

The Benefit of the Doubt: A Way of Thinking about Systematic Inequality

Amanda Udis-Kessler, unpublished essay, May 1, 2021

Trigger warning: Please note that this essay mentions rape and other forms of violence.

I moved to Colorado Springs in 2003 (at age 38) and promptly got my first speeding ticket ever. To be fair, I was driving 40 mph on a residential street, which I noticed right after I drove past the 30-mph sign. Then I heard the siren.

The (white) police officer was very polite. He could see that I was nervous and apologized for having to write me a ticket at all. As he left, he waved at me and yelled, “Drive safe, now!” Throughout the interaction he was gentle and friendly. His final words felt more like a kindness than an instruction. I still remember how light his voice was throughout the whole interaction, how easy. He wasn’t worried or concerned or afraid. He did not see me as a problem.

To this day, that is the only speeding ticket I’ve ever received. Not that I haven’t driven above the speed limit. I do so regularly, probably every time I drive more than a mile. And not that I haven’t sped in sight of marked police cars. I have, on multiple occasions. But somehow, my speeding is never an issue. Police officers don’t see me as a problem.

About six and a half years ago, a 12-year-old African American boy playing alone in a park and causing no harm to anybody was seen as a problem. On November 22, 2014, police officer Timothy Loehman (Ferrell 2014) shot Tamir Rice to death for the “crime” of playing with an Airsoft gun in a park while being 12 years old and not white. (Airsoft guns fire non-lethal plastic pellets (BBC editorial staff 2014; Fitzsimmons 2014).) The 911 responder appears to have asked twice whether Tamir was “black” or “white” before deciding whether to send police (Dearden 2014). Officer Timothy Loehman fired within two seconds of arriving on the scene (Izadi and Holley 2014). Loehmann, it turned out, had been deemed “an emotionally unstable recruit and unfit for duty” in a prior position as a police officer, but had not revealed this to the Cleveland police, who never reviewed his previous personnel file before hiring him (Mai-Duc 2014).

Had Tamir been white, the responder would not have dispatched police officers; white boys play with guns, even potentially lethal guns, regularly with no interference. Had the officers waited two minutes rather than two seconds before firing, they would have seen that Tamir did not pose a threat. Had the Cleveland PD checked Loehmann’s personnel file before hiring him, he would not (I hope) have been on the force there in the first place. But instead, Tamir joined the long list of African American people, before him and since, who were deemed a problem and murdered by police officers and vigilantes.

What does sociology have to say about this odd juxtaposition of unproblematic white lawbreaker and problematic harmless African American child? Stories capture our attention and may get us out in the streets in protest, but a more systematic approach can help us understand how to remake society so that the next Tamir Rice can grow up to find a cure for cancer, play in a symphony orchestra, or cuddle his granddaughter instead of being a statistic of racism and a memory worthy of weeping every Thanksgiving.

We can think of sociology as the study of social patterns and the way those patterns play out in our lives, or as the study of the connections between people, perspectives, and practices. How we see the world informs how we act in the world; the opportunities available to us are based substantially on what other people think of us. Sociology's passion and genius is in teasing apart the strands of our lives to better understand what our various "ideologies, institutions, interests, identities, and interactions" (Hughey 2015) have to do with each other, how they make us who we are, and what we would need to do to change them in order to build a society where everyone has a genuine chance to flourish. The point of studying social inequality, after all, is to figure out how to get rid of it.

I never met Tamir Rice but our stories are intertwined in a way. My apparent harmlessness and Rice's apparent dangerousness are of a piece, two sides of one coin. Sociologists use a variety of terms to describe this coin: power and powerlessness, privilege and disadvantage, status and stigma, and value and devaluation. In the context of racial inequality, we might talk about white supremacy and (for example) anti-Black racism. All of these concepts are very useful. In order to capture a dynamic of inequality that does not always receive adequate focus, I would add the terms "good faith" and "bad faith."

