundations of poverty like unemployment.<sup>14</sup> So, here, we have the same individuals—wealthy capitalists—creating the problem of poverty through their wrongful exploitation of laborers while simultaneously offering themselves up as the solution to this problem. Caldas (2021) refers to this pattern as a self-fulfilling cycle wherein “capitalism creates wealth, and thereby inequality, and thereby the conditions for the rich to spend surplus money on helping the poor without ever alleviating poverty”, arguing that at best elite philanthropy is “a capitalism generously willing to help alleviate the problems it causes”. What’s more, while constructing an image of themselves as selfless do-gooders, wealthy billionaires who donate a measly percentage of their extraordinary wealth make even more gains, as Maclean (2021: 331) notes that, historically, “the paybacks for philanthropically minded industrialists came in improved relations between capital and labour, enhanced reputation and political capital that arguably exacerbated social inequalities rather than reducing them”. In these cases, dominantly situated individuals peddle the narrative that they are setting their own interests aside to selflessly help others with their own unrelated problems, when it is these capitalists themselves who created these problems; and, insofar as dominantly situated individuals make gains in their moral reputation and are able to convert that into political capital while doing so, their interests are only being even more served.<sup>15</sup>

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<sup>14</sup> See Piven & Cloward (1971), especially chapter 1.

<sup>15</sup> One may wonder whether all philanthropy under a capitalist system is a kind of moral racket, whether direct or indirect. My work here is only to argue that elite philanthropy is a direct moral racket, but I encourage readers to consider whether different forms of philanthropy likewise operate the same way; for example, we may be especially pernicious of

## *2.2. Indirect Moral Rackets*

Having analyzed the workings of direct moral rackets, let's now turn our attention to the second form moral rackets can take, that of indirect moral rackets. Remember here that indirect moral rackets differ from direct moral rackets by creating the illusion of a problem that does not in fact exist which others need saving from; more specifically, indirect moral racketeers peddle false narratives about a certain group being dangerous and posing a threat to others that they (the racketeers) are there to selflessly protect. One case of an actual indirect moral racket in operation is anti-LGBTQ legislation.

Recently, there have been a plethora of anti-LGBTQ bills introduced in the US. The resurgence of such bills started when in 2016 North Carolina passed what came to be known as the first "bathroom bill". Bathroom bills are legislation that makes it illegal for any trans or gender non-conforming person to use a public restroom, or other facility like a locker room, that corresponds to the gender other than the one they were assigned at birth. Currently, over fifteen states have such laws.<sup>16</sup> "The central idea behind these bills is the myth that if transgender people are legally permitted to use the bathrooms of their choice, sexual predators will take advantage of the law to enter women's bathrooms and sexually harass or assault them. So in order to protect women, state lawmakers decide to further restrict a significantly marginalized group of people" (Norwood 2016).

Importantly, statistics about the safety of cisgender women and trans people tell a different story. When it comes to sexual assault, trans people are actually much more likely to be victims of it than cisgendered people: although 1 in 5 cis women will be raped at some point in their life, it is 1 in 2

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philanthropic movements like Effective Altruism (for critiques of Effective Altruism along these lines see Snow (2015) and Srinivasan (2015).

<sup>16</sup> See [https://www.lgbtmap.org/equality-maps/nondiscrimination/bathroom\\_bans](https://www.lgbtmap.org/equality-maps/nondiscrimination/bathroom_bans)

for trans people.<sup>17</sup> More specifically, Murchison (2019) found that over a 12-month prevalence of sexual assault, 26.5% of victims were transgender boys, 27.0% nonbinary youth assigned female at birth, 18.5% transgender girls, and 17.6% nonbinary youth assigned male at birth. Importantly, “youth whose restroom and locker room use was restricted were more likely to experience sexual assault compared with those without restrictions”. And, what’s more, when it comes to who is assaulting whom, studies have found that these assaults of trans people are often done by those in “protection” roles like police (15% for white, and 32% for Black, trans people in police custody). So, it seems like if the goal is to protect vulnerable individuals from sexual assault, police are the group of people who ought to be banned from entering certain public spaces, and trans people the focus of protection.

While the original North Carolina bathroom bill was repealed in 2017, legislation against LGBTQ rights has unfortunately not ceased. In fact, the Human Rights Campaign declared the first-ever national state of emergency for the LGBTQ community in early June 2023, when that year saw 150 bills filed in 25 states, bills which included that it be legally mandatory for school teachers and staff to out trans students to their families.<sup>18</sup> One bill in particular, descriptively colloquially referred to as the “Don’t Say Gay” bill but officially called the “Stop Sexualization of Children Act”, states its aim is to “prohibit the use of Federal funds to develop, implement, facilitate, or fund any sexually-oriented program, event, or literature for children under the age of 10, and for other purposes” (Wamsley 2022). This would include public library drag queen story hours, as well as discussion of topics like gender identity, gender dysphoria, transgenderism, and sexual orientation in any public school classes or

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<sup>17</sup> Borck (2017).

<sup>18</sup> Kina (2023).

events. The supposed justification behind these laws is as the official title of the bill describes: to protect “vulnerable children”, with the assumption that LGBTQ people pose a threat to the safety of children.

However, as with the bathroom bills, statistics on child abuse tell a much different story. For example, a 1994 study found that “82% of the suspected perpetrators of child sexual abuse in a study sample were at the time of the offense or had been at some time involved in a heterosexual relationship with a close relative of the child they victimized . . . researchers found that a child’s risk of being molested by his or her relative’s heterosexual partner was over 100 times greater than their being molested by someone who identifies as being homosexual, lesbian or bisexual (0.7% of the cases)”.<sup>19</sup> Moreover, cisgender men are found to be the vast majority of perpetrators of sexual abuse, accounting for 86% of perpetrators in cases reported of sexual abuse against boys, and 94% of perpetrators in cases reported of sexual abuse against girls.

One aspect of anti-LGBTQ legislation that is important to note is who introduces and approves such legislation. Largely, these legislators and governors are cisgender men; they include, for example, Bruce Borders<sup>20</sup>, Roger Wilder III<sup>21</sup>, and Mike Dunleavy<sup>22</sup>. However, they also include cisgender women like South Dakota governor Kristi Noem<sup>23</sup> and North Dakota legislator SuAnn Olson<sup>24</sup>. The overall observable pattern in these anti-LGBTQ bills, then, is as follows: straight,

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<sup>19</sup> See [https://www.barcc.org/assets/pdf/Statistics\\_Download\\_-\\_LGBT.pdf](https://www.barcc.org/assets/pdf/Statistics_Download_-_LGBT.pdf) for this and many other statistics on abuse and assault in the LGBTQ community. This statistic of the vast majority of child sexual abusers identifying as heterosexual men is confirmed by numerous studies.

<sup>20</sup> [https://iga.in.gov/legislative/2023/legislators/legislator\\_bruce\\_borders\\_1](https://iga.in.gov/legislative/2023/legislators/legislator_bruce_borders_1)

<sup>21</sup> <https://legis.la.gov/legis/BillInfo.aspx?i=246414>

<sup>22</sup> <https://www.akleg.gov/basis/Bill/Detail/?Root=HB%20105>

<sup>23</sup> <https://www.cnn.com/2023/02/13/politics/south-dakota-kristi-noem-transgender-minors/index.html>

<sup>24</sup> <https://ndlegis.gov/assembly/68-2023/regular/bill-overview/bo1473.html>

cisgender, and largely male legislators argue that certain vulnerable groups of people (cisgender women, children) need to be protected from other groups of people (LGBTQ people) when in reality those that these arguments claim are the threat *of* danger are actually the most vulnerable *to* such danger, and at the hands of those making the arguments in the first place.

One aspect of this case that deserves careful attention is the role that cisgender women's support plays in this dynamic. At first, it may seem odd that cisgender women have opted to support cisgender men in their anti-LGBTQ campaigns, as they appear to be acting against their own interests, collaborating with their oppressor. However, feminist theorists have explained that women often act in line with sexist and misogynistic men in order to either avoid the penalties of defying patriarchal norms, or to receive the benefits of being in good favor with those in power.<sup>25</sup> At the same time, it is also important to not underestimate the role that cissexism specifically plays in this dynamic, as there is a long and ongoing history of cisgender women acting to dominate and exclude trans women, especially from so-called feminist movements and spaces. As Bassi and LaFleur (2022) explain, such feminist anti-trans rhetoric utilizes the same narrative of the danger of trans people and the innate vulnerability of cisgender women, but ultimately in service of cissexism. They state, "this is not just an effort to pathologize trans people as wolves in sheep's clothing, foxes in the proverbial henhouses of feminism and women's spaces. Rather, it is that, but it is just as much an effort to consolidate a sense of cis womanhood as ontologically defined by a particular relationship to victimization . . . to frame trans