Members of valued social groups are met with good faith, over and over again, and the good faith translates into good treatment. Good faith, put simply, is the benefit of the doubt, and when we give someone the benefit of the doubt, we treat them well. This happens in simple interpersonal interactions, but it also happens in a wide range of institutional contexts. In contrast, when we do not give someone the benefit of the doubt, instead doubting them or their version of the story or even their basic humanity, we treat them badly, not on the basis of evidence that they deserve or merit bad treatment but because we expect or assume the worst of them.

In theory, our good-faith or bad-faith treatment of someone could be based on suppositions that are specific to that person, but much of the time, those suppositions have to do with the person having a socially valued or devalued identity. Sociologically speaking, then, good faith and bad faith inform every kind of systematic social inequality – in internalized oppression; in acts of fear and violence, in cultural messages about who matters and who's worthy, in institutional discrimination, and in how all these aspects of inequality interact and reproduce themselves across generations. Good faith and bad faith operate broadly across social systems, but they can also operate in the smallest of interactions.

Good Faith, Bad Faith

As I've suggested, good faith and bad faith are ways of talking about social valuation, whether someone is worth something in the eyes of society or not, based on the social groups to which they belong. Some social groups are more highly valued than others, as we can see based on (for example) who gets higher salaries (men and white people), who gets raped (women), whose marriage is not controversial (heterosexuals), and who "fits the profile" of a criminal (people of color). The details of good-faith treatment and bad-faith treatment can differ depending on the

social group in question, but the assumptions that underlie devaluing or valuing someone are patterned in similar ways even when the forms that devaluation takes in daily life differ.

If someone perceives me or thinks about me in the context of a socially valued group to which I belong, I will receive the benefit of the doubt in multiple ways across all aspects of my life. People will be inclined to view me positively and to support my gaining access to society's resources, opportunities, and valued experiences. People will not be inclined to view me with suspicion or to think poorly of me. If, on the other hand, someone perceives me in the context of a socially devalued group to which I belong, their good faith may become bad faith; they may be suspicious of me, not expect much from me, and ultimately not care whether I get to have a good life (or even whether I get to live).

Since all of us have multiple identities in terms of gender, race, sexuality, class, and other such categories, our real-life experiences of good or bad faith will depend on which of our identities is most germane in the moment. For example, I personally receive good-faith treatment as a white person all the time; I sometimes receive bad-faith treatment based on my gender and sexuality. I'm far more likely to be aware of the bad-faith treatment, which will feel unfair to me (quite reasonably). I'm far less likely to be aware of the good-faith treatment because it simply seems normal to me; of course, I should be given the benefit of the doubt if I have not done something to forfeit being given the benefit of the doubt. (It's possible to make sense of "privilege" language (white privilege, male privilege, etc.) in light of "the benefit of the doubt" and "good-faith treatment" but that discussion would take this essay too far afield.)

What, then, are the concrete good-faith and bad-faith assumptions that lead to giving someone the benefit of the doubt or to doubting them? Here are two examples: A good-faith approach might involve assuming that a person is trustworthy, while a bad-faith approach might involve finding them suspicious, not based on anything that they have done but rather due to perceptions of their social group.

Alternatively, a good-faith approach might involve believing someone's account of their life and experiences, thereby taking them seriously as a reliable narrator about themselves and as an expert on their own life. A bad-faith approach might involve mistrusting their account and writing them off, assuming that other people have a more authoritative account of this person's life than the person themselves does. For example, lesbian/gay/bisexual people have often been defined as inherently immoral regardless of how morally exemplary our individual lives might be. Once defined as immoral, we are understood to be untrustworthy in making claims about ourselves as well as in other ways.

More broadly, good faith presumes that people are competent, hardworking, harmless, intelligent, morally upright, financially stable, positive contributors to society, presumptively successful, unproblematic, reasonable, worthy of respect, rational, appropriately self-interested, and within the bounds of normality. Bad faith, in contrast, presumes that people are incompetent, lazy, dangerous, unintelligent, morally problematic, financially unstable or insecure, detriments to society, presumptive failures, problematic, unreasonable, unworthy of respect, irrational (including overly emotional or hysterical in the case of women), militant, or extreme. Again, these assumptions are based not on evidence but on stereotypes.