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<sup>25</sup> See, for example, Manne (2018, Ch. 4) who analyzes the rise of women in right-wing political circles as being compatible with and ultimately in service of misogyny.



women as a threat to cis girls and women . . . is to insist on the exchangeability of *woman* and *cis woman*.”<sup>26</sup>

Having clarified the nuanced dynamics involved in anti-LGBTQ legislation, I want to move to consider how such legislation functions as an indirect moral racket, noting their historical connections. First, let’s start with the bathroom bills. In this case, it is clear that the supposed victim or vulnerable group being posited is cisgender women. We have already noted that if women are assaulted, it is most often trans women who are the victims of assault, and cisgender white men who are the perpetrators of assault.<sup>27</sup> So, in this case, there is no actual problem of trans women assaulting cisgender women in bathrooms, and no serious threat of it either. Instead, the cisgender white men and women who pushed these bills falsely positioned themselves as the “protectors” of these vulnerable cisgender women and their interests, selflessly doing the right thing by standing between these cisgender women and the trans people who supposedly posed a threat to their wellbeing or feminist liberatory aims, therein gaining (or attempting to gain) moral clout.

This exploitation of cisgender white women as vulnerable victims in need of saving and protecting by cisgender white men is sadly now new, however. Historically, the same rhetoric has in fact been used to justify lynching and therein maintain white supremacy. In her “Rape, Racism, and the Myth of the Black Rapist,” Angela Davis (1981) shows how the myth of the Black rapist—as a Black man raping white women—was created to do this. She (1981: 184-5) states, “before lynching

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<sup>26</sup> Ibid., p. 325. See also Koyama (2020), who argues that anti-trans feminisms ultimately work in service of cissexism and maintaining the gender binary; they state, “The very existence of transsexual people, whether or not they are politically inclined, is highly threatening in a world that essentializes, polarizes, and dichotomizes genders . . .”

<sup>27</sup> See <https://www.rainn.org/statistics/perpetrators-sexual-violence> for this and other important statistics on the perpetrators of sexual assault.

could be consolidated as a popularly accepted institution, however, its savagery and its horrors had to be convincingly justified. These were the circumstances which spawned the myth of the Black rapist—for the rape charge turned out to be the most powerful of several attempts to justify the lynching of Black people”. Operating around the stereotype of Black men as sexually immoral and insatiable, and wealthy white women as pure and helpless, wealthy white men were able to secure their own interests—the protection of their white wives and daughters, as well as their position as dominant within white supremacy—all the while playing the moral hero. As statistics show, though, it is white men who are the biggest threat of sexual assault against women.<sup>28</sup> This supposed threat to (white) women’s wellbeing was, as Davis (1981: 184) argues, “a distinctly political invention. As Frederick Douglass points out, Black men were not indiscriminately labeled as rapists during slavery. Throughout the entire Civil War, in fact, not a single Black man was publicly accused of raping a white woman”. Thus, this fake problem was created in order to garner social support and approval for lynching, thereby ultimately maintaining white supremacy.

Turning our attention now to the current “Don’t Say Gay” anti-LGBTQ bills, we can see the operation of an indirect moral racket with the creation of another fake victim group: that of children. As previously noted, statistics show that members of the LGBTQ community do not pose a threat to sexually abusing children—in fact, of those who sexually abuse children, the vast majority are straight people, specifically straight men. At the same time, it is this group—straight people—who are positioning themselves as the ones who are serving the interests of children and acting to protect their wellbeing. Straight people, while in fact the biggest threat themselves, come out as the moral heroes.

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<sup>28</sup> Again, see <https://www.rainn.org/statistics/perpetrators-sexual-violence>.

Historically, positing children as a vulnerable group in need of saving is a tried and true strategy used by straight people to justify LGBTQ discrimination while simultaneously raising their own moral reputation. In the 1970s, Anita Bryant, a former Miss Oklahoma, started the “Save Our Children” campaign, which aimed to overturn anti-discrimination legislation. Bryant expressed grave concern over “the moral atmosphere in which my children grow up,” arguing that “homosexuals cannot reproduce, so they must recruit. And to freshen their ranks, they must recruit the youth of America,” likening gay people murderers.<sup>29</sup> A bit later, in 1985, New Hampshire, followed by California and Massachusetts, banned gay and lesbian couples from being foster parents, going so far that “prospective foster families had to sign a form attesting that no adult in the household was gay”.<sup>30</sup> Likewise, the same “protect the children” rhetoric can be seen in those who were against the Marriage Equality Act, such as Rick Santorum, who, in 2008 stated that proponents of marriage equality, “have no information whatsoever about what it would do to the moral ecology of the country . . . what it would do to the mental and physical health of children”.<sup>31</sup> In these cases, we can sometimes see the explicit use of moral language in arguments made to curtail the rights of marginalized groups, as when Bryant refers to the “moral atmosphere” around raising children and Santorum refers to the “moral ecology” at stake with marriage equality.

Through our analysis, we can notice some commonalities between all three cases of both direct and indirect moral rackets. First, they all share notable features with the traditional organized crime protection rackets discussed earlier: in each of the cases, a group of people are being posited as serving

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<sup>29</sup> Eugenios (2022).

<sup>30</sup> George (2021).

<sup>31</sup> Pew Research Center (2008).

the interests of others. In these cases, it is either with respect to protecting vulnerable others from a supposed evildoer looking to take advantage of the weak and innocent (as in the case of anti-LGBTQ legislation), or by selflessly setting aside one's own interests in order to make others' lives better (as in the case of elite philanthropy and white saviorism). But are they really doing that? We should note here that this question can obviously only be answered in the affirmative if there is a real problem to begin with. As it concerns the anti-LGBTQ legislation, the previous statistics surveyed show that there is, in fact, no such problem: there is no epidemic or even threat of LGBTQ people assaulting children and cisgender women. On the other hand, while economic inequality, and education inequality and political instability, are real problems in the world, the solutions proffered in elite philanthropy and white savior nonprofits either make the problem worse or fail to address the source of the problem. Moreover, though, we should notice the curious fact that in all three of these cases, those being posited as serving the interests of others (white people, billionaire capitalists, straight and cisgender men and women) are all in positions of domination with respect to those whose interests they appear to be serving (BIPOC, the working class poor, children, women). Now armed with an understanding of what moral rackets look like, in the next section I will argue that the primary function moral rackets have is to secure and perpetuate systems of domination in several ways. In this way, my argument goes to show how moral capital is used to secure social-political power among the dominant.

### 3. In Service of Injustice

Through our analysis of the moral rackets inherent in white savior nonprofits, elite philanthropy, and anti-LGBTQ legislation, we saw that the immediate goal and function of moral

rackets is to establish and secure a positive moral reputation for social dominants. Moral rackets do this by presenting those who are in positions of domination as selfless moral saints acting in morally supererogatory ways by setting aside their own interests in order to “do the right thing”, protecting and preserving the well-being of others; at the same time, these others they supposedly serve and protect are in respective positions of social subordination. In this section, I argue that the primary function of moral rackets is to maintain systems of domination. To show this, I will explain how moral rackets ultimately create a perception of legitimacy of such systems of domination through various measures, including by raising the moral reputation of social dominants, undermining moral knowledge, thwarting attention from sources of social problems, and blocking off avenues of resistance.

The way in which systems of domination, and dominant ideologies in particular, have maintained themselves through legitimization strategies is not new. Legitimation strategies are arguments that are given about certain social orders that aim to justify their existence as such. Typically, theorists have explained the staying power of dominant ideologies by referencing the way in which these justifications peddle false beliefs about certain social groups or whole social systems themselves by using, for example, naturalizing strategies (e.g. women are by nature caregivers) or realism strategies (e.g. capitalism is the only possible economic system).<sup>32</sup> To put it more simply: the patriarchal order/capitalism/white supremacy/heterosexism is legitimate and ought to exist because it is natural, or inevitable. Maclean (2021) notes this legitimization strategy with respect to elite philanthropy in particular when they state, “the ultimate purpose of elite philanthropy, whether by design or systemic response to structural conditions, is to legitimate and make palatable the extreme inequalities generated