Frequently underlying the good faith-bad faith distinction is a tendency to see people either as individuals or as representing and standing for a devalued social group, and to treat them accordingly. I once saw a cartoon that demonstrated this point beautifully. It had two panels; each panel featured two people solving a math problem at a blackboard. In the first panel, both people were men and one of them said to the other, “Wow, you’re terrible at math” (or something to that effect). In the second panel, the same man said to the other person, a woman, “Wow, girls are terrible at math.” In this cartoon, the individual failing of a specific person is taken to demonstrate the stereotyped failing of a member of a social group – but only when the specific person is a member of a devalued group. Otherwise, it’s just the one individual (“you”) who is “terrible at math.” (Also note the use of “girls” rather than “women” in a cartoon involving two adults, as this suggests more evidence that the women is being disrespected by virtue of being diminished.)

In an individualistic society, getting to be seen as an individual is usually a good thing. If I am seen as an individual, my bad habits, failings, and frailties are simply my own idiosyncrasies, while my strengths and successes are understood to be genuinely earned rather than “given” to me by someone else (for example, because “affirmative action” made them do it). We tend to grant individuals their full complexity while reducing members of devalued groups to their group memberships. This reductionism forces members of devalued groups to represent or stand in for or speak for their group, and means that their group membership is seen as the most important thing about them.

If something bad happens to someone who belongs to a socially valued group, we are likely to treat them with compassion, in part because it would not occur to us that they are to blame for someone else’s poor treatment of them. In contrast, if something bad happens to a member of a socially devalued group, we may not be sympathetic and may even blame them for bringing the harm on themselves. Rape is a classic example of such victim-blaming; women are routinely asked what they did to get themselves raped while their rapists are let off the hook. This victim-blaming is also common in the case of police or vigilante killings of people of color, where it is extremely rare for an officer or vigilante to be held accountable for killing even an unarmed, harmless individual.

Here are some questions we might ask to help us further understand the good faith-bad faith dichotomy. Are we more surprised when someone fails or when they succeed? Are we more surprised when someone commits a crime or when they try to stop a crime from being committed? Do we think that someone’s interests are representative of people in general, or do we think of them as belonging to a “special interest” group that should not have “special rights?” Do we find their interest in having a sex life to be appropriate (he’s a stud) or inappropriate (she’s a slut)? Is their body unremarkable or disgusting, harmless or dangerous? Should we leave someone alone to go about their business or are they in need of policing (whether by commenting on that dessert she is eating or by pulling him over for “driving while Black”)? All of these distinctions are examples of good faith or bad faith at work.

The faith with which we approach someone matters because it impacts our ability to treat them equally or justly, but also because it raises the question of how much we care about their well-

being. Approaching someone in good faith means, at a minimum, that we don't want them to suffer and might even be happy to help them flourish. Approaching someone in bad faith means that we don't care whether they flourish and we might not even mind seeing them suffer since "they asked for it" or "they brought it on themselves" or "if they had only..."

Institutional Good Faith and Bad Faith

One of the many ways that social institutions shape our lives is by granting some people the legitimate authority to make decisions about other people's lives that will enhance the flourishing or suffering of those people. When someone has legitimate authority (or institutional decision-making power), society will largely accept the decisions they make as appropriate because they are acting on behalf of the institutions they represent. They get to make decisions that will cause others pain or joy because they wear a badge, run a company, are ordained, sit behind a bank desk, teach the class, or otherwise have access to social, cultural, or economic resources that they can choose to share or not. Good faith, in the context of institutional decision-making power, means treating someone well, giving them the benefit of the doubt, and granting them access to the goods, experiences, and opportunities that will enrich their life. Bad faith in this context means treating someone poorly, denying them the benefit of the doubt, and blocking their access to those same goods, experiences, and opportunities.

Here are some examples of institutional good faith. I have experienced most of these kinds of good faith by virtue of being white.

In the educational system, good-faith treatment means teachers call on you when you raise your hand in elementary school, encourage you when you are struggling in high school, presume that you wish to pursue further education after high school, and provide you the optimal mix of challenge and support as you write a senior thesis in college. Good-faith treatment grants you access to scholarships so that you can go to college or graduate school, and leads professors to offer you work-study or research opportunities with them.