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<sup>32</sup> See, for example, Shelby (2003) and Urban Walker (2007), as well as Fisher (2009).

by the forward march of global capitalism . . . Over and above the ‘intrinsic value of giving back to the community because it is the right thing to do’ is the need for legitimacy, which many elites seek in order to justify their privileged position and lifestyle.” In the case of moral rackets, the justification arguments given to legitimate systems of domination like white supremacy, capitalism, and heterosexism aren’t the traditional naturalizing or realism arguments. Rather, ironically, they are *moral* arguments. In other words, moral rackets perpetuate the idea that these systems of domination are justified because they are *morally best* and *morally right*.<sup>33</sup>

The primary way moral rackets do this is, as we have seen, by raising the moral reputation of those in positions of domination, enabling them to present themselves as selfless heroes and supererogatory saints acting for the well-being of others. This, in turn, provides a strong but yet subtle argument that the privileges and power that dominants enjoy are not only deserved, but best for all. We can see how moral reputation is crucial for dominants to maintain their position of power by looking to the case of Bill Gates. After his very damaging antitrust trial in 1998, Bill Gates gained the reputation as a ruthless monopolist, having been remembered to have said at one time “Of course, I have as much power as the president has”.<sup>34</sup> Having learned from Carnegie, and other 19th century capitalists, about the resentment extreme wealth can breed in the working class<sup>35</sup>, Gates’ company pursued a “charm offensive” with Gates starting the Bill & Melissa Gates foundation and donating

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<sup>33</sup> This is not to say that these systems of domination don’t also use other means of ideological control, including these other legitimization strategies. For example, cissexism often relies on false claims about the naturalness of the gender binary in service of morally condemning trans and gender non-binary people. Rather, my claim here is that moralizing legitimization strategies are specifically used in service of these systems of domination, and achieve particular aims in service of them.

<sup>34</sup> Larson (2020).

<sup>35</sup> See Harring (2017) for a history of the class uprisings against the extreme wealth of the turn of the century in the United States.

\$20.3 billion to the foundation in the first year and a half. In this way, Gates was able to position himself and construct a reputation of himself as a morally good person, rather than a ruthless narcissist. Savage (2021) notes how this strategy of constructing a positive moral reputation is woven into elite philanthropy and the perpetuation of capitalism overall when they state, “elite philanthropy, far from being merely an inadequate solution to social problems, ultimately works to entrench and perpetuate them—offering a tiny handful of elites a useful vehicle for the purchase of virtue, and the soft power that comes with it, at the expense of the many”. This analysis of the use of moral reputation in elite philanthropy goes to show how moral reputation is itself, in the words of Savage, a form a soft power, a kind of capital that can be used and converted into social-political power. We can also see the conversion of moral capital into social-political power in the case of anti-LGBTQ legislation across the years. Here is where moral rhetoric is used most explicitly, as we saw Rick Santorum speaking about the “moral ecology of the country” and Anita Bryant the “moral atmosphere” in which her children are placed. George (2021) notes the power is utilizing moral arguments for political purposes specifically in creating and maintaining anti-LGBTQ legislation, stating, “focusing on child protection was what brought people to the polls.” The distortion created through this indirect moral racket is one of contorting bigots fixated on discrimination into selfless protectors of those most vulnerable.

What’s more concerning, though, is the realization that insofar as these beliefs about the moral character and actions of the dominant are false, moral rackets function to undermine moral knowledge itself by creating a distorted picture of moral reality. Insofar as people buy into the virtuous picture of social dominants that moral rackets create, their understanding of who is good and bad, what actions are right or wrong, who has committed wrongs against whom, is obscured. At best, people are left with

a completely inverted view of the moral landscape, seeing people and actions that harm others as helping them; at worst, they are left with an inconsistent and nonsensical view of what ought to be done, as studies have found that 82% of the public thinks philanthropists play an important role in society, while the same percentage disapproves of the tax breaks wealthy people receive to start foundations”.<sup>36</sup>

The above statistic also goes to show how moral rackets work in service of systems of domination by thwarting attention away from the true sources of the social problems that dominants position themselves as the solutions to within moral rackets. We can see this in the case of white saviorism and the solutions it proffers. For example, in speaking about Invisible Children Inc., Cole (2012) notes this when he states, “if Americans want to care about Africa, maybe they should consider evaluating American foreign policy, which they already play a direct role in through elections, before they impose themselves on Africa itself”. Here, Cole notes that political instability in Africa finds its roots in Western imperialism, colonialism, and American foreign affairs, rather than the lack of well-meaning white people. Likewise, critics of Teach For America have noted the way in which the organization puts forth a vision of the source of low academic performance in impoverished communities of color as once again the lack of well-meaning and highly educated white people, rather than poverty, and the racism that produces the poverty in these communities. As Skeens (2020) puts it, “Education is not the silver bullet. Education won’t fix poverty, it won’t fix homelessness, it won’t fix violence or food insecurity or lack of opportunity . . . poverty has a much greater impact on education than education does on poverty . . . Put simply: the government is failing to adequately provide basic

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<sup>36</sup> Medwell (2022).



services for these children, and then blaming their teacher for it”. Beyond obscuring from the reality of poverty’s effects on academic performance, the white savior moral racket inherent in Teach For America also obscures from the reality of racism itself and its effects on academic performance: “TFA’s Hero Teacher narrative presents educational inequity as separate from its relationship to historic and present power structures; this narrative euphemizes and presents the decontextualized problem of ‘the achievement gap’ without questioning how this gap was created” (Gude 2015). Thus, within each of these white savior nonprofits, we see that in their offering up well-meaning white people as the solution to these problems, the actual source of these problems—namely, white supremacy, Western imperialism, and colonialism—remain obscured from view.

The same is true when we look to the case of elite philanthropy. In criticizing the well-known philosophical arguments made in favor of individual philanthropic giving made by Peter Singer (1972) and Peter Unger (1996), Paul Gromberg (2002) argues that they obscure understanding of the real source of social issues like world hunger when he (2002: 30) states, “the fallacy of philanthropy says ‘feed the hungry,’ presenting liberal politics (do-gooding) as an ethical duty. It short circuits political discussions of large scale causes of poverty”. The large scale source of poverty, and hunger in particular, of course, is capitalism. Here, Gromberg notes the role that capitalism plays in commodifying food, dictating its production and distribution, replacing local food crops with cash crops so that large agro-conglomerates can amass wealth on the backs of their poorly paid local laborers. Instead of seeing capitalism and these agro-conglomerates as the source of hunger, though, the moral racket inherent in elite philanthropy instead tells us that these same people are the solution to a problem that is tragically unavoidable.

Similarly, we can pause to consider that although the indirect moral rackets of anti-LGBTQ legislation does not have a real problem—as trans and gay people are not a threat to the safety of women and children—there are nevertheless real issues that are tangentially related to these false ones: namely the assault and abuse of women and children. In these cases, what the indirect moral rackets do is thwart attention away from the source of these real problems precisely by constructing their fake problems and false villains. For once we understand that trans and gay people are not assaulting women and children, but hold fixed the realization that assault is a real threat to women and children, we are left searching for the real perpetrator of these crimes. In this way, by offering a false villain, our attention is directed away from further investigating the source of the vulnerabilities women and children suffer from at the hands of (straight, white) men.

In this way, moral rackets thwart attention away from the true causes of the social problems at issue, which in turn prevents the dominant and the institutions that benefit them from being held accountable for their past wrongdoing. In the case of direct moral rackets, the past wrongdoing (e.g. racist housing discrimination, colonialism, labor exploitation) is both ultimately the source of the dominant's position of power, and, oddly enough, what created the opportunity for right making and the construction of their positive moral reputation. Moreover, as a redirection of attention, this maneuver can be considered an instance of epistemic coercion. Sophia Dandelet (2021) defines epistemic coercion as when agents forcefully change the structure of our inquiry, including what questions are investigated and what evidence we pay attention to. By presenting those who are the source of social issues as the solution to them, moral rackets epistemically coerce agents away from

considering the possibility that these same people being presented as their saviors are really wolves in sheep's clothing.