Good-faith treatment in the healthcare system means that doctors and other healthcare providers will bring their best skills and compassion to your treatment and your physical or psychological well-being, that insurance companies will insure you, that you will receive appropriate pain treatment, and that you will not be turned away from medical care because of your social identities. Good-faith medical treatment also means that there are drugs available for your condition and that the proper dosage for such drugs is common knowledge because the research that led to the development of these drugs included members of your social group from the start.

Good-faith treatment by the government means that you will not experience difficulty voting, that laws protect your well-being and are not used against you, and that those with political power will use that power to assure your ability to have a good life by making sure that political systems are not stacked against you.

Good-faith treatment in the economic system means that the bank officer will approve your loan, the store clerk will serve you promptly, correctly, and without suspicion, and you will be able to buy or rent in your desired neighborhood as long as you can afford to do so.

Good-faith treatment in the workplace means that you will be hired for a job for which you are qualified, that you will be paid the highest appropriate wage for your position, and that your supervisor and co-workers will welcome you and help you succeed at your job.

Good-faith treatment by the criminal justice system means that whether you are the victim of a crime or you are accused of committing a crime, you will be treated respectfully by the police, lawyers, judges, and anyone else whom you encounter in the process. If you are the victim of a crime, your victimization will matter and be taken seriously. If you have been accused of committing a crime, you will be understood to be innocent until proven guilty and treated accordingly.

Because we interact with different institutions on a regular basis, the effects of the above kinds of good-faith treatment are cumulative, as are the (undiscussed above but equivalent) effects of bad-faith treatment. Our social value, or lack thereof, is confirmed multiple times a day as we move from our families to school or to the workplace, or as we move from an experience of worship to the store or the voting booth. Our flourishing or suffering is magnified with each new engagement with those who have institutional power to treat us well or badly.

Moreover, those institutional interactions intersect with more straightforwardly interpersonal interactions with people who have no institutional power but who can still welcome or reject us, ignore us or threaten us. For example, as we navigate public spaces (on foot, on public transportation, or in cars) we may do so freely or we may be in danger of others finding us troublesome. A walk down the street may be relaxing, stressful or terrifying, depending on whether a random person who sees us ignores us, sexually harasses us, physically attacks us, or arrests us because we “fit the profile” by virtue of our skin color.

Implications for People Seeking to Work against Forms of Inequality from which They Benefit

There are many ways to work against forms of inequality from which we benefit, precisely because those forms of inequality work across all large-scale institutions, through our daily interactions, and at many levels in-between. If we are particularly interested in working against inequality in the arena of bad-faith treatment, we might want to start with some of the following:

- Developing a fierce commitment to the well-being of members of the devalued group;
- Developing an equally fierce commitment to treating members of the devalued group with good faith, giving them the benefit of the doubt, and trusting them as experts on their own lives even when doing so is difficult (and especially then);
- Engaging in substantial self-education about the history and present reality of the relevant form of inequality and the social, economic, political, and psychological impacts it has on members of the devalued group;
- Doing the emotional work of becoming comfortable with the discomfort that members of valued groups inevitably feel when faced with both the evidence of and the harm caused by a particular form of inequality (so that they will not resort to fragility, defensiveness, or emotional shut-down but instead will remain fully present in working against the inequality);

- Developing the courage and skills necessary to interrupt harm caused by others when we see such harm occurring, even if it puts us at some degree of risk; and
- Putting some of our gifts, skills, energy, time, and resources to work on behalf of justice for (or, more broadly, the well-being of) the devalued group.

This work is challenging, endless, and always before us. We continually have opportunities to take it up to the best of our abilities. If we develop the capacities, empathy, and skills to offer the benefit of the doubt to those who usually do not receive it, and to offer good-faith treatment to those whose lives are filled with bad-faith treatment, we will indeed be able to help create a world in which the next Tamir Rice will not be murdered, I will receive the speeding tickets I deserve, and far more people will get to have the good lives that should be their birthright.

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