Lastly, moral rackets function to maintain systems of domination by blocking off avenues of resistance. We have already seen how this is the case when it comes to elite philanthropy, where capitalists seem quite aware and fearful of the threat of revolt by those they exploit for their power. We saw this when Carnegie implored other capitalists to give away some of their wealth in order to stave off resistance and retaliation from their laborers. But this fear of revolt and proposed salve of philanthropy is still being promoted amongst capitalist circles, where, for example, Matthew Bishop in his 2008 book *Philanthrocapitalism: How the Rich Can Save the World* warns that “if the rich do not take on this responsibility, they risk provoking the public into a political backlash against the economic system that allowed them to become wealthy”. Likewise, Cole (2012) notes this with regards to the white saviorism inherent in Teach For America and Invisible Children Inc. when he states “the White Savior Industrial Complex is a valve for releasing the unbearable pressures that build in a system built on pillage”. And, finally, we can even discern this in the case of indirect moral rackets like anti-LGBTQ legislation, as women coming to realize that the biggest threat to their safety and wellbeing is men would seriously threaten the patriarchal order Card initially drew our attention to.

One way of understanding how moral rackets achieve this function of blocking off resistance is by considering how double binds function. In her “Oppressive Double Binds”, Sukaina Hirji (2021: 646-7) defines double binds as “choice situations that are both products of and mechanisms of oppressive structures”. Hirji argues that the crucially damning feature of a double bind is that effective resistance depends on being safe enough to resist, such that the more one resists, the less effective that

resistance will be. In this way, double binds are self undermining in the sense that no matter what one does, one becomes “a mechanism in their own oppression” (653). Moreover, double binds function to obscure this fact, perpetuating the illusion that marginalized agents are free (as they are not obviously coerced), all the while limiting their ability to determine the course of their lives.

Similarly, moral rackets also force subordinated agents to become a mechanism in their own oppression. They do so by making it practically rational for subordinated agents to accept the “help” or “solutions” or “protection” that those at the helm of these moral rackets offer them. In a world structured by global capitalism, for example, it would only further harm yourself as someone who is working class poor or living in poverty to reject philanthropic donations. In this way, moral rackets set up a vision of reality where it just doesn’t make sense for those victimized by such rackets to reject their heroes and solutions. Doing so seemingly functions as a kind of failure of presupposition rejection: what we want to reject is the specific proposed solution to the problem, and the system itself, but by simply saying “no” we end up rejecting the idea that there is any problem that needs addressing at all. What we want to reject is that capitalists are the solution to poverty, white people the solution to racial education disparities, cisgender straight men the solution to the vulnerability of being a woman or a child. But by rejecting nonprofit work, philanthropic donations, and commitments to protect women and children, we create the distorted picture that we are claiming impoverished school districts shouldn’t receive funding, billionaires shouldn’t give away any of their wealth, women and children aren’t vulnerable to abuse. In rejecting these solutions offered, it distortedly appears as though we are denying that these problems even exist in the first place, denying that people of color, laborers, and women are suffering in significant ways. We are left without an avenue to cut off the power of the

dominant, as either way their power expands: either by the marginalized not receiving any aid and therefore remaining in a position of relative powerlessness or suffering, or by the dominant making gains in moral capital which they therein convert into great social-political power. We are left without a way to rightfully cut off the hand that feeds. In this way, the dominant force those they subordinate to acquiesce to the system that exploits them. In the end, these legitimization roles moral rackets perform—undermining moral knowledge, thwarting attention away from the true source of the social problems, and blocking off avenues of resistance—show how moral rackets play a crucial role in maintaining entire systems of domination.

#### 4. Conclusion

We began this paper by noting that in quintessential gangster films that illustrate criminal rackets, it is very clear who are the “good guys” and who the “bad guys”. Yet, as we’ve seen when it comes to real life and the moral domain, this is not so obvious, as moral rackets can be at work creating distorted pictures of who are the morally “good guys” and who the morally “bad guys”. In this way, the arguments here make some way to show how moral thought and talk (moral knowledge and moral judgments) is one integral way that systems of domination are able to maintain themselves, rather than the panacea to injustice. What the work here warns us is that not every time a hero comes along are they really there to serve and protect others; moral heroes and saviors can rather be wolves in sheep’s

clothing, coming along to hide the tracks of their wrongdoing and perpetuate the systems that made them powerful over others in the first place.<sup>37</sup>

